

11/09/2006

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

RIGHT NUMBER: 75-14353

NAME AND ADDRESS: ANN LIEBERMAN
PO BOX 180
CORA WY 82925

LEE LIEBERMAN
PO BOX 180
CORA WY 82925

SOURCE: SMOUT CREEK

TRIBUTARY: FREEMAN CREEK

QUANTITY: 0.081 CFS

PRIORITY DATE: 05/01/1915

POINT OF DIVERSION:

T23N R23E S31 NENE Within LEMHI County

T23N R23E S31 SWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.081 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T23N R23E S31 NESW 8.10

8.1 ACRES TOTAL

8.1

The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 75-14353,
75-14355 and 75-14357.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

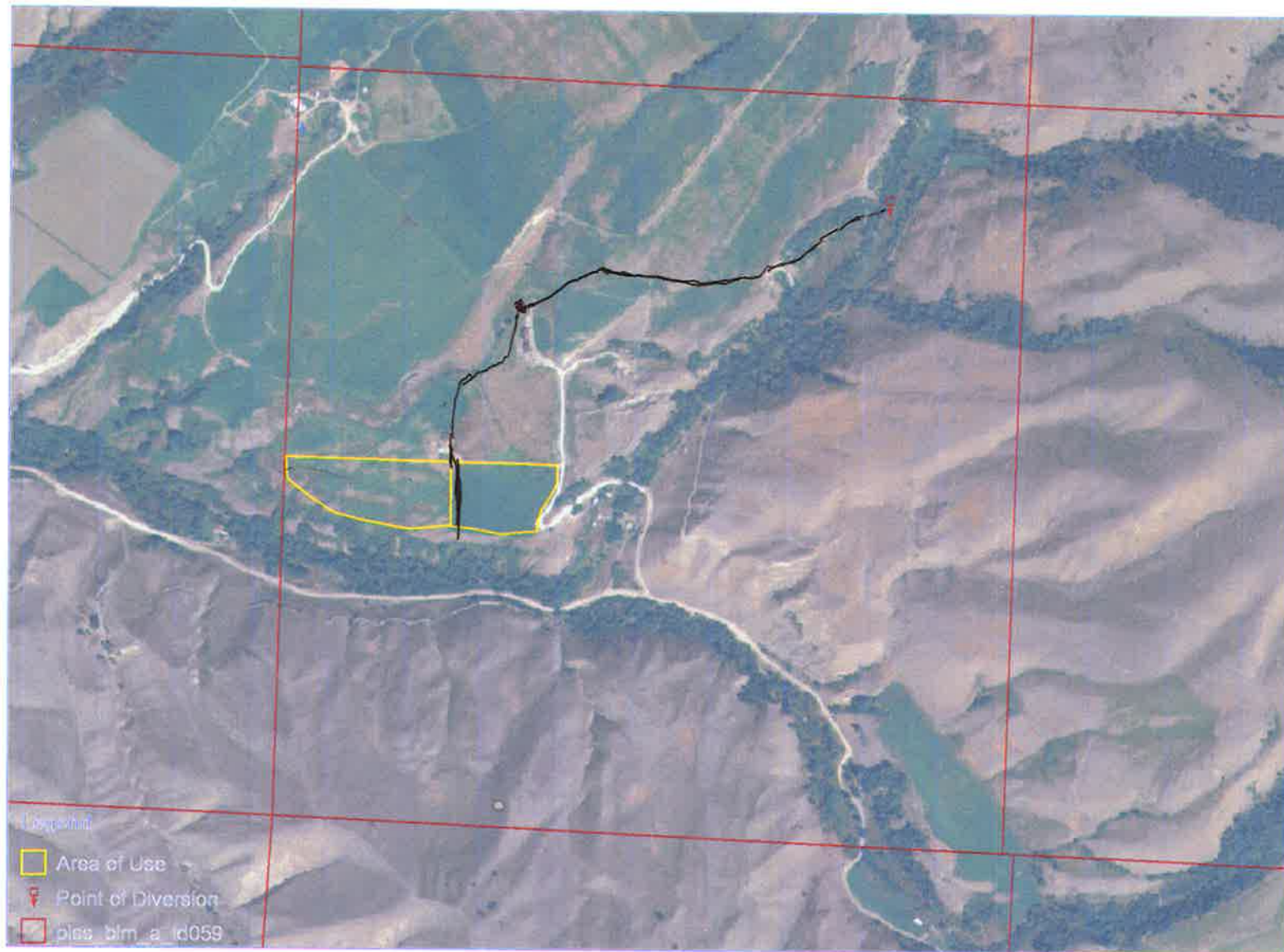
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Jack Ellis

Date: 07/2006

Approved By: Nathan L. Matlack



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 75-14353
Date Received: 10/5/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

ANN LIEBERMAN
PO BOX 180
CORA WY USA 82925

Phone: (307)367-3041

LEE LIEBERMAN
PO BOX 180
CORA WY USA 82925

Phone: (307)367-3041

2. Date of Priority: 05/01/1915

3. Source: SMOUT CREEK , SMOUT CREEK , SMOUT CREEK Trib. to: FREEMAN CREEK ,
FREEMAN CREEK , FREEMAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	23E	31	NE SW NE	LEMHI	
23N	23E	31	SW NE NE	LEMHI	
23N	23E	30	NW SE SE	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	0.52	

7. Total Quantity Appropriated is:
0.52 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
23N	23E	31	NE	SW	IRRIGATION	12.3
Section Acres						12.3
Total Acres						12.3

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 75-14010 .

15. Basis of Claim: Statutory Claim

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

RECEIVED
 SEP 11 2006
 IDWR/North

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
75-14010			75-10067 - Deceased		
75-14031					
75-14033					
75-2140					
75-10065 - Deceased					

Split already
 14031 is part
 of 2140

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)
JACK & DIANE ELLIS
P.O. Box 301 Salmon ID 83467
4. New Owner/Claimant(s)
Lee & Ann Lieberman
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address
P.O. Box 180
- City, State and ZIP Code
Cora, WY 82925
- New Telephone Number
(307) 367-3041
5. Date you acquired the property
8-14-06

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 <u>75-14010</u>		
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	<u>1.79 CFS</u>	<u>12.3</u>
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 <u>75-14031</u>		
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	<u>.44 CFS</u>	<u>8.8</u>
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) 
(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 _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

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 <u>75-14033</u>		
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	<u>.32 CFS</u>	<u>8.8</u>
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 <u>75-2140</u>		
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	<u>1.26 CFS</u>	<u>20</u>
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s)
(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 _____	Date _____	WR _____ Date _____

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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 <u>75-10065</u>		
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	<u>.03 CFS</u>	<u>100 HEAD CATTLE</u>
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 <u>75-10067</u>		
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	<u>.04 CFS</u>	<u>Home</u>
Other		
Total		

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

State of Idaho
County of Lemhi) SS No. 268573This instrument was filed for record at the request
of Alliance Title
at 3:47 o'clock pm Aug. 14, 2006

and duly filed and indexed in the records of Lemhi

County

Terri J. Morton

Ex-Officio Recorder

By Lyrica Cardin DeputyFee 3.00Return to ATEC**WARRANTY DEED**Order No. 30706037781-G**FOR VALUE RECEIVED**Donna Jean Solomon, a married woman dealing as her sole and separate property

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

Lionel Lieberman Revocable Trust, dated June 2, 1999, and, Ann Lieberman Revocable Trust, dated June 2, 1999, As Tenants in Common

whose current address is

1535 Hwy 352 Cora, WY 82925

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 31, TOWNSHIP 23 NORTH, RANGE 23 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 8/11/06Donna Jean Solomon
Donna Jean Solomon

State of Idaho

County of LemhiOn this 11th day of August, in the year 2006 before me, a Notary Public in and for said state, personally appeared Donna Jean Solomon known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

Laurie M. Santee
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 6-19

WARRANTY DEED

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

the grantors, do hereby grant, bargain, sell and convey unto DONNA JEAN SOLOMON, A MARRIED WOMAN AS HER SEPARATE ESTATE, 3116 LAKE DRIVE #7, MARINA, CALIFORNIA 95039

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

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 31, TOWNSHIP 23 NORTH, RANGE 23 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, HER 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: JULY 11, 2002

Jack F. Ellis
JACK F. ELLIS

Diane L. Ellis
DIANE L. ELLIS

STATE OF IDAHO, COUNTY OF LEMHI
On this 12TH day of JULY 2002, before me, a notary public in and for said State, personally appeared JACK F. ELLIS AND DIANE L. ELLIS



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

Residing at SALMON
Comm. Expires 10-6-05

Notary Public
Idaho

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record at the request of Lemhi Title Co.

at 25 minutes past 1:00 o'clock p.m.,
this 16 day of July
2002, in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By Diane Dickson

Deputy.

Fees \$ 300
Mail to:

INSTRUMENT NO. 251082