

12/12/2006

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

RIGHT NUMBER: 75-14419
NAME AND ADDRESS: DUKE DEMICK
8 KARLA DR
SALMON ID 83467

KAREN DEMICK
8 KARLA DR
SALMON ID 83467

SOURCE: WASTE WATER TRIBUTARY: SALMON RIVER
QUANTITY: 0.120 CFS
PRIORITY DATE: 06/09/1875
POINT OF DIVERSION:

T21N R22E S8 SWSW 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	0.120 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S08 SWSW 6.00

6 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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

75-14419

T21N R22E Section 8



Place of Use

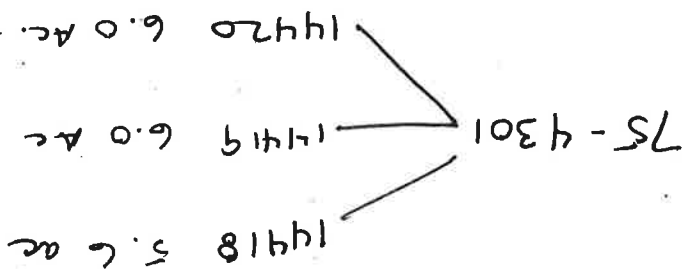


Point of Diversion



Two George & ownerships for 74-318A was received in 2005 and Warranty Deed shows property was also covered by this right.

CBS c/o received 12/2006 for remainder.
Building set up the rest of the 6 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 75-14419
Date Received: 4/18/1990
Receipt No:
Received By:

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

1. Name of Claimant(s)

DUKE DEMICK
8 KARLA DR
SALMON ID USA 83467

Phone: (208)756-6838

KAREN DEMICK
8 KARLA DR
SALMON ID USA 83467

Phone: (208)756-6838

2. Date of Priority: 06/09/1875

3. Source: POND , WASTE WATER Trib. to: SALMON RIVER , SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
21N	22E	8	SW SW SW	LEMHI	
21N	22E	8	SW SW SW	LEMHI	

5. Description of diverting works:

DITCHES, FLUME & CULVERT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.12	

7. Total Quantity Appropriated is:
0.12 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
21N	22E	8	SW	SW	IRRIGATION	6
Section Acres						6
Total Acres						6

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:

CHANGED ADDRESS PER REQUEST/CV/09-26-00

This right is a split from former right 75-4301 .

15. Basis of Claim: Statutory Claim

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.

RECEIVED
 MAY 16 2005
 Department of Water Resources

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which 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
	74-318A	✓			
	75-4801				

RECEIVED
 from W.A.
 DEC 9 2005

Department of Water Resources

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)

Caroline Demick

8 Demick Ln Solon ID 83467

4. New Owner/Claimant(s)

Duke N. & Karen Demick

Name Connector (Check one): [] and, [] or, ☒ and/or

New Mailing Address

8 Karla Dr.

City, State and ZIP Code

Solon ID 83467

New Telephone Number

(208) 756-6838

5. Date you acquired the property

9-25-1992

*C. K. to process
 12/9/05 R Brown*

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>74-318A</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>6.0 ac</u>	<u>.18 cfs</u>
Stock		
Domestic		
Other		
Total	<u>6.0 ac</u>	

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)

Duke R. Demmitt

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				
Received by	<u>PM</u>	Date	<u>5-16-05</u>	Fee
Received by	<u>PM</u>	Date	<u>5-16-05</u>	Receipt No.
Processed by	<u>22/2005</u>	Date	<u>12-20-05</u>	WR
				Date

WARRANTY DEED 251573

For Value Received ONE AND NO/100 (\$1.00) DOLLAR AND OTHER VALUABLE CONSIDERATIONS

CAROLINE DEMICK, a widow

the grantor , does hereby grant, bargain, sell and convey unto

DUKE N. DEMICK

the grantee , whose current address is, ~~Rt. 8, Box 373, Idaho Falls, Idaho 83401~~ 8 KARLA DRIVE SALMON, IDAHO 83467
the following described premises, to-wit:

A fraction of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section Eight (8), Township Twenty-one (21) North, Range Twenty-two (22) East, Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the SW Corner of said Section 8, run thence North 89°55'44" East along the Southerly boundary of Section 8, a distance of 75.00 feet to the Easterly right-of-way of U. S. Highway 93; thence North 00°03'00" East along said right-of-way a distance of 426.67 feet to the POINT OF BEGINNING of Parcel B;
Thence continuing North 00°03'00" East along the right-of-way, a distance of 451.25 feet;
Thence South 89°43'27" East, a distance of 579.32 feet;
Thence South 00°04'52" West, a distance of 451.25 feet;
Thence North 89°43'27" West, a distance of 579.08 feet to the POINT OF BEGINNING.

Said Parcel B contains 6.00 acres.

The above conveyance is made free and clear of all other encumbrances except: Rights-of-Way and easements, reservations in Federal patents and State deeds, or other restrictions imposed by law, building and use restrictions of record, building and zoning regulations and ordinances of any governmental unit.

The Grantor reserves a life ^{ESTATE} ~~interest~~ in the above-described property.

Caroline Demick

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee , his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee , that she is the owner in fee simple of said premises; that said premises are free from all incumbrances

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

Dated: This 25th day of september, 1986.

Caroline Demick

CAROLINE DEMICK

Quitclaim Deed

For Value Received

CAROLINE DEMICK, a widow.

does hereby convey, release, remise and forever quitclaim unto

DUKE N. DEMICK, a married man as his sole and separate property

whose current address is 8 Karla Drive
Salmon, Idaho 83467

the following described premises, to-wit:

A fraction of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section Eight (8), Township Twenty-one (21) North, Range Twenty-two (22) East, Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the SW Corner of said Section 8, run thence North 89°55'44" East along the Southerly boundary of Section 8, a distance of 75.00 feet to the Easterly right-of-way of U.S. Highway 93; thence North 00°03'00" East along said right-of-way a distance of 426.67 feet to the POINT OF BEGINNING OF Parcel B;

Thence continuing North 00°03'00" East along the right-of-way, a distance of 451.25 feet;

Thence South 89°43'27" East, a distance of 579.32 feet;

Thence South $00^{\circ}04'52''$ West, a distance of 451.25 feet;

Thence North 89°43'27" West, a distance of 579.08 feet to the POINT OF BEGINNING.
Said Parcel B contains 6.00 acres more or less.

The above conveyance is made free and clear of all other encumbrances except: Rights-of-way and easements, reservations in Federal patents and State deeds, or other restrictions imposed by law, building and use restrictions of record, building and zoning regulations and ordinances of any governmental unit.

ALSO TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereto.

Dated: this 9th day of MAY 2005.

Caroline Demick
CAROLINE DEMICK

STATE OF IDAHO)
) ss.
County of Lemhi)
On this 9th day of MAY, 2005,
before me a Notary Public in and for Said State, personally appeared

CAROLINE DEMICK

known to me to be the person whose name is _____ subscribed
to the foregoing instrument, and acknowledged to me that
she executed the same.

Milton A. Slans
Notary Public for State of Idaho
Residing at Salmon, Idaho
(Seal) Commission Expires: 10/26/05

THIS SPACE RESERVED FOR COUNTY RECORDER

Write of Idaho) SS No. 262860
County of Lemhi)
This instrument was filed for record at the request
of Milton A. Slans
at 2:06 o'clock P.m. 5-7 2005
and duly filed and indexed in the records of Lemhi
County Terri L. Morton
Ex-Officio Recorder
By Terri L. Morton Deputy
Fee 3-
Return to Milton A. Slans

Real Estate License: DUK0004