

07/17/2006

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

RIGHT NUMBER: 22-341B
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 redirection from Grouse Creek.

QUANTITY: 0.450 CFS
PRIORITY DATE: 06/01/1900

POINT OF DIVERSION:
T06N R45E S23 SENESE Injection Within TETON County
T06N R45E S23 NENWSE Rediversion 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	0.450 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.

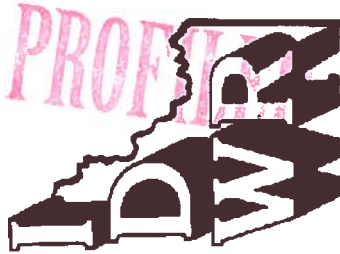
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

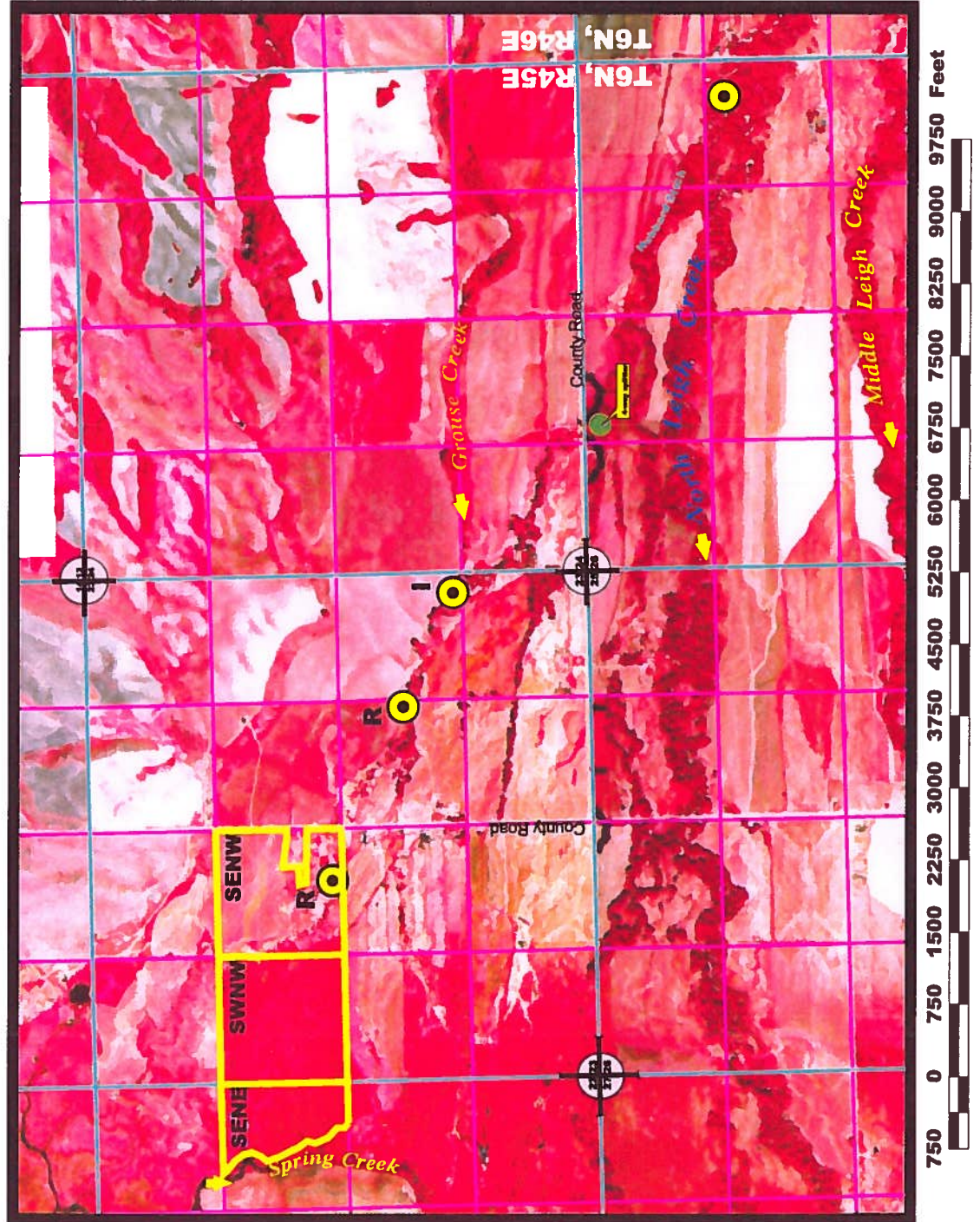


SCANNED
APR 28 2005

State of Idaho

Department of Water Resources

Eastern Region



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

December 15, 2006

JAMES E. RISCH
Governor

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. Kest:

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
WESTERN DISTRICT OFFICE
1900 N. SKILLMAN DR.
IDAHO FALLS, IDAHO 83402
ADDRESS SERVICE
REQUESTED

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

KAY KESL
PO BOX 1334
ROUND MOUNTAIN NV 89045

22-11B
341B
342B

1/21 U.S. POSTAGE
8982 \$00.870 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

KESL075

KAY KESL
PO BOX 75
TENDON ID 83468-0075

83402-1718

POCATELLO ID 83402
★
15 DEC 2006
RECEIVED
DEC 22 2006
Department of Water Resources
Eastern Region
1851
8922 \$ 00.390 DEC 15 2006
7206 MAILED FROM ZIP CODE 83402
P B 3523907
PINEY BOWES

KESL075 T034682011 J806 08 12/18/06
KESL RETURN TO SENDER
TEMPORARILY AWAY
RETURN TO SENDER



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

FILED

SCANNED

APR 27 2005

RECOMMENDATIONS:

FOR FLOOD EXAM MAPS AND NOTES SOS 22-11B

Q AND AC limits w/ other Pts

Obvious error claiming Q @ 0.09 cfs - Remarks state 3/4 of 22-341 (1.2 cfs) $\Rightarrow$ Recommend 0.90 cfs

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	☒			
	22-340B	☐			
	22-341B	☐			
	22-342B	☐			

RECEIVED

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 Kest

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

SCANNED

APR 27 2005

PROFILED

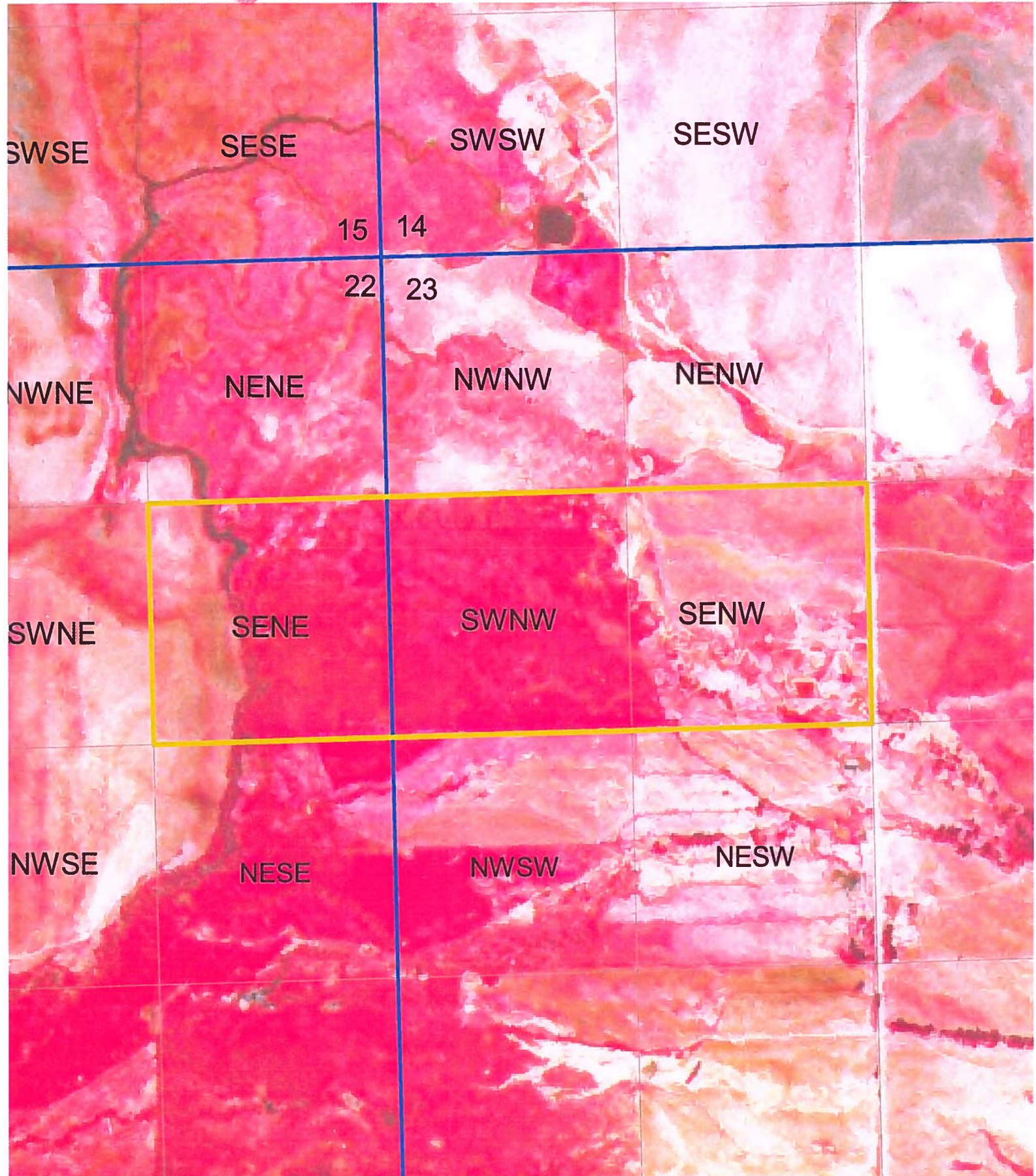
169 Wilson, William; June 1, 1898; Trail Creek	160
169 Larsen, A. C.; June 1, 1898; Darby Creek	40
169 Leigh Creek Canal Co.; June 1, 1898; South Leigh Creek	400
169 Jones, Edward L.; June 1, 1898; Canyon Creek	140
169 Johnson, Joseph A.; June 1, 1898; Trail Creek	135
170 Hill, Hyrum S.; June 2, 1898; North Leigh Creek	100
170 Hill, D. B.; June 2, 1898; Wyoming & Darby Bench Canal Co.	160
170 Hill, Joseph V.; June 2, 1898; North Leigh Creek	160
171 Dakin, G. A.; June 15, 1898; Badger Creek	150
172 Hendrickson, Cornelius; June 30, 1898; Badger Creek	130
173 Tarbet, Albert; July 7, 1898; Darby Creek	160
173 Tarbet, Willard; July 7, 1898; Darby Creek	160
174 Kirsley, Edwin N.; July 15, 1898; Pine Creek	60
175 Hanson, Alfred; Sept. 1, 1898; North Leigh Creek	120
175 Lamoreaux, Francis A., and Ann; May 1, 1898; South Leigh Creek	75
182 Hendrickson, G. W.; May 15, 1899; South Leigh Creek	100
183 Nordval, C.; May 26, 1899; Darby Creek	110
184 Pherson, Neils; June 1, 1899; South Leigh Creek	30
184 Borrowman, John; June 1, 1899; Wood Creek and Springs	80
184 Parker, B. F.; June 1, 1899; Fox Creek	75
184 Pendleton, Abraham; June 1, 1899; North Leigh Creek	80
184 Simmons, John; June 1, 1899; North Leigh Creek	60
184 Soule, C. V.; June 1, 1899; Darby Creek	60
184 Smith, Ellington; June 1, 1899; Spring Creek, Darby Creek and Crandall Springs	80
184 Sheser, William; June 1, 1899; Badger Creek	10
184 Stewart, Thompson; June 1, 1899; Badger Creek	50
184 Williams, Charles; June 1, 1899; South Leigh Creek	100
184 Hochstrasser, N. W.; June 1, 1899; Badger Creek	110
184 Price, J. W.; June 1, 1899; Teton Creek	80
184 Rouch, Jacob; June 1, 1899; North Leigh Creek	35
184 Priestly, W. W.; June 1, 1899; Badger Creek	60
184 Rouch, Jacob; June 1, 1899; North Leigh Creek	160
184 Hendrickson, Milton; June 1, 1899; Badger Creek	100
94 Fullmer, Buckley; June 1, 1899; North Leigh or Spring Creek	75
84 Beasley, Joseph; June 1, 1899; Teton River; also Springs on Ranch	70
184 Bernston, Richard; June 1, 1899; Badger Creek	160
184 Anderson, Charles; June 1, 1899; Teton Creek	40
184 Fairbanks, D. M.; June 1, 1899; Teton Creek	160
185 Hendrickson, William; June 15, 1899; Badger Creek	120
187 Letnam, P. D.; July 15, 1899; Swamp	140
191 Randolph, Frantz; Mar. 15, 1900; Pack Saddle Creek; also a sufficient amount of the high water of said creek to fill reservoir	160
192 Eynon, Rufus; Apr. 1, 1900; Trail Creek	80
195 Barrett, Nathan A.; May 11, 1900; Driggs Springs and water from swamps	160
199 Allen, George W.; May 26, 1900; Mahogany Creek	220
199 Carrington, Enock; May 26, 1900; Mahogany Creek	160
200 Bush, George W.; June 1, 1900; Fox Creek	120
200 Hegsted, Victor; June 1, 1900; Horse Shoe Creek	160
200 Canyon Creek Canal & Irrigation Co.; June 1, 1900; Canyon Creek	800

206 Herendeen, W. K.; June 1, 1900; Darby Creek	80
206 Henrie, Joseph O.; June 1, 1900; North Leigh Creek	40
200 Henrie, John; June 1, 1900; North Leigh Creek	10
200 Henrie, Wallace; June 1, 1900; North Leigh Creek	110
200 Hannell, George; June 1, 1900; Badger Creek	40
200 Hubbard, Susan; June 1, 1900; North Leigh Creek and Middle Leigh Creek	60
200 Homer, Benjamin P.; June 1, 1900; Mahogany Creek	200
200 Hochstrasser, R. H.; June 1, 1900; Badger Creek	20
200 Sautter, John G.; June 1, 1900; North Leigh Creek	50
200 Simmons, John; June 1, 1900; North Leigh Creek	40
200 Morris, William L.; June 1, 1900; Garner Creek and Trail Creek	110
201 Leighs Creek Canal Co.; June 16, 1900; South Leigh Creek	2,900
203 Hendrickson, Adolphus; July 5, 1900; Badger Creek	100
204 Letnam, P. D.; July 15, 1900; Swamp	120
206 Bagshaw, Ellen; Aug. 15, 1900; Pine Creek	30
208 Hill, John W.; Oct. 1, 1900; Pack Saddle Creek	160
211 Island Ward Canal Co., Ltd.; Jan. 23, 1901; North Fork of Teton River	5,000
212 Hague, William A.; Mar. 25, 1901; Teton River	100
213 Bevan, Maria; Apr. 6, 1901; Swamp Creek	80
215 Hendrickson, G. W.; June 1, 1901; North Leigh Creek	60
215 Priestly, W. W.; June 1, 1901; Little Badger Creek	160
215 Mickelson, Peter; June 1, 1901; South Leigh Creek	140
215 Smith, D. G. S.; June 1, 1901; Spring	20
215 Waterman, L. C.; June 1, 1901; Little Dry Creek	40
215 Simmons, John; June 1, 1901; North Leigh Creek	60
215 Johnson, James W.; June 1, 1901; Moody Creek	40
To be reduced to 20 inches after June 20th of each year	
215 Jarman, Arthur; June 1, 1901; South Leigh Creek	20
215 Hill, Joseph S.; June 1, 1901; Pack Saddle Creek	20
218 Hatch, Lamoine; Sept. 1, 1901; Spring Creek	160
218 Phillips, L. A.; Sept. 1, 1901; Spring Creek	40
228 Shirts, Wallace; May 15, 1902; Trail Creek	20
229 Canyon Creek Canal & Irrigation Co.; June 1, 1902; Canyon Creek	40
229 Haden Canal Co.; June 1, 1902; Badger Creek	2,700
229 Rammell, George; June 1, 1902; Badger Creek	930
229 Rammell, C. H.; June 1, 1902; Badger Creek	40
229 Phillips, Thomas A.; June 1, 1902; Badger Creek	30
229 Wood, Frank; June 1, 1902; Badger Creek	160
229 Hubbard, Susan; June 1, 1902; North Leigh Creek and Middle Leigh Creek	120
229 Morris, Samuel; June 1, 1902; Trail Creek	60
229 Larsen, A. C.; June 1, 1902; Darby Creek	80
229 Kirsley, Edwin N.; June 1, 1902; Spring Creek	60
229 Jarman, Arthur; June 1, 1902; South Leigh Creek	60
229 Sheser, William; June 1, 1902; seepage water in springs on place	150
229 Gilbert, Albert; June 1, 1902; Horse Shoe Creek	40
231 Eynon, L. L.; June 15, 1902; Spring Creek, a tributary of Pine Creek	120
241 McNally, Gilbert; May 1, 1903; Trail Creek	40
242 Webster, James W., and Charles H. Woodmansee; May 23, 1903; Moody Creek	2,000
For reservoir purposes between the 15th day of March until the 15th day of June of each year	

PROFILED

22-341B

SCANNED
APR 27 2005



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: **A22-00341B**
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, 1900

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	0.090		

7. Total Quantity Appropriated is:
0.090 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

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:

A22-12047, A22-12049, A22-12050.

14. Remarks:

THIS CLAIM IS FOR 3/4 OF DECREEED RIGHT 22-0341.

15. Basis of Claim: DECREEED

Water Right Number: 0341

Case Number:

Court :

Decree date: / /

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: _____

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 A22-00341B

Ident. Number: A22-12048

Date Received: *10/6/88*

Receipt No: *E002965*

Received By: *TO*

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 01, 1900

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	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	0.090		

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

A.F.A.

MICROFILMED

8. Total consumptive use is 206.0 Acre Feet Per Annum. **NOV 6 1988**

9. Non-irrigation uses:
NONE

A22-12048

Page

1

Date: 10/03/88

RECEIVED
PROFILED
OCT 1988
Department of Water Resources
Eastern District Office

SCANNED

APR 28 2005

MICROFILMED
NOV 6 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:
A22-12047, A22-12049, A22-12050.

14. Remarks:
THIS CLAIM IS FOR 3/4 OF DECREED RIGHT 22-0341.

15. Basis of Claim: DECREED
Water Right Number: 0341
Case Number:
Court :
Decree date:

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON CANAL CO.
Decree Defendant

MICROFILMED

NOV 06 1996

A22-12048

Page

2

SCANNED

APR 28 2005

Date: 10/03/88

PROFILED

MICROFILMED

NOV 06 1996

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 Beaud & Jeanne Beaud Date: _____
_____ Date: _____

State of Idaho)
County of Idaho) SS.

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

Seal

Residing at Duggs
My Commission Expires 4-10-93

A22-12048

P14

23 40 40

P10

18

15

20

27

~~MICROFILMED~~

NOV 06 1992

SCANNED
APR 28 2005

~~MICROFILMED~~
NOV 06 1992

PROFILED