

11/14/2006

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

RIGHT NUMBER: 75-14362
NAME AND ADDRESS: NANCY CUMMINGS
PO BOX 202
NORTH FORK ID 83466

JON CUMMINGS
PO BOX 202
NORTH FORK ID 83466

SOURCE: NORTH FORK TRIBUTARY: SALMON RIVER
QUANTITY: 0.150 CFS
5.000 AFY
PRIORITY DATE: 06/01/1967
POINT OF DIVERSION:

T25N R21E S33 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	01/01 12/31	5.00 AFY
FIRE PROTECTION	01/01 12/31	5.00 AFY
DIVERSION TO STORAGE	01/01 12/31	0.150 CFS

PLACE OF USE: RECREATION STORAGE in LEMHI County
T25N R21E S33 NWSW
FIRE PROTECTION in LEMHI County
T25N R21E S33 NWSW
DIVERSION TO STORAGE in LEMHI County
T25N R21E S33 NWSW

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



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 27, 2006

Jon & Nancy Cummings
Box 202
North Fork, ID 83466

Dear Mr. & Mrs. Cummings:

We are returning your claim to a water right. The third page needs to be signed in front of a notary. Please sign the claim and return it to this office.

Sincerely,

Kenneth Knoblock
Water Resources Agent

RI

RECEIVED

OCT 06 2006

SEP 15 2006

Form No. 42-1409 (2) a 1/88

(Internet)

DEPARTMENT OF
WATER RESOURCESDEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576
75-17362

9.15.06

CO 82177

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWRECEIVED RECEIVED
OCT 12 2006
IDWR/North
SEP 25 2006
IDWR/North

Please type or print clearly

1. Name of Claimant (s) Jon & Nancy Cummings Phone (208) 865-2165
Mailing Address Box 202 North Fork, ID Zip 83466
2. Date of Priority (Only one (1) per claim) 6/1/1967
3. Source of water supply (a) North Fork Salmon River
which is tributary to (b) Salmon River
4. a. Location of existing point of diversion is: Township 25N Range 21E Section 33
NE 1/4 of NW 1/4 of SE 1/4, Govt. Lot, 21B B.M., County of Lamhi

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Headgate from NF River - to Ditches - pond - Pump -
- headgate to 2 Ditches - always used same
Ditches & Pumping started in 1996
Pond has always been here

SCANNED

OCT 07 2006

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For 1/20/01 purposes from 1/01 to 11/01 amount 0.150 or _____
 For Pond & Fish purposes from 1/01 to 12/31 amount 0.150 or _____
 For Fire prevention purposes from 1/01 to 12/31 amount 0.150 or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.150 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater Lambs & goat # 6 / Fire Prevention

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

in case of
Forest Fire or
other -

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>25N</u>	<u>21B</u>	<u>33</u>										<u>H/E</u>							

Total number of acres irrigated 0

11. In which county (ies) are lands listed above as place of use located? Lamhi

12. Do you own the property listed above as place of use? Yes X No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks: The above water rights are on property
on both sides of me that I own
They are getting switched over to my name

Last Name Cummings Ident No. 75-4138-75-10589

SCANNED
 OCT 07 2006

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Nancy Cummings

Date 10/2/06

Date 10/2/06

For Organizations: I do solemnly swear or affirm that I am

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of Lentini) SS.

Subscribed and sworn (or affirmed) before me this

2nd

day of

October

2006

Notary Public

Corey J. Park

Residing at

Salmon, ID

My Commission Expires

6.2.2012

Please Print Name

17. Notice of Appearance

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____

Ident. Number _____

SCANNED

OCT 07 2006

Idaho Department of Water Resources Receipt

Receipt ID C082177

Payment Amount \$100.00 Date Received 9/15/2006 10:34:17 AM Region State Status
Payment Type Check Check Number 5927

Payer CUMMINGS JON OR NANCY

Comment NOTICE OF CLAIM TO A WATER RIGHT

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	WATER RIGHT FILING SUBSCRIPTION	0229	21	51100	1755



Signature Line (Dept. Representative)

COPY
FOR YOUR FILES
DO NOT RETURN

To whom it may concern, I Clifford O. Cummings Sr. purchased a ranch two & a half miles north of North Fork on Hwy. 93, of 300 acres in 1967. The 100 Acre Wood or Jon Cummings property are on the upper end of this ranch. The pond in question was on this property at this time. Two ditch's fed it and was heavily wooded with swamp & open area, area was about 1 acre, was probably beaver made years before.

Clifford O. Cummings sr.

Clifford O. Cummings Sr.
Carmen Creek, 208-756-1141

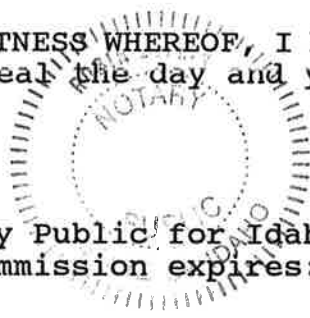
STATE OF IDAHO

COUNTY OF Lemhi--ss

On this 14 day of August 2006, before me the undersigned a Notary Public in and for said state personally appeared CLIFFORD O. 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

A circular notary seal for the State of Idaho. The outer ring contains the text "NOTARY PUBLIC" at the top and "STATE OF IDAHO" at the bottom. The center of the seal is blank.

Notary Public for Idaho, residing at Salmon, Idaho
My commission expires: 8-27-07