

11/20/2006

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

RIGHT NUMBER: 75-14117
NAME AND ADDRESS: DAVID LORING
~~410 DIAMOND CREEK RD~~
~~SALMON ID 83467~~
RICHARD A SELL
410 DIAMOND CREEK RD
SALMON ID 83467
PAMELA LORING
~~410 DIAMOND CREEK RD~~
~~SALMON ID 83467~~

579 BAY POINTE Drive
MONTROSS, VA.
22520

SOURCE: DIAMOND CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.040 CFS
6.00 AFY

Right Nos 75-14117 and 75-14120 are limited to a total combined diversion rate of .04 cfs and 2 aces of irrigation.

ACRES

PRIORITY DATE: 05/13/1968
POINT OF DIVERSION: T23N R22E S31 SWNWNE Lot 2 Within LEMHI County
PURPOSE AND PERIOD OF USE:

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DEC 11 2006

IDWR/North

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.040 CFS 6.00 AFY

PLACE OF USE: IRRIGATION in LEMHI County
T23N R22E S31 Lot 2 NWNE 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 - License
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-7002

SCANNED
DEC 12 2006

08/02/2006

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

RIGHT NUMBER: 75-14117

NAME AND ADDRESS: DAVID LORING
410 DIAMOND CREEK RD
SALMON ID 83467

RICHARD A SELL
410 DIAMOND CREEK RD
SALMON ID 83467

PAMELA LORING
410 DIAMOND CREEK RD
SALMON ID 83467

SOURCE: DIAMOND CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.040 CFS
6.000 AFY

Right Nos 75-14117 and 75-14120 are limited to a total combined diversion rate of 04 cfs and 2 aces of irrigation.

PRIORITY DATE: 05/13/1968

POINT OF DIVERSION:

T23N R22E S31 SWNWNE Lot 2 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.040 CFS 6.00 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

T23N R22E S31 Lot 2 NWNE 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 - License

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-7002



Idaho Department of Water Resources

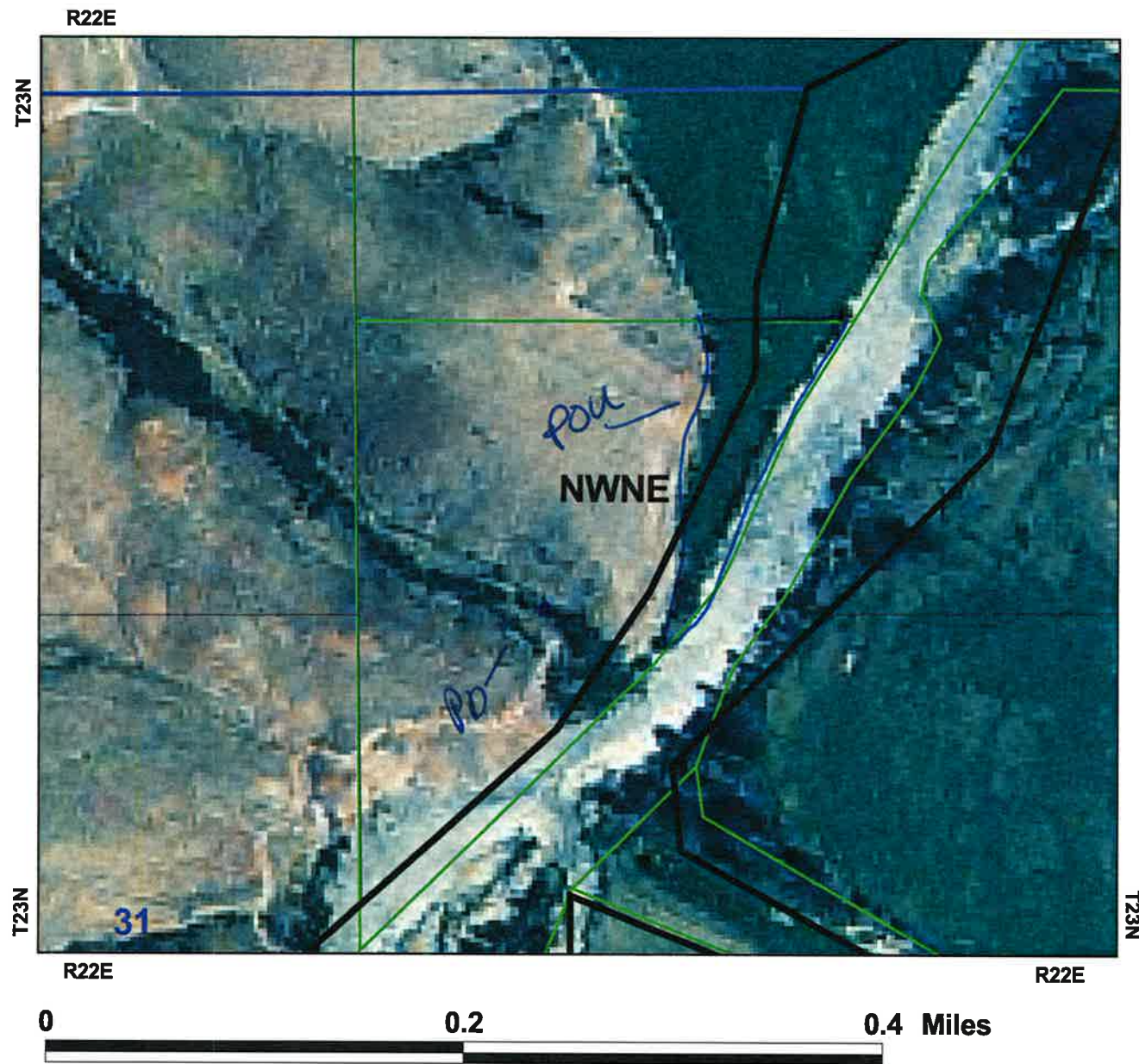
SRBA Claim:
75-14117

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Friday, May 19, 2006
1987/88 Aerial Photography

11/20/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-14117

DAVID LORING

~~410 DIAMOND CREEK RD~~
~~SALMON ID 83467~~

RICHARD A SELL
410 DIAMOND CREEK RD
SALMON ID 83467

PAMELA LORING
~~410 DIAMOND CREEK RD~~
~~SALMON ID 83467~~

579 BAY POINTE Drive
MONTROSS, VA.

22520

PAM + DAVID LORING - HM. # 804-493-7710

1. Describe the portion of the proposed recommendation with which you disagree (e.g., priority date, period of use, source):

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DEC 11 2006

2. Describe the changes you wish to make in the proposed recommendation:

IDWR/North

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made. (Address change only)

DATE: 12-4-06

SIGNATURE: Rick Sell for

Please print your name: PAM and DAVID LORING (Sister + brother in-law)

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED ✓
DEC 12

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 75-14117

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0017443

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

concrete structure in creek, buried pipeline to
gravity sprinkler system

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

maximum system output is 60 5/32 birds at an estimated
40 psi

$60 \times 4.61 \text{ gpm} = 276 \text{ gpm} = .60 \text{ cfs}$

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 6-29-06

FIELD EXAMINER: _____

Bob Foster

Print Name

Bob Foster

Signature



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

October 8, 2003

RICHARD SELL
DAVID & PAMELA LORING
410 DIAMOND CREEK RD
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR 75-4036 & 75-7002

Dear Claimants:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants. Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-7002 split into:

75-14117: 0.04 cfs, 2 acres, Sell & Loring

75-14118: 0.92 cfs, 46 acres, Sell

75-14119: 0.48 cfs, 24 acres, Loring

75-4036 split into:

75-14120: 0.04 cfs, 2 acres, Sell & Loring

75-14121: 1.00 cfs, 46 acres, Sell

75-14122: 0.52 cfs, 24 acres, Loring

Enclosed for your records is a typed Notice(s) reflecting your portion of the right.

Respectfully submitted,


Jennifer Crabtree
Technical Records Specialist

Warranty Deed

For Value Received

MICHAEL A. SELL AND KAREN M. SELL, HUSBAND AND WIFE

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

RICHARD A. SELL, A SINGLE PERSON, AS TO AN UNDIVIDED 1/2 INTEREST, W. DAVID LORING AND PAMELA R. LORING, HUSBAND AND WIFE, AS TO AN UNDIVIDED 1/2 INTEREST whose current address is

410 Diamond Creek Road, Salmon, ID 83467
33 Ridgley Street, Darien, Connecticut 06820

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

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GranteeS, they heirs and assigns forever. And the said GrantorS do hereby covenant to and with the said GranteeS, that they're the owner S 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:

Michael A. Sell
Michael A. Sell

Karen M. Sell
Karen M. Sell

State of Idaho) SS No. 253958
County of Lemhi

This instrument was filed for record at the request

of Alliance Title
at 8:15 o'clock p.m. 3/25/2003

and duly filed and indexed in the records of Lemhi County

By Belinda Warren Deputy
Notary Public
Fee 6.00

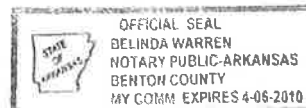
Return to AT

STATE OF Arkansas, County of Benton
On this 20th day of March 2003
before me, a notary public in and for said State, personally appeared

MICHAEL A. SELL & KAREN M. SELL

known to me to be the personS whose name S are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Belinda Warren
Notary Public
Residing at
Comm. Expires 4-6-2010
Benton County
Arkansas



Taylor Mountain Surveying
903 Waller St.
Salmon, Idaho 83467
(208) 756-8321

PARCEL "A"

A portion of Government Lot 2, Section 31, T. 23 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the N 1/4 Corner of said Section 31, from which the S 1/4 Corner of Section 31 bears S 00°30'55" E, 5195.80 ft., the Basis Of Bearing of this description, run thence S 00°30'55" E along the center of Section 31 a distance of 574.15 ft. to the POINT OF BEGINNING;

Thence East a distance of 1257.02 ft. to a point on the westerly bank of the Salmon River;

Thence along said bank the following courses:

S 31°43'29" W, 286.52 ft.; S 23°24'21" W, 394.23 ft.;

S 28°01'25" W, 69.00 ft.; S 39°01'25" W, 107.00 ft.;

S 39°30'47" W, 158.87 ft.; S 46°00'54" W, 1021.03 ft. to a point on the north/south centerline of said Section 31;

Thence N 00°30'55" W along said centerline a distance of 1581.24 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 26.34 ACRES

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

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
	75.7002	X			
	75.4036	X			

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) Michael + Karen Sell
12891 University West Des Moines IA 50265
4. New Owner/Claimant(s) Richard A. Sell + Pamela Loring
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 410 Diamond Cr Rd.
- City, State and ZIP Code Solom ID 83467
- New Telephone Number 208) 758-303-7509
5. Date you acquired the property 3/20/2003

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AUG 26 2003

Department of Water Resources
 Eastern Region

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	_____	_____

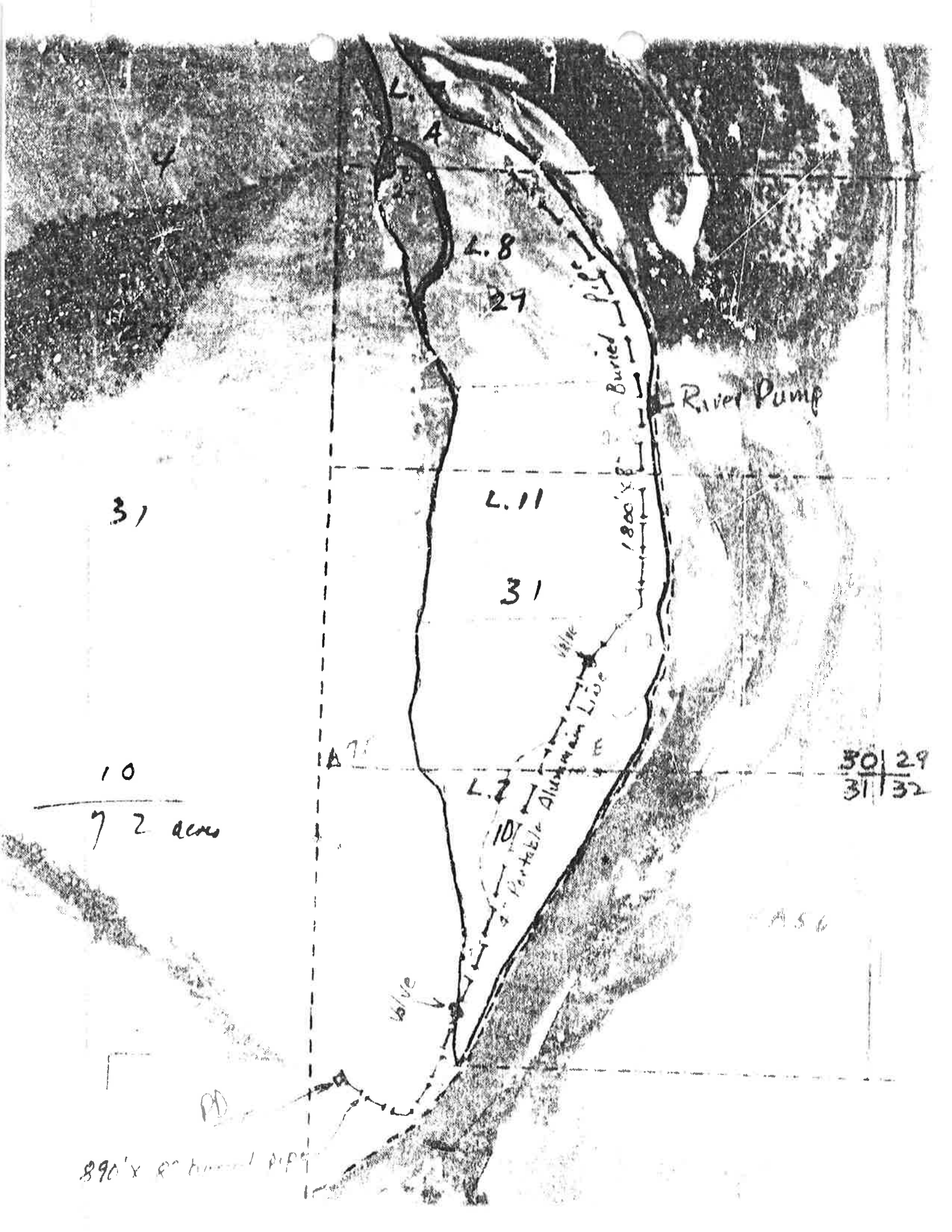
7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Mike Sell

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 _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____



31

10

7 2 acres

L. 8

29

Buried Pipe

River Pump

1800'

L. 11

31

A 7

L. 2

10'

Portable

Valve

30	29
31	32

A 56

890' x 8" Buried Pipe

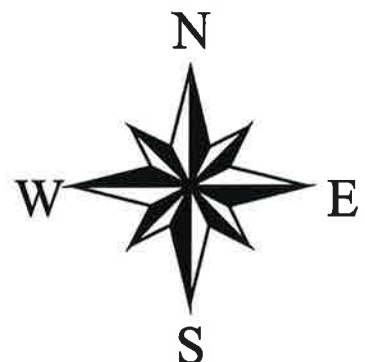
Splits of 75-4036 & 75-7002



0.2 0 0.2 0.4 Miles



-  Sections
-  Lemhi taxlots
-  GCDB23N21E GCDB
-  GCDB23N22E GCDB
-  Loring d.shp
-  Sell-a.shp
-  Sell-b-c.shp
-  QQ
-  POD-AJ ClaimClaim POD
-  Administrative BasinsAdminbas.shp



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 75-14117
Date Received: 10/7/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A7514117



1. Name of Claimant(s)

DAVID LORING Phone: (208)303-7509
410 DIAMOND CREEK RD
SALMON ID USA 83467

RICHARD A SELL Phone: (208)303-7509
410 DIAMOND CREEK RD
SALMON ID USA 83467

PAMELA LORING Phone: (208)303-7509
410 DIAMOND CREEK RD
SALMON ID USA 83467

2. Date of Priority: 05/13/1968

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	22E	31	SW NW NE 2	LEMHI	

5. Description of diverting works:

HEADGATE PIPELINE GRAVITY IRRIGATION SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.04	6

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	22E	31	NW NE	2	IRRIGATION	2
Section Acres						2
Total Acres						2

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:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-7002

15. Basis of Claim: License