

C4

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: A22-07021
Date Received: 8/17/1988
Receipt No: E002728
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BEESLEY FARMS, INC. 208-356-9726
Address: P.O. BOX 154
REXBURG, ID 83440

2. Date of Priority: MAR 21, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	41E	30	SW	NE	NW		MADISON

5. Description of diverting works:
WELL, 580' DEEP, 400 HP MOTOR 2.5 MILES U.G. MAINLINE, HAND LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.890		

7. Total Quantity Appropriated is:
4.890 C.F.S. (and/or) 1421.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	41E	19	SW	SW		IRR	37.0
			SE	SW		IRR	20.0
			NW	SE		IRR	4.0
			SW	SE		IRR	21.0

Section Acres 82.0

A22-07021

Page 1

Date: 09/29/88

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	41E	30	NW		NE		IRR	24.0
			SW		NE		IRR	24.0
			NE		NW		IRR	20.0
			NW		NW		IRR	30.0
			SW		NW		IRR	8.0
			SE		NW		IRR	39.0
			NE		SW		IRR	39.0
			NW		SW		IRR	16.0
			SW		SW		IRR	16.0
			SE		SW		IRR	39.0
			NW		SE		IRR	24.0
			SW		SE		IRR	24.0
							Section Acres	303.0
		31	NW		NE		IRR	8.0
			NE		NW		IRR	13.0
							Section Acres	21.0
							Total Acres	406.0

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NOT CHECKED

14. Remarks:

15. Basis of Claim: LICENSE

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 Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39356
Ident. Number A22-07021
Date Received 17 Aug 1988
Receipt Number E002728



NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Bessley Farm Inc Phone (208) 356-9726
Mailing Address P.O. Box 154 Rexburg, Idaho Zip 83440

2. Date of Priority (Only one (1) per claim) March 21, 1969

3. Source of water supply (a) ground water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 6N Range 41E Section 30,

SW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Madison.

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well 580' depth 400 HP motor
2 1/2 mi buried steel main line - hand lines

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov. 1 amount 4.89 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.89 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	41E	19											37	20		4	21		82
		30		24	24		20	30	8	39	39	16	16	39		24	24		303
		31		8			13												21

Total number of acres irrigated 406

11. In which county (ies) are lands listed above as place of use located? Madison

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks:

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NOV 06 1996

Last Name Bersley Farm Inc. Ident No. A22-07021

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 22-7021

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President

Title

of Beesley Farm Inc.

Organization

, that I have signed the foregoing

document in the space below as President of Beesley Farm Inc.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Brian D. Beesley

Title and Organization

Pres. Beesley Farm Inc.

Date

8/17/88

State of Idaho/or _____)

County of Bonneville)

SS.

Subscribed and sworn (or affirmed) before me this 17 day of Aug 19 88

Notary Public

Ernest Carlson

Residing at

Idaho Falls, ID

My Commission Expires

14 June 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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NOV 06 1996

Last Name Beesley Ident. Number A22-07021

Copies White-State, Yellow-Claimant

A22-10973

A22-10974

A22-07021

A22-02187

A22-10971

A22-10972

A22-07136

Log for claim 22-07021

Spatial Dynamics BTD

8/10/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n41e	19	SWSW	37	38	
06n41e	19	SESW	20	16	
06n41e	19	NWSE	4	4.4	
06n41e	19	SWSE	21	20	
06n41e	30	NWNE	24	23	
06n41e	30	SWNE	24	25	
06n41e	30	NENW	20	22	
06n41e	30	NWNW	30	28	
06n41e	30	SWNW	8	11	
06n41e	30	SENW	39	39	
06n41e	30	NESW	39	40	
06n41e	30	NWSW	16	16	
06n41e	30	SWSW	16	15	
06n41e	30	SESW	39	38	
06n41e	30	NWSE	24	26	
06n41e	30	SWSE	24	24	
06n41e	31	NWNE	8	11	
06n41e	31	NENW	13	15	
Totals:			406	411.4	

9/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Beesley Farms, Inc. CLAIM IDENT. NO. A22-07021DATE RECEIVED 8-17-88 CK # 108 AMOUNT \$ 335

7 claims

YES

NO

1. Is the name and address complete with zip code? ☒ YES ☐ NO
2. Is a priority date entered? ☒ YES ☐ NO

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? ☒ YES ☐ NO

(b) Is a tributary to entered? (if required) ☒ N/A ☐ YES ☐ NO

4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO

5. Is there a description of the diverting works? ☒ YES ☐ NO

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO

Is the period of use included? ☒ YES ☐ NO

Is a quantity claimed for each use? ☒ YES ☐ NO

7. Is a total quantity claimed entered? ☒ YES ☐ NO

8. If required is a consumptive use entered? ☒ N/A ☐ YES ☐ NO

Is the consumptive use correct? ☒ N/A ☐ YES ☐ NO

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. ☒ N/A ☐ YES ☐ NO

10. Is (are) the place(s) of use entered? ☒ YES ☐ NO

11. Is (are) the county(ies) entered? ☒ YES ☐ NO

12. Is the ownership of p.u. checked? ☒ YES ☐ NO

13. Are other water rights listed or "none" checked? ☒ YES ☐ NO

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ N/A ☐ YES ☐ NO

15. Is the basis of the claim checked? ☒ YES ☐ NO

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ YES ☐ NO

Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO

Is the fee enclosed correct? ☒ YES ☐ NO

If this claim is based on an existing water right, has the identification number been entered? ☒ N/A ☐ YES ☐ NO

Should this claim be receipted and data entered? ☒ YES ☐ NO

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Claim checked by:

NOV 06 1996

Comments:

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 22-7021 Priority March 21, 1969 Amount 4.89 cfs

THIS IS TO CERTIFY, that BEESLEY FARM, INC.
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-7021 issued pursuant to Application for Permit dated March 21, 1969,
and has submitted proof to the Department of Water Administration on June 16, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 4.89 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 4.89 cfs for Irrigation from May 15 to Sept. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 4.89 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30, Twp. 6 N, Rge. 41 E, B. M.

in the county of Madison; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,421 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 N	41 E	19											37	25		4	21		87
		30		24	24		20	30	14	39	40	20	20	40		24	24		319

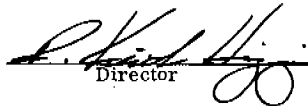
Total number of acres irrigated 406

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19 day of

June, 19 73.


Director

22 7021

Identification No. 22-7021

Application No. _____

LICENSE ISSUED FOR 4.89 SEC. FLOW
LICENSE PAGE NO. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Beesley Farm, Inc., a corporation
post office address 256 E. 1st N., Rexburg, Idaho
2. Source of water supply ground which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 30 Township 6 N.
Range 41 E. B.M. Madison County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 8.812 for irrigation purpose from May 15 to Sept. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 8.812 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump and motor

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ (Mo. Day) (Mo. Day) inclusive.
c. Proposed well diameter is 20 inches; proposed depth of well is 495 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years.
b. Estimated construction cost is \$ 65,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

22-7021

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	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	
6 N.	41 E.	18											37	25		4	21		87
		30		24	24		20	30	14	39	40	20	20	40		24	24		319

Total number of acres to be irrigated 406

c. Describe any other water rights used for the same purposes None

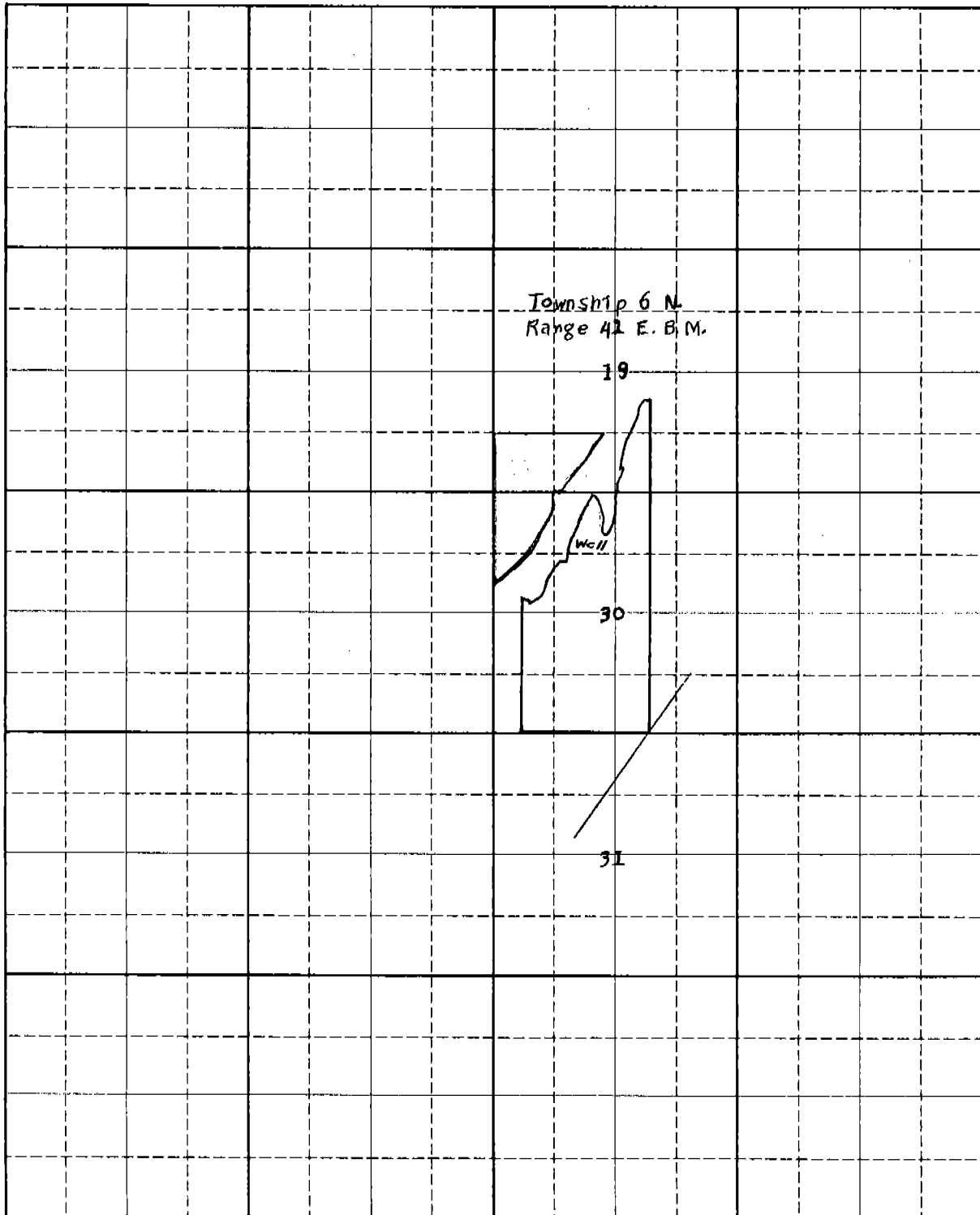
9. a. Who owns the property at the point of diversion Beesley Farm, Inc., a corporation

b. Who owns the land to be irrigated or place of use Beesley Farm, Inc.,

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

BEESLEY FARM, INC.

Charles Beesley
(Applicant) President

22-7021

Received by del Date 3-21-69 Time 11:00 am

Preliminary check by Del Fee \$ 60.00 3-21-69

Received by ef Date 3-24-69

Publication prepared by del Date 4-4-69

Published in Regensburg Journal

Publication dates 4-10-69 4-17-69

Publication approved _____ Date 4/10 to

Priority reduced to _____ Reason _____

Protests filed by: Name 6-5-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by del

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7021, and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 71.
- c. Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. Maximum rate of diversion shall not exceed 8.12 c.f.s.

2. Denial of said application is for the following reasons: _____

Witness my hand this 16th day of June, 19 69.

R. Keith Hiji
State Reclamation Engineer

APPROVED

FIELD REPORT

3. Water will be used for the following purposes:

Other uses: _____

- Max Rate of Diversion 8.12 cubic feet per second and annual volume _____ AF/Annum.

- Other Points of Diversions: _____

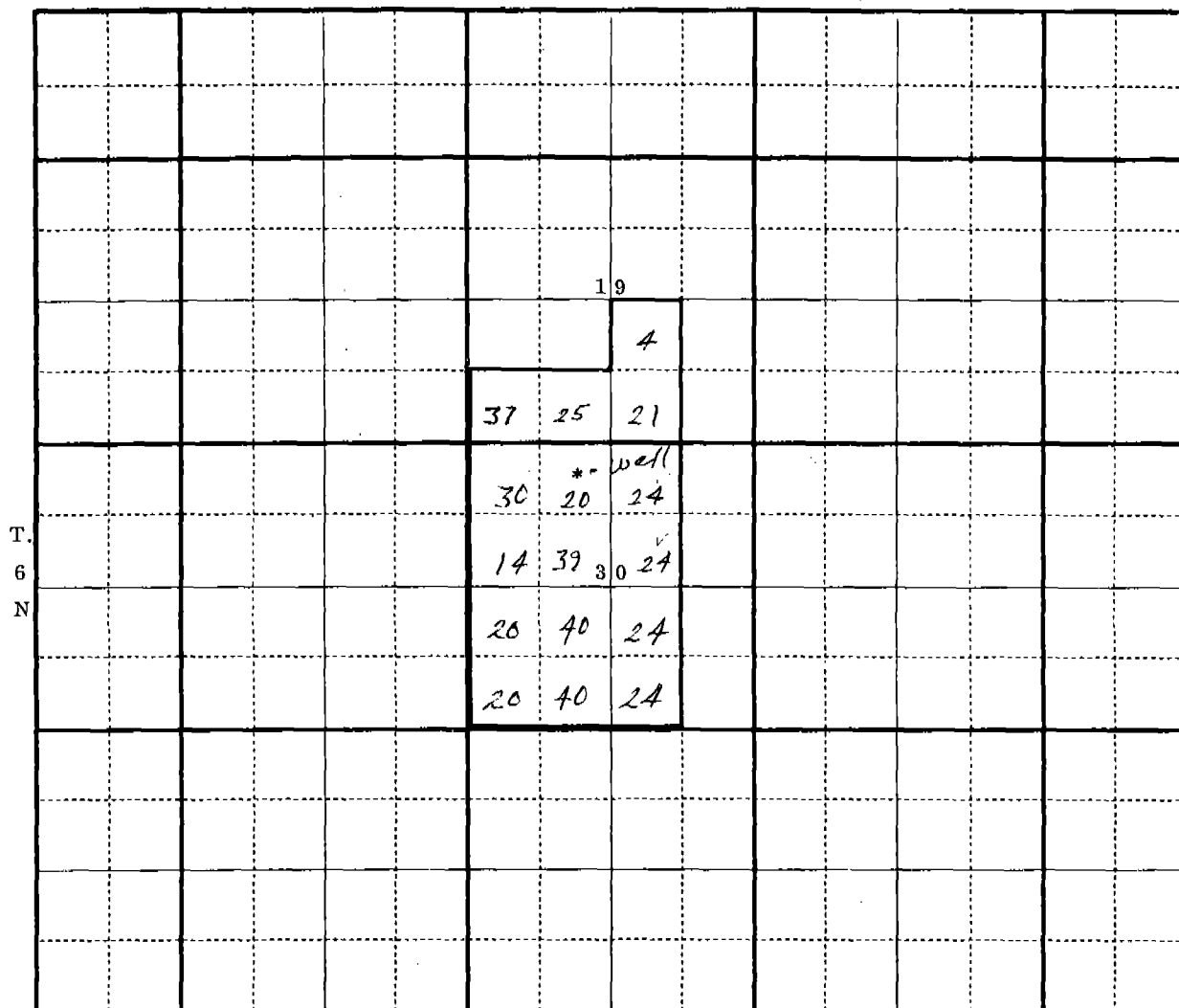
Description of diverting works: well, pump, sprinkling system (Badger Flow Meter - 12")

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

406



DATE OF EXAM 6/26/72

ACREAGE

Found 406
Recommended 406

Irrigation Requirement 1624 1421 3.5 Ac Ft/Ac

USE

Irrigation Q = 4.89 c.f.s. V = 1421 AF/Ann. from May 15 to Sept 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: WELL
twp. 6 N/S Rge 41 E/W, B.M., Sec. 30, Sub. NE 1/4 NW 1/4 MADISON County

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection: NO
twp. _____ N/S Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange: NO
twp. _____ N/S Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 4.89 c.f.s. Method of measurement Badger Motor
Press Gage

Total Q recommended 4.89 c.f.s. Meter No. ? Type Badger Condition Good

Total V recommended 1421 AF/Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:

With Pitot Tube $\Sigma qpm = 1963.74$, $\frac{1963.74}{448.8} = 4.38$ c.f.s.
Badger Meter Reading = $\frac{10,000 \text{ gal}}{4.558 \text{ min}} = [4.89] \text{ c.f.s.}$

SYSTEM DESCRIPTION:

Pump Motor - 400 HP U.S. Hullo shaft, Serial #1423928
Pump - Peerless, 12X12 20, Serial # 219130
Mainlines, 13 lines - some < some > 7 mi.

REMARKS:

Examiner's Signature Clyton M Ramsey Date 6/27/72

Checked by NY Date _____

Approved by _____ Date _____