

09/20/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-14331

NAME AND ADDRESS: CLIFFORD O CUMMINGS JR
BOX 1143
NORTH FORK ID 83466

SOURCE: NORTH FORK SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.120 CFS

PRIORITY DATE: 04/01/1908

POINT OF DIVERSION:

T25N R21E S28 SWNW Within LEMHI County

T25N R21E S33 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.120 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T24N R21E S04	NENW	22.00	T24N R21E S04	NWNW	21.00
T24N R21E S04	SWNW	6.00	T24N R21E S04	SENW	7.00

56 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 75-4138B.



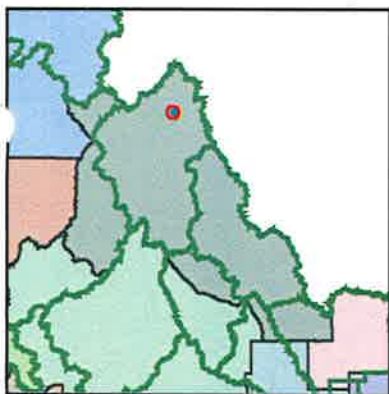
Idaho Department of Water Resources

Adjudication Claim:

75-4138B

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75

Prepared by R. Brown
On Sunday, March 5, 2006
1987/88 Aerial Photography

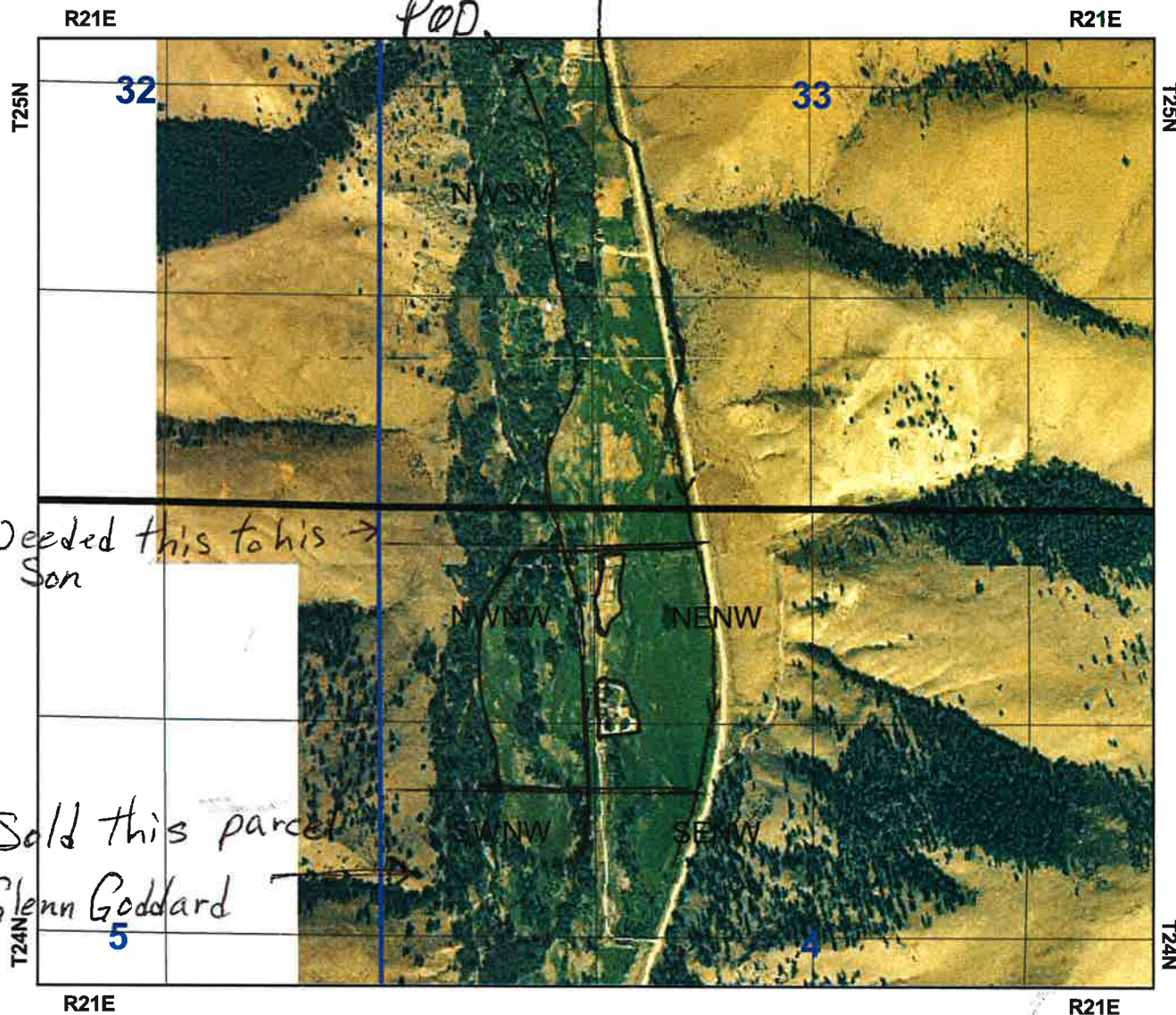


*Sold this parcel
to Glenn Goddard*

*Deeded this to his
Son*

POD

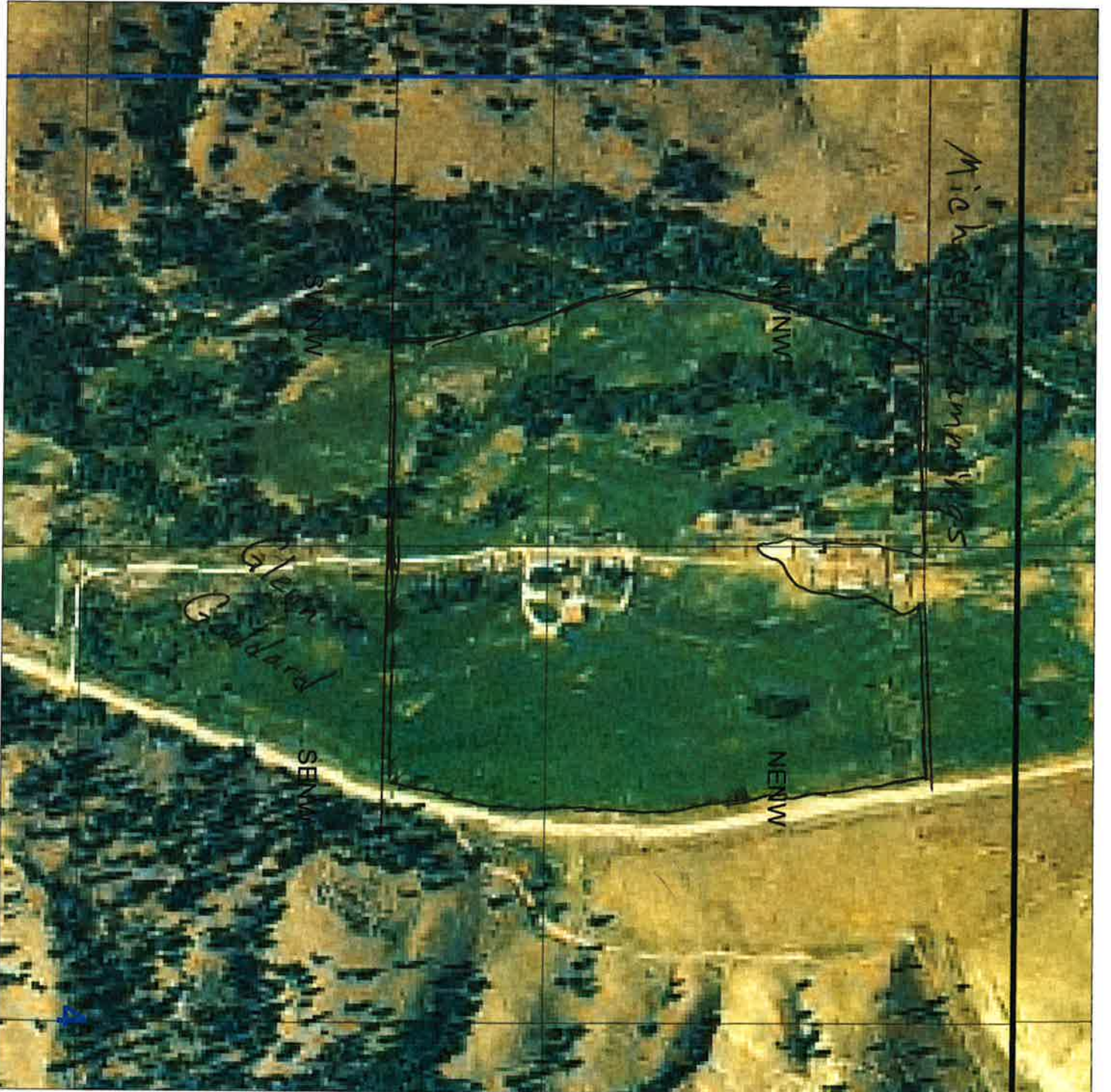
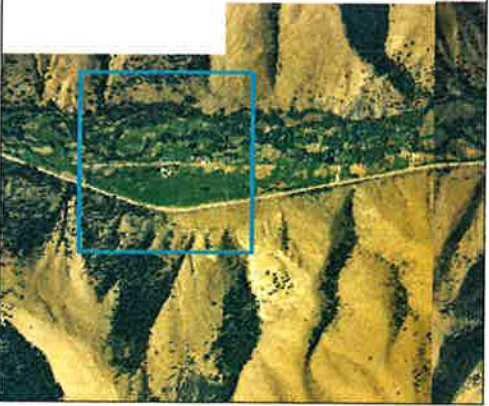
Sec 28 POD



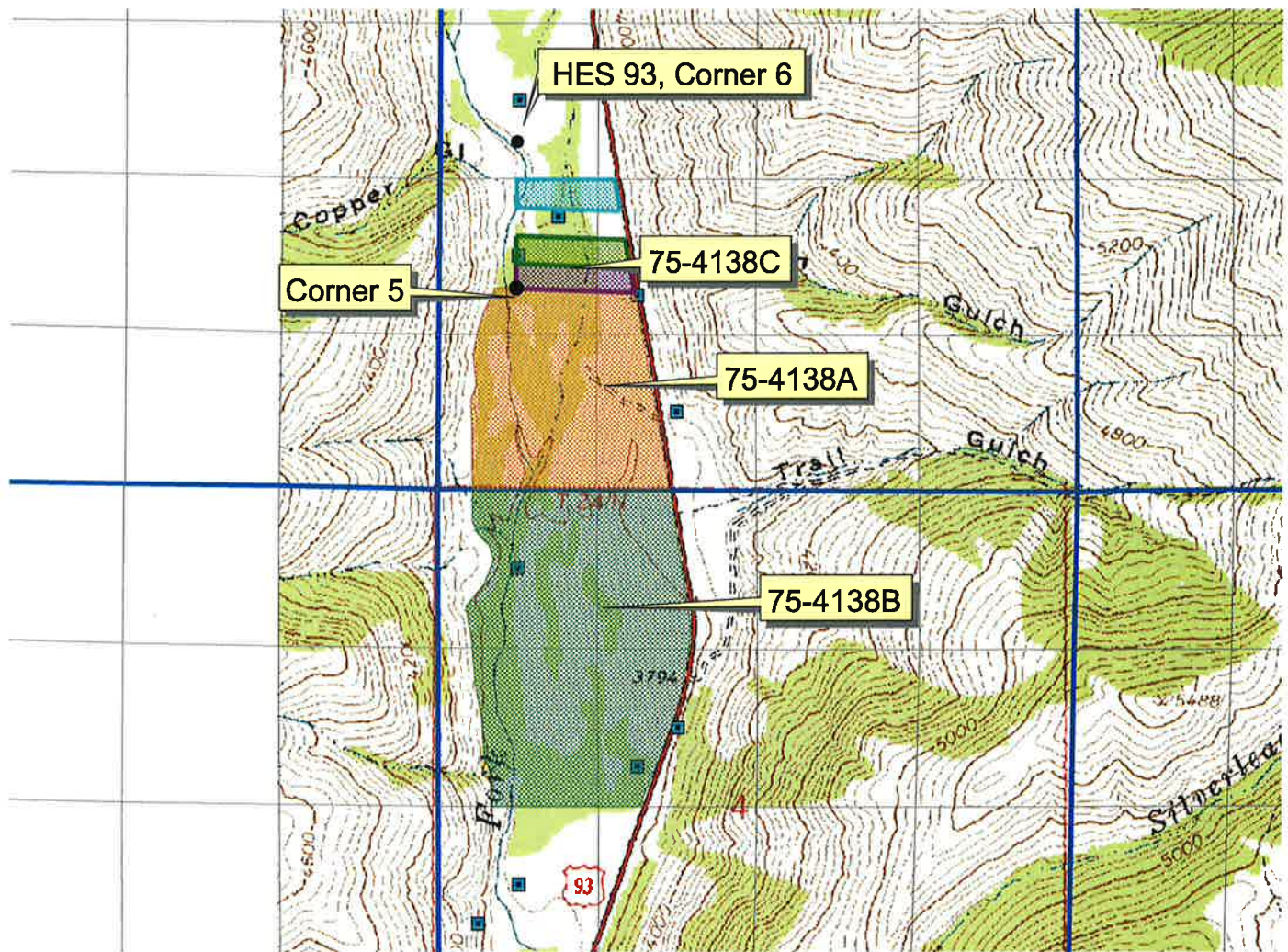
Owner: **CLIFFORD O CUMMINGS JR**

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

75-4138B

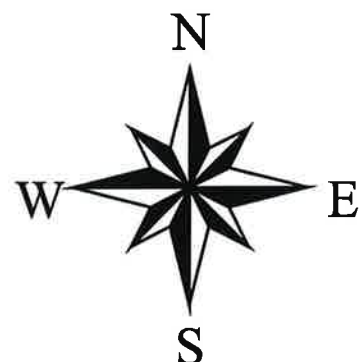


75-4138A, B, C & potential claims



0.3 0 0.3 0.6 Miles

- Blackburn.shp
- 75-4138b.shp
- Thorsen.shp
- 75-4138c.shp
- 75-4138A.shp
- Lemhi taxlots
- GCDB25N21E GCDB
- GCDB24N21E GCDB
- POD-AJ ClaimClaim POD
- Administrative BasinsAdminbas.shp
- Sections



RECEIVED

JUN 26 2006

DEPARTMENT OF
WATER RESOURCES

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

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
	75-1138 B				

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)

Cliff Cummings JR. & Linda Cummings

4. New Owner/Claimant(s)

Glenn & Jerry Goddard

Name Connector (Check one): [] and, [X] or, [] and/or

New Mailing Address

38 Goddard Ln.

City, State and ZIP Code

North Fork, Id. 83466

New Telephone Number

208 865-2324

5. Date you acquired the property

Nov. 1998

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)

Larry Hedland

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 _____

WARRANTY DEED

For Value Received CLIFFORD O. CUMMINGS JR. AND LINDA
CUMMINGS, HUSBAND AND WIFE,

the grantor s, do hereby grant, bargain, sell and convey unto

GLENN GODDARD AND TERRY GODDARD, HUSBAND AND WIFE,
HC 10, Box 46, North Fork, ID 83466

the grantees, the following described premises, in Lemhi County Idaho, towit:

SEE EXHIBIT "A" ATTACHED HERETO:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees ,
their heirs and assigns forever. And the said Grantor do hereby covenant to
and with the said Grantee s, thatt hey are the owner in fee simple of said premises; that they
are free from all incumbrances

and that t hey will warrant and defend the same from all lawful claims whatsoever.

Dated: November 16 1998

Clifford O Cummings Jr

CLIFFORD O. CUMMINGS, JR.

Linda Cummings

LINDA CUMMINGS

STATE OF IDAHO, COUNTY OF Lemhi--ss

On this 16th day of NOV , 19 98
before me, a notary public in and for said State, personal-
ly appeared

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for re-
cord at the request of Lemhi Title

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees ,
their heirs and assigns forever. And the said Grantor do hereby covenant to
and with the said Grantee s, thatt hey are the owner in fee simple of said premises; that they
are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 16 1998

Clifford O Cummings Jr

CLIFFORD O. CUMMINGS, JR.

Linda Cummings

LINDA CUMMINGS

STATE OF IDAHO, COUNTY OF Lemhi--ss

On this 16th day of NOV, 19 98
before me, A notary public in and for said State, personal-
ly appeared

CLIFFORD O. CUMMINGS, JR. AND
LINDA CUMMINGS

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

[Signature]

Notary Public

Residing at SALMON

, Idaho

Comm. Expires 2-19-2003

STATE OF IDAHO, COUNTY OF *Lemhi*

I hereby certify that this instrument was filed for re-
cord at the request of *Lemhi Title*

at 23 minutes past 9 o'clock Am.,
this 30th day of August
19 99, in my office, and duly recorded in Book
of Deeds at page

Terri J. Moten

Ex-Officio Recorder

By *[Signature]*

Deputy.

Fees \$ 6.00

Mail to:

EXHIBIT "A"

Tax Parcel No. 2263, Recorded as Instrument No. 204179 records of Lemhi County, Idaho

A parcel of land located in the SE1/4NW1/4 of Section 4, T 24 N, R 21 E, Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the West 1/4 of said Section 4, from which the Southwest corner of said Section 4 bears S00°48'45"W, a distance of 1465.79 feet on a bearing of S89°55'48"E along the center of said Section; Thence N00°38'04"E, 30.00 feet to the REAL POINT OF BEGINNING.

From this REAL POINT OF BEGINNING, a distance of 173.11 feet on a bearing of N00°38'04"E; Thence S89°21'56"E, 283.35 feet to a point on the Westerly right-of-way of U.S. highway No. 93; thence S20°38'20"W, 184.23 feet along said right-of-way; Thence N89°21'56"W, 220.33 feet to the REAL POINT OF BEGINNING.

Said parcel contains 1.00 acre. (As surveyed by Johnson and Couch.)

The above conveyance is made free and clear of all other encumbrances except: Rights of way and easements, reservation in Federal patents and state deeds, or other restrictions imposed by law, building and use restrictions of records, building and zoning regulations and ordinances of any governmental unit whether of sight or of record.

EXHIBIT "A"

Parcel "1"

A parcel of land located in Section 4, T 24 N, R 21 E, Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the West 1/4 of said Section 4 from which the Northwest corner of said Section 4 bears N00°05'31"E the BASIS OF BEARING of this description, 2667.56 feet; Thence S89°55'51"E, 328.25 feet to the POINT OF BEGINNING;

Thence N00°01'16"W, 866.11 feet;

Thence S89°55'17"E, 1664.47 feet to the intersection with the west right-of-way of Highway 93;

Thence along said right-of-way the following two (2) courses; (1) along a spiral curve to the right 312.04 feet having a chord of S19°16'38"W, 311.98 feet; (2) S20°24'17"W, 395.62 feet to the intersection with the West line of Lemhi County tax parcel No. 2263;

Thence along said tax parcel No. 2263 the following three (3) courses; (1) N89°18'58"W, 282.99 feet; (2) S00°41'02"W, 173.11 feet; (3) S89°18'58"E, 220.94 feet to the intersection with the west right-of-way of Highway 93;

Thence S20°24'17"E along said right-of-way, 29.68 feet;

Thence leaving said right-of-way N89°55'51"W, 1348.76 feet to the POINT OF BEGINNING.

Said parcel contains 29.00 acres, more or less.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

September 20, 2006

Clifford Cummings
Box 1143
North Fork, ID 83466

RE: 75-14331

Dear Mr. Cummings:

As a result of the sale of property to Glen Goddard it was necessary to split water right 75-4138B. The identification number for your portion of the right is now 75-14331.

Sincerely,

A handwritten signature in black ink, appearing to read 'Knoblock', is written over a light blue horizontal line.

Kenneth Knoblock
Water Resources Agent

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A75-04138B

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☐ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's: *SE NE Sec 33*
GPS Site Tag No.: *A0014967 GPS 055 - A0014990 GPS 075*

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

Cliff Cummings Jr. has gifted some of his ranch to his son Michael and sold some to Glenn Goddard. He is not irrigating as much as he once did.

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack F. Ellis

Signature

T24 R21

Sec 4

North Fork

Hailey 05875.

4-1003.

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Arthur S. Hull has been established and duly consummated, in conformity to law, for the east half of the west half of the southwest quarter of the northwest quarter, the east half of the southwest quarter of the northwest quarter, the west half of the southeast quarter of the northwest quarter, the northwest quarter of the northeast quarter of the southeast quarter of the northwest quarter and the Lots six and seven of Section four in Township twenty-four north of Range twenty-one east of the Boise Meridian, and the H. E. Survey No. 92, embracing a portion of the unsurveyed public domain, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1, from which the north quarter corner of said Section four bears east four and ninety-nine-hundredths chains distant; thence north ten chains to corner No. 2; thence west fourteen and ninety-five-hundredths chains to corner No. 3; thence south ten chains to corner No. 4; thence east fourteen and ninety-five-hundredths chains to corner No. 1, the place of beginning, containing in the aggregate one hundred twenty-seven and fifty-eight-hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the THIRTIETH day of MARCH in the year of our Lord one thousand nine hundred and SIXTEEN and of the Independence of the United States the one hundred and FORTIETH.

SEAL.

By the President: Woodrow Wilson

By M. P. LeRoy, Secretary.

L. Q. C. Lemar

Recorder of the General Land
Office.

RECORDED: Patent Number 522237

Recorded at the request of Arthur Hull June 24th, 1916, at 50 minutes past 1 o'clock P. M., in Book Y of Deeds page 36, Records of Lemhi County, Idaho.

By W. W. Dimmick
Deputy.

J. L. Kirtley, Jr.,
County Recorder.

7-1
36

Holcomb
Sub

4-196

DEPARTMENT OF THE INTERIOR

UNITED STATES LAND OFFICE Hailey, Idaho

Serial No. 06554-012749

Receipt No. 54163-\$13.48

1144140-7.53

1850247-8.00

FINAL CERTIFICATE
HOMESTEAD.Act of June 11, 1906-List Nos.
4-69, and 4-992.

September 8, 1916

IT IS HEREBY CERTIFIED that, pursuant to the provisions of Section 2291, Revised Statutes of the United States, ALEXANDER O'NEIL, Carmen, Idaho, has made payment in full for

A tract of 91.48 acres within Salmon National Forest, in surveyed Section 27, T. 24 N., R. 21 E., B. M., designated as Homestead Entry Survey No. 101, List No. 4-69, described by metes and bounds as follows: Beginning at Corner No. 1, identical with the meander corner of fractional sections 22 and 27 on right bank of Salmon River, extending thence East along the line between Sections 22 and 27, 2.68 $\frac{1}{2}$ chains to Corner No. 2; thence S. 0 deg. 3' E. 4.98 chains to Corner No. 3; thence S. 89 deg. 55' E. 5.01 chains to Corner No. 4; thence S. 0 deg. 2' E. 4.99 chains to Corner No. 5; thence S. 89 deg. 49' E. 5.01 chains to Corner No. 6; thence S. 0 deg. 2' E. 4.99 ch. to Corner No. 7; thence S. 89 deg. 43' E. 5.01 chains to Corner No. 8; thence S. 0 deg. 1' E. 4.99 chains to Corner No. 9; thence S. 89 deg. 38' E. 5.01 chains to Corner No. 10; thence S. 0 deg. 1' E. 34.67 chains to Corner No. 11; thence N. 89 deg. 36' W. 0.13 chains to Corner No. 12; thence N. 0 deg. 01' W. 0.46 $\frac{1}{2}$ chains to Corner No. 13; thence S. 89 deg. 46' W. 21.42 chains to Corner No. 14; thence along the meander line of the right bank of Salmon River, N. 1 deg. 20' E. 10.03 chains; N. 7 deg. 30' E. 15 chains; N. 9 deg. 0' W. 6 chains; N. 30 deg. 30' W. 5.40 chains; N. 1 deg. 0' E. 18.72 ch. to Corner No. 1, the place of beginning; and on March 27, 1913, made Additional Homestead Entry Serial No. 012749 for the E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 27, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 26, T. 24 N., R. 21 E., B. M., containing 67.50 acres, List No. 4-992, containing 158.98 acres.

NOW, THEREFORE, BE IT KNOWN that, on presentation of this Certificate to the Commissioner of the General Land Office, the said Alexander O'Neil shall be entitled to receive a Patent for the land above described if all then be found regular.

Ben R. Gray, Register.

Recorded at the request of H. E. Newman April 12th, 1917, at 25 minutes past 11 o'clock A. M., in Book Y of Deeds page 227, Records of Lemhi County, Idaho.

BY W. W. Dimmonds
Deputy.J. L. Kirtley, Jr.,
County Recorder.

Hailey 06554 and 012749.

4-1043.

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of ALEXANDER O'NEIL has been established and duly consummated, in conformity to law, for the

East half of the northeast quarter of the southeast quarter, the northeast quarter of the southeast quarter of the southeast quarter, and the south half of the southeast quarter of the southeast quarter of the northeast quarter of Section twenty-seven and the west half of the northwest quarter of the southwest quarter, the northwest quarter of the southwest quarter of the southwest quarter, and the southwest quarter of the southwest quarter of the southwest quarter of the northwest quarter of Section twenty-six in Township twenty-four north of Range twenty-one east of the Boise Meridian, Idaho; and the H. E. Survey No. 101, embracing a portion of said Section twenty-seven, more particularly bounded and described as follows: Beginning at corner No. 1, identical with the meander corner of fractional Sections twenty-two and twenty-seven on right bank of Salmon River; thence east two and six hundred eighty-five-thousandths chains to corner No. 2; thence south three minutes past four and ninety-eight-hundredths chains to corner No. 3; thence south eighty-nine degrees fifty-five minutes east five and one-hundredth chains to corner No. 4; thence south two minutes east four and ninety-nine-hundredths chains to corner No. 5; thence south eighty-nine degrees forty-nine minutes east five and one-hundredth chains to corner No. 6; thence south two minutes east four and ninety-nine-hundredths chains to corner No. 7; thence south eighty-nine degrees forty-three minutes east five and one-hundredth chains to corner No. 8; thence south one minute east four and ninety-nine-hundredths chains to corner No. 9; thence south eighty-nine degrees thirty-eight minutes east five and one-hundredth chains to corner No. 10; thence south one minute east thirty-four and sixty-seven-hundredths chains to corner No. 11; thence north eighty-nine degrees thirty-six minutes west thirteen-hundredths of a chain to corner No. 12; thence north one minute west four hundred sixty-five-thousandths of a chain to corner No. 13; thence south eighty-nine degrees forty-six minutes west twenty-one and forty-two-hundredths chains to meander corner No. 14; thence, meandering said right bank of Salmon River, north one degree twenty minutes east ten and three-hundredths chains, north seven degrees thirty minutes east fifteen chains, north nine degrees west six chains, north thirty degrees thirty minutes west five and four-tenths chains, north one degree east eighteen and seventy-two-hundredths chains to corner No. 1, the place of beginning; containing in the aggregate one hundred fifty-eight and ninety-eight-hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the United States ^{unto} the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-EIGHTH day of JULY in the year of our Lord one thousand nine hundred and SEVENTEEN and of the Independence of the United States the one hundred and FORTY-SECOND.

SEAL.

By the President: Woodrow Wilson
By E. D. Bouldin, Assistant Secretary,
L. Q. C. Lamar

Recorded: Patent Number 594706

Recorder of the General Land Office.

Recorded at the request of Allen C. Merritt July 22nd, 1918, at 50 minutes past 19 o'clock A. M., in Book Y of Deeds page 521, Records of Lemhi County, Idaho.

BY W. W. Simmonds
Deputy.

J. L. Hirtley, Jr.,
County Recorder.

O'Neill's Water Right
Notice of Location

I the undersigned do hereby locate and claim all the water flowing in this creek. The same being 200 inches measured under a four inch pressure the same to be taken out of Wagon Hames Creek at a point on the South side of creek about 5000 feet above the mouth and to be conducted by a ditch 2 1/2 feet wide and 1 1/2 feet deep and by flumes in part of same capacity to and upon O'Neill's Ranch for the purpose of irrigating the same.

The point of diversion of this water right is in Lemhi County State of Idaho.

The said Ranch upon which the water claimed hereby is to be used embraces 160 acres in area and is situated along and upon the east side of Salmon River in Lemhi County Idaho the Northern end line of ranch being about 2000 feet Southwesterly and up the river from the mouth of said Wagon Hames Creek.

Located and claimed this 10th day of January 1894,
claimant
Alexander O'Neill

Recorded at the request of Alex O'Neill January 18th 1894
at 15 minutes past 2 o'clock P.M. in Book 3 of Water Rights page
57. Records of Lemhi County Idaho.

Timothy Dorr
County Recorder
B. L. Simpson
Deputy

Hailey 06498 and 09247.

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of George Kern has been established and duly consummated, in conformity to law, for the northwest quarter of the northeast quarter of the northeast quarter and the west half of the northeast quarter of the northeast quarter of Section thirty-four in Township Twenty-four north of Range twenty-one east of the Boise Meridian, Idaho, and that portion of said Section thirty-four and Section twenty-seven, said Township and Range, designated by the Surveyor-General as H. E. Survey No. 50, more particularly bounded and described as follows:

Beginning at corner No. 1, from which the corner of Sections twenty-six, Twenty-seven, thirty-four and thirty-five, said Township and Range, bears south eighty-nine degrees, fifty-four minutes east ten and two-hundredths chains distant; thence north two minutes west twenty-five chains to corner No. 2; thence north eighty-nine degrees, fifty-three minutes west twenty-one and seventy-two-hundredths chains to corner No. 3; thence meandering east bank of Salmon River south two degrees, fifteen minutes west two and fourteen hundredths chains, south forty-five minutes west eight chains, south seven degrees, forty-five minutes west fifteen chains, south sixteen degrees, forty-five minutes west eight and five-tenths chains, south three degrees, thirty minutes west six chains, south seven degrees, fifteen minutes west fourteen chains, south nineteen degrees west twelve chains, south fifteen degrees, thirty minutes west twelve chains, south nine degrees, thirty minutes west four and twelve-hundredths chains to corner No. 4; thence south eighty-nine degrees, fifty-eight minutes east sixteen and thirty-three-hundredths chains to corner No. 5; thence north two minutes west twenty-five chains to corner No. 6; thence south eighty-nine degrees, fifty-seven minutes east five chains to corner No. 7; thence north two minutes west ten chains to corner No. 8; thence south eighty-nine degrees, fifty-six minutes east five chains to corner No. 9; thence north two minutes west twenty chains to corner No. 10; thence south eighty-nine degrees, fifty-four minutes east ten and two-hundredths chains to corner No. 1, the place of beginning; the premises herein granted containing one hundred forty-nine and fifty-one-hundredths acres, according to the Official Plats of the Survey of the said Land, returned to the General Land Office by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant, the tracts of land above described; TO HAVE AND TO HOLD the said tracts of Land, with the appurtenances thereof, unto the said claimant, and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed. GIVEN under my hand, at the City of Washington, the Tenth day of May in the year of our Lord one thousand nine hundred and thirteen and of the Independence of the United States the one hundred and thirty-seventh.

By the President: Woodrow Wilson,
By M. P. LeRoy, Secretary,
H. W. Sanford,
Recorder of the General Land Office.

SEAL.

RECORDED: Patent Number 332404

Recorded at the request of George Kern July 1st 1913, at 9 o'clock A. M., in Book W of Deeds page 162, Records of Lemhi County, Idaho.

County Recorder.

By Deputy.

Notice of Water Right Location.

To whom it may concern. Notice is hereby given: That Hogle, Demout & Kern, proprietors of the Gibbonsville Brewery, Gibbonsville, County of Lemhi, State of Idaho, have this 27th day of July 1897, appropriated & hereby claim the use of water of North Fork of Salmon River, to the extent of five cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows: Ditch: Taken out below the Hobson and Idaho Mining & Refining Company's Ditch. The aforesaid persons claiming the water thus flowing to the extent of five cubic feet on the East side of the North Fork of the Salmon River. That the special purpose or purposes for which said water is claimed is for Domestic purposes.

The place of intended use is at the Gibbonsville Brewery. That the general course of the proposed canal or conduit is North to South. The length of said proposed canal or conduit is Nineteen Hundred feet.

That it is intended to complete the works for the diversion & use of said water as aforesaid within Thirty days.

A copy of this notice was duly posted at or near the point of intended diversion on the Twenty seventh day of July 1897.

Witness hand at Gibbonsville, County of Lemhi, State of Idaho, this 27th day of July 1897.
Appropriators & Claimant: } John C. Hogle.
Robert Demout.
George Kern.

State of Idaho } ss.
County of Lemhi }

George Kern, being first duly sworn, deposes & says, that he is of lawful age & one of the appropriators & claimants of the Water Right described in the within foregoing notice & whose name is subscribed thereto. That the statements in said notice are true. & that the original notice, of which this foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 8 o'clock P.M. the 27th day of July 1897.

Subscribed & sworn to before me this 27th day of July 1897.

State of Idaho } ss.
County of Lemhi }

G. W. Notes
Notary Public

I hereby certify that this instrument was filed for record at the request of J. C. Hogle et al at 6 o'clock P.M. this 28 day of July 1897, in my office & duly recorded in Book "B" of Water Rights, at page 252.

J. P. Clough
Ex-officio Recorder.
By C. J. Clough
Deputy.

OCT 0 2001

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: A75-04138B
Date Received: 4/24/1990
Receipt No: E013578
Received By: HCS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLIFFORD CUMMINGS JR. 208-865-2164
Address: BOX 1143
NORTH FORK, ID 83466

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
25N	21E	28		SW	NW		LEMHI
		33		NW	SW		LEMHI

5. Description of diverting works:
~~DITCH~~ TO FLOOD AND SPRINKLER
Ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.160		

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

8. Total consumptive use is 270.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	21E	4	NE	NW		IRR	25.0
			NW	NW		IRR	30.0

A75-04138B

Page 1

Date: 04/24/90

A7504138B



MICROFILMED

DEC 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	21E	4	SW	NW	IRR	30.0
			SE	NW	IRR	23.0

Section Acres 108.0

Total Acres 108.0

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 _____ 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): Clifford Cummings Jr. 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

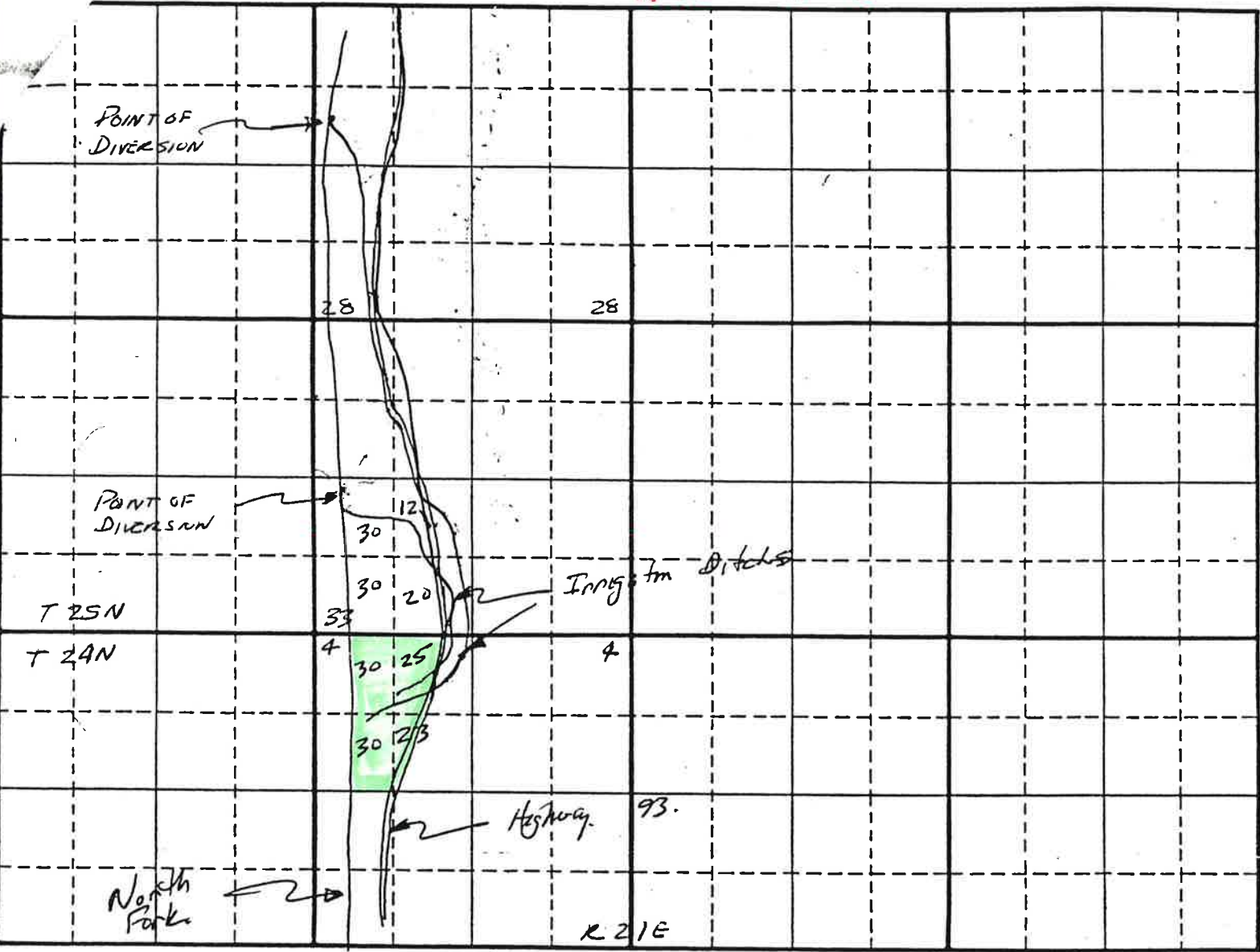
Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94

A75-041380



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.

Nancy M. Cummings (Claimant)
DEC 15 1992

Sworn to before me this 24 day of June, 1980.