

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

JUL 30 2009

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

WATER RESOURCES
WESTERN REGION*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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
PD 63-03624A	2-6-09				

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 on file with the county Planning and Zoning or Recorder's Office).

OR

- D. 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 or equivalent **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)

Jack A Walker
 PO Box 426
 Vale OR 97918-0426

4. New Owner/Claimant(s)

Gaius J and/or Kathleen A Cunningham
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

9198 Arnold Rd

City, State and ZIP Code

Boise ID 83714

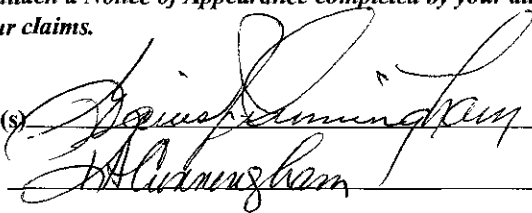
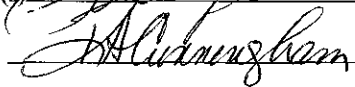
New Telephone Number

(208) 939-8129 Email: cedemolition@yahoo.com

5. Date you acquired the property 12-7-2007
6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

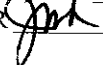
7. Signature(s) of New Owner(s) or Claimant(s)  (title if applicable)
 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by SB
 Received by SB
 Processed by _____ AJ

Date 7-30-09
 Date 7-30-09
 Date _____

Receipt Amt. 25.00
 Receipt No. W037749
 WR  Date 8-4-09

WARRANTY DEED

Order No.: AT-4050608645

FOR VALUE RECEIVED

Jack A. Walker, a single man,

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

Gaius J. Cunningham and Kathleen A. Cunningham, husband and wife,

whose current address is

9798 Arnold Road, Boise, Idaho, 83714,

the grantee(s), the following described premises, in Gem County, Idaho, TO WIT:

Five (5) Lode patented mining claims: Dynamite, Easter, Judas, Shamrock and Iron Dollar, situated in a portion of Section 15, Township 6 North, Range 1 East, B.M., Gem County, Idaho designated by the Surveyor general Lot No. 2086, Mineral Certificate No. 352, recorded in the Official Records of Gem County, Book B of Deeds at Page 223, as Instrument No. 8926, of Official Records.

Said property was previously recorded in Book 31 of Deeds at Page 521, Official records of Boise County, Idaho. Property was situated in Boise County until Gem County became a County.

Said property also shown of record as:

Five (5) Lode Mining Claims: Dynamite, Easter, Judas, Shamrock and Iron Dollar, situated in a portion of Section 15, Township 6 North, Range 1 East, B.M., Gem County, Idaho, as recorded in Book B of Deeds at Page 223, records of Gem County, Idaho, bearing U.S. Mineral Survey Lot No. 2086, recorded in General Land Office Record Vol. 456, Pages 460 to 465.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: December 7, 2007

Jack A. Walker



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 63-03624A

NAME AND ADDRESS: JACK A WALKER
YELLOW PINE, ID 83677

SOURCE: SPRINGS TRIBUTARY: WILLOW CREEK
WILLOW CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 0.10 CFS
72.84 AFY

PRIORITY DATE: 08/19/1959

POINT OF DIVERSION: T06N R01E S15 NWSE Within Gem County
SENW
NWSE

Two points of diversion located in T06N, R01E, S15, NWSE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Mining	01-01 TO 12-31	0.10 CFS 72.27 AFY
	Domestic	01-01 TO 12-31	0.02 CFS 0.57 AFY

Domestic use is for 1 home and does not include lawn, garden,
landscape, or other types of irrigation.

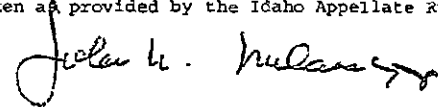
PLACE OF USE:	Mining	Within Gem County
	T06N R01E S15 NWSE	
	Domestic	Within Gem County
	T06N R01E S15 NWSE	

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication