

07/17/2006

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

RIGHT NUMBER: 22-340B
NAME AND ADDRESS: KAY KESL
PO BOX 1334
ROUND MOUNTAIN NV 89045

JUDY LOPEZ
368 E WASHINGTON AVE
MERIDIAN ID 83642

SOURCE: NORTH LEIGH CREEK TRIBUTARY: SPRING CREEK
Point of injection into and point of rediversion from Grouse Creek.

QUANTITY: 1.130 CFS
PRIORITY DATE: 06/01/1891

POINT OF DIVERSION:
T06N R45E S23 SESENW Rediversion Within TETON County
T06N R45E S23 SENESE Injection Within TETON County
T06N R45E S23 NENWSE Rediversion Within TETON County
T06N R45E S25 NESENE Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	1.130 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T06N R45E S22 SENE 21.00	T06N R45E S23 SWNW 40.00	
	T06N R45E S23 SENW 38.00		
	99 ACRES TOTAL		

99 The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-11B, 22-340B,
22-341B, 22-342B.

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 - Decreed

Water is delivered through Hubbard Ditch

Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.

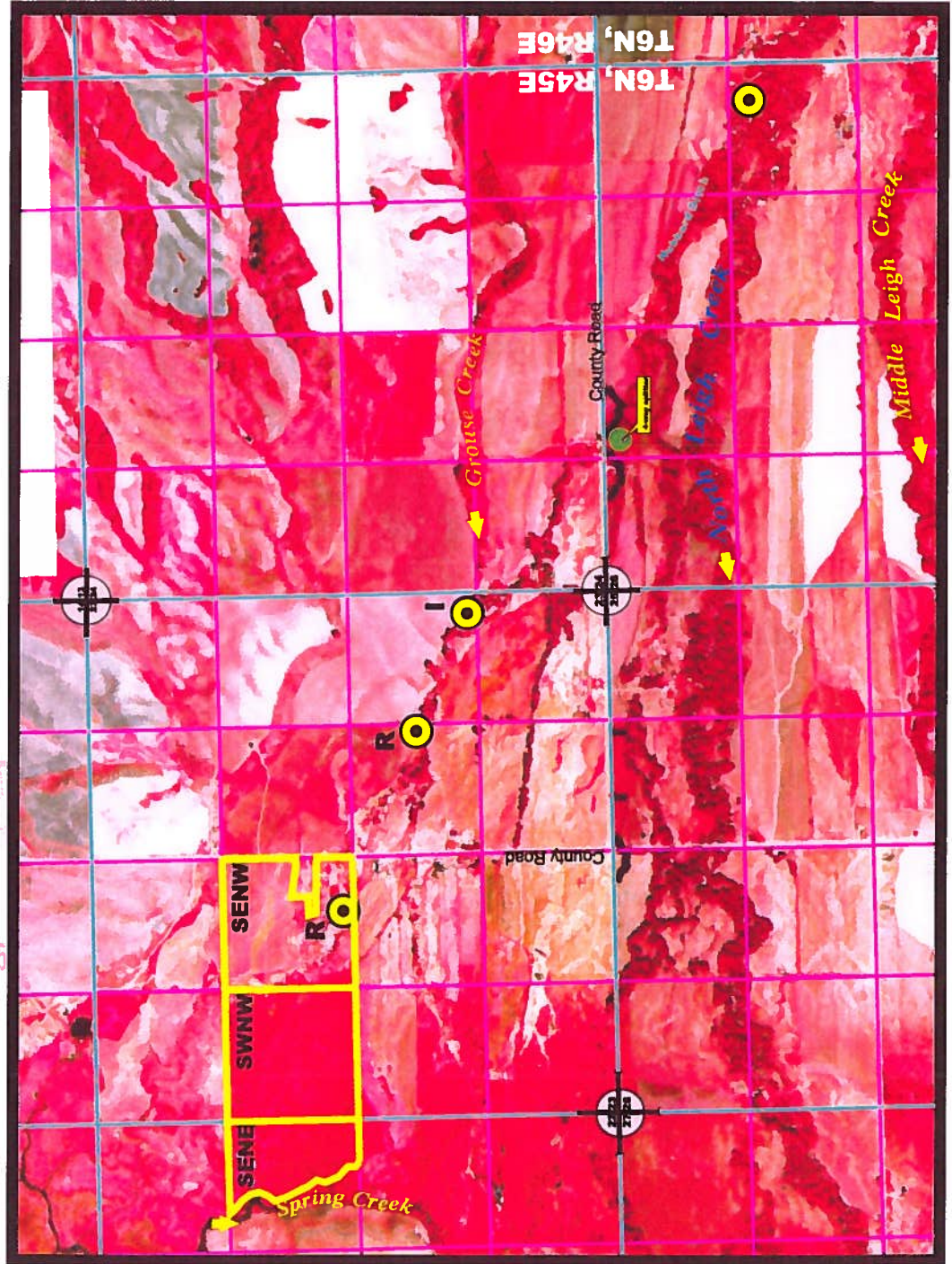


State of Idaho

Department of Water Resources

Eastern Region

SCANNED
APR 27 2005



Water Right(s):

22-00011B,
22-00340B,
22-00341B,
22-00342B

Point(s) of Diversion:

T6N, R45E
Sec. 25 NESENE (POD),
Sec. 23 SESENE (POI),
Sec. 23 NENWSE (POR),
SESENW (POR)

Place of Use: (parts of)

T6N, R45E
Sec. 22 SENE,
Sec. 23 S2NW

LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: March 2005





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

JAMES E. RISCH
Governor

December 15, 2006

KARL J. DREHER
Director

KAY KESL
PO BOX 75
TENDON ID 83468-0075

RE: CHANGE OF ADDRESS FOR 22-11B, 22-340B, 22-341B, 22-342B

Dear Ms. Kesl:

Please fill out the enclosed change of address form and mail back to me. We need signed permission to update your address in our database.

Sincerely,

Jennifer Crabtree
Technical Records Specialist

Enclosure

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

U.S. POSTAL SERVICE
PS FORM 3547

RETURN TO SENDER
U.S.P.S. Form 3547

fee due 75 ¢

Change address

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

U.S. POSTAL SERVICE
PS FORM 3547

RETURN TO SENDER
U.S.P.S. Form 3547

fee due 75 ¢

DEPARTMENT OF WATER RESOURCES
REGISTERED DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

REGISTERED
ADDRESS SERVICE

KAY KESL
PO BOX 1334
ROUND MOUNTAIN NV 89045

KESL334 890452026 1606 20 12/01/06
KESL
PO BOX 75
TENDON ID 83468-0075
FORM 3547

1721 U.S. POSTAGE P.B. 3.5
8982500 870 NOV 28
5981 MAILED FROM ZIP CODE

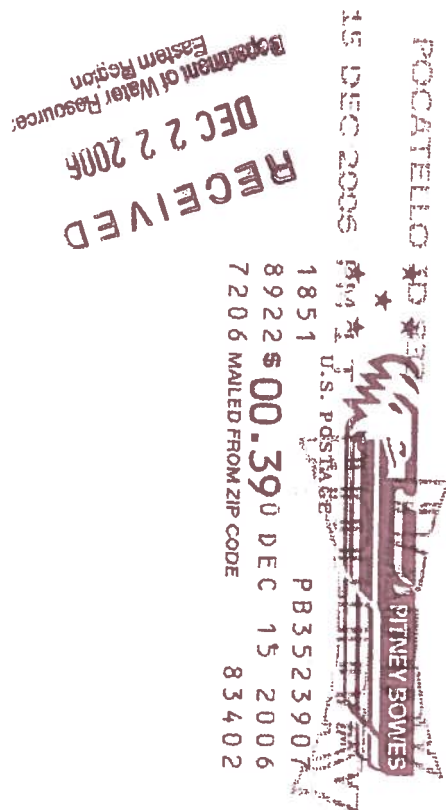
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Return Service Requested

KESL 075

KAY KESL
PO BOX 75
TENDON ID 83468-0075

83402-1720-2075



KESL075 T034002011 J806 08 12/18/06
KESL RETURN TO SENDER
TEMPORARILY AWAY
RETURN TO SENDER



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

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, 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
22-11B		<u>SUB DOCS</u>			
22-340B					
22-341B					
22-342B					

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APR 26 2004

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) are 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.

1. Name and Address of Former Owner/Claimant(s)

Henry E. Beard

1. New Owner/Claimant(s)

Kay Kesel

Judy Lopez

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

P.O. Box 1334

368 E. Washington ave.

City, State and ZIP Code

Round Mtn. NV. 89045 - Meridian ID. 83642

New Telephone Number

(775) 377-2183

208-288-4484

5. Date you acquired the property

Nov. 16 1992

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1/27/05

this claims ^{shape} overlaps w/ claims:

22-342B

22-11B

22-340B

22-341B

Somehow all of these claims are associated w/

other water Rights: 22-12047
22-12048 AND 12050
22-12049

22-12047: CLAIMED AS 3/4 OF 22-340 - AND IS STILL AN ACTIVE CLAIM - BUT, THERE IS ALSO A 22-340B AS AN ACTIVE CLAIM. 22-12047 NEEDS TO BE SET TO "SOS Remarks".

22-12048: IS PART (CLAIMS 3/4) OF 22-0341.

RENUMBERED TO 341B.

22-12049: CLAIMED AS 3/4 OF 22-342.

RENUMBERED TO 22-342B

22-12050: CLAIMS 3/4 OF 22-00011.

RENUMBERED TO 22-11B

X SEE 22-11B FOR MAPS NOTES & Photos

Q NOT REDUCED TO ALLOW CONVEYANCE LOSS.

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APR 27 2005

FILED

hour, E. B.; June 1, 1886; Spring Creek	8,000
Naive, Martin L.; June 1, 1886; Moody Creek	300
To be reduced to 25 inches after June 20th of each year	50
Naive, Martin L.; June 1, 1886; Teton River	25
Breckinridge, David; June 1, 1887; North Leigh Creek; also Swamp Creek for a late right	25
Borrowman, John; June 1, 1887; Wood Creek and Springs	260
Jeppson, Hans J.; June 1, 1887; Bigler Slough	60
Hegsted, Victor; Sept. 1, 1887; Horse Shoe Creek	80
Hegsted, Victor; June 1, 1888; Horse Shoe Creek	30
North Salem Agricultural & Milling Canal Co.; Teton River	290
As a high water right until July 1st of each year	1,325
Walters, William; June 1, 1888; Teton River. (Stewart & Walters Ditch.) Joint appropriation with Mons H. Anderson)	160
Woods, William S.; June 1, 1888; Twin Creeks	168
Mansee, Charles H.; Mar. 15, 1889; Moody Creek	200
To be reduced to 80 inches after June 20th of each year	160
Curtis, Owen; Apr. 1, 1889; Trail Creek	80
Little, Zina W.; Apr. 1, 1889; South Leigh Creek	160
Hill, William; Apr. 5, 1889; Pack Saddle Creek	120
Mortensen, Christian; May 1, 1889; Teton River. (Through the Nelson-Jacobs Ditch)	280
Bates, Thomas; May 3, 1889; Mahogany Creek	112
Bezeley, Ebenezer, and J.; June 1, 1889; Fox Creek	140
Drake, Fred J.; June 1, 1889; John Creek	80
Blanchard, John; June 1, 1889; Warm Creek	150
Bowles, H. C.; June 1, 1889; Spring Creek	40
Drake, William; June 1, 1889; Mahogany Creek	140
Lund, William P.; June 1, 1889; Mahogany Creek	10
Hubbard, Frank, and wife; June 1, 1889; North Leigh Creek	160
Swanner, Samuel; June 1, 1889; South Leigh Creek	150
Walton, D. O.; June 1, 1889; Darby Creek	40
Jones, Benjamin; June 1, 1889; Trail Creek	20
McPherson, Abner; June 10, 1889; North Leigh Creek	20
Parsons, F. W.; June 15, 1889; Trail Creek	160
Tonks, George M.; July 5, 1889; Trail Creek	160
Tonks, George M.; July 15, 1889; Fox Creek	95
Tonks, George M.; July 15, 1889; Fox Creek	55
Swanner, Samuel; June 1, 1889; Warm Creek, Spring Creek and Deep Creek	80
Woodmansee-Johnson Ditch; Oct. 1, 1889; Teton River	620
Rexburg Milling Co.; Oct. 1, 1889; Teton River. (Woodmansee-Johnson Ditch.) For power purposes only, and subject to rights of users for agricultural purposes of water through same ditch	3,000
Teton Irrigation & Manufacturing Co.; Oct. 2, 1889; Teton River. (To be diverted at the Bird headgate near the Teton Mill)	500
Kinsley, Mary E.; Apr. 1, 1890; Warm Creek, Spring Creek and Deep Creek	80
Sinclair, D. R., Adminr. Estate of Fred Sinclair (deceased); April 1, 1890; Trail Creek	115
Wolf Ditch Co.; Apr. 1, 1890; Teton River	2,335
Robertson, A. I.; Apr. 1, 1890; Trail Creek	87

Rice, Ed.; Apr. 1, 1890; Trail Creek	160
Curtis, Nahum; Apr. 1, 1890; Trail Creek	160
Blanchard, John; Apr. 1, 1890; Trail Creek	120
Eynon, John; Apr. 1, 1890; Trail Creek	80
Paul, John; June 1, 1890; Springs on land	15
Paul, William H.; June 1, 1890; Little Springs and Deep Creek	60
Jenkins, William; June 1, 1890; Fox Creek	80
Kimball, R. C., and A. L.; June 1, 1890; Fox Creek	110
Kimball, R. C., and A. L.; June 1, 1890; Fox Creek	110
Lawson, B. G.; June 1, 1890; Spring Creek	240
Murphy, G. M.; June 1, 1890; Darby Creek	150
Murphy, G. M.; June 1, 1890; Darby Creek	160
Smith, C. M.; Jan. 1, 1890; Darby Creek	140
Walton, D. O.; June 1, 1890; Darby Creek	140
Shaw, O. W.; June 1, 1890; North Leigh Creek or Spring Creek	135
Yearsley, H. C.; June 1, 1890; Spring Creek	240
Drake, Richard; June 1, 1890; Patterson Creek	160
Chelsey, John P.; June 1, 1890; Paul Spring Creek, Grove Creek, Deep Creek and Little Spring Creek	200
Byrne, Michael; June 1, 1890; Fox Creek	85
Buxton, Mary A.; June 1, 1890; Sloughs from Twin Creeks	100
Bezeley, Ebenezer, and J.; June 1, 1890; Fox Creek	80
Andrews, L. W.; June 1, 1890; Grove Creek	120
Durney, P. S.; June 1, 1900; Trail Creek	15
Footo, Arthur L.; June 1, 1890; Mahogany Creek	145
Ferguson, John; June 1, 1890; Grove Creek and Willow Spring Creek	100
Eames, William; June 1, 1890; Spring Creek	240
Edleton, E. B.; June 1, 1890; Leigh Creek	155
Drake, Lavina; June 1, 1890; Boquet Creek and Drake Creek	160
Drake, William; July 1, 1890; Mahogany Creek	150
Tonks, William H.; July 15, 1890; Trail Creek	135
Curtis, Clarissa A.; Sept. 1, 1890; Trail Creek	160
Rice, A. L.; Jan. 1, 1891; Patterson Creek	160
O'Brien, James A.; June 1, 1891; North Leigh Creek	100
Siddoway-Briggs Co.; June 1, 1891; Teton River. (For power purposes)	2,600
Sinclair, D. R.; Adminr. Estate of Fred Sinclair (deceased); June 1, 1891; Eynon Ditch	20
Smith, Ellington; June 1, 1891; Spring Creek, Darby Creek and Crandall Springs	100
Shaw, L. C.; June 1, 1891; Badger Creek and water from springs on T. A. Phillips' land	200
Swanner, Samuel; June 1, 1891; South Leigh Creek	120
Hubbard, Susan; June 1, 1891; North Leigh Creek and Middle Leigh Creek	150
Harrop, Samuel; June 1, 1891; Leigh Creek	200
Hill, Mary Ann; June 1, 1891; Pack Saddle Creek	120
Clark & Houghton; June 1, 1891; Teton River	160
Dewey, George A.; June 1, 1891; Fox Creek	160
Barney, Walter; June 1, 1891; South Leigh Creek	160
Bowles, Sarah; June 1, 1891; Spring Creek	100
Biamires, Robert, and C. J. Burton, W. S. Burton and Thomas H. Phillips; June 1, 1891; Badger Creek and springs on land of T. A. Phillips	640
Edlefson, Noah C.; June 1, 1891; Leigh Creek	40
Siddoway Irrigation & Manufacturing Co.; July 1, 1891; Teton River	300

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: **A22-00340B**
Date Received: 10/ 6/1988
Receipt No: E002965
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: JAMES W BEARD 307-576-2810
Address: RT 1 BOX 1790
TETONIA ID 83452

OR

Name: HENRY E BEARD
Address: TETONIA ID 83452

2. Date of Priority: JUN 1, 1891

3. Source: NORTH LEIGH CREEK Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	25	NE	SE	NE		TETON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.250		

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

8. Total consumptive use is 206.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED

NOV 06 1990

SCANNED

APR 28 2005

PROFILED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	22	SE	NE		IRR	23.0
						Section Acres	23.0
		23	SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	80.0
						Total Acres	103.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

A22-12048, A22-12049, A22-12050.

14. Remarks:

THIS CLAIM IS FOR 3/4 OF DECREED RIGHT 22-0340.

15. Basis of Claim: DECREED

Water Right Number: 0340

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL

Decree Plaintiff

TETON CANAL CO.

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: _____

SCANNED

APR 28 2005

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NOV 06 1996

4/153⁰⁰ X

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

Renumbered A22-00340B

Ident. Number: A22-12047

Date Received: 10/03/1988

Receipt No: E002965

Received By: TE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES W. BEARD 307-576-2810
Address: RT 1, BOX 1790
TETONIA, ID 83452
OR
Name: HENRY E. BEARD
Address: TETONIA, ID 83452

A2200340B



2. Date of Priority: JUN 01, 1891

3. Source: NORTH LEIGH CREEK Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	25	NE	SE	NE		TETON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.250		

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

8. Total consumptive use is 206.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED

NOV 06 1988

A22-12047

Page

1

Date: 10/03/88

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OCT 5 1988

SCANNED

APR 20 2005

MICROFILMED

NOV 06 1988

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	22	SE	NE		IRR	23.0
						Section Acres	23.0
		23	SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	80.0
						Total Acres	103.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
A22-12048, A22-12048, A22-12050.

14. Remarks:
THIS CLAIM IS FOR 3/4 OF DECREED RIGHT 22-0340.

15. Basis of Claim: DECREED
Water Right Number: 0340
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON CANAL CO.
Decree Defendant

MICROFILMED
NOV 06 1990

SCANNED
APR 28 2005

MICROFILMED
NOV 06 1992

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): Henry Beach By James W Beach Date: _____
_____ Date: _____

State of Idaho)
County of Idaho) SS.
_____)

Subscribed and sworn (or affirmed) before me this 5 day
of October 19 88

James W Beach
Notary Public

Seal

Residing at Driggs
My Commission Expires 4-10-93

MICROFILMED
NOV 06 1990

A22-12047

23 40 40

PJA

PID

18

15

20

27

MICROFILMED

NOV 06 1990

SCANNED

APR 28 2005

~~MICROFILMED~~

~~NOV 06 1992~~