

11/20/2006

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

RIGHT NUMBER: 75-14118
NAME AND ADDRESS: RICHARD A SELL
410 DIAMOND CREEK RD
SALMON ID 83467
SOURCE: DIAMOND CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.920 CFS
138.00 AFY

Right Nos 75-14118 and 75-14121 are limited to a total combined diversion rate of .92 cfs and 46 ~~aces~~ of irrigation.

RECEIVED

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

DEC 11 2006

IDWR/North

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.920 CFS 138.00 AFY
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T23N R22E S30 Lot 8 NWSE	8.00 ~~8.00~~ OK	
	T23N R22E S31 Lot 2 NWNE	7.00	31.00
	46 46 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: 75-14118

NAME AND ADDRESS: RICHARD A SELL
410 DIAMOND CREEK RD
SALMON ID 83467

SOURCE: DIAMOND CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.920 CFS
138.000 AFY

Right Nos 75-14118 and 75-14121 are limited to a total combined diversion rate of .92 cfs and 46 acres 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	04/01 10/31	0.920 CFS 138.00 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

T23N R22E S30 Lot 8 NWSE	8.00	T23N R22E S30 Lot 11 SESE	31.00
T23N R22E S31 Lot 2 NWNE	7.00		

46 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.

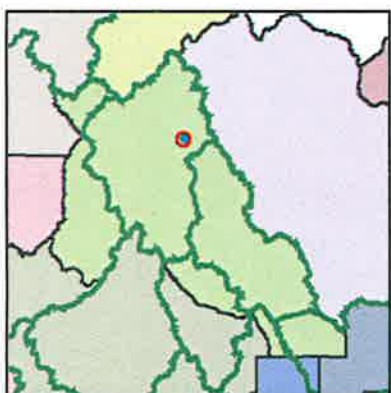


Idaho Department of Water Resources

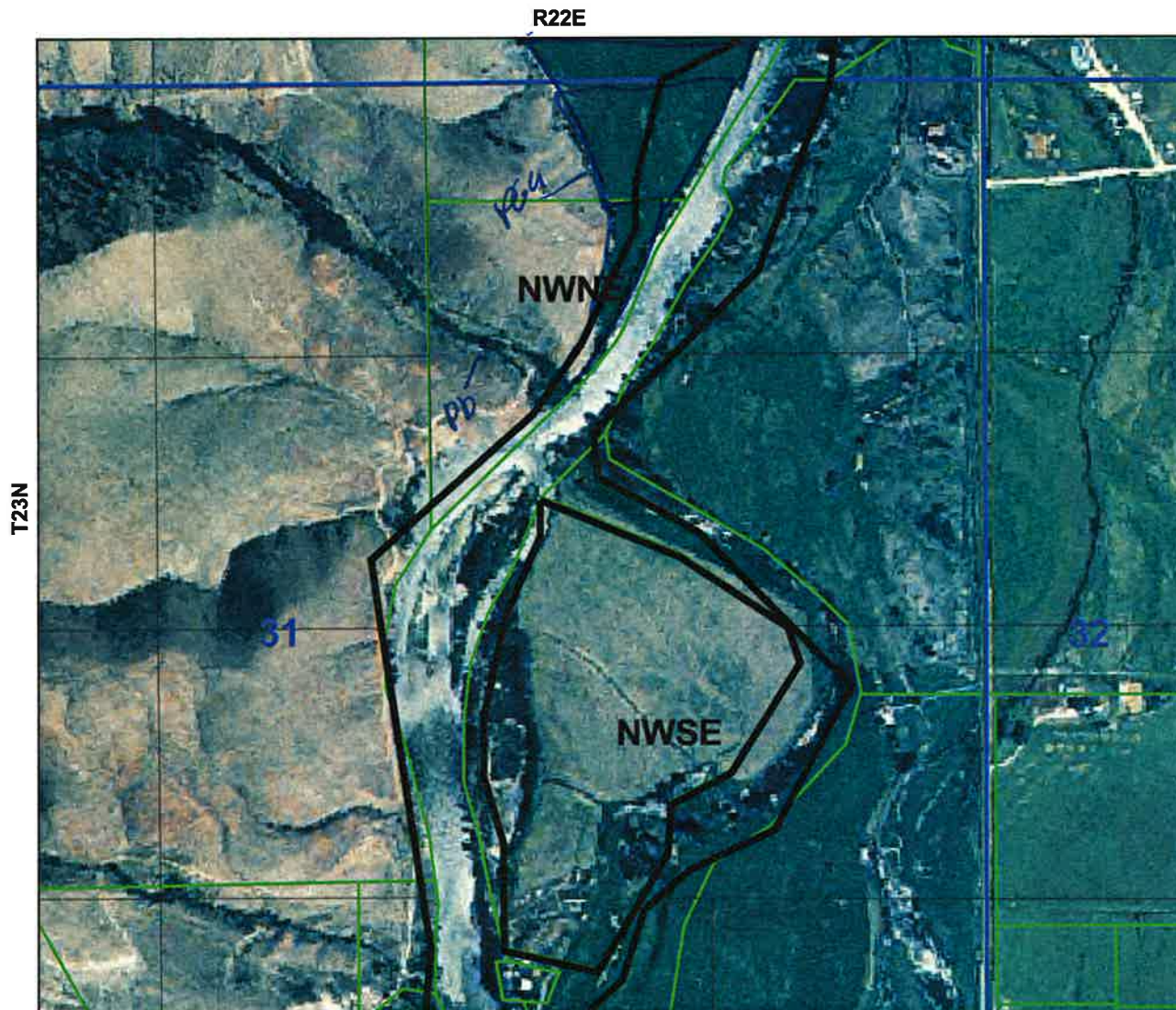
SRBA Claim:
75-14118

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



0 0.3 0.6 Miles



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: 75-14118

RICHARD A SELL
410 DIAMOND CREEK RD
SALMON ID 83467

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

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

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

RECEIVED

DEC 11 2006

IDWR/YNorth

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-4-06 SIGNATURE: Rich Sell
Please print your name: RICK SELL

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

SCANNED
DEC 12 2006 ✓

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

CLAIM NO(s). 75-14118

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

POU lot 8 in Sec 30
1

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 is 60 ^{3/2} hrs at an estimated 40 psi
276 .60 cfs
60 x 4.6 = 276 gpm = .60 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

SPRINKLER SYSTEM DISCHARGE

psi	NOZZLE DISCHARGE – GALLONS PER MINUTE						
	3/32	1/8	9/64	5/32	11/64	3/16	13/64
20	1.17	2.09	2.65	3.26	3.92	4.69	5.51
25	1.31	2.34	2.96	3.64	4.38	5.25	6.16
30	1.44	2.56	3.26	4.01	4.83	5.75	6.80
35	1.55	2.77	3.50	4.31	5.18	6.21	7.30
40	1.66	2.96	3.74	4.61	5.54	6.64	7.80
45	1.76	3.13	3.99	4.91	5.91	7.03	8.30
50	1.85	3.30	4.18	5.15	6.19	7.41	8.71
55	1.94	3.46	4.37	5.39	6.48	7.77	9.12
60	2.03	3.62	4.50	5.65	6.80	8.12	9.56
65	2.11	3.77	4.76	5.87	7.06	8.45	9.92
70	2.19	3.91	4.96	6.10	7.34	8.78	10.32
75	2.27	4.05	5.12	6.30	7.58	9.08	10.66
80	2.35	4.18	5.29	6.52	7.84	9.39	11.02
85	2.42	4.31	5.45	6.71	8.07	9.67	11.35
90	2.49	4.43	5.61	6.91	8.31	9.95	11.69
95	2.56	4.56	5.76	7.09	8.53	10.20	11.99
100	2.63	4.67	5.91	7.29	8.76	10.50	12.32

AVERAGE APPLICATION RATE – INCHES PER HOUR

Spacing in Feet	Discharge From Each Sprinkler						
	2 gpm	3 gpm	4 gpm	5 gpm	6 gpm	7 gpm	8 gpm
20x20	0.48	0.72	0.96	1.20	1.44	1.70	1.95
20x30	0.32	0.48	0.64	0.80	0.96	1.12	1.28
20x40	0.24	0.36	0.48	0.60	0.72	0.84	0.96
30x30	0.21	0.32	0.43	0.54	0.64	0.75	0.88
30x40	0.16	0.24	0.32	0.40	0.48	0.56	0.64
30x50	0.13	0.19	0.25	0.32	0.38	0.45	0.51
40x40	0.12	0.18	0.24	0.30	0.36	0.42	0.48
40x50	0.1	0.14	0.19	0.24	0.29	0.34	0.38
40x60		0.12	0.12	0.20	0.24	0.28	0.32



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

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 + David + Pamela Loring
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 410 Diamond Cr. RD.
- City, State and ZIP Code Solomon ID 83467
- New Telephone Number (208) 756-303-7509
5. Date you acquired the property 3/20/2003

RECEIVED

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) Mike Sell
(include title if applicable) _____

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 _____

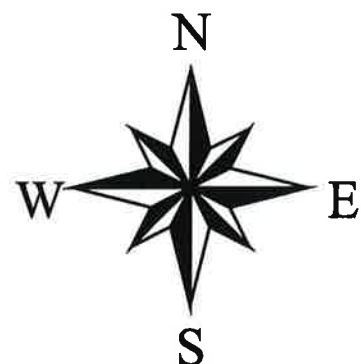
Splits of 75-4036 & 75-7002



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 Claim
-  Administrative Basins



Warranty Deed

For Value Received

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

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

RICHARD A. SELL, A SINGLE PERSON

whose current address is

410 Diamond Creek Road
Salmon, ID 83467

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

SEE ATTACHED EXHIBIT "A"

DO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they the y/r 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:

Michael A. Sell
Michael A. Sell

Karen M. Sell
Karen M. Sell

State of Idaho
County of Lemhi

SS No. 253959

STATE OF Arkansas, County of Benton
On this 26th day of March 2013
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 names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Belinda Warren

Notary Public

Residing at Benton County, Arkansas
Comm. Expires 4-6-2016

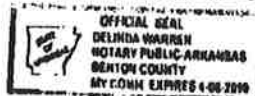
This instrument was filed for record at the request of *Belinda Warren*

at 10:00 AM on 3-25-2013
and duly filed and indexed in the records of Lemhi County

Trent J. Seaman
Idaho Official Recorder

Belinda Warren
Fee \$900

Return to *RT*



253959

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

PARCEL "B"

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

BEGINNING 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 N 85°15'59" E along the northerly boundary of said Section 31 a distance of 1142.97 ft. to a Meander Corner on the boundary of Sections 30 and 31;

Thence S 88°44'00" E along said northerly boundary a distance of 525.76 ft. to a point on the westerly bank of the Salmon River;

Thence along said westerly bank the following courses:

S 28°50'17" W, 42.76 ft.; S 32°34'32" W, 365.07 ft.;

S 30°36'47" W, 322.92 ft.; S 31°43'29" W, 39.75 ft.;

Thence West leaving said westerly bank a distance of 1257.02 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 574.15 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 21.14 ACRES

253959

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

PARCEL "C"

Government Lot 11 and a portion of Government Lot 8, Section 30, T. 23 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:
BEGINNING at the S 1/4 Corner of said Section 30, 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 N 00°12'16" E along the centerline of said Section 30 a distance of 1636.57 ft.;

Thence S 88°57'28" E a distance of 2227.88 ft. to a point on the westerly bank of the Salmon River;

Thence along said bank the following courses:

S 25°28'32" E, 147.61 ft.; S 28°37'26" E, 88.64 ft.;

S 09°07'30" W, 115.84 ft.; S 24°14'43" W, 456.42 ft.;

S 33°45'33" W, 389.65 ft.; S 45°02'30" W, 93.85 ft.;

S 23°50'00" W, 243.01 ft.; S 28°50'17" W, 181.73 ft. to a point on the southerly boundary of said section 30;

Thence N 88°44'00" W along said boundary a distance of 525.76 ft. to a Meander Corner between Sections 30 and 31;

Thence S 85°15'59" W along said southerly boundary of Section 30 a distance of 1142.97 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 73.62 ACRES

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 75-14118
Date Received: 10/7/2003
Receipt No:
Received By:

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

A7514118



1. Name of Claimant(s)

RICHARD A SELL 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	0.92	138

7. Total Quantity Appropriated is:
0.92 C.F.S. and/or 138 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	30	SW SE 11	IRRIGATION	31
Section Acres					31

23N

22E

31

NW
NW

NE
SE

2
8

IRRIGATION
IRRIGATION

8
7

Section Acres

15

Total Acres

46

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