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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 06 2020

DEPARTMENT OF
WATER RESOURCES

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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
2-10027	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"/>	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: Cunningham Family LP
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Scott & Lori Bennett
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 532 N College Rd. Gardiner Id. 83624
Mailing address City State ZIP
- 208-598-2195 Scott.bennett.farms@gmail.com
Telephone 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: _____
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] owner 3-25-2020
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by KU Date 4-6-2020 Receipt No. C108553 Receipt Amt. \$25

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☒

Name on W-9 _____ Approved by _____ Processed by [Signature] Date 4-10-2020

Perimeter: 1306.8 f
t

Area: 1.5 ac



Snake River

Point
of
Diversion

Parkinson Rd



Google





Pioneer Title Co.
GOING BEYOND

5680 E. Franklin Rd., Ste. 150
Nampa, ID 83687

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 697323 CH/TG

WARRANTY DEED

For Value Received The Cunningham Family Limited Partnership, an Idaho limited partnership
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Scott Bennett and Lori Bennett, husband and wife

hereinafter referred to as Grantee, whose current address is 532 N Collett Road Grand View, ID 83624

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 Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 30, 2019

The Cunningham Family Limited Partnership

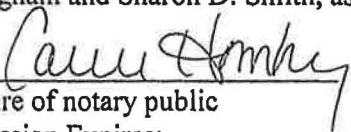

April D. Agenbroad, Partner


P. Gary Cunningham, Partner


Sharon D. Smith, Partner

State of IDAHO, County of CANYON

This record was acknowledged before me on January 6, 2020 by April D. Agenbroad and P. Gary Cunningham and Sharon D. Smith, as Partners of The Cunningham Family Limited Partnership .



Signature of notary public
Commission Expires:

EXHIBIT A

Tract I:

In Township 4 South, Range 2 East, Boise Meridian, Owyhee County, Idaho

Section 27: Government Lots 4, 6 and 7; Southeast Quarter of the Southeast Quarter; North 12 acres of the Southwest Quarter of the Southeast Quarter; and the following described parcel:

COMMENCING at the center of Section 27, Township 4 South, Range 2 East, Boise Meridian, Owyhee County, Idaho and running; thence

North along the East line of the Northwest Quarter of said Section 27, a distance of 72 rods to the South bank of the Snake River; thence

Following the bank of said Snake River to a point 110 rods North of the South line of said Northwest Quarter 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 the Northwest Quarter at a point 100 rods North of the South line thereof; thence

Following the center of the wash to the West line of said Quarter Section at a point 57.5 rods North of the Southwest corner of the Northwest Quarter; thence

South along the West line of said Quarter Section to the Southwest corner of the Northwest Quarter; thence

East along the South line of the Northwest Quarter to the POINT OF BEGINNING.

Tract II:

In Township 4 South, Range 2 East, Boise Meridian, Owyhee County, Idaho

Section 35: West Half of the Northwest Quarter

IDAHO Department of Water Resources



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WATER RIGHT REPORT

3/5/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 2-10027

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CUNNINGHAM FAMILY LP 6211 BRANSTETTER ST BOISE, ID 83714 2083752714
Original Owner	GERALD J CUNNINGHAM
Original Owner	GERTRUDE L CUNNINGHAM 22787 PARKINSON RD GRAND VIEW, ID 83624-5086 2088342244

Priority Date: 04/01/1968

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.03 CFS	
Total Diversion			0.03 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER|SWNE Lt 4|Sec. 27|Township 04S|Range 02E|OWYHEE County
Place(s) of use:

Hi Scott,

Shawn Smith called to let me know this water right needs to be in your name.

If you could fill out the Ownership change form & send to Eld. Dept. of Water Resources to get that change made.

I also attached the resolution for Water Dist 2 along with the invoice.

If you have any questions, please feel free to call myself or Rob Whitney.

Thank You,
Chris



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 16, 2020

SCOTT BENNETT
LORI BENNETT
532 N COLLETT RD
GRAND VIEW ID 83624-5078

Re: Change in Ownership for Water Right No(s): 2-10027

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Water District No. 2