

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: A74-00158
Date Received: 5/ 2/1990
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: SHARAL BEYELER 208-768-2651
Address: PO BOX 62
LEADORE ID 83464
OR
Name: MERRILL BEYELER 208-768-2651
Address: PO BOX 62
LEADORE ID 83464

2. Date of Priority: JUL 1, 1876

3. Source: CANYON CREEK Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	26E	22	SE	SW	SE		LEMHI
			NE	SE	SE		LEMHI

5. Description of diverting works:
HEADGATE TO DITCH FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	5.000		

7. Total Quantity Appropriated is:
5.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 473.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	26E	21	NE		SW		IRR	17.8
			SE		SW		IRR	2.0
			NE		SE		IRR	31.4
			NW		SE		IRR	39.0
			SW		SE		IRR	35.5
							Section Acres	125.7
		28	NW		NE		IRR	25.0
			SW		NE		IRR	23.0
			NE		NW		IRR	15.5
							Section Acres	63.5
							Total Acres	189.2

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:

AC. IRR. = 189.2.

P/D CONSISTS OF TWO HEADGATES TO DITCHES

*THIS RIGHT WAS AMENDED TO REFLECT T-3815 1-25-96 GJT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

LEMHI DECREE

Decree Plaintiff

vs

Decree Defendant

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IN AND FOR THE COUNTY OF TWIN FALLS

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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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Address: P.O. BOX 62
LEADORE, ID 83464

OR

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			SE	SE			LEMHI

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8. Total consumptive use is 473.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A7400158



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	26E	21	NE		SW		IRR	35.8
			SW		SW		IRR	3.2
			SE		SW		IRR	35.0
			NE		SE		IRR	32.4
			NW		SE		IRR	40.0
			SW		SE		IRR	35.5
							Section Acres	181.9
		28	NE		NW		IRR	7.3
							Section Acres	7.3
							Total Acres	189.2

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:
NONE

14. Remarks:
AC. IRR. = 189.2.
P/D CONSISTS OF TWO HEADGATES TO DITCHES

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

LEMHI DECREE

Decree Plaintiff

vs

Decree Defendant

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): Merrill B. Beyer Date: May 2, 1990

Date: _____

State of Idaho)
County of Bonneville) ss.

Subscribed and sworn (or affirmed) before me this 2 day
of May 19 90

[Signature]
Notary Public

Seal

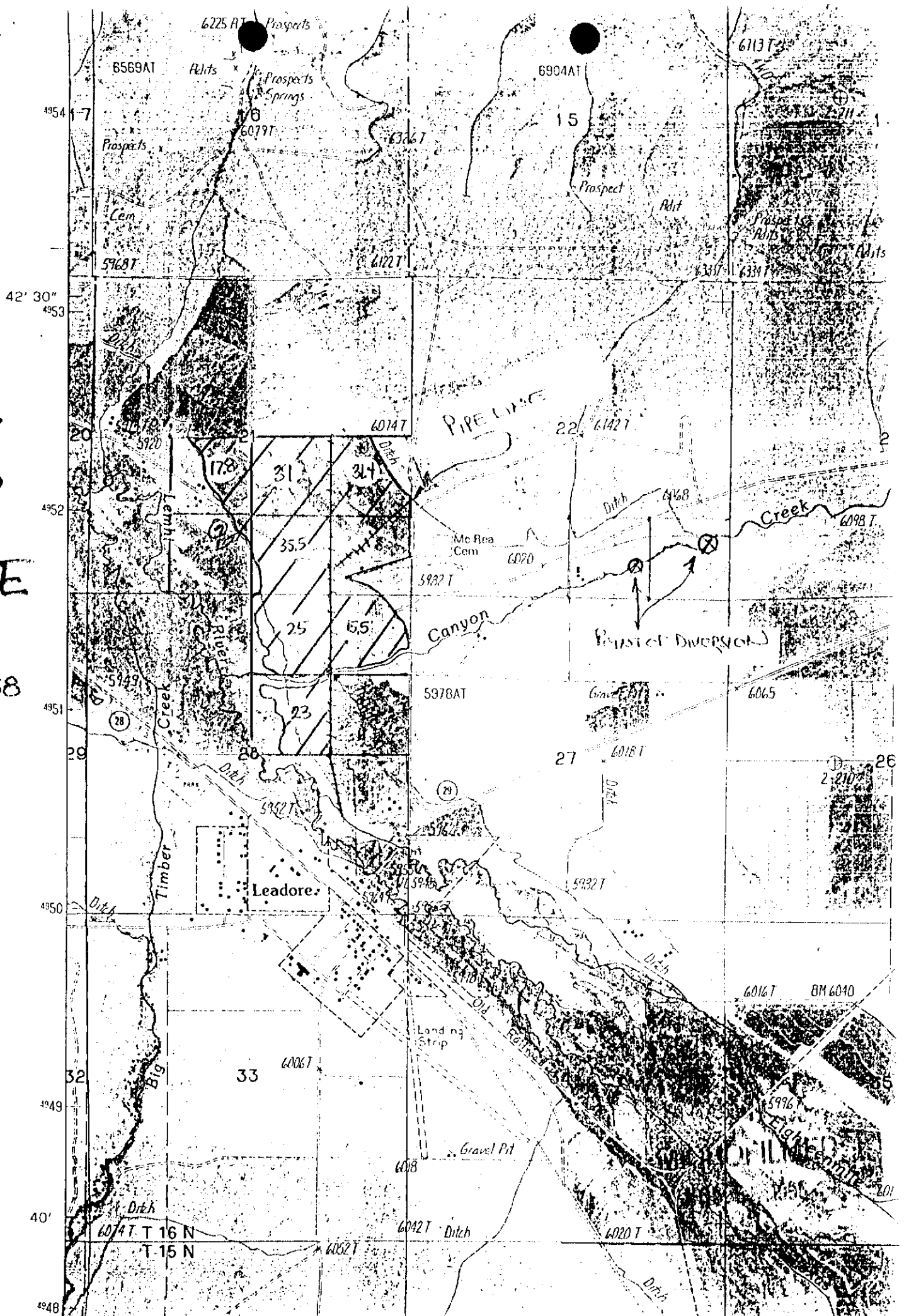
Residing at Tamworth

My Commission Expires 9-12-94

T
16
N
R26E

74-00158

6N
5N



JANUARY 25, 1995

MERRILL OR SHARAL BEYELER
PO BOX 62
LEADORE ID 83464

RE: TRANSFER

Dear Mr. Beyeler:

Our office has received notice of your approved transfer #3815 & #3816 of water right #74-00158 an #74-00159. The Snake River Basin Adjudication claim filed on this right has been amended pursuant to the approved transfer.

Please review the enclosed notice carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notice, please place the copies with your records.

Respectfully submitted,

Gregory J Taylor
Sr. Water Resource Agent
Adjudications Bureau

GJT:sc

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T# 3815
74-00158

_____ PULL ORIGINAL ADJUDICATION CLAIM

/ MAKE COPY ORIGINAL TRANSFER APPLICATION

/ GET COPY OF APPROVED TRANSFER

/ PROOF REPORT OF WATER RIGHT FROM "WR"

/ SPLIT RIGHT (YES _____ NO /)

/ NEED CHANGE OF OWNERSHIP (YES _____ NO /)

MA GIVE TO AGENT

/ CHECKED AND DATA ENTERED

/ RECEIVED BACK FROM AGENT

_____ SEND LETTER TO CLAIMANT

_____ FILE IN "P" FILE

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Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3815

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

SEP 28 1992

APPROVED

Name of applicant MERRIL OR SHARAL BEYELER Department of Water Resources
Post Office address P.O. Box 62, LEADORE, ID. 83464 Eastern District Office Phone 768-2651A. PURPOSE OF TRANSFER
(correct)

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes OWNER HAS CHANGED IRRIGATION
PRACTICE FROM FLOOD TO SPRINKLERS. THIS CHANGE HAS
ALTERED THE PLACE OF USE FOR THIS RIGHT

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 74-00158 Priority JULY 1, 1876 Amount (cfs/ac-ft) 5.00 Nature of Use IRR Period of Use 3/15 to 11/15

_____ to _____
_____ to _____
_____ to _____
2. Total amount of water being transferred 5.00 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water CANYON CREEK tributary to LEWIS RIVER
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	SE	22	16N	26E	LEWIS	
	SE	SW	SE	22	16N	26E	LEWIS	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16N	26E	21									12.8			2	31.4	39	35.5		125.7
		28	15.5	25	23														63.5

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PART 1

6. General Information:

a. Description of diversion system HEADGATE IN STREAM TO CANAL. PIPELINE
FROM CANAL INTO MAINLINE. BOOSTER PUMPS INTO SPRINKLERS.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

LAND ABANDONED SUB-IRRIGATES. WILL BE USED AS PASTURE.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 74-00158

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

7th

day of

September

, 19 92

J. Glen Saxton
CHIEF, WATER ALLOC. BUREAU

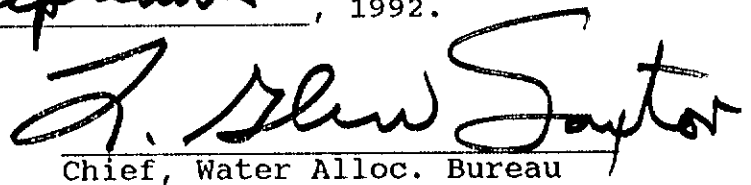
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CONDITIONS OF APPROVAL
Transfer of Water Rights
No. 74-00158

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
5. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Dated this 2nd day of September, 1992.


Chief, Water Alloc. Bureau

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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-00158 Decreed to TERRY E. OR, MARJORIE McREA
in case of LEWHI DECREE vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other CONTRACT

3. Source of water CANYON CREEK tributary to LEWHI RIVER

4. Date or priority 7-1-1876

5. Water is used for the following purpose:

amount 5.00 for IRR. purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.00 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	22	16N	26E	LEWHI	
		SE	SW	22	16N	26E	"	

8. Lands Irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16N	26E	21									35.8		3.2	35	32.4	40	35.5		181.9
		28					7.3												7.3

Total acres 189.2

9. Describe any other water rights used for the same purpose as described above None

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