

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-14632 V1

WATER RIGHT NUMBER: 75-14632 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LOWELL CERISE 56 WHITING RD SALMON, ID 83467 (208)756-3085

Priority Date: 05/15/1898
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
SHEEP CREEK	NORTH FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.160 CFS	
	<u>Total Diversion:</u>	0.160 CFS	

<u>Location of Point(s) of Diversion</u>		
SHEEP CREEK	NE1/4NW1/4	Sec. 14, Twp 25N, Rge 21E, B.M.
LEMHI County		

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25N	21E	15			2.4	1.7													4.1

Total Acres: 4.1

Conditions of Approval:

1. This right is a split from former right 75-14369 .
2. C18 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.

Remarks:Comments:

1. j barg 2/3/2010 Change of Ownership
 Comment: Split from Water Right 75-14369

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-14632 V1

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

February 3, 2010

Timothy Sprink
Natalie Sprink
10619 Hwy A
Altenburg MO 63732

RE: Notice of Change of Water Right Ownership (NCO) for
75-14369 (Split into 75-14632 and 75-14633) and Notice of Completed Administrative Proceeding
(NCAP)

Dear SIR/MADAM:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

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 the water right(s) as recorded in the SRBA.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

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

Respectfully,

Jonie Barg
Technical Records Specialist

Enclosure

cc: Lowell Cerise
56 Whiting Rd
Salmon ID 83467

SCANNED

FEB 10 2010

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: 75-14369
(Split into 75-14632 and 75-14633)

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party CERISE-CERISE & SPRINK

☐ I.C. § 42-222 transfer

☐ point of diversion

☐ place of use

☐ period of use

☐ nature of use

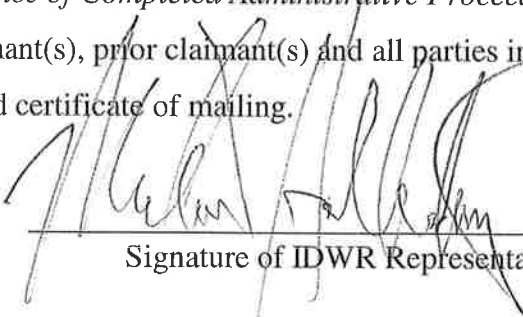
☐ split of water right

☐ 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: 2/10/2010



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 11, 2010, 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:
Lowell Cerise
56 Whiting Rd
Salmon ID 83467

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Timothy Sprink
Natalie Sprink
10619 Hwy A
Altenburg MO 63732

4. One copy to:

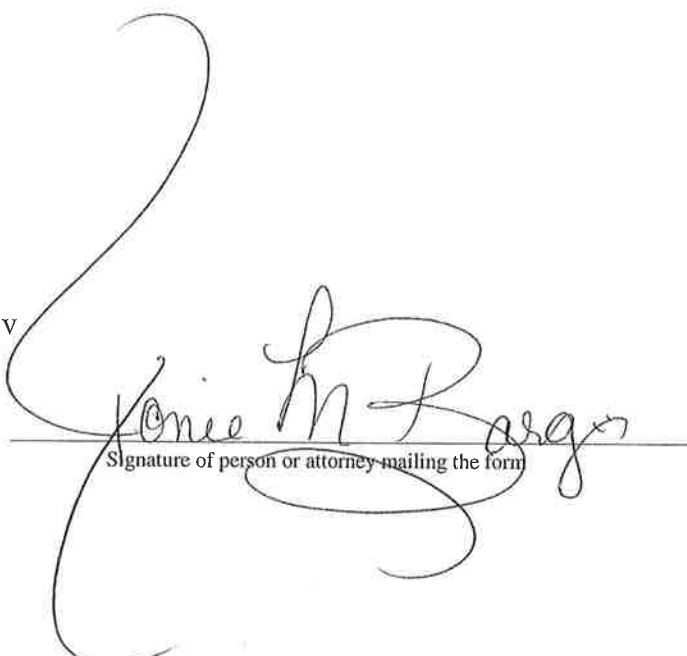
Each party in the subcase, or attorney of record

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

02/5/2010

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
75-14369		Disallowed	Split into Water Right 75-14632 and 75-14633

SCANNED
FEB 10 2010

02/05/2010

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

RIGHT NUMBER: 75-14632

NAME AND ADDRESS: LOWELL CERISE
56 WHITING RD
SALMON ID 83467

SOURCE: SHEEP CREEK

TRIBUTARY: NORTH FORK SALMON RIVER

QUANTITY: 0.160 CFS

PRIORITY DATE: 05/15/1898

POINT OF
DIVERSION:

T25N R21E S14 NENW 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	0.160 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T25N R21E S15 SWNE 2.40	T25N R21E S15 SENE 1.70	
	4.1 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 - Beneficial Use

This right is a split from former right 75-14369 .

SCANNED

FEB 10 2010

02/10/2010

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

RIGHT NUMBER: 75-14633
NAME AND ADDRESS: TIMOTHY SPRINK
10619 HWY A
ALTENBURG MO 63732
NATALIE SPRINK
10619 HWY A
ALTENBURG MO 63732

SOURCE: SHEEP CREEK TRIBUTARY: NORTH FORK SALMON RIVER
QUANTITY: 0.100 CFS
PRIORITY DATE: 05/15/1898

POINT OF
DIVERSION: T25N R21E S14 NENW 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	0.100 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T25N R21E S15 SWNE	2.70	

2.7 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 - Beneficial Use

This right is a split from former right 75-14369 .

SCANNED

FEB 10 2010

DECEIVED
1-4-10
PR

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)
75-14369		✓			

RECEIVED

2. The following **REQUIRED** information must be submitted with this form:

JAN 9 6 2010

Department of Water Resources
Eastern Region

- 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) Lowell Cerise
56 Whiting RD
Salmon ID 83467

4. New Owner/Claimant(s) Timothy M. + Natalie R Sprink
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address 10619 Hwy A

City, State and ZIP Code Attenburg MO. 63732

New Telephone Number (573) 824-5930 Email: _____

SCANNED

FEB 10 2010

5. Date you acquired the property

1-4-2010

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	<u>10 cfs</u>	<u>2.73</u>
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)

Lothar M. Spink
Natalie R Spink

(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 _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

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

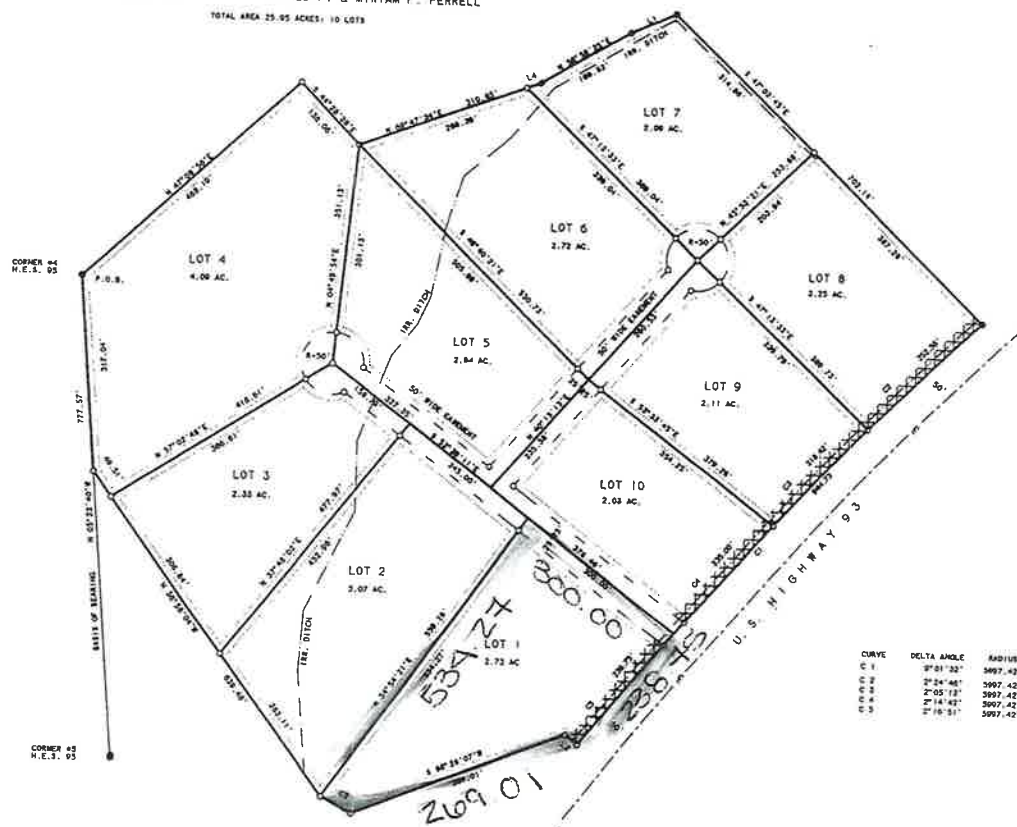
SCANNED**FEB 10 2010**

MOUNTAIN GLEN ESTATES SUBDIVISION

LOCATED IN H.E.S. NO. 95, UNSURVEYED SECTION 15, T. 25 N.,
R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO

OWNER AND DEVELOPER: JARED F. & MIRIAM F. FERRELL

TOTAL AREA 25.95 ACRES: 10 LOTS



SCALE 1" = 100.00'

LEGEND

- 3 1/2" ALUM. BLM MONUMENT
- 5/8" X 3/4" REBAR WITH A PLASTIC CAP
MARKED "WADE PLS 5080"
- 5/8" REBAR WITH A PLASTIC CAP
SET BY LS 970
- IRRIGATION DITCH
- NO INGRESS OR EGRESS ZONE
- 10 FT. WIDE UTILITY EASEMENT
- P.O.B. POINT OF BEGINNING

LINE	BEARING	DISTANCE
L 1	N 85°27'42"E	78.73'
L 2	N 52°28'10"W	25.36'
L 3	N 62°35'30"W	55.72'
L 4	N 69°47'24"E	24.20'

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	2°01'32"	5997.42'	944.73'	473.35'	943.78'	S 42°01'53"W
C 2	2°24'46"	5997.42'	352.56'	120.30'	293.54'	S 45°20'14"W
C 3	2°05'13"	5997.42'	218.42'	109.23'	218.41'	S 48°05'15"W
C 4	2°14'48"	5997.42'	235.00'	117.52'	234.99'	S 49°55'18"W
C 5	2°18'51"	5997.42'	238.75'	119.30'	238.74'	S 50°39'52"W

SHEET 2 OF 2

WADE SURVEYING
P.O. BOX 1175 SALMON, IDAHO 83407
200-755-3070

SCANNED
FEB 10 2010

Warranty Deed

For Value Received

LOWELL CERISE, a married man as his sole and separate property
the grantor, does hereby grant, bargain, sell and convey unto

TIMOTHY M SPRINK and NATALIE R SPRINK, husband and wife

Whose current address is:

10619 HWY A
Altenburg, Missouri 63732

the grantees, the following described premises, to-wit:

Lot One (1), Mountain Glen Estates Subdivision, according to the official plat thereof filed
for record in Book 6 of Plats, at Page No. 44, records of Lemhi County, Idaho.

TO HAVE AND TO HOLD, the said premises, with his appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said
Grantees that they are the owners in fee simple of said premises; that they are free from all
encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 4, 2010



LOWELL CERISE

STATE OF IDAHO, COUNTY OF LEMHI

On this 4th day of January, 2010, before me, a
notary public in and for said State, personally
appeared

LOWELL CERISE

known to me or proved to me to be the person whose
name is subscribed to the within instrument, and
acknowledged to me that he executed the same

INSTRUMENT NO: 281811

STATE OF IDAHO, COUNTY OF LEMHI

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

at 21 minutes past 2 o'clock P m.,
this 4th day of Jan, 2010, in
my office, and duly recorded in Book
of Deeds in Lemhi County.


Ex. Officer Recorder

SCANNED

FEB 10 2010