

45-10845

E. NARRATIVE/REMARKS/COMMENTS

TO: FILE 45-07689
FROM: AMANDA FOLSOM
DATE: 23 JULY 1999

Henry Sellers was the previous owner of the property in the SENW 1/4 of Sec 29, Twn 10S, Rng 22E. This is a description of his actions beginning in 1991:

Feb 25, 1991

The department received Mr. Sellers' Application for Permit, indicating he was going to irrigate nine acres.

Sep 21, 1993

The department received Mr. Sellers' Proof of Beneficial Use still indicating he was irrigating nine acres.

July 9, 1998

Representing the West East Snake Plain Aquifer Measurement District, Dan Nelson preformed a measurement of the irrigation well. He collected the information for the well and measured with the Tyme Flyte. Dan indicated that Mr. Korb was irrigating 7 acres.

July 27, 1998

The department received an Assignment of Permit for Lonnie and Loveina Korb, with Henry Sellers signing over the water right permit.

June 8, 1999

The department received a Notice of Change of Water Right Ownership added only to the adjudication file. A Warranty Deed is also in the adjudication file showing the purchase of the property on April 28, 1995. A copy of the ownership documents have been added to the Water Right File.

June 25, 1999

Water Right Field Exam was conducted by me. I spoke with Mr. Korb, and he informed me that he was not irrigating nine acres and had no idea where that figure had come from. He stated he was irrigating between 5 and 7 acres. The GIS Shape File shows 6.3 acres of pasture and 0.6 acre of lawn for a total of 7.0 acres. Looking around the property, I observed Mr. Korb's home and lawn. To the east of the house is the pasture, the 6 acres being irrigated, and to the west of the house is a trailer home, another house, and a horse stable.

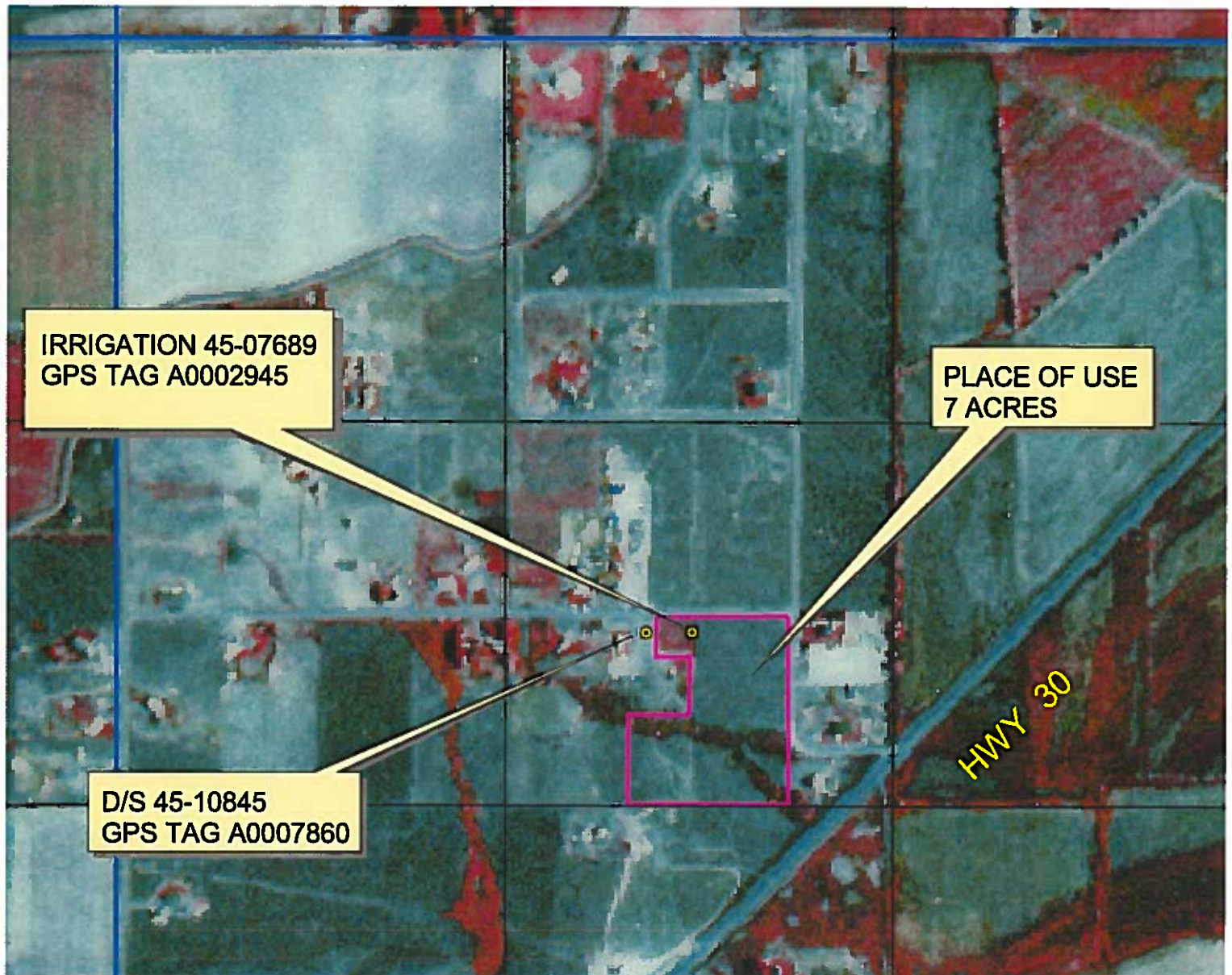
I questioned Mr. Korb about the trailer and he said that it belonged to the brother of Henry Sellers along with the horse stables. He rents the pasture from Mr. Korb. From what I could gather from Mr. Korb, all three homes and the horse stable are connected to the domestic/stockwater well located in the SWSEW 1/4 of Sec 29, Twn 10S, Rng 22E. The well is associated with the adjudication claim 45-10845, belonging to Mr. Korb. Pictures and

a brief description will be added to the adjudication file.

The irrigation well in the SESENW 1/4 of Sec 29, Twn 10S, Rng 22E is used only for irrigation. There are 4 risers with 7 sprinklers on each riser. The risers run south from the well with hand lines running perpendicular. Mr. Korb waters every 5 days for 12 hours at a time. All developments were completed as stated on the permit. Dan's measurement in 1998 was 114 gpm. My measurement in 1999 was 112 gpm. Although the capacity of the well is 0.25 cfs, I am recommending 0.14 cfs considering 7.0 acres are being irrigated.

IDAHO DEPARTMENT OF WATER RESOURCES

Field Exam for Lonnie and Lovenia Korb
Irrigation 45-07689, Domestic/Stock 45-10845

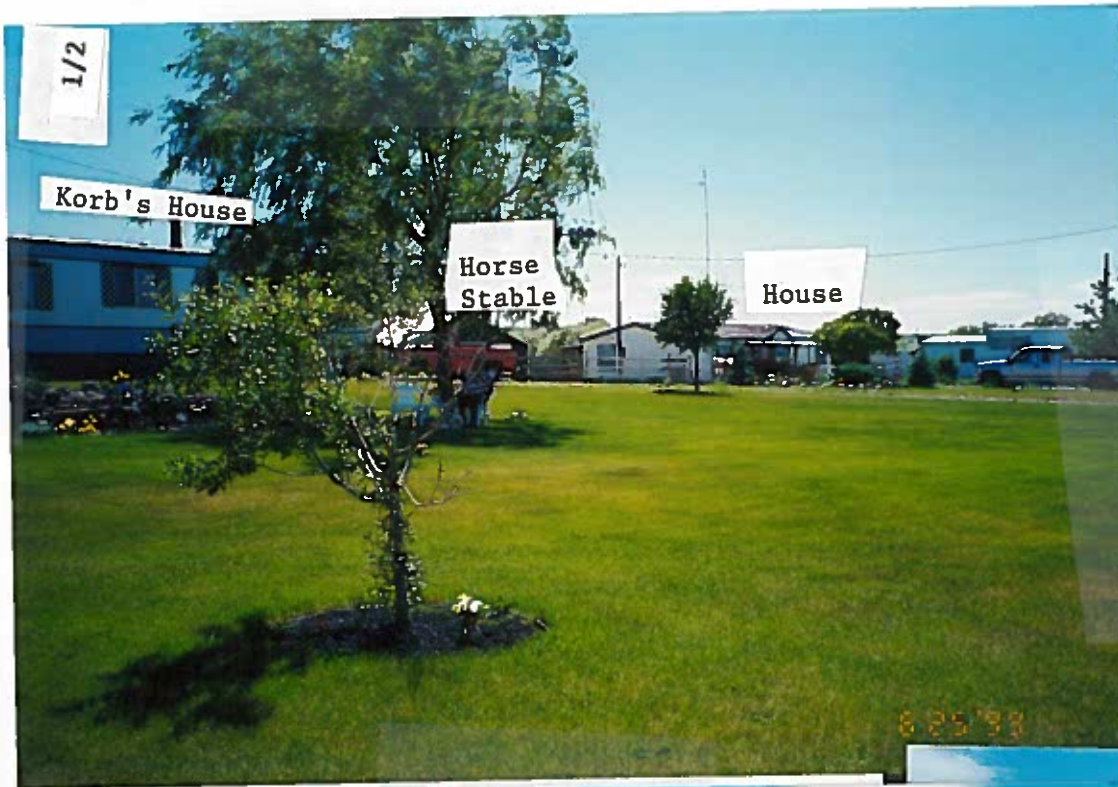


SECTION 29, T10S, R22E, SENW 1/4



- ⊙ Points of Diversion
- Place of Use
- Section Line
- Quarter-Quarter Line

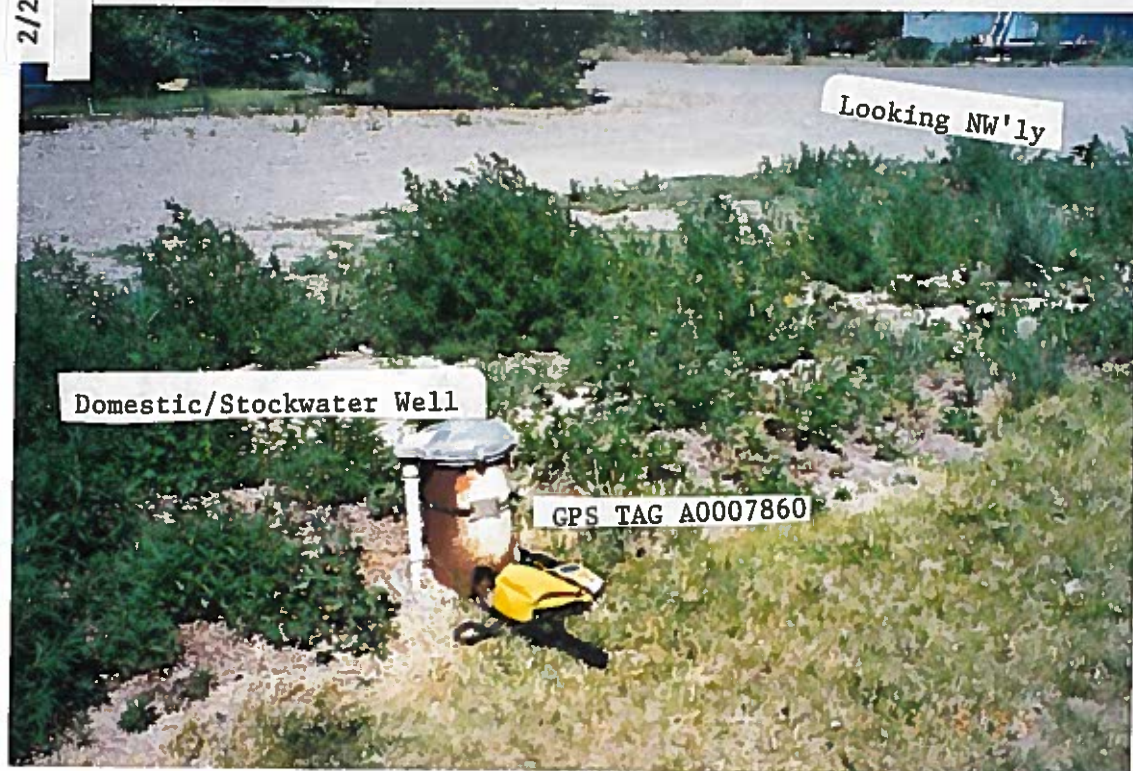
P/D AND P/U PRESENTATION
1987/1988 NAPP PHOTOGRAPHY
DATA ENTRY BY G. SATTERLEE
28 JULY 1999



Lonnie Korb
FE: Amanda Folsom
25 June 1999

D/G = 45-10845
Irr. = 45-07689





Lonnie Korb
FE: Amanda Folsom
25 June 1999

D/S 45-10845
Irr 45-07689

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

DECEDED
RECEIVED
JUN 11 1999
Department of Water Resources
Southern Region

1. Water Right No(s).: 45-07689 WR
Adjudication Claim No(s).: 45-10845

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Henry L. Sellers 1927 Schodde
RT 4 Box 4208 (Burley ID 83318)

4. New Owner/Claimant(s) Lonnie and Loveina Korb
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 565 W 40 S
City, State and ZIP Code Burley ID 83318
New Telephone Number (208) 677-4167

5. Date you acquired the property April 28 1995

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate Approx 6 Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses pasture
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Lonnie Korb 6-8-99

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

OK 6/14/99 CT
HJ



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 17, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**LONNIE KORB
LOVENIA KORB
565 W 40 S
BURLEY ID 83318**

RE: SRBA Claim(s) A45-10845

Dear Claimant:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership of the above referenced claim to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

**Cheryl Timm
Clerical Specialist, SRBA**

Enc.: Claim to a Water Right A45-10845

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

06/14/99 11:36:07

Page 1

Water Right Number - 45-10845

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

KORB

LONNIE

1 - 565 W 40 S

2 -

3 -

City- BURLEY

Phone - 208-677-4167

State- ID Zip- 83318

1 - 565 W 40 S

2 -

3 -

City- BURLEY

Phone - 208-677-4167

State- ID Zip- 83318

*** O - ORIGINAL OWNER ***

SELLERS

HENRY L

1 - RT 4 BOX 4208

2 -

3 -

City- BURLEY

Phone - 208-678-8645

State- ID Zip- 83318

+ - - Priority Date - - +

05/30/1984

+ - - - Region - - - +

ERROR IN REGION

+ - - - Stage - - - +

D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +

GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot RFlg County

10S 22E 29 SE NW (31) CASSIA

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

01/01

12/31

0.040

04 - STOCKWATER

01/01

12/31

0.020

+ - Total Div. Rate - + + - Total Div. Volume - +

0.060

+ - Total Consumptive Use - + + - KW Usage - +

0.0

+ - - - - Place of Use - - - - - +

TwN Rng Sec Tract Lot Acres Code Description County

10S 22E 29 SE NW 04 STOCKWATER (31) CASSIA

10S 22E 29 SE NW 43 DOMESTIC (31) CASSIA

Total Acres:

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - 1 HOME

Water right number - 45-10845

Prefix Translation: WATER RIGHT

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +

EXP PARCEL NO. 10S22E294550
STOCKWATER 6 BEEF

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
STATE OF IDAHO UNITED STATES, ET AL 07/24/1998

+ - - - - - Comments - - - - - +
Date: 06/14/1999 User Id: CTIMM Subject: OWNERSHIP CHANGE
06/14/99, CHANGED OWNERSHIP FROM SELLERS TO KORB AS PER WARRANTY DEED AND FORM 1409(6) RECEIVED 06/11/99. C.T.

+ - - Audit Fields - - +
06/14/99 CTIMM

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 03/02/1998	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/25/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S007345	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

236336

WARRANTY DEED

#26030

For Value Received

HENRY LEON SELLERS and SHERRY N. SELLERS, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

LONNIE KORB and LOVENIA KORB, husband and wife

Address: 565 West 50 South, Burley, ID 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

PARCEL NO. 1:

**TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 29:

Part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as follows:

**Beginning at the Southwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 29;
thence North 89°50' East for 637.40 feet to the Point of Beginning;
Thence North 89°50' East for 343.70 feet to a point;
Thence North 0°07' West for 657.7 feet to a point;
Thence South 89°40' West for 343.70 feet to a point;
Thence South 0°07' East for 657.7 feet to the Point of Beginning.**

EXCEPTING THEREFROM that portion deeded to the Burley Highway District for road right of way, being the North 25 feet of said property.

PARCEL NO. 2:

**TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 29:

Part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ described as follows:

**Beginning at the Southwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 29;
Thence North 89°50' East for 478.05 feet to the Point of Beginning;
Thence North 89°50' East for 159.35 feet to a point;
Thence North 0°07' West for 657.7 feet to a point;
Thence South 89°40' West for 159.35 feet to a point;
Thence South 0°07' East for 657.7 feet to the Point of Beginning.**

EXCEPTING THEREFROM that portion deeded to the Burley Highway District for road right of way, being the North 25 feet of the above described property.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1995 and subsequent years, a lien, but not yet due or payable.

Right of way contained in Warranty deed dated October 8, 1987 and recorded October 8, 1987 as Instrument No. 191162 on Film No. 193, records of Cassia County, Idaho, which reads as follows: "SUBJECT TO a 25 foot road right of way along the entire East side of said property." (Parcel No. 1)

Well Agreement by and between Henry Leon Sellers and Sherry N. Sellers, husband and wife, Party of the First Part, and Archie Edward Sellers and Peggy Eloise Sellers, husband and wife, Party of the Second Part, dated April 7, 1995 and recorded April 7, 1995 as Instrument No. 236022 on Film No. 265, records of Cassia County, Idaho.

ASSIGNED TO: Allen H. Osterhout, a single man, Assignee by an Assignment of Well Agreement from Archie Edward Sellers and Peggy Eloise Sellers, husband and wife, Assignor, dated April 7, 1995 and recorded April 11, 1995 as Instrument No. 236079 on Film No. 265, records of Cassia County, Idaho. (Parcel No. 2)

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 28, 1995

Henry Leon Sellers
HENRY LEON SELLERS

Sherry N. Sellers
SHERRY N. SELLERS

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

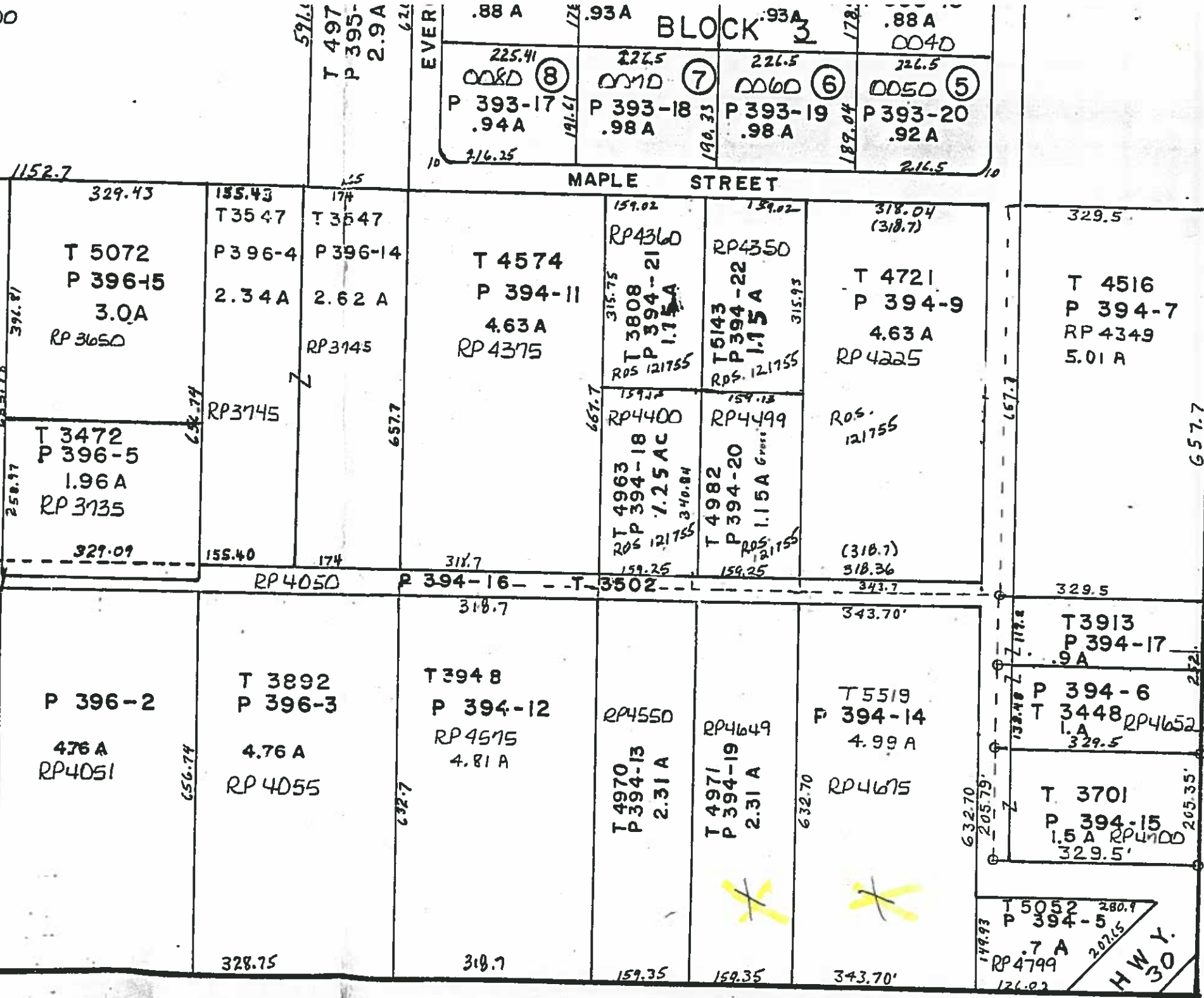
On this 28th day of April, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared HENRY LEON SELLERS and SHERRY N. SELLERS, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

ANNETTE ROTH
★ NOTARY PUBLIC ★
STATE OF IDAHO

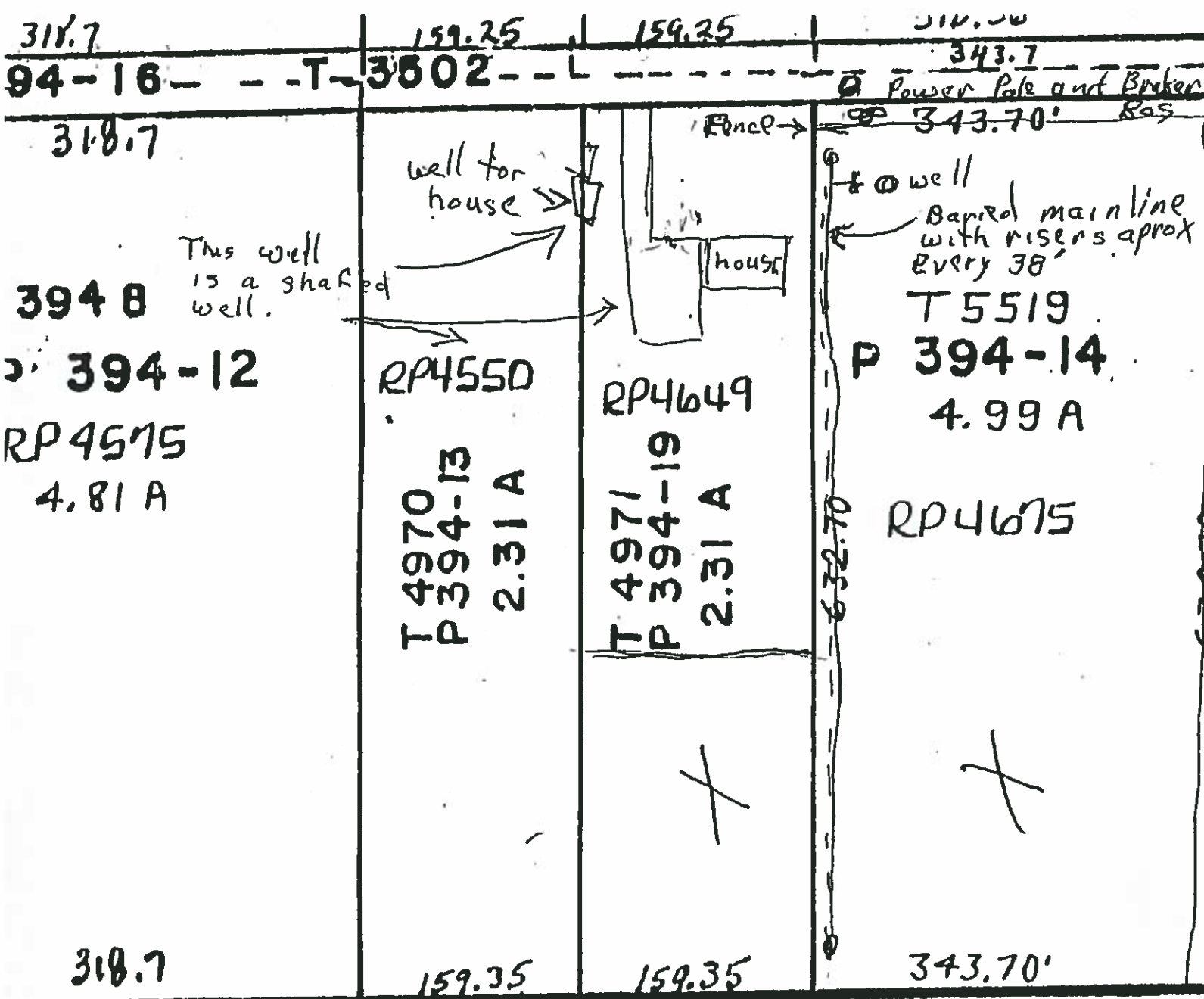
RESIDING AT RUPERT, ID
MY COMMISSION EXPIRES 6-4-96

Annette Roth
Notary Public
Residing at:
My Commission expires:

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILED
APR 28 A 11:54
236333b
DEPUTY CLERK
RECORDED
LAND TITLE & ESCROW



This plat is from the
county



There is 16 risers, We even
with 3" handlines

This is a blow up from
the plat.

PROMISSORY NOTE

~~12/28/95~~

Burley, Idaho
April 28, 1995

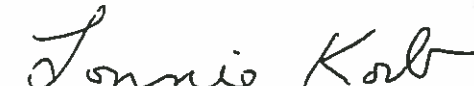
FOR VALUE RECEIVED, the undersigned, LONNIE KORB and LOVENIA KORB, husband and wife (the "Makers") jointly and severally, promise and agree to pay in lawful money of the United States of America to the order of HENRY LEON SELLERS and SHERRY N. SELLERS, husband and wife, (the "Payee") at LAND TITLE AND ESCROW, INC., Burley, Idaho, or wherever by them directed in writing by the Payee, the principal sum of ~~92,000.00~~ ~~AND NO/100~~ DOLLARS with interest thereon at the rate of 10% percent per annum on the unpaid balance until paid from the 28th day of April, 1995, payable in monthly installments of not less than ~~92.00~~ in any one payment, including the full amount of interest due on this note at the time of payment of each installment. The first payment to be made on May 28, 1995, and a like payment on the 28th day of each and every month, thereafter, until the whole sum, principal and interest has been paid.

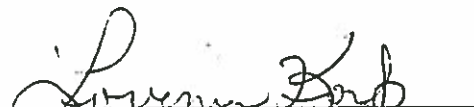
Notwithstanding the foregoing, the undersigned promise and agree to pay, unless sooner paid, all principal and interest on or before April 28, 2005. All payments shall first be applied to interest and the balance to principal. The makers expressly reserve the right to prepay any and all of the unpaid balance at any time and agrees to pay all accrued interest to the date of such prepayment.

If default be made in the payment of any installment required by this note, or in the performance of any covenant or promise of the undersigned contained in the Deed of Trust securing the payment hereof, the entire principal sum and accrued interest shall at once become due, payable and collectable at the option of the holder of this note, without notice to the undersigned or their successors in interest. Failure to exercise this option shall not constitute a waiver to exercise the same in the event of a subsequent default or defaults.

The makers waive presentment, demand, protest and notice thereof and agree to pay a reasonable attorney's fee in addition to other costs and expenses in the event the amount due hereunder or any part is collected by an attorney, with or without court action.

This note is secured by a Purchase Money Real Estate Deed of Trust.


LONNIE KORB


LOVENIA KORB



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 4, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LONNIE KORB
565 W 40 S
BURLEY ID 83318

DEAR MR. KORB:

We spoke this morning about the ownership change that we originally discussed May 27, 1999, along with all the mail you had received from IDWR. I spoke with Arnie Wetstein about your assessment on that same day. I also visited with my supervisor about your ownership changes and we did a little investigating of the claims.

Your claim A45-10845 is still in Mr. Seller's name. Your other claim, 45-07689 was an assignment to you. Your claim A45-10845 is an adjudication claim and needs its own and separate ownership change form filled out and mailed in to us. I am enclosing a profile report of that claim and an Ownership Change form for you to fill out and return to this office. When the change is made, we will notify you by mail. There is no fee for this change.

If you have any questions, please call this office. We will be glad to help in any way we can.

Sincerely,

Cheryl E. Timm
Records Clerk, SRBA

1. Assessment got to
KORB late
5/21/99 —

^L
home 677-4167 eves
... .. MAIL

WR#45-07689
Arrive,
Mr. Lonnie Kent
called at 4:30 today.
He has several problems.

(1) Assessment getting
to him late.

(2) Ownership change
for 45-10845 not
done after he brought
(or mailed) all the maps,
etc.

Please talk to me, then
call him. He is frustrated
with us.

His home-eyes. 677-4167 ←
work- 677-4204

565 W 40 S
BURLEY ID

KORB

started letter 5/28

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707



RETURNED
NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

Department of Water Resources
Southern Region

AUG 14 1993

RECEIVED

1998 JUL 24 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-10845

RECEIVED

AUG 14 1998

Department of Water Resources
Southern Region

NAME AND ADDRESS: HENRY L SELLERS
RT 4 BOX 4208
BURLEY, ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/30/1984

POINT OF DIVERSION: T10S R22E S29 SENW Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

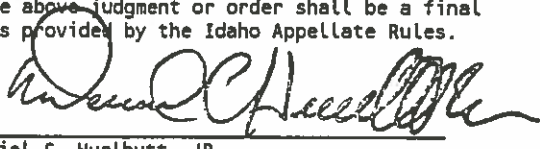
PLACE OF USE:	Stockwater		Within Cassia County
	T10S R22E S29	SENW	
	Domestic		Within Cassia County
	T10S R22E S29	SENW	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

Please Carefully Review Your Partial Decree

Carefully read and check all items to make sure they are accurate, especially:

1. Name and Address
2. Water Source
3. Date of Priority
4. Point of Diversion
5. Place of Use
6. Nature of Use

If You Find An Error Or Something That Needs To Be Corrected

Call the IDWR Regional Office that handles your basin. The telephone numbers are on the back panel of this brochure. Your basin is designated as the first two digits of your water right.

The proper form will be mailed to you upon your request. Complete and return the form to the IDWR Regional Office that handles your basin not later than 60 days after the date printed on the partial decree.

Costs associated with this publication are available from the Idaho Department of Water Resources in accordance with Section 60-202, Idaho Code.
IDWR-8,000-42001-1 1/96

Printed on recycled paper

Here's How To Contact IDWR Regional Offices If You Need Assistance

If your partial decree begins with 34:

IDWR Eastern Regional Office
900 N. Skyline Dr., Idaho Falls, ID 83401
(208) 525-7161
Toll Free: (888) 2-SRBA34 (277-2234)

If your partial decree begins with 36:

IDWR Southern Regional Office
222 Shoshone St. E, Twin Falls, ID 83301
(NOTE: moving mid-Dec. to 1341 Fillmore St. N., call first)
(208) 736-3033
Toll Free: (888) 2-SRBA36 (277-2236)

If your partial decree begins with 57:

IDWR Western Regional Office
2735 Airport Way, Boise, ID 83705
(208) 334-2190
Toll Free: (888) 2-SRBA57 (277-2257)

A Very Important Reminder

While the SRBA continues, the law requires that you notify IDWR if there are any name or address changes. If the property to which the right applies changes hands, please file a change of ownership with the form obtained from an IDWR office. Failure to file an ownership change may result in your right not being included in the final decree at the end of the case, a penalty of up to \$100 and restrictions on water use.

Guide To Reviewing Your Partial Decree Water Right In The Snake River Basin Adjudication



Idaho
Department
of Water
Resources



5th Judicial
District
Court
of Twin Falls

Congratulations **Here's your decreed water right!**

You have received your partial decree of water rights in the Snake River Basin Adjudication (SRBA) with this brochure. The partial decree is the SRBA Court's official decision on your water right based on the claim to a water right you submitted.

The term "Partial Decree" simply means your water right represents only a small portion of the future SRBA decree. This partial decree is final; however, you have the opportunity to correct errors and the right to an appeal.

The partial decrees being issued at this time cover only small domestic and stockwater water rights in Water Basins 34, 36 and 57. The first two digits of your water right identify the basin. Please note that contested claims and claims to water rights for irrigation and other uses are still being processed.

This brochure is designed to help answer questions you may have about your water right and to provide a way to get more information or to have your questions answered.

Commonly Asked Questions

1. Do I need to do something?

Yes. Carefully check your partial decree to make sure all the information is correct. If there are errors, call the Idaho Department of Water Resources (IDWR) to request a change form. If you have a question about the decree, contact IDWR for further information. The phone numbers are on the back of this brochure.

If a change is needed, mail the form to IDWR within 60 days of the date printed on your partial decree.

If the partial decree correctly describes your water right, you do not need to do anything more. However, be sure to keep IDWR notified of any changes in ownership for all your water rights.

2. When will processing on my other water rights be completed?

The domestic and stockwater partial decrees are being mailed in numerical batches during Nov. and Dec., 1996. Finalization of partial decrees on irrigation and other non-domestic and non-stockwater rights is ongoing. These partial decrees will be issued as hearings are completed. For more information, contact IDWR.

3. This is a copy of the partial decree for my water right. Where is the original?

The original partial decree for your water right will be retained by the Snake River Basin Adjudication (SRBA) Court, and a certified copy will be permanently archived at IDWR. Copies are available upon request.

4. Why does this partial decree have a different format from the document that was mailed to me in 1992?

The new format has basically the same information as the previous document. We have designed this new format to be more easily read. We also put any remarks near the element of the water right that they modify.

5. When will the SRBA be completed so my partial decree becomes part of the final decree?

The final decree will be issued at the end of the case when all water rights have been reviewed and disputes resolved. The SRBA Court and IDWR are moving forward as quickly as possible. This is a large, complex case with many legal and technical problems to resolve.

We anticipate that finalization of the process will require many more years of hard work. In the meantime, your partial decree represents a completion of the effort to decree your individual water right, and if you are not advised otherwise you can consider this process complete.

6. When will partial decrees be issued for other basins?

The SRBA Court and IDWR are setting up the procedures to issue partial decrees for small domestic and stockwater rights in other basins.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

45-10845
HENRY L SELLERS
RT 4 BOX 4208
BURLEY ID 83318

RE: Domestic and/or Stockwater Rights in Basins 41, 43 and 45
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basins 41, 43 and 45. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in these basins will be recommended in a later process.

Note that you have 120 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in American Falls, Malad City, Burley and Twin Falls, and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: February 27, 1998

PAGE: 1

RIGHT NUMBER: 45-10845

NAME AND ADDRESS: HENRY L SELLERS
RT 4 BOX 4208
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY-DATE: 05/30/1984

POINT OF DIVERSION T10S R22E S29 SENW Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE:	STOCKWATER	Within CASSIA County
	T10S R22E S29	SENW
	DOMESTIC	Within CASSIA County
	T10S R22E S29	SENW

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 10S22E294550
STOCKWATER 6 BEEF

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

RETURN SERVICE REQUESTED

NOT DELIVERABLE
AS ADDRESSED —
UNABLE TO FORWARD



IMPORTANT WATER RIGHT INFORMATION

RECEIVED
MAR 06 1998
Department of Water Resources

POSTAGE

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-9-1997

PAGE: A-562

RIGHT NUMBER: 45-10845

NAME & ADDRESS: HENRY L SELLERS
RT 4 BOX 4208
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/30/1984

POINT OF DIVERSION: T10S R22E S29 SENW Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T10S R22E S29 SENW

DOMESTIC Within CASSIA County
T10S R22E S29 SENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 10S22E294550
STOCKWATER 6 BEEF



Claim prepared by: C-1

Date: 9-22

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A45-10845
Date Received: 5/25/1989
Receipt No: S007345
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENRY L. SELLERS 208-678-8645
Address: RT. 4 BOX 4208
BURLEY, ID 83318

2. Date of Priority: MAY 30, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	22E	29	SE	NW			CASSIA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE S/6 BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	22E	29	SE	NW		DOMEST	
			SE	NW		STOCK	

A45-10845

Page 1

Date: 05/25/89

MICROFILMED

MAR 08 1993

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A45-10845

Date Received _____

Receipt Number 5007345 *xc*

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

MAY 25 1989

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) HENRY L. Sellers Phone (208) 678-8645

Mailing Address RT. 4 Box 4208 Burley, Id. Zip 83318

2. Date of Priority (Only one per claim) MAY 30 1984 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 10 South Range 22 East

Section 29 , SE 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____, BM.,

County of CASSIA

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. 8 inch 300 foot deep well

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC purposes from 1-1 ^{Month/Day} to 12-31 ^{Month/Day} amount 0.04 ^(cfs)

(Both dates are inclusive)
For LIVE STOCK purposes from 1-1 ^{Month/Day} to 12-31 ^{Month/Day} amount 0.02 ^(cfs)

7. Total quantity claimed 0.06 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: type and Number of livestock) one House And 2 Horses, 6 beef

MICROFILMED
MAR 08 1993

10. Place of use is: Township: 10 South Range 22 East

Section 29, SE 1/4 of NW 1/4, Govt. Lot _____, B.M.,

County of CASSIA for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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. None X

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

NO DOCKET

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) Henry L. Sellers Date 5-23-89

Date _____

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____

County of Cassia } SS. 518-48-7932

Subscribed and sworn (or affirmed) before me this 23 day of May 1989

SEAL

Notary Public Bruce A. [Signature]

Residing at Boise Idaho

My Commission Expires 4/11/95

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 08 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

.July 19, 1989

Re: A45-10845

.HENRY SELLERS
.RT 4 BOX 4208
.BURLEY ID 83318

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
MAR 08 1993

OLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

STATE- ID ZIP- 83318

+ - - - STATUS - - - - +

+ - - - - - - - - - - TRIBUTARY - - - - - - - - - - - - - - - - +

MICROFILMED
4 - DECREE DATE - +
00/00/0000
OCT 28 1988

CERTIFIED
DEC 23 1991
WATER EXAMINER