

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

RECEIVED

MAY 07 2004

Department of Water Resources

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 2-10027 - AJ          |                              |       |                       |                              |       |
| 57-10163 - P.D.       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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) Gerald & Gertrude Cunningham  
909 Heartland Dr. Nampa, ID 83686
4. New Owner/Claimant(s) Cunningham Family Limited Partnership  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
909 Heartland Dr.  
 New Mailing Address \_\_\_\_\_  
 City, State and ZIP Code Nampa, ID 83686  
 New Telephone Number (208) 467-7274
5. Date you acquired the property Transfer to family partnership

*Sharon Smith*  
*375-2714*

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

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

Gertrude L. Cunningham

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 m  
 Received by pmc  
 Processed by \_\_\_\_\_

Date 5.25.04  
 Date 5.26.04  
 Date \_\_\_\_\_

Fee \$25.00  
 Receipt No. C074002  
 WR \_\_\_\_\_

Date \_\_\_\_\_

WHEN RECORDED RETURN TO:  
McAnaney & Associates  
P.O. Box 737  
Boise, ID 83701-0737

FILED-RECORDED

'98 JUN 12 PM 1 20

JIM HUNTER JR.  
OWYHEE COUNTY RECORDER  
DEPUTY

REQUEST OF  
M. J. Hunter Jr.  
FEB

223759

## QUITCLAIM DEED

GRANTOR, Gertrude L. Cunningham, an individual, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM, unto Cunningham Family Limited Partnership, an Idaho limited partnership, whose current address is 909 Heartland Drive, Nampa, County of Canyon, State of Idaho, as GRANTEE, and to Grantee's successors and assigns forever, seventy-five six hundred seventy-fifths (75/675) interest in the real estate situated in the County of Owyhee, State of Idaho, as follows:

SEE ATTACHED EXHIBIT A.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument this 30 day of December, 1997.

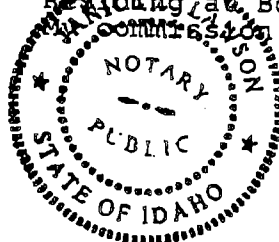
*Gertrude L. Cunningham*  
Gertrude L. Cunningham

STATE OF IDAHO )  
County of Ada ) ss.

On this 30<sup>th</sup> day of DECEMBER, in the year of 1997, before me personally appeared Gertrude L. Cunningham, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me she executed the same.

*James E. Hansen*  
Notary Public for Idaho  
Residing at Boise, Idaho  
My commission expires: 12/1/98

QUITCLAIM DEED - 1



## EXHIBIT A

## LEGAL DESCRIPTION

112 SE 4

The SW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$  in Section 35, T. 4S., R. 2E., B.M. The North 12 acres of the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Lots 6 & 7, and Lot 4 of Section 27, T. 4S., R. 2E., B.M., and the following: SW $\frac{1}{4}$ NE

Commencing at the center of Section 27, in T. 4S., R. 2E., B.M., and running thence North along the East line of the NW $\frac{1}{4}$  of said Section 27, a distance of 72 rods to the South bank of Snake River; thence following the bank of said Snake River to a point 110 rods North of the South line 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 said quarter section at a point 100 rods North of the South line thereof, following the center of the wash to the West line of said quarter section at a point 57 $\frac{1}{2}$  rods North of the SW corner thereof; thence South along the West line of said quarter section to the SW corner thereof; thence East along the South line of said quarter section to the point of beginning, situate in Owyhee County, Idaho, containing 90 acres.