

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES
PINEY BOWES
02 1A
0004310839 NOV 18 2005
MAILED FROM ZIP CODE 83702
\$00.60⁰⁰

RECEIVED

NOV 29 2005
DEPARTMENT OF
WATER RESOURCES

*02-1315D
Preliminary
Report*

LINDEN E BECK
LOWELL K BECK
PO BOX 1016
SUN VALLEY ID

BECK016 833532014 1N
RETURN TO SENDER 11 11/22/05

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER



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

RIGHT NUMBER: 02-7315D

NAME AND ADDRESS: LOWELL K BECK
LINDEN E BECK
PO BOX 1016
SUN VALLEY ID 83353

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.055 CFS
9.200 AFY

Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

PRIORITY DATE: 01/07/1981

POINT OF DIVERSION:

! T08S R13E S1 NESWSE Lot 9 Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.055 CFS 9.20 AFY

PLACE OF USE: IRRIGATION Within TWIN FALLS County

T08S R13E S01 Lot 9 SWSE 2.3

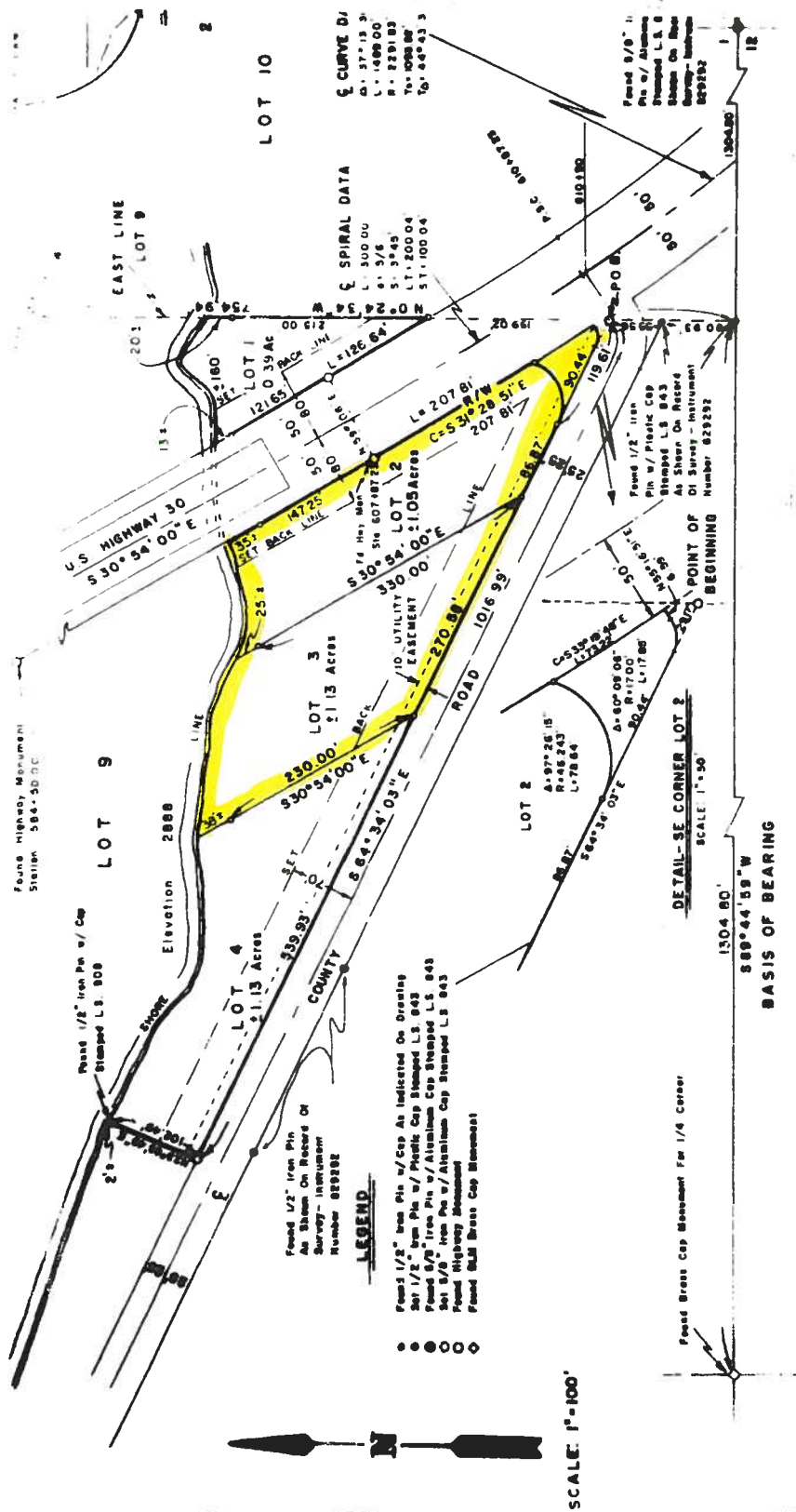
2.3 ACRES TOTAL

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 - License

PROPERTY IS ALSO KNOWN AS LOT 2 AND LOT 3, CROOK LAND ESTATES.



CROOK LAND ESTATES

A SUBDIVISION IN LOT 9, SECTION 1, TOWNSHIP 8 SOUTH, RANGE 13 EAST, B. M.

LEGAL DESCRIPTION

[illegible]

Customer's Certificate

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SURVEYOR'S CERTIFICATE

THE BURCHMAN, JR. is duly licensed land surveyor in the State of Ohio, hereby certifies that this plat correctly represents a survey made under my direction of the lands above herein.

BURCHAM JR
W. C. Burcham Jr

COUNTY ENGINEER'S CERTIFICATE

[Handwritten signature]
Special Agent in Charge
FBI - New York

Walter Anderson
THE O ANDERSEN

2013 13 163

COUNTY TREASUR

General Ledger &
TREASURE

COUNTY RECORDER

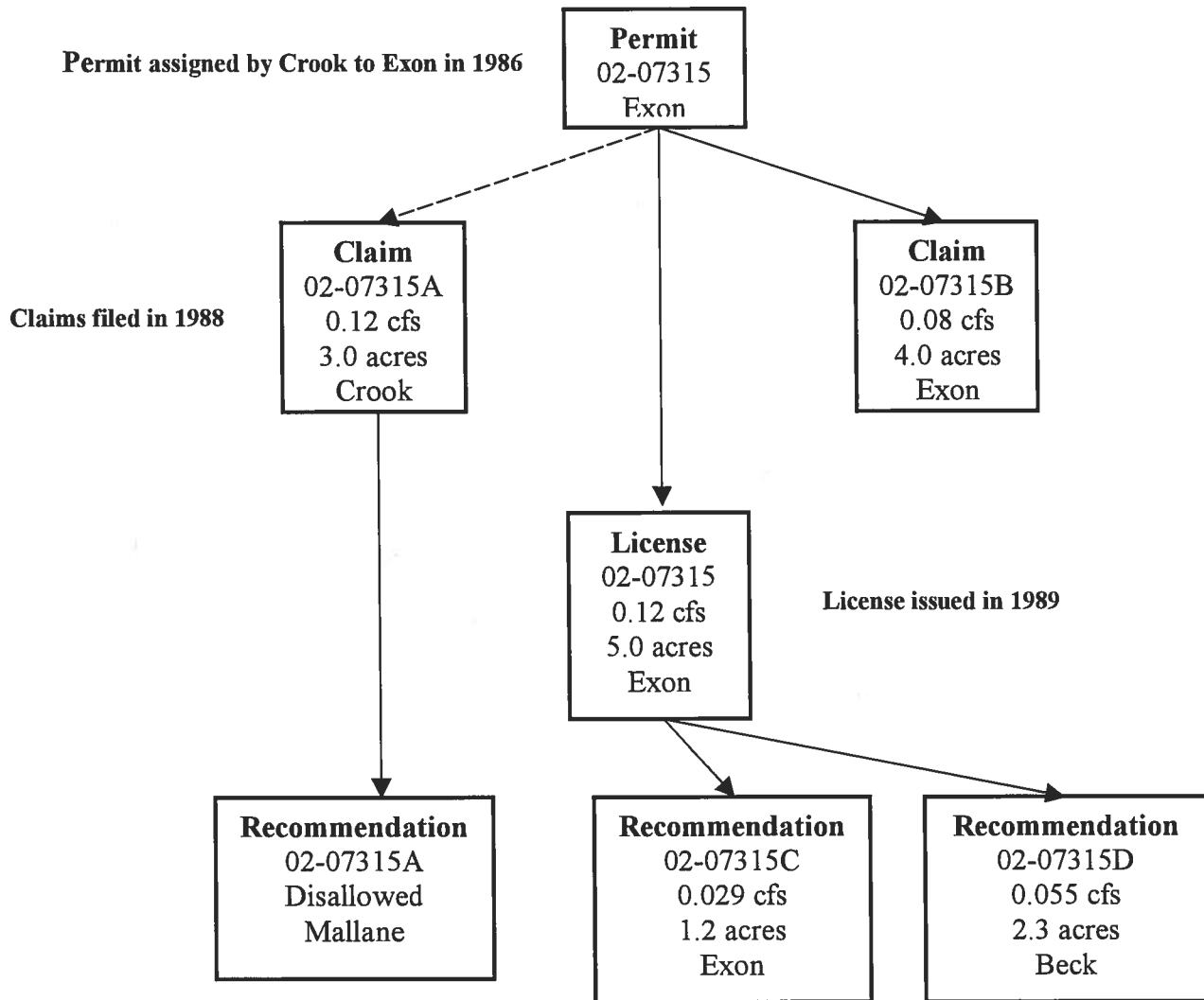
RECORDED
RECEPTION NUMBER

RECORDED
RECEPTION NUMBER

NOTES

1. Security restrictions:
3. IDAM CODE
2. The end of the
line shown on the
3. All lots require open
before installing new

Summary of Splits Water Right No. 02-07315



Analysis: Although Crook filed SRBA Claim No. 02-07315A in 1988, he had previously assigned all his interest in the Permit to Exon in 1986. Exon also filed a claim (02-07315B). When the Permit was licensed in 1989, 3.5 acres were licensed north of the County Road on property that now belongs to Exon and Beck (per deeds supplied at time of ownership change). The Mallane's now own property previously owned by Crook; 1.5 acres of irrigation were developed on that property south of the County Road under license 02-07315 **but the water belongs to Exon** and there is no evidence the water was conveyed to Mallane.

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: A02-07315D

Date Received: 9/20/1988

Receipt No: X777777

Received By: *JC split*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LOWELL K BECK
Address: PO BOX 1016
SUN VALLEY ID

208-726-3470

83353

AND/OR

Name: LINDEN E BECK
Address: PO BOX 1016
SUN VALLEY ID

208-726-3470

83353

2. Date of Priority: JAN 7, 1981

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	13E	1	NE	SW	SE	9	TWIN FALLS

5. Description of diverting works:
PUMP, SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		

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

A.F.A.

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/5 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	13E	1	SW	SE	9	IRR	2.5
Section Acres							2.5
Total Acres							2.5

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:

OWNERSHIP CHANGE OF A02-07315B RESULTED IN A SPLIT.
A02-07315C(.03 CFS) BELONGS TO EXON WITH 1.5 ACRES. A02-07315D
(.05 CFS) BELONGS TO BECK WITH 2.5 ACRES. BOTH SIGNATURES
AND WARRANTY DEEDS WERE INCLUDED.

THERE IS CONFUSION WITH THIS CLAIM.

15. Basis of Claim: PERMIT



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JAN 27 1994

Department of Water Resources
Southern Region Office

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 12-3-93

LEGAL DESCRIPTION OF PROPERTY: Township 8S Range 13E
Section 1, 1/4 of SW 1/4 of SE 1/4, Govt. Lot 9, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s)
Assigned by IDWR: A02-07315B
- [] Name and Address of Former Owner/Claimant(s)(Seller): William C. AND WYNARDA M. EXON
P.O. Box 537
HAGERMAN, ID. 83332
- [] New Owner/Claimant (Purchaser): Lawrence K. Beck LINDEN E. BECK
- [] New Mailing Address: P.O. Box 1016
SUN VALLEY, ID 83353
- [] New Telephone Number: (208) 726-3470
- [] Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
The prorata share relating to Lots 2 & 3, Crook
Land Estates

- [] Attach proof of ownership, describe proof attached: WD # 1993018213 + # 1993018214
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s) Lawrence K. Beck Date 12-1-93
Linden E. Beck Date 12-1-93
- [] Signature of Former Owner/Claimant(s) Wynarda M. Exon Date 1-5-94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 9/6/95 By: THB

Claim Numbers of Split, if any:

A02-07315C + A02-07315D

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



WARRANTY DEED

For Value Received

William C. Exon and Wynarda M. Exon, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Lowell K. Beck and Linden E. Beck, husband and wife,
hereinafter referred to as Grantee, whose current address is

P.O. Box 1016, Sun Valley, ID, 83353

the following described premises, to-wit:

Lot 2 of CROOK LAND ESTATES, Twin Falls County, Idaho according to the plat thereof, recorded in Book 12 of Plats, page 46, records of said County.

TWIN FALLS COUNTY, IDAHO
RECORDED FOR:

FIRST AMERICAN TITLE COMPANY

1993 DEC -3 A 11:03

19930182141

ROBERT S. FORT
EX-OFFICIO RECORDER

FEE: 300 DEPUTY UF

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 Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: 12-1, 1993.

William C. Exon

William C. Exon

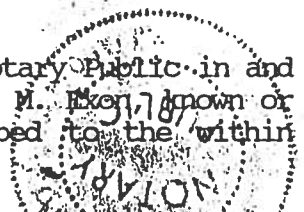
Wynarda M. Exon

Wynarda M. Exon

STATE OF IDAHO

COUNTY OF *Gooding* Twin Falls

On This 1st day of *December*, in the year 1993, before me, a Notary Public in and for said State, personally appeared William C. Exon and Wynarda M. Exon, known or identified to me to be the persons whose names are subscribed to the within Instrument, and acknowledged to me that they executed the same.





WARRANTY DEED

For Value Received

William C. Exon and Wynarda M. Exon, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Lowell K. Beck and Linden E. Beck, husband and wife,
hereinafter referred to as Grantee, whose current address is

P.O. Box 1016, Sun Valley, ID, 83353

the following described premises, to-wit:

Lot 3 of CROOK LAND ESTATES, Twin Falls County, Idaho according to the plat thereof, recorded in Book 12 of Plats, page 46, records of said County.

TWIN FALLS COUNTY, IDAHO

RECORDED FOR: FIRST AMERICAN TITLE COMPANY

1993 DEC -3 A H 03

19930182131

ROBERT C. FORT
EX-OFFICIO RECORDER

FEE: 300 DEPUTY LF

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 Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: December 1, 1993.

William C. Exon

William C. Exon

Wynarda M. Exon

Wynarda M. Exon

STATE OF IDAHO

Gooding
COUNTY OF Twin Falls

On This 1 day of December, in the year 1993, before me, a Notary Public in and for said State, personally appeared William C. Exon and Wynarda M. Exon, known or identified to me to be the persons whose names are subscribed to the within Instrument, and acknowledged to me that they executed the same.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

SEPTEMBER 6, 1995

LOWEKK & LINDEN BECK
PO BOX 1016
SUN VALLEY, ID 83353

RE: SRBA CLAIM A02-07315B (SPLIT)
EXON
A02-07315C=EXON, A02-07315D=BECK

DEAR CLAIMANTS:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

CC: EXON, PO BOX 537, HAGERMAN, ID 83332



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

June 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Jack Wright
Wright Realty
P.O. Box 578
Hagerman, ID 83332

Dear Mr. Wright:

Pursuant to your recent request, I have enclosed a copy of a proof report of Snake River Basin Adjudication Claim, A02-07315A, filed in the name of Thomas and Yvonne Mallane. This particular claim is appurtenant to property located in Twin Falls County, south of the Snake River.

Snake River Basin Adjudication Claim A02-07315A was originally filed by Wilber and Sadie Crook, in 1988. This particular claim was filed, based on a part of water right permit 02-07315, for the diversion of 0.12 cfs from the Snake River for the irrigation of 3.0 acres. In addition, another Snake River Basin Adjudication Claim, A02-07315B, was filed in 1988. Claim A02-07315B was filed, based on a part of water right permit 02-07315, for the diversion of 0.08 cfs from the Snake River for the irrigation of 4.0 acres. This particular claim was later split into parts A02-07315C (0.03 cfs for 1.5 acres) and A02-07315D (0.05 cfs for 2.5 acres). Therefore, the following represents a summary of the Snake River Basin Adjudication Claims that are filed based on water right 02-07315:

SRBA CLAIM #	DIVERSION RATE	ACRES IRRIGATED
A02-07315A	0.12 cfs	3.0 acres
A02-07315C	0.03 cfs	1.5 acres
A02-07315D	0.05 cfs	2.5 acres

June 25, 1997
PAGE 2

Water right 02-07315 was originally permitted for the diversion of 0.12 cfs for the irrigation of 6.0 acres. This allowed the permit holder to develop a water right up to these particular amounts. After the permit holder filed proof of beneficial use (a statement saying he has completed the development authorized under his permit) with the department, a department representative conducted a field exam to determine the extent of development. The department representative determined that 5.0 acres were actually irrigated. Therefore, water right license 02-07315 was issued (in 1989) for the diversion of 0.12 cfs (the maximum amount allowed under the permit) for the irrigation of 5.0 acres (the number of acres determined to actually be irrigated). I have enclosed a copy of a proof report of this particular water right license for your reference.

Comparing the amounts under water right license 02-07315 to the Snake River Basin Adjudication claims summarized on the previous page reveals that the claims exceed the amounts licensed under water right 02-07315. Therefore the Snake River Basin Adjudication claims do not reflect the actual amounts of water and irrigated acres authorized under water right 02-07315. At this juncture, I can not determine which particular claims based on this water right have been overstated, but the Mallane's claim of 0.12 cfs for the irrigation of 3.0 acres appears to be excessive.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Corey Skinner".

Corey Skinner, EIT
Dam Safety Section

Enclosures