

01/16/2008

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

RIGHT NUMBER: 75-14201

NAME AND ADDRESS: RICHARD ELLIS
103 HWY 93 N
SALMON ID 83467

CAROL ELLIS
103 HWY 93 N
SALMON ID 83467

SOURCE: FREEMAN CREEK

TRIBUTARY: CARMEN CREEK

QUANTITY: 0.170 CFS

PRIORITY DATE: 05/01/1948

POINT OF
DIVERSION: T22N R23E S5 SWSWNE Within LEMHI County
T22N R23E S6 SENENE 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	0.170 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R23E S05	SWNW	2.20	T22N R23E S05	SENW	4.80
---------------	------	------	---------------	------	------

7 ACRES TOTAL

Place of use does not include federal public lands

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

This right is a split from former right 75-4204 .

SCANNED
JAN 22 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 16, 2008

RICHARD AND CAROL ELLIS
103 HWY 93 N
SALMON ID 83467

RE: Notice of Change of Water Right Ownership (NCO) for 75-14201 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On November 5, 2007 the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jonie Barg
Office Specialist II

Enclosure

CC: JACK & DIANE ELLIS

SCANNED
JAN 22 2008

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)

Water Rights: 75-14201

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party ELLIS-ELLIS

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

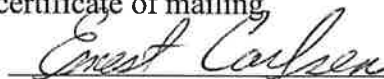
☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 1-17-2008



Signature of IDWR Representative

SCANNED

JAN 22 2008

CERTIFICATE OF MAILING

I certify that on January 18, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Jack & Diane Ellis
PO Box 301
Salmon ID 83467

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Richard & Carol Ellis
103 Hwy 93 N
Salmon ID 83467

4. One copy to:

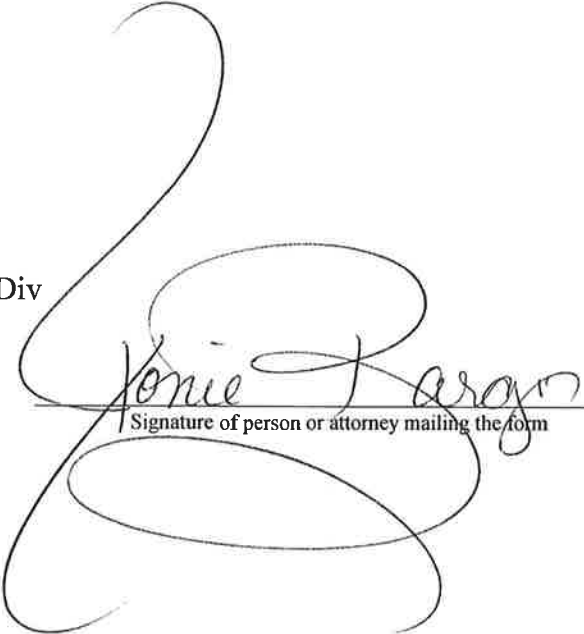
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

RECEIVED
JAN 22 2008

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
75-14201					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)	Jaek F + Diane M. Ellis
	P.O. Box 301, Salmon, ID, 83467
4. New Owner/Claimant(s)	Richard H. + Carol J. Ellis
	Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address	103 Hwy 93 North
City, State and ZIP Code	Salmon, ID 83467
New Telephone Number	(208) 756-8555

NOV 05 2007

5. Date you acquired the property

1-29-2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

Richard H. Ellis
Carol J. Ellis
 (title if applicable)
 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____
 Received by _____
 Processed by _____ AJ

Date _____
 Date _____
 Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

SCANNED

JAN 22 2003

WARRANTY DEED

For Value Received JACK F. ELLIS AND DIANE M. ELLIS,
HUSBAND AND WIFE

the grantors , do hereby grant, bargain, sell and convey unto RICHARD H. ELLIS,
A SINGLE MAN.

the grantee , the following described premises, in LEMHI County Idaho, towit:

THE N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 23 EAST, BOISE
MERIDIAN, LEMHI COUNTY, IDAHO.

SCANNED

JAN 22 2003

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: 75-14201

DIANE M ELLIS
PO BOX 301
SALMON ID 83467
Telephone Number: (208)756-2346

JACK F ELLIS
PO BOX 301
SALMON ID 83467
Telephone Number: (208)756-2346

RECEIVED
DEC 15 2006
IDWR/North

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:

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

DATE: 12-12-06

SIGNATURE:

Richard H. Ellis

Please print your name:

Richard H. Ellis

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

Note: I purchased this property from
my Brother and wife Jack + Diane Ellis
in 2000 but failed to change the
water right. Please change to

Richard H. Ellis
67 Sunflower Road
Salmon, ID 83467

208 756-8555

+ Carol D. Ellis
67 Sunflower Rd
Salmon, ID 83467

208-756-8555

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
HIS heirs and assigns forever. And the said Grantor^s do hereby covenant to
and with the said Grantee , that t he y are the owner^s in fee simple of said premises; that they
are free from all incumbrances

and that t he y will warrant and defend the same from all lawful claims whatsoever.

Dated: JANUARY 27, 2000

Jack F. Ellis
JACK F. ELLIS

Diane M. Ellis
DIANE M. ELLIS

STATE OF IDAHO, COUNTY OF LEMHI

On this 15th day of February, 2000
before me, a notary public in and for said State, personal-
ly appeared JACK F. ELLIS AND DIANE M.

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.

Residing at SALMON
Comm. Expires 4/10/2004

Notary Public
, Idaho

STATE OF IDAHO, COUNTY OF

243516

I hereby certify that this instrument was filed for re-
cord at the request of Jack F. Ellis

at 55 minutes past 11 o'clock A m.,
this 15 day of February, 2000
in my office, and duly recorded in Book
of Deeds at page

Jenni Morrison
Ex-Officio Recorder

By Patti Burn Deputy.

Fees \$ 300
Mail to:

INSTRUMENT NO.

LEMHI TITLE & ABSTRACT — SALMON, IDAHO

SCANNED

JAN 22 2003

DEED OF RECONVEYANCE

LEMHI TITLE & ABSTRACT CO., INC. an Idaho Corporation, as
in the deed of trust executed by RICHARD H. ELLIS AND CAROL J. ELLIS, HUSBAND AND WIFE

Trustee

recorded in LEMHI COUNTY

Official Record Book , Instrument No. 251252 Mortgage
County, Idaho, pursuant to the written request of the beneficiary, does hereby GRANT and RECONVEY unto the PARTIES
ENTITLED THERETO,

RICHARD H. ELLIS AND CAROL J. ELLIS, HUSBAND AND WIFE

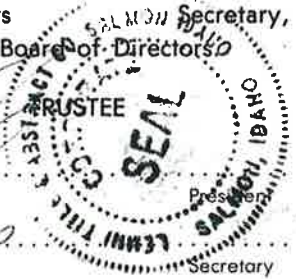
without warranty, all the estate and interest derived to it by or through said Deed of Trust, in the lands therein
described.

The corporate name subscribed by its President, and the seal affixed by its
is pursuant to a resolution authorizing the execution of this reconveyance duly adopted by its Board of Directors

Dated: MAY 14, 2004

By: ERIN G. ROBIE

Attest: LINDA K. ROBIE



STATE OF IDAHO } ss.
COUNTY OF LEMHI }
On this 14TH day of MAY in the
year 2004 before me, a Notary Public in and for said State,
personally appeared ERIN G. & LINDA K. ROBIE
known to me to be the PRES & secretary of the corporation
that executed the within instrument or the person who executed the
instrument on behalf of said corporation, and acknowledge to me
that such corporation executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed
my official seal the day and year in this certificate first above written.

PUBLIC

Notary Public for the State of Idaho,

Residing at SALMON, Idaho

State of Idaho
County of Lemhi

ss. No.

258597

This instrument was filed for record at the request
of Lemhi Title

at 9:25 o'clock A.M. May 14, 2004

and duly filed and indexed in the records of Lemhi
County

Terri J. Morton
Ex-Officio Recorder

By Sue Deckers Deputy

Fee 3.00

Return to Lemhi Title

This instrument furnished by the LEMHI TITLE & ABSTRACT CO.

SCANNED

JAN 22 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

February 7, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

TERRY FAMILY TRUST
PO BOX 80963
RANCHO SANTA MARGARITA CA 92688

RE: RETURNED WATER RIGHT OWNERSHIP CHANGE 75-4037, 75-4038,
75-14203, 75-14205 AND LATE NOTICE OF CLAIM TO A WATER RIGHT

Dear Claimants:

I am returning the above referenced ownership change because the land you purchased from Norman Gallagher in Lemhi County, Idaho is not appurtenant to water rights 75-14203 and 75-14205.

However, you are entitled to file your own claim based on the original rights 75-4037 and 75-4038. Enclosed is a "Notice of Claim to a Water Right" form if you choose to file on your property in Lemhi County, Idaho.

If you have questions about this matter, please contact Water Rights Agent Nate Arave at (208)525-7161.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Norman Gallagher
Nate Arave

SCANNED

FEB 07 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

February 7, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

TERRY FAMILY TRUST
PO BOX 80963
RANCHO SANTA MARGARITA CA 92688

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If you have questions about this matter, please contact Water Rights Agent Nate Arave at (208)525-7161.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Norman Gallagher
Nate Arave

SCANNED

FEB 07 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 18, 2006

Richard H. Ellis
67 Sunflower Rd.
Salmon, Idaho 83467

Re: Claim 75-14201

Dear Mr. Ellis:

As per your Notice of Error Reply for the above said claim, I have enclosed a Notice of Change in Water Right Ownership form for you to complete and return to the Northern Regional Office. If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Water Resources Agent

Encl/kf

SCANNED

JAN 30 2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 7, 2006

Richard H. Ellis
23 Twelve Mile Rd.
Salmon, Idaho 83467

Re: Water Right Claim #75-14201

Dear Mr. Ellis:

The Idaho Department of Water Resources (IDWR) in doing the final processing of the above-mentioned claim discovered you now own the property that was previously owned by Jack and Diane Ellis. If you would like your name to appear on the final adjudication recommendation, please complete and return the attached Notice of Change in Water Right Ownership form and return it to me no later than November 16, 2006. Since this is in regards to adjudication, there is no fee involved for the change in ownership.

If you should have any questions, don't hesitate to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Encl/kf

C O P Y

SCANNED
JAN 30 2000

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

CLAIM NO(s). A75-14201

1. ☐ No Change NAME IS SAME
☒ NEW OWNER: Richard + Carol Ellis 208-756-8555
☐ No Change ADDRESS
☐ NEW ADDRESS: 23 12 mile Rd Salmon, Id 83467

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 GPS 003
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0011587

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:

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

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack F. Ellis

Signature

Estimating Conveyance Loss using the Worstell Method

Claim No.

Formula: $S = (w)(i)(0.0667)$

Where: S = loss in cfs per mile

w = top width of the high water mark in feet

i = loss rate in feet per day (see Table)

Type of soil	i (ft/day)
medium clay loam	0.5 - 1.5
impervious clay	0.5
medium soils	1.0
somewhat pervious soils	1.5 - 2.0
gravels	2.5 - 5.0

Worksheet:

$$w = 2'$$

$$i = 1.0 \text{ ft/day}$$

$$\text{ditch length (mi.)} = 1,000' = 0.19 \text{ miles}$$

Conveyance Loss:

$$S = (2)(1)(0.0667) = 0.13 \text{ cfs/mile}$$

$$\text{Loss} = 0.03 \text{ cfs/mile}$$

$$(0.13 \text{ cfs/mile}) \times (0.19 \text{ miles}) = 0.03 \text{ cfs}$$

$$(7 \text{ ac})(0.02 \text{ cfs/ac}) = 0.14 \text{ cfs}$$

$$\text{ditch loss} = 0.03 \text{ cfs}$$

$$0.17 \text{ cfs}$$

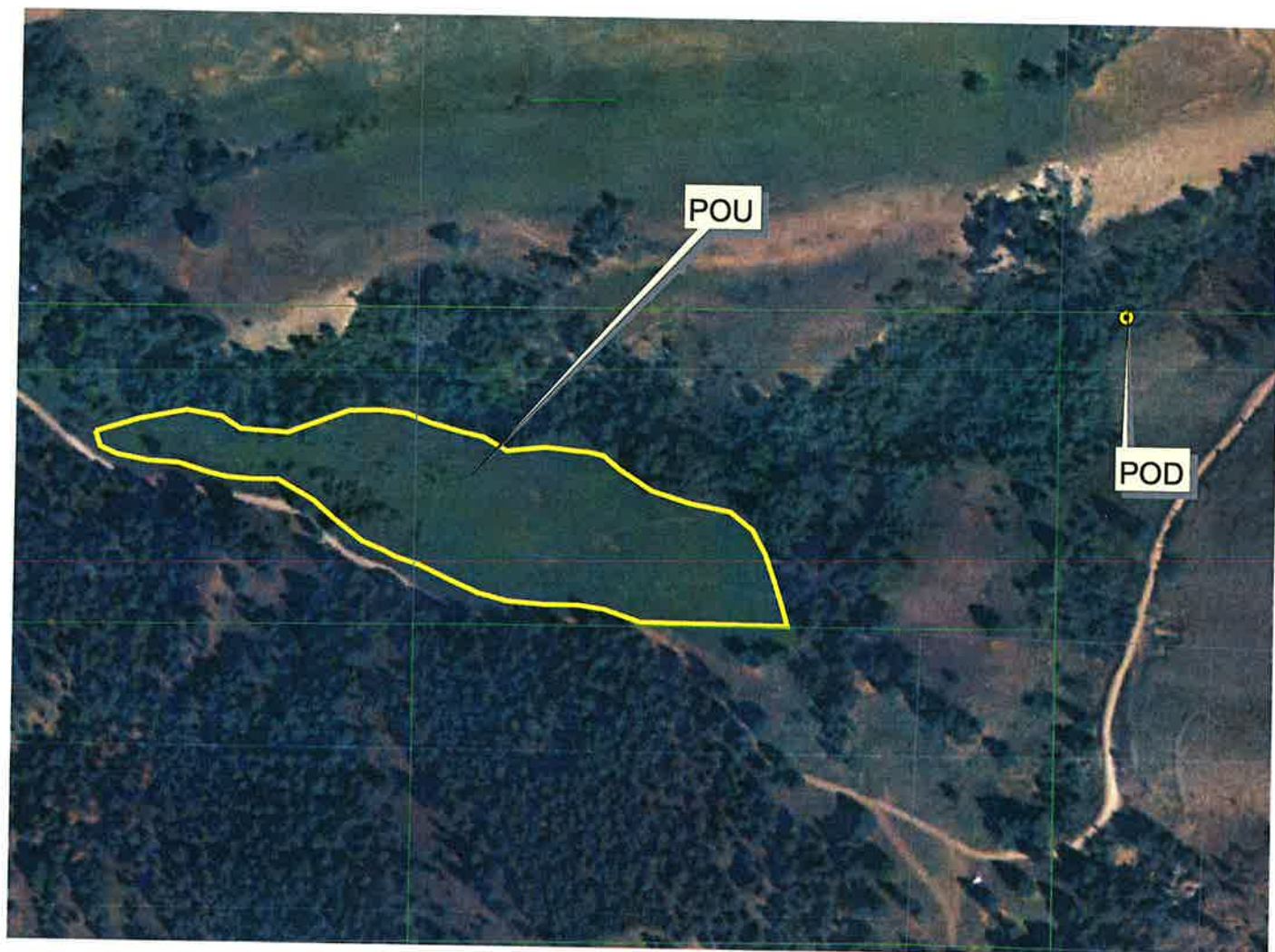
$$\text{Claimed} = 0.59 \text{ cfs}$$

$$\text{Recommend} = \underline{0.17 \text{ cfs}}$$

SCANNED

JAN 30 2013

75-14201



-  Lemhi taxlots
-  GCDB22N23E GCDB
-  Pou.shp
-  Administrative BasinsAdminbas.shp
-  Pod.shp



SCANNED
JAN 30 2008

RECEIVED
AUG 26 2005
Department of Water Resources

July 15. 2005

To whom it may concern:

Proving the Priority date of water right number 75-14201. A statutory claim dated May 1, 1948.

I, Jack F. Ellis, the under signed, was ten years old in 1948. I helped my Father lay out the ditch that comes from T22N, R23E, section 5, with a 20 foot 2x4 and a carpenters level. I watched the neighbor build the ditch with his D4 Caterpillar Tractor and helped my Father put water in it for the first time.

The ditch that comes from T22N, R23E, section 6, was the house ditch. It supplied water for the yard, garden and irrigated a small pasture just below the house. The ditch described has been there and used for as long as I can remember.

Signed:



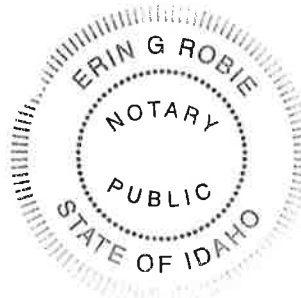
Jack F. Ellis
Box 301
Salmon, Idaho 83467

STATE OF IDAHO
COUNTY OF LEMHI

ON THIS 15th DAY OF JULY 2005, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JACK F. ELLIS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



ERIN G. ROBIE, NOTARY PUBLIC
RESIDING AT SALMON, IDAHO



SCANNED
AUG 26 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 17, 2005

JACK AND DIANE ELLIS
PO BOX 301
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #75-14201

Dear Claimants:

Enclosed is a copy of the Notice of Claim referenced above.

As a result of selling a portion of your property and water right to Beaverhead Peaks Ranch, LLC, the identification number to your water right has been changed as follows:

From
75-4204

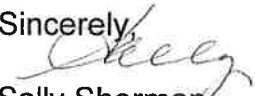
To
75-14201

Please use the new number in future inquiries or correspondence you may have with our Department.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claim.

Thank you for your patience and cooperation. We have had several water right changes to process. Please call me at 1/800-451-4129 if you have any questions or concerns.

Sincerely,


Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Copy of Notice of Claim Referenced Above

SCANNED
MAY 17 2005

Split/Overlap Analysis – Water Right No. 25-4204

[illegible]

```
graph TD; A[75-4204] --- B[75-14201 Ellis]; A --- C[75-14207 Beaverhead]
```

Right No.	Rate of Diversion	Irrigated acres	Rec. Diversion (cfs)
75-4204	0.8	9.5	~0.08/ac.
75-14201		2.0	0.59
75-14202		2.5	0.21

SCANNED
MAY 16 2005

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: 75-14201

DIANE M ELLIS
PO BOX 301
SALMON ID 83467
Telephone Number: (208)756-2346

JACK F ELLIS
PO BOX 301
SALMON ID 83467
Telephone Number: (208)756-2346

SCANNED
DEC 21 2006

RECEIVED
DEC 15 2006
IDWR/North

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:

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

DATE: 12-12-06 SIGNATURE: Richard H. Ellis
Please print your name: Richard H. Ellis

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

Note: I purchased this property from
my Brother and wife Jack + Diane Ellis
in 2000 but failed to change the
water right. Please change to

Richard H. Ellis
67 Sunflower Road
Salmon, ID 83467
208 756-8555

+ Carol D. Ellis
67 Sunflower Rd
Salmon, ID 83467
208-756-8555

WARRANTY DEED

For Value Received JACK F. ELLIS AND DIANE M. ELLIS,
HUSBAND AND WIFE

RECEIVED
DEC 15 2006
IDWR/North

the grantors, do hereby grant, bargain, sell and convey unto RICHARD H. ELLIS,
A SINGLE MAN.

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

THE N1/4S1/4NW1/4 OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 23 EAST, BOISE
MERIDIAN, LEMHI COUNTY, IDAHO.

TO 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 are 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: JANUARY 27, 2000

Jack F. Ellis
JACK F. ELLIS

Diane M. Ellis
DIANE M. ELLIS

STATE OF IDAHO, COUNTY OF LEMHI

On this 15th day of February, 2000
before me, a notary public in and for said State, personally appeared JACK F. ELLIS AND DIANE M.

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

Notary Public
Residing at SALMON, Idaho
Comm. Expires 11/10/2004

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of Jack F. Ellis

at 55 minutes past 11 o'clock A.M.,
this 15 day of February, 2000
in my office, and duly recorded in Book
of Deeds at page

Jessie Morrison
Ex-Officio Recorder

By Patricia Bunn Deputy.

Fees \$ 300
Mail to:

NOTARY PUBLIC IN ID.

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 475-4204
Date Received 3/19/00
Receipt Number EO12421

A7504204



75-
14201

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

Please type or print clearly

1. Name of Claimant (s) Jack F. or Diane M. Ellis Phone (208) 756-2346
Mailing Address P.O. Box 301 Salmon, Idaho Zip 83467

2. Date of Priority (Only one (1) per claim) 5-01-1948

3. Source of water supply (a) Freeman Creek
which is tributary to (b) Carmen Creek

4. a. Location of existing point of diversion is: Township 22N Range 23E Section 5,
SW 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: SE 1/4, NE 1/4, NE 1/4 Sec. 6 T22N R23E

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

Headgates and Ditches

16" wide 6' long 3' deep

SCANNED

MICROFILMED

JAN 30 2008

DEC 15 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 10-1 amount .8 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .8 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 23.75 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
22N	23E	5							3	4									7
22N	23E	6	2.5																2.5

Total number of acres irrigated 9.5

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

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. _____ or None ()

14. Remarks:

Last Name Ellis Ident No. _____

SCANNED MICROFILMED

JAN 30 2008 DEC 15 1992

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number 75-4204

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Jack F. Ellis

Date 3-18-1990

Diane M. Ellis

Date 3-18-1990

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

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)

County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 15 day of March 19 90

SEAL

Notary Public

Cary Cook

Residing at

Salmon

My Commission Expires

9-5-1991

Please Print Name MARY Cook

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name

Ellis

Ident. Number _____

SCANNED
JAN 30 2009

MICROFILMED

DEC 15 1992

Copies White-State, Yellow-Claimant

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 75-14201
Date Received: 5/12/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DIANE M ELLIS Phone: (208)756-2346

PO BOX 301
SALMON ID USA 83467

JACK F ELLIS Phone: (208)756-2346

PO BOX 301
SALMON ID USA 83467

2. Date of Priority: 05/01/1948

3. Source: FREEMAN CREEK Trib. to: CARMEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	23E	6	SE NE NE	LEMHI	
22N	23E	5	SW NW NE	LEMHI	

5. Description of diverting works:

DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/01	0.59	

7. Total Quantity Appropriated is:
0.59 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	23E	5	SW	NW	IRRIGATION	3
			SE	NW	IRRIGATION	4
					Section Acres	7
					Total Acres	7

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 75-4204 .

15. Basis of Claim: Statutory Claim

SCANNED

JAN 30 2008

11/07/2006

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

RIGHT NUMBER: 75-14201
NAME AND ADDRESS: DIANE M ELLIS
PO BOX 301
SALMON ID 83467
JACK F ELLIS
PO BOX 301
SALMON ID 83467

SOURCE: FREEMAN CREEK TRIBUTARY: CARMEN CREEK
QUANTITY: 0.170 CFS
PRIORITY DATE: 05/01/1948
POINT OF DIVERSION:

T22N R23E S5 SWSWNE Within LEMHI County
T22N R23E S6 SENENE 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	0.170 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R23E S05	SWNW	2.20	T22N R23E S05	SENW	4.80
---------------	------	------	---------------	------	------

7 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 - Statutory Claim

This right is a split from former right 75-4204