

05/22/2006

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

RIGHT NUMBER: 75-14262
NAME AND ADDRESS: DIANE M ELLIS
PO BOX 301
SALMON ID 83467

JACK F ELLIS
PO BOX 301
SALMON ID 83467

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/2002

POINT OF DIVERSION:

T23N R23E S31 NESENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

PLACE OF USE: DOMESTIC Within LEMHI County

T23N R23E S31

SENEW

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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: 75-14262

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

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:

12-09-06

SIGNATURE:

Jack F. Ellis

Please print your name:

Jack F. Ellis

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

SCANNED
DEC 13 2006

11/20/2006

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DEC 14 2006

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: 12-09-06 SIGNATURE: Jack F. Ellis
Please print your name: JACK F. ELLIS

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



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

April 5, 2006

JACK AND DIANE ELLIS
PO BOX 301
SALMON ID 83467
TWIN FALLS ID 83303

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #75-14262

Dear Mr. and Mrs. Ellis:

We are forwarding to you a data-entered copy of the Notice of Claim that you filed in the Snake River Basin Adjudication. We are also enclosing receipt #C078827 in the amount of \$25.00 for the filing fees. Please retain your receipt for your records.

We have interpreted the data from this claim in the process of data entry in a manner that we feel more accurately reflects the true status of this water right claim. The item that was modified is highlighted. Please review the enclosed claim to assure this modification is in agreement with the claimed water right.

If you believe our data is *incorrect*, and you wish to make any changes to this Notice of Claim, please initial the changes before signing the form in front of a Notary Public and return the form to me within 30 days. You may wish to make a copy for your files before returning the claim to me.

Please contact me at 1/800-451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

SS:duplex
Enclosures:

Computer-generated Notice of Claim Referenced Above
Receipt #C078827

SCANNED

APR - 5 2006

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 75-14262
Date Received: 2/17/2006
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: 06/01/2002

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

PUMP, 340-FT WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	23E	31	SE	NW	DOMESTIC	

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: 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

of _____ 20__

Notary Public

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. 75-14262
Date Received 8-10-05
Receipt Number C078827

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

AUG 10 2005

DEPARTMENT OF
WATER RESOURCES

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Jack F. & Diane M. Ellis Phone (208) 756-2346

Mailing Address P.O. Box 301 Salmon, Id Zip 83467

2. Date of Priority (Only one per claim) 6-01-02 Month/Day/Year

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

which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 23N Range 23E

Section 31, NE 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM.,

County of Lemhi

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. pump 340 ft

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 .04 (cfs)

For _____ purposes from _____ to _____ (Both dates are inclusive) amount _____

7. Total quantity claimed .04 (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) 1 house

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FEB 17 2006

10. Place of use is: Township: 23N Range 13N
Section 31, SE 1/4 of NW 1/4, Govt. Lot _____, B.M.,
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? 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.
() None or _____

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)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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)

Jack F. Ellis
Diane M. Ellis

Date

8-8-05

Date

8-8-05

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

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.

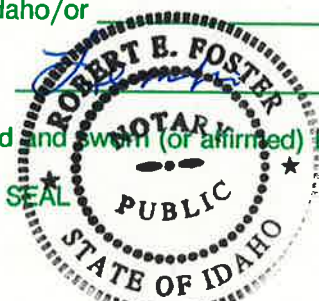
Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of _____)

Subscribed and sworn (or affirmed) before me this 8th day of August, 192005



Notary Public

Robert E. Foster

Residing at

Salmon ID

My Commission Expires

02-16-07

Last Name

Ellis

Ident No.

75-14262

Copies: White-State, Yellow-Claimant

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FEB 17 2006

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME <u>Ellis, Jr. & Diane</u>		CLAIM IDENT. NO. <u>75-14262</u>	
DATE RECEIVED <u>8-10-06</u>	CK # <u>C078827</u>	AMOUNT \$ <u>5.00</u>	YES ☒ NO ☐ Required Info? ☐

1. Is the name and address complete with zip code? ☒ ☐ *
2. Is a priority date entered? ☒ ☐ *
- Is the priority date acceptable in view of mandatory filing dates? ☒ ☐ *missing century*
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ ☐ *
3. (a) Is a source entered? ☒ ☐ *
- (b) Is a tributary to entered? (if required) ☐ ☒ N/A ☐ *
4. Is the legal description of the p.d. sufficient? ☒ ☐ *
5. Is there a description of the diverting works? ☒ ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ ☐ *
- Is the period of use included? ☒ ☐ *
- Is a quantity claimed for each use? ☒ ☐ *
7. Is a total quantity claimed entered? ☒ ☐ *
8. If required is a consumptive use entered? ☐ ☒ N/A ☐ *
- Is the consumptive use correct? ☐ ☒ N/A ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ ☒ N/A ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ ☐ *but + R same*
11. Is (are) the county(ies) entered? ☒ ☐ *
12. Is the ownership of p.u. checked? ☒ ☐ *
13. Are other water rights listed or "none" indicated? ☐ ☒ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ ☒ N/A ☐ *
15. Is the basis of the claim indicated? ☒ ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ ☒ N/A ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ ☐ *
20. Is the fee enclosed correct? ☐ ☒ Exempt ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ ☒ N/A ☐ *
22. Should this claim be data entered? ☒ ☐ *

Claim checked by: [Signature] Date: 2-17-06Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☒ (Yes) ☐ (No)

Receipt Prepared by: m.m. mickle Date: C078827
Claim data entered by: [Signature] Date: 2-17-06 Checked by: — Date: —
Sent to claimant by: [Signature] Date: —

Comments: Mod #2 and #10 - RC's contractor.