

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-10111 V1

WATER RIGHT NUMBER: 37-10111 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RANDY BEAN 297 E 5400 N HAGERMAN, ID 83332 (208)837-6438
Original Owner	HARRY F LE MOYNE 1418 NORTH BLUE LAKES TWIN FALLS, ID 83301 (208)733-0874

Priority Date: 06/01/1987

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4SW1/4	Sec. 4, Twp 01N, Rge 14E, B.M.
CAMAS County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	14E	4																	
												X							

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. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. 01N14E040101

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-10111 V1

Dates and Other Information:

Decreed Date: 10/27/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
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



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

SOUTHERN REGION

July 1, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RANDY BEAN
297 E 5400 N
HAGERMAN ID 83332

RE: Decreed Water Right 37-10111

Dear Mr. Bean:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the water right(s) noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', written in dark ink.

Trish Fawcett
Technical Records Specialist

enc.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

JUN 20 2002
 Department of Water Resources
 Southern Region

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-10111</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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

- 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 usually attached to your deed or on file with the county).

OR

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 **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)

Harvey F Le Moine
1418 North Blue Lakes
Twin Falls Id 83301

4. New Owner/Claimant(s)

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

Randy Bern
297E 5400 N Hagerman Id 83332
(208) 837-6438
5-20-93

5. Date you acquired the property

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Landy G. Bean
(include title if applicable) _____

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.

For Office Use Only

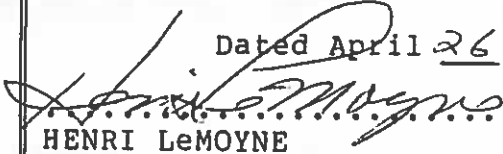
Received by [Signature] Date 6/20/02 Fee 25.00
 Received by [Signature] Date 6/20/02 Receipt No. 5025006
 Processed by [Signature] Date 6/28/02 WR _____ Date _____

WARRANTY DEED

For Value Received ALICE I. LEMOYNE TRUST, the Grantor, grants, bargains, sells, and conveys to RANDY BEAN and SUSAN MAY BEAN, husband and wife, the Grantees, of Route 3, Buhl, Idaho 83316, the premises described on Exhibit A.

TO HAVE AND TO HOLD the premises, with their appurtenances to the Grantees and their heirs and assigns forever. The Grantor covenants to and with the Grantees, that the Grantor is the owner in fee simple of the premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated April 26, 1993.


.....
HENRI LEMOYNE
Trustee


.....
GEORGE ANTHONY PRATER
Trustee

STATE OF IDAHO)
County of Twin Falls.)

On April 26, 1993, before me, a Notary Public in and for said State, personally appeared HENRI LEMOYNE and GEORGE ANTHONY PRATER, known or identified to me to be the person whose names are subscribed to the within instrument as Trustees of the ALICE I. LEMOYNE TRUST and acknowledged to me that they executed it as the Trustees of the Trust.

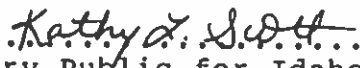
.....
.....
Notary Public for Idaho
Commission Expires: 10-24-96

EXHIBIT A

Lot 12 Silver Brush Subdivision EXCEPT a parcel of land described as follows:

Commencing at the Southwest corner of Lot 12, Silver Brush Subdivision, the real point of beginning; thence,

South 89° 28' 21" East, 470.00 feet along the South boundary of said Lot 12; thence,

North 00° 27' 33" West, 150.00 feet; thence,

North 89° 28' 21" West, 472.30 feet, to the West boundary of Lot 12; thence,

South 01° 20' 13" East, 150.06 feet, along the West boundary of Lot 12 to the real point of beginning, all as shown on the official plat on file in the office of the Recorder of Camas County, Idaho.

67823

Recorded at the Request of

CAMAS ABSTRACT

at 1:00 P M

4-30, 19 93,

In Book 28

of DEEDS Page 526.

ROLLIE BENNETT
CAMAS COUNTY RECORDER

By Rollie Bennett

Fees 6

WARRANTY DEED

For Value Received HARRY F. LeMOYNE, a widower.

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
RANDALL GARY BEAN and SUSAN MAY BEAN, husband and wife.

Hereinafter called the Grantee, the following described premises situated in CAMAS County, Idaho, to-wit:

Lot 11 Silver Brush Subdivision as the same appears on the official plat on file in the office of the Recorder of Camas County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: MARCH 23, 1993

Harry F. Lemoyne
HARRY F. LeMOYNE

STATE OF IDAHO, COUNTY OF CAMAS

On this 23 day of MARCH 19 93
before me, a notary public in and for said State, personally appeared

HARRY F. LeMOYNE

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

Randall Gary Bean
Residing at FAIRFIELD
Expires 10/8/98
Notary Public
Idaho.

STATE OF IDAHO, COUNTY OF CAMAS

I hereby certify that this instrument was filed for record
at the request of CAMAS ABSTRACT
at 15 minutes past 1 o'clock P. m.,
this 30 day of APRIL
19 93, in my office, and duly recorded in Book 28
of Deeds at page 528

Frank Bennett
Ex-Officio Recorder

By _____ Deputy.
Fees \$ 3.00
Mail to:

Instrument No

67824

LEGAL DESCRIPTION

Located in Township 1 North, Range 14 East, Section 4: A portion of W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Camas County Idaho

Lot 12 Silver Brush Subdivision EXCEPT a parcel of land described as follows:

Commencing at the Southwest corner of Lot 12, Silver Brush Subdivision, the real point of beginning, thence,

South 89° 28' 21" East, 470.00 feet along the South boundary of said Lot 12, thence;

North 00° 27' 33" West, 150.00 feet, thence;

North 89° 28' 21" West, 472.30 feet to the West boundary of Lot 12, thence,

South 01° 20' 13" East, 150.06 feet, along the West boundary of Lot 12 to the real point of beginning, all as shown on the official plat on file in the office of the Recorder of Camas County, Idaho.

AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-60

RIGHT NUMBER: 37-10111
NAME & ADDRESS: HARRY F LE MOYNE
1418 NORTH BLUE LAKES
TWIN FALLS ID 83301
SOURCE: GROUNDWATER
QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1987

POINT OF DIVERSION: T01N R14E S04 NWNWSW Within CAMAS County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CAMAS County
T01N R14E S04 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 01N14E040101

Claim proofread by: U10

Date: 103

85-29-98

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: A37-10111
Date Received: 6/09/1988
Receipt No: 5000383
Received By: AM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HARRY F. LE MOYNE 208-733-0874
Address: 1418 NORTH BLUE LAKES
TWIN FALLS, ID 83301

2. Date of Priority: JUN 01, 1987

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	14E	4	NW	NW	SW		CAMAS

5. Description of diverting works:
WELL & 1/2 H.P. SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 CABIN WITH YARD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	14E	4	NW	SW		DOMEST	

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

PERMIT 37-08180 FOR SPRING WATER FOR SAME CABIN.

14. Remarks:

NO WELL LOG FOUND. DRILLED BY EATON DRILLING.

15. Basis of Claim: BENEFICIAL USE

Water Right Number:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: one

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): Harry E. Lemoyne Date: 6/9/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day

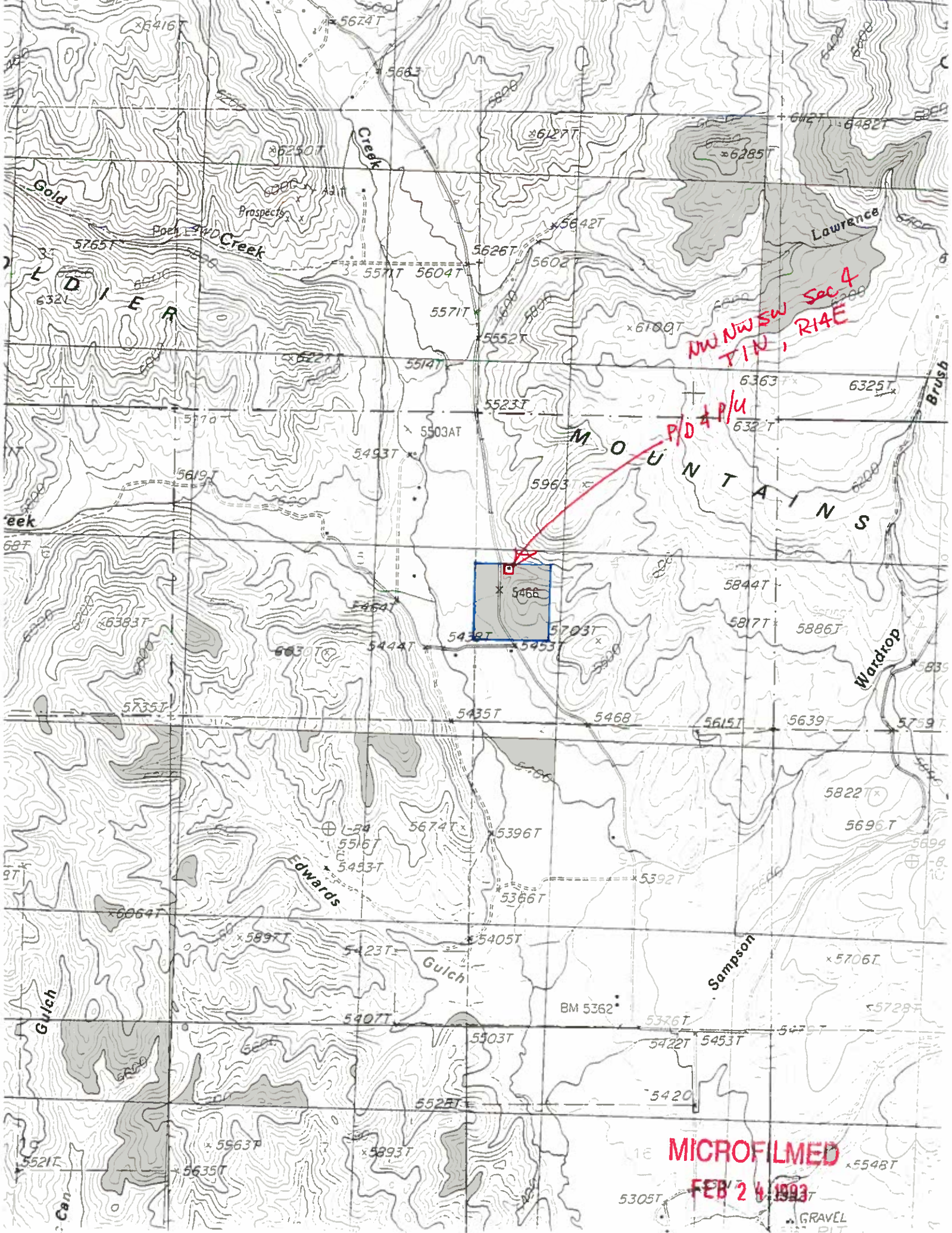
of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Coaling Id

My Commission Expires 10/16/1992



MICROFILMED

FEB 24 1993

GRAVEL
PIT

WATER RIGHT NUMBER - A37-10111

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - - +

+ - FIRST NAME - - +

+ - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
LE MOYNE

HARRY F.

1 - 1418 NORTH BLUE LAKES

2 -

3 -

CITY- TWIN FALLS

STATE- ID ZIP- 83301

PHONE - 208-733-0874

+ - - PRIORITY DATE - - +
06/01/1987+ - - - REGION - - - +
ERROR IN REGION+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - - TRIBUTARY - - - - - +

+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

01N 14E 4 NW NW SW (25) CAMAS

+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC

01/01

12/31

0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 0.0+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

01N

14E

4

NW SW

1,2,3

43

DOMESTIC

(25) CAMAS

+ - - DIVERSION MEANS - WELL & 1/2 H.P. SUBMERSIBLE PUMP

+ - - NON-IRRIGATION USE - D/ 1 CABIN WITH YARD

+ - - OTHER RIGHTS FOR SAME USE - PERMIT 37-08180 FOR SPRING WATER FOR SAME CABIN.

+ - - - - - REMARKS - - - - - +
NO WELL LOG FOUND. DRILLED BY EATON DRILLING.+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 06/09/88 MERRITT

MICROFILMED
OCT 25 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - A37-10111

PREFIX TRANSLATION: ADJUDICATION CLAIM

[illegible]

01N14E040101

DATA ENTRY

ENTERED 11-3-93 RS

CHECKED 2/6/94 DED

verified by
 Topo Map, Ortho-PQ
 ASCS Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 IDWR Records

VERIFIED
FEB 10 1992

CERTIFIED
MAR 22 1992
WATER EXAMINER