

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87409

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Chester W Sellman and Catherine R Sellman

AMENDED

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 29 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Chester W. Sellman and Catherine R. Sellman Phone 208-845-2283
Mailing address 31267 State Highway 51, Bruneau, ID 83604 Email cathy.sellman@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

AMENDED

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Chester W. Sellman
Signature of Applicant or Authorized Representative

Chester W. Sellman
Print Name and Title if applicable

1-24-24
Date

Catherine R. Sellman
Signature of Applicant or Authorized Representative

CATHERINE R. SELLMAN
Print Name and Title if applicable

1/24/24
Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Is this a transfer for changes pursuant to [Idaho Code §42-221.O.8?](#)
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
See attached narrative.

Amended Application for Transfer 87409
Chet and Cathy Sellman

Part 1A.3 – Description of Transfer

We own ground water rights 51-2143 and 51-4051. Water right 51-2143 authorizes 110 acres of irrigation. Water right 51-4051 authorizes 63.2 acres of irrigation. We propose to combine the places of use for these ground water rights to irrigate 173.2 acres. Our surface water rights (51-4025, 51-4026, 51-7146) are rarely available due to a lack of surface water in the area. These rights will be included in the 173.2-acre combined place of use.

Currently, ground water right 51-2143 is diverted from a large artesian well at the southwest corner of our property. Ground water right 51-4051 is diverted from two small artesian wells in the middle of our property. We are no longer going to use the small artesian wells for irrigation. We would like to split water right 51-4051 into two parts. One part will be for domestic and stockwater (with a combined diversion rate of 0.04 cfs) and will continue to be diverted from the small artesian wells. The other part will be for irrigation use (0.66 cfs).

We propose to drill a new well for irrigation in the NESE of Section 7, T07S, R05E. We propose listing the large well in the southwest corner of our property (NWNE, Section 18, T07S, R05E) and the new well as authorized points of diversion for both ground water rights. This will provide us flexibility to irrigate any of the 173.2 acres from either well. In practice, we have already been delivering water from the large artesian well for irrigation of most of our fields for many years. Therefore, this application will memorialize our existing irrigation practices in addition to authorizing an additional ground water well.

Currently, water rights 51-2143 and 51-4051 divert from a low temperature geothermal (LTG) aquifer, which is under artesian pressure. The proposed point of diversion will be developed in the cold water aquifer, located above the LTG aquifer. Drilling the new well in the cold water aquifer will not impact the cold water aquifer, however, because the two aquifers are hydraulically connected. Water from the LTG aquifer continuously leaks into the cold water aquifer in many locations throughout the valley, including at the large and two small artesian wells on our property. Any diversion from the cold water aquifer will be offset through the contributions from the LTG aquifer.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

AMENDED

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	51-2143	1.44 / 440	Irrigation	3/1 to 11/15	Ground Water
☒ ☐	51-4025	0.56 cfs	Irrigation	3/1 to 11/15	Unnamed Drain
☐ ☐		0.12 cfs	Stockwater	1/1 to 12/31	Unnamed Drain
☒ ☐	51-4026	1.50 cfs	Irrigation	3/1 to 11/15	Jacks Creek
☐ ☒	51-4051	0.66 / 252.8	Irrigation	3/1 to 11/15	Ground Water
☒ ☐	51-7146	0.80 / 200	Irrigation	3/15 to 11/15	Unnamed Drain
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.54 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 3.54 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			NE	SE	7	07S	05E	Owyhee	Ground Water	New Well
			NW	NE	18	07S	05E	Owyhee	Ground Water	Existing Well
			SW	NE	7	07S	05E	Owyhee	Unnamed Drain	[No Change]
		NW	SW	NE	18	07S	05E	Owyhee	Jacks Creek	[No Change]

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	05E	7			28	28									28	29	34	7.2	154.2
		18		19															19
Total Acres (for irrigation use)																			173.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

AMENDED

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Both ground water wells will be constructed to allow for direct delivery into mainline to supply water to pivots or for discharge into open ditch to supply water to wheel lines at north end of the property. Wells can be equipped with flow meters.

- b. Who owns the property at the point(s) of diversion? Applicants
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A Water rights are not being moved off of property.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
 If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
173.2 acres of irrigation are authorized under ground water rights 51-2143 and 51-4051. We have irrigated at least 173.2 acres with these water rights over the years. We will continue to irrigate 173.2 acres under these rights. All other acres will remain dry.
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
All of our irrigation rights are included in the transfer application. There are other water rights for stockwater and domestic use on the property.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

AMENDED

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (WaterBalance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by Western Date 12/23/22 Preliminary check by _____ Date _____

Fee paid \$200 Date 12/23/22 Received by _____ Receipt # W050943

Add'l fee paid \$540.00 Date 1/29/24 Received by MP Receipt # E049765

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

+ \$300.00 1/25/23 Page 6 W050986

Total = \$1040.00 Refund \$300 from E049765

\$300 Refund requested 2/17/24. ell

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/9/2024

Water Right 51-2143

Owner Type **Name and Address**
Current Owner CHESTER W SELLMAN
 31267 STATE HWY 51
 BRUNEAU, ID 83604-5075

Current Owner CATHERINE R SELLMAN
 31267 STATE HWY 51
 BRUNEAU, ID 83604-5075

Priority Date: 4/3/1958

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/01	11/15	1.440 CFS	440.0 AF
	<u>Total Diversion</u>		1.440 CFS	440.0 AF

Source and Point(s) of Diversion:

GROUND WATER SWNWNE Sec. 18, Twp 07S, Rge 05E, OWYHEE County

Place of Use:

IRRIGATION within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	05E	7			28.0											27.0	34.0		89.0
07S	05E	18		21.0															21.0

POU Total Acres: 110.0

Conditions of Approval:

1. 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.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.58 CFS. COMBINED RIGHT NOS.: 51-04025, 51-04026, 51-04051 & 51-07146
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 179.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-04025, 51-04026, 51-04051 & 51-07146

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/9/2024

Water Right 51-4025

Owner Type **Name and Address**
Current Owner CHESTER W SELLMAN
 31267 STATE HWY 51
 BRUNEAU, ID 83604-5075

Current Owner CATHERINE R SELLMAN
 31267 STATE HWY 51
 BRUNEAU, ID 83604-5075

Priority Date: 3/1/1963

Basis: Decreed

Status: Active

Source
UNNAMED DRAIN

Tributary
JACKS CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/01	11/15	0.560 CFS	
STOCKWATER	1/01	12/31	0.120 CFS	
	Total Diversion		0.680 CFS	

Source and Point(s) of Diversion:

UNNAMED DRAIN SWNE

Sec. 7, Twp 07S, Rge 05E, OWYHEE County

Place of Use:

IRRIGATION within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	05E	7			28.0														28.0

POU Total Acres: 28.0

STOCKWATER Same as IRRIGATION

Conditions of Approval:

- 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.
- N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/9/2024

3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.58 CFS. COMBINED RIGHT NOS.: 51-02143, 51-04026, 51-04051 & 51-07146
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 179.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-02143, 51-04026, 51-04051 & 51-07146
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6. RIGHT NO. 51-07146 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/9/2024

Water Right 51-4026

Owner Type **Name and Address**
Current Owner CHESTER W SELLMAN
31267 STATE HWY 51
BRUNEAU, ID 83604-5075

Current Owner CATHERINE R SELLMAN
31267 STATE HWY 51
BRUNEAU, ID 83604-5075

Priority Date: 8/20/1881

Basis: Decreed

Status: Active

Source
JACKS CREEK

Tributary
SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/01	11/15	1.500 CFS	
	Total Diversion		1.500 CFS	

Source and Point(s) of Diversion:

JACKS CREEK NWSWNE Sec. 18, Twp 07S, Rge 05E, OWYHEE County

Place of Use:

IRRIGATION within OWYHEE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	05E	7														27.0	34.0		61.0
07S	05E	18		21.0															21.0

POU Total Acres: 82.0

Conditions of Approval:

1. 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.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.58 CFS. COMBINED RIGHT NOS.: 51-02143, 51-04025, 51-04051 & 51-07146
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 179.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-02143, 51-04025, 51-04051 & 51-07146

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/9/2024

Water Right 51-4051

Owner Type **Name and Address**
Current Owner CHESTER W SELLMAN
 31267 STATE HWY 51
 BRUNEAU, ID 83604-5075

Current Owner CATHERINE R SELLMAN
 31267 STATE HWY 51
 BRUNEAU, ID 83604-5075

Priority Date: 1/1/1920

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/01	11/15	0.700 CFS	252.8 AF
STOCKWATER	1/01	12/31	0.040 CFS	
DOMESTIC	1/01	12/31	0.040 CFS	
	<u>Total Diversion</u>		0.700 CFS	252.8 AF

Source and Point(s) of Diversion:

GROUND WATER	NWSESE	Sec. 7, Twp 07S, Rge 05E, OWYHEE County
GROUND WATER	NWSESE	Sec. 7, Twp 07S, Rge 05E, OWYHEE County

Place of Use:

STOCKWATER within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	05E	7			X	X									X			X	

IRRIGATION within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	05E	7				32.0									26.8			4.4	63.2

POU Total Acres: 63.2

DOMESTIC within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	05E	7													X				

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/9/2024

Conditions of Approval:

1. 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.
2. N14 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.58 CFS. COMBINED RIGHT NOS.: 51-02143, 51-04025, 51-04026 & 51-07146
4. TWO POINTS OF DIVERSION LOCATED IN T07S, R05E, S07, NWSESE.
5. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 179.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-02143, 51-04025, 51-04026 & 51-07146
6. N09 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
7. STOCKWATER, 150 RANGE CATTLE WATER TEMPERATURE MEASURED AT 102 DEGREES F.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/9/2024

Water Right 51-7146

Owner Type **Name and Address**
Current Owner CATHERINE R SELLMAN
31267 STATE HWY 51
BRUNEAU, ID 83604-5075

Current Owner CHESTER W SELLMAN
31267 STATE HWY 51
BRUNEAU, ID 83604-5075

Priority Date: 3/18/1980

Basis: Decreed

Status: Active

Source
UNNAMED DRAIN

Tributary
JACKS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.800 CFS	200.0 AF
	<u>Total Diversion</u>		0.800 CFS	200.0 AF

Source and Point(s) of Diversion:

UNNAMED DRAIN SWNE Sec. 7, Twp 07S, Rge 05E, OWYHEE County

Place of Use:

IRRIGATION within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	05E	7				7.0									18.0	15.0			40.0

POU Total Acres: 40.0

Conditions of Approval:

1. 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.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.58 CFS. COMBINED RIGHT NOS.: 51-02143, 51-04025, 51-04026 & 51-04051
3. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED

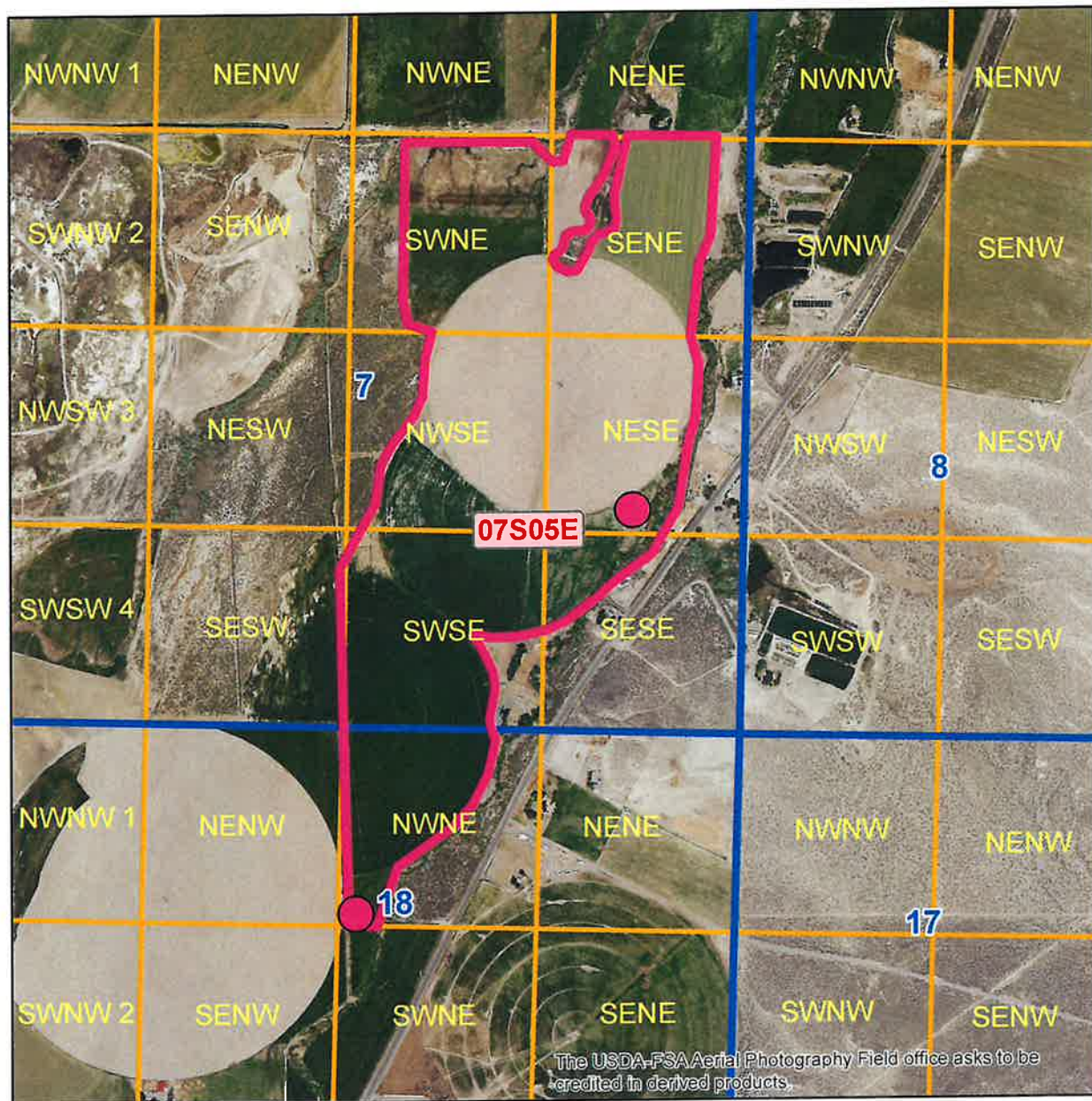
IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/9/2024

4. EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 179.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-02143, 51-04025, 51-04026 & 51-07146
5. RIGHT NO. 51-04025 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Amended Application for Transfer 87409

Proposed 173.2-acre POU and Ground Water PODs



2021 Aerial Imagery

- Sellman_POU
- Township/Range
- Sections
- QQ

0 750 1,500 3,000 Feet



Idaho Department of Water Resources Receipt
Receipt ID: E049765

Payment Amount	\$540.00	Date Received	1/29/2024	Region	EASTERN
Payment Type	Check	Check Number	3199		
Payer	CHESTER W SELLMAN CATHERINE R SELLMAN				
Comments	Application for Transfer of Water Right Chester W Sellman and Catherine R Sellman				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$540.00	TRANSFERS	63105	0229	21		1155



Signature Line (Department Representative)



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

February 14, 2024

CHESTER W SELLMAN
CATHERINE R SELLMAN
31267 STATE HWY 51
BRUNEAU, ID 83604-5075

RE: Amended Transfer No. 87409
Water Right No(s). 51-2143, 51-4025, 51-4026, 51-4051, 51-7146

Dear Applicant:

The Department of Water Resources has received your amended water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the OWYHEE AVALANCHE on 2/21/2024 and 2/28/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Evans, Lynne
Sent: Thursday, February 15, 2024 12:15 PM
To: jon@owyheeavalanche.com; office@owyhee.com
Cc: Henman, Christina
Subject: Legal Notice: Application for Transfer No. 87409
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Owyhee Avalanche on the dates indicated (2/21 & 2/28, once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 3/11/2024. Your cooperation is appreciated.

Thank you,

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87409**

CHESTER W SELLMAN and CATHERINE R SELLMAN, 31267 STATE HWY 51, BRUNEAU, ID 83604-5075 has filed Application No. 87409 for changes to the following water rights within Owyhee County(s): Right No(s). 51-2143, 51-4025, 51-4026, 51-4051, 51-7146; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add points of diversion, change points of diversion, and create a combined place of use. Proposed points of diversion for ground water rights 51-2143 and 51-4051 are in NESE Sec 7, T07S, R05E (new well to be completed in cold water aquifer) and NWNE Sec 18, T07S, R05E (existing well). The combined irrigation place of use is 173.2 acres in the NE1/4 and SE1/4 Sec 7 and NWNE Sec 18, T07S, R05E.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 3/11/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 2/21/2024 and 2/28/2024