

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 29 2020

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-172 0 OK	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>

2. Previous Owner's Name: Jenny & Russell Cummins

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kent & Janet Cummins

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

615 Hazel Street

Mailing address

Alco

City

Idaho

State

83213

ZIP

208-664-4033

Telephone

KCummins@ATC.net

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: June 11 2017

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

7. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – **warranty deed**, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

8. Signature: Kent Cummins

Signature of new owner/claimant

Owner

Title, if applicable

6-29-20

Date

- Signature: Janet Cummins

Signature of new owner/claimant

Owner

Title, if applicable

8-10-20

Date

6-29-20

For IDWR Office Use Only:

Received by mfeltis

Date 6-29-20

Receipt No. E046063

Receipt Amt. 25.00

Approved by JB

Processed by JB CR

Date CR 6/30/2020

WD 34 / BLGWD

NO. 54703

RECORDED

JUN 20 2017

Warranty Deed

10:47 A.M.
BUTTE COUNTY RECORDER
Ryan Hammett

For value received,

Russell Cummins and Jenny Cummins, husband and wife,

the grantor, does hereby grant, bargain, sell, and convey unto

Kent Cummins and Margaret Janet Cummins, husband and wife,

whose current address is **P.O. Box 494, Arco, ID 83213**

the grantee, the following described premises, in **Butte** County, Idaho, to wit:

See attached EXHIBIT "A"

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: June 19th, 2017

Russell Cummins
Russell Cummins

Jenny Cummins
Jenny Cummins

State of IDAHO)
) ss.
County of BUTTE)

On this 19th day of **June** in the year of **2017**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Russell Cummins and Jenny Cummins**, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Lyle B. Boyer
Notary Public
Residing In: Arco, Idaho
My Commission Expires: 6-15-2021
(seal)

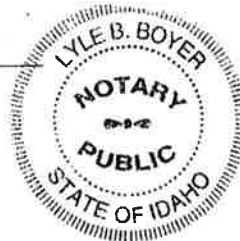


EXHIBIT "A"

A parcel of land generally described as being a portion of Tax No. 18-83 located in the SW1/4SE1/4 of Section 25, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, described as:

Commencing at the S1/4 corner of said Section 25, from which the SE corner of said Section 25 bears N. 89°51'38" E., 2636.87 feet; thence from the S1/4 corner of said Section 25, N. 00°00'40" W., along the West boundary of the SE1/4 of said Section 25, a distance of 1318.87 feet to the NW corner of the SW1/4SE1/4 of said Section 25; thence N. 89°59'06" E., along the North boundary of the SW1/4SE1/4 of said Section 25, a distance of 183.96 feet to the Easterly boundary of the now abandoned Union Pacific Railroad right-of-way and the POINT OF BEGINNING of this land description; thence S. 41°27'31" E., along the Easterly boundary of said railroad right-of-way, a distance of 601.72 feet to the Northwestern most corner of Tax No. 17-83; thence along the Northerly boundary of Tax No. 17-83, N. 48°32'29" E., perpendicular to the Easterly boundary of said railroad right-of-way, a distance of 176.00 feet; thence N. 41°27'31" W., parallel with the Easterly boundary of said railroad right-of-way, a distance of 50.00 feet; thence N. 48°32'29" E., perpendicular to the Easterly boundary of said railroad right-of-way, a distance of 30.00 feet; thence N. 72°15'00" W., a distance of 16.00 feet; thence N. 48°32'29" E., a distance of 95.00 feet to the Westerly boundary of the Arco Canal right-of-way; thence along the Westerly boundary of said canal right-of-way, the following three courses and distances: (1) N 72°15'00" W., 83.05 feet; (2) N 67°25'31" W., 62.62 feet; (3) N 47°20'52" W., 236.19 feet to the North boundary of the SW1/4SE1/4 of said Section 25; thence S. 89°59'06" W., along the North boundary of the SW1/4SE1/4 of said Section 25; a distance of 265.00 feet to the POINT OF BEGINNING.

TOGETHER WITH an Easement generally described as being a 30 foot wide easement along the Southwesterly side of Grantors property, in the SW1/4SE1/4, Section 25, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, being more particularly described as follows:

Commencing at the S1/4 corner of said Section 25, from which the SE corner of said Section 25 bears N. 89°51'38" E., 2636.87 feet; thence from the S1/4 corner of said Section 25, N. 00°00'40" W., along the West boundary of the SE1/4 of said Section 25, a distance of 1318.87 feet to the NW corner of the SW1/4SE1/4 of said Section 25; thence N. 89°59'06" E., along the North boundary of the SW1/4SE1/4 of said Section 25, a distance of 183.96 feet to the Easterly boundary of the now abandoned Union Pacific Railroad right-of-way; thence S. 41°27'31" E., along the Easterly boundary of said railroad right-of-way, a distance of 701.72 feet to the Southwesterly most corner of Tax No. 17-83; thence along the Southerly boundary of Tax No. 17-83, N. 48°32'29" E., perpendicular to the Easterly boundary of said railroad right-of-way, a distance of 176.00 feet to the POINT OF BEGINNING of this 30 foot wide Easement:

Thence N. 41°27'31" W., parallel with the Easterly boundary of said railroad right-of-way, a distance of 150 feet; thence N. 48°32'29" E., perpendicular to the Easterly boundary of said railroad right-of-way, a distance of 30 feet; thence S. 41°27'31" E., a distance of 150 feet; thence S. 48°32'29" W., a distance of 30 feet to the POINT OF BEGINNING and end of said Easement.

NO. 0045662

RECORDED

MAY 16 2008

9:49 A.M.
BUTTE COUNTY RECORDER RM
[Signature]

WARRANTY DEED

080354BU/ 5782LRT

For Valuable Consideration Received:

BONNIE PRICE AND EDDIE L. PRICE, WIFE AND HUSBAND,

the Grantors, do hereby grant, bargain, sell, convey and warrant unto

RUSSELL CUMMINS AND JENNY CUMMINS, HUSBAND AND WIFE,

the Grantees, whose current address is:

P.O. Box 236, Arco, ID 83213

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

[Signature]
Bonnie Price

May 15, 2008
Date

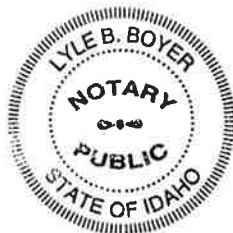
[Signature]
Eddie L. Price

5-15-08
Date

STATE OF IDAHO)
)ss.
COUNTY OF BUTTE)

On this **15th day of May, 2008**, before me, the undersigned, a Notary Public, in and for said State, personally appeared **BONNIE PRICE AND EDDIE L. PRICE**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL



[Signature]
Residing at: Arco, Idaho
Commission Expires: 06/05/2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

June 30, 2020

KENT CUMMINS
MARGARET JANET CUMMINS
615 HAZEL AVE
ARCO ID 83213-8759

Re: Change in Ownership for Water Right No(s): 34-172D

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3779.

Sincerely,

Cher Ramos
Technical Records Specialist

Enclosure(s)

cc: Water District 34
Big Lost River Ground Water District