

11/18/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-14090

NAME AND ADDRESS: MICHELLE SNEED
9449 PERSHING AVE
ORANGEVALE ID 95662

RUSSELL SNEED
9449 PERSHING AVE
ORANGEVALE CA 95662

SOURCE: WALLACE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 04/17/1923

POINT OF DIVERSION:

T22N R21E S1 NESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.040 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S06 SENW 2.00

2 ACRES TOTAL

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Pedigree Search (History of Water Right Number splits)

Adjudication Pedigree for 75-4385

-- Water Right Number / Status /Reason for split

--75-4385 /See Remarks /Ownership Change 1.88 90

--75-4385A /Parent /Ownership Change .32 10

--75-14090 /Active /Ownership Change .042 SNEED

--75-14091 /Active /Ownership Change DISALLOW MARCUS, SIMS ETC

--75-14092 /Active /Ownership Change .19 9.7 GOODY

--75-14093 /Active /Ownership Change .168 YANOFF

--75-4385B /Parent /Ownership Change .98

--75-4385C /Parent /Ownership Change

--75-14302 /Active /Ownership Change .147 BOURDON 18 .36

--75-14303 /Active /Ownership Change .15 GEIDEL

--75-4385D /Active /Ownership Change OLSEN .124 9 .18

51.7 1.03

Water Right Pedigree for 75-4385



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 9, 2004

RUSSELL & MICHELLE SNEED
9449 PERSHING AVE
ORANGEVALE CA 95662

Dear Mr. & Mrs. Sneed:

Our department received your ownership change request for water rights in the Diamond Creek Subdivision. Due to the confusing nature of these rights, we have decided not to process ownership changes until our agents conduct field exams of the Salmon River drainage in 2005.

While I cannot guarantee you have water rights, if your property was historically irrigated, it is likely you have a share of the Diamond Creek rights.

Respectfully,

Ernest Carlsen
Water Rights Supervisor

20914

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

RECEIVED

DEC 19 2003

Department of Water Resources
Eastern Region

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
75-4385					

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) Old Three Dogs Partnership, Salmon, ID
4. New Owner/Claimant(s) Russell Sneed and Michelle Sneed
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 9449 Pershing Ave.
- City, State and ZIP Code Orangevale, CA 95662
- New Telephone Number (916) 987-2993
5. Date you acquired the property September 10, 2003

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

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

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

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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Warranty Deed 255941

For Value Received **GLEND A. BELLANCA, aka GLEND A. ELY BELLANCA,**
a single person,

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

RUSSELL SNEED AND MICHELLE SNEED,
husband and wife,

whose current address is

**9449 Pershing Ave.,
Orangevale CA 95662-5416**

the grantees, the following described premises, in **Lemhi** County Idaho, to wit:

**Lot 14 of Diamond Creek Subdivision, according to the
official plat thereof, filed in Book 5 of Plats at Page
45 official records of Lemhi County, Idaho, and corrected
by affidavit authorizing changes on plat recorded October
28, 1983 as Instrument No. 169591.**

**Subject to the Deed of Trust recorded as Instrument 227619,
records of Lemhi County, ID.**

State of Idaho) SS No. _____
County of Lemhi)
This instrument was filed for record at the request
of Alliance Title
at 3:15 o'clock P.m. 9-10 2003
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Dina Taylor Deputy
Fee 3.00
Return to A.T.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee **S,**
their heirs and assigns forever. And the said Grantor **does** hereby covenant to and with the said
Grantee **s,** that she **is** the owner in fee simple of said premises; that they are free from all incumbrances

and that **s** he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 5, 2003

Glenda E. Bellanca
GLEND A. BELLANCA

STATE OF IDAHO, COUNTY OF BANNOCK
On this 5 day of Sept 2003
before me, a notary public in and for said State, personally appeared

GLEND A. BELLANCA

known to me to be the person whose name **is**
subscribed to the within instrument, and acknowledged to me that
she executed the same.

Joann Edwards

Notary Public
, Idaho

Residing at Pocahontas, ID
Comm. Expires 7-28-06



Warranty Deed

For Value Received

TWO DOGS PARTNERSHIP

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

ALEXANDER J. BELLANCA AND GLENDA F. BELLANCA, HUSBAND AND WIFE,

whose current address is

1520 SUNSET ROAD

POCATELLO, ID 83204

the grantee is, the following described premises, in LEMHI

County Idaho, to wit:

LOT 14 OF THE DIAMOND CREEK SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF FILED FOR RECORD IN BOOK 5 OF PLATS AT PAGE NO. 45, RECORDS OF LEMHI COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee is, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee is, that they the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: SEPTEMBER 27, 1995

Howard Sandy Sims

HOWARD SANDY SIMS

Derrold Slavin

DERROLD SLAVIN

STATE OF IDAHO, COUNTY OF LEMHI
On this 27th day of SEPTEMBER, 1995
before me, a notary public in and for said State, personally appeared

HOWARD SANDY SIMS
DERROLD SLAVIN

known to me to be the persons, whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Laurie M. Santee
LAURIE M. SANTEE
Residing at Salmon
Comm. Expires 6-19-2001
Notary Public
Idaho

227618

This instrument was filed for record in the
Alluvial Title
4:02 PM on Sept 25, 1995
and is filed and indexed in the records of Lemhi

Liberty Workman
Official Recorder
Theresa Stevens
3
12.7.

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 75-14090
Date Received: 2/23/2003
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

BARRY MARCUS Phone: (208)342-3563

MARCUS MERRICK CHRISTIAN & HARDEE LLP
737 N 7TH ST
BOISE ID USA 83702

SANDY H SIMS Phone: (208)756-6133

PO BOX 686
SALMON ID USA 83467

DERROLD SLAVIN Phone: (208)756-3442

PO BOX41
CARMEN ID USA 83462

2. Date of Priority: 04/17/1923

3. Source: WALLACE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	21E	1	NE NE SW	LEMHI	

5. Description of diverting works:

ROCK DIV. DAM WITH GRAVITY FEED PIPE AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/15	1.38	

7. Total Quantity Appropriated is:
0.82 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
22N	22E	6	SW	NE	9	IRRIGATION	1.8
			NE	NW	4	IRRIGATION	10
			NW	NW	5	IRRIGATION	14
			SE	NW		IRRIGATION	12
			NW	NE	3	IRRIGATION	14
						Section Acres	51.8
23N	22E	31	SW	SW	10	IRRIGATION	10
			SE	SW	11	IRRIGATION	7.2
						Section Acres	17.2
						Total Acres	69

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Statutory Claim

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
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

11/10/2006

WATER RIGHT NO. 75-14090

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARRY MARCUS MARCUS MERRICK CHRISTIAN & HARDEE LLP 737 N 7TH ST BOISE, ID 83702 (208)342-3563
Current Owner	DERROLD SLAVIN PO BOX41 CARMEN, ID 83462 (208)756-3442
Current Owner	SANDY H SIMS PO BOX 686 SALMON, ID 83467 (208)756-6133
Original Owner	SANDY SIMS 25 ADAMS RANCH RD BOISE, ID 83716 (208)343-9912

Priority Date: 04/17/1923

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
WALLACE CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/15	1.38 CFS	

Total Diversion | | 0.82 CFS |

Location of Point(s) of Diversion:

WALLACE CREEK|NENESW|Sec. 01|Township 22N|Range 21E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
22N	22E	6	3	NWNE	14	9	SWNE	1.8						
			4	NENW	10	5	NWNW	14		SENE	12			
23N		31	10	SWSW	10	11	SESW	7.2						

Total Acres: 69

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close