

02/01/2006

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

RIGHT NUMBER: 22-2105
NAME AND ADDRESS: WILMA BEVAN
198 N 400 W
TETONIA ID 83452

J LYNN BEVAN
198 N 400 W
TETONIA ID 83452

SOURCE: HORSESHOE CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.460 CFS
PRIORITY DATE: 07/09/1920
POINT OF DIVERSION: T05N R44E S15 SENWSE Within TETON County
PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	4/15 10/15	0.460 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T05N R44E S11 NESW 21.00	T05N R44E S11 NWSW	6.30
	T05N R44E S11 SWSW 20.00		
	47.3 ACRES TOTAL		

Right Nos. 22-268 and 22-2105 are limited to the irrigation of a combined total of 47.3 acres in a single irrigation season.

This right is limited to the irrigation of 23 acres within the place of use described above in a single irrigation season.

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

02/01/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-2105

WILMA BEVAN
198 N 400 W
TETONIA ID 83452
Telephone Number: (208)456-2823

J LYNN BEVAN
198 N 400 W
TETONIA ID 83452
Telephone Number: (208)456-2823

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-8-06

SIGNATURE:

Please print your name:

J. Lynn Bevan

Wilma Bevan

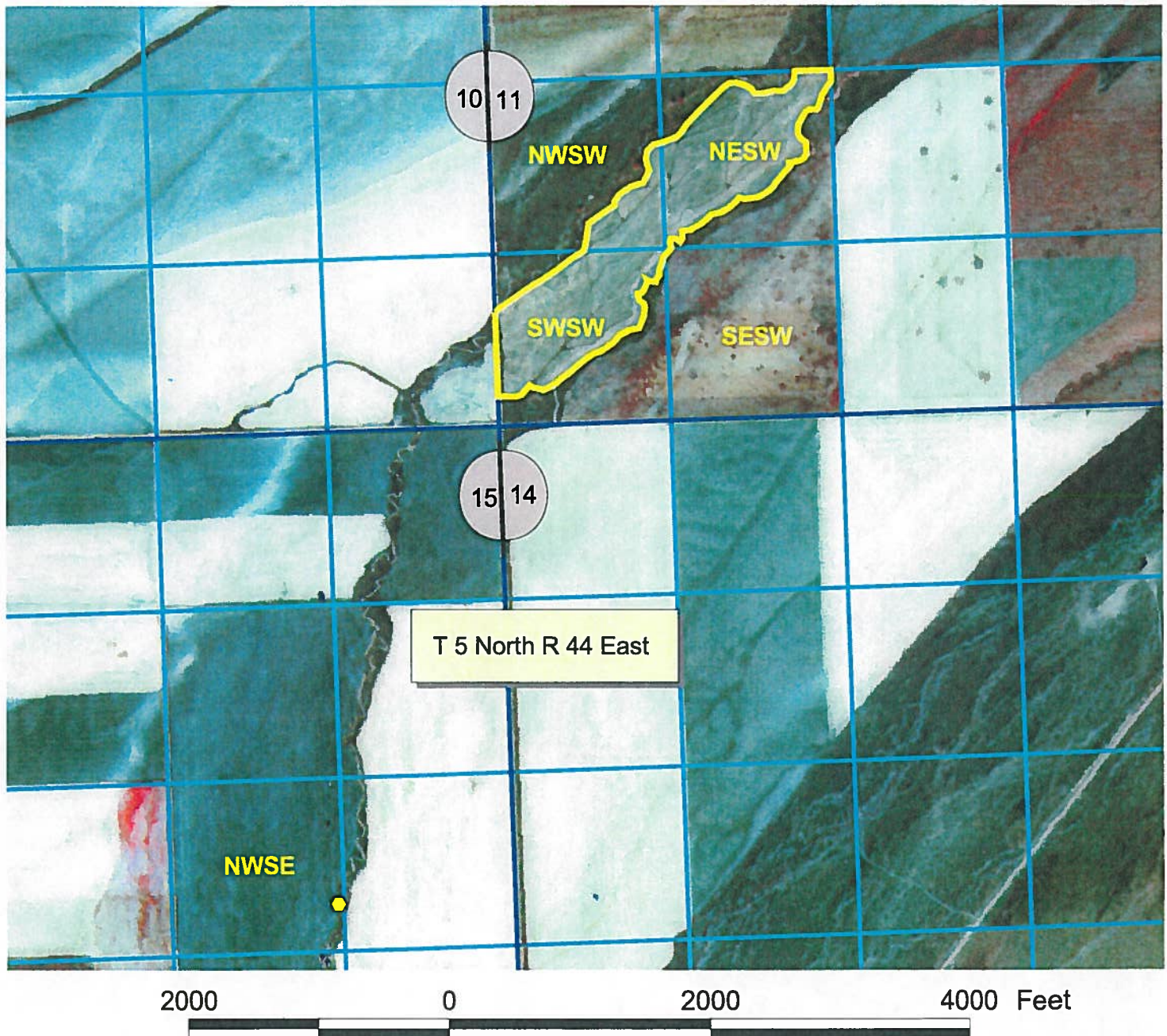
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 22-268, 22-2105



- Place of Use
- Points Of Diversion
- Sections
- Quarter Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: Feb. 2006



Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
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Current Owner: LYNN BRYAN Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.LICENSOR 22 SEPT 1921.LICENSOR w/ 0.46 cts on 23 AC (0.02 cts/AC)Claims 0.46 cts on 50⁰⁰ ACPOLL overlap w/ OTHER DECROD RTS22-61, 22-189 AND 22-268

Reviewer: _____ Date: _____

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 7/09/1920 Claimed Basis: Lie.Recommended Priority Date: " Recommended Basis: "

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

MATCHES LICENSE

Reviewer: _____

Date: _____

Water Right No(s).



GPS DATA:

Tag # ADP 13866 Location: headgate

Diversion Data:

Source: Horseshoe Creek Trib to: Teton River

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Field Exam Date: 7/24/04 Agent: AD

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
5N	44E	15		NWNESE		HORSESHOE CR	TETON RIVER

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
5N	44E	22		SWSWNE		HORSESHOE CR	TETON RIVER

c#3

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

8/2/04 Field exam showed a headgate and diversion works were used to divert water from HORSESHOE Creek

There are 2 pts of diversion that Mr. Bevan uses depending on the amount of water in Horseshoe Creek. When the water is low this one is generally used.

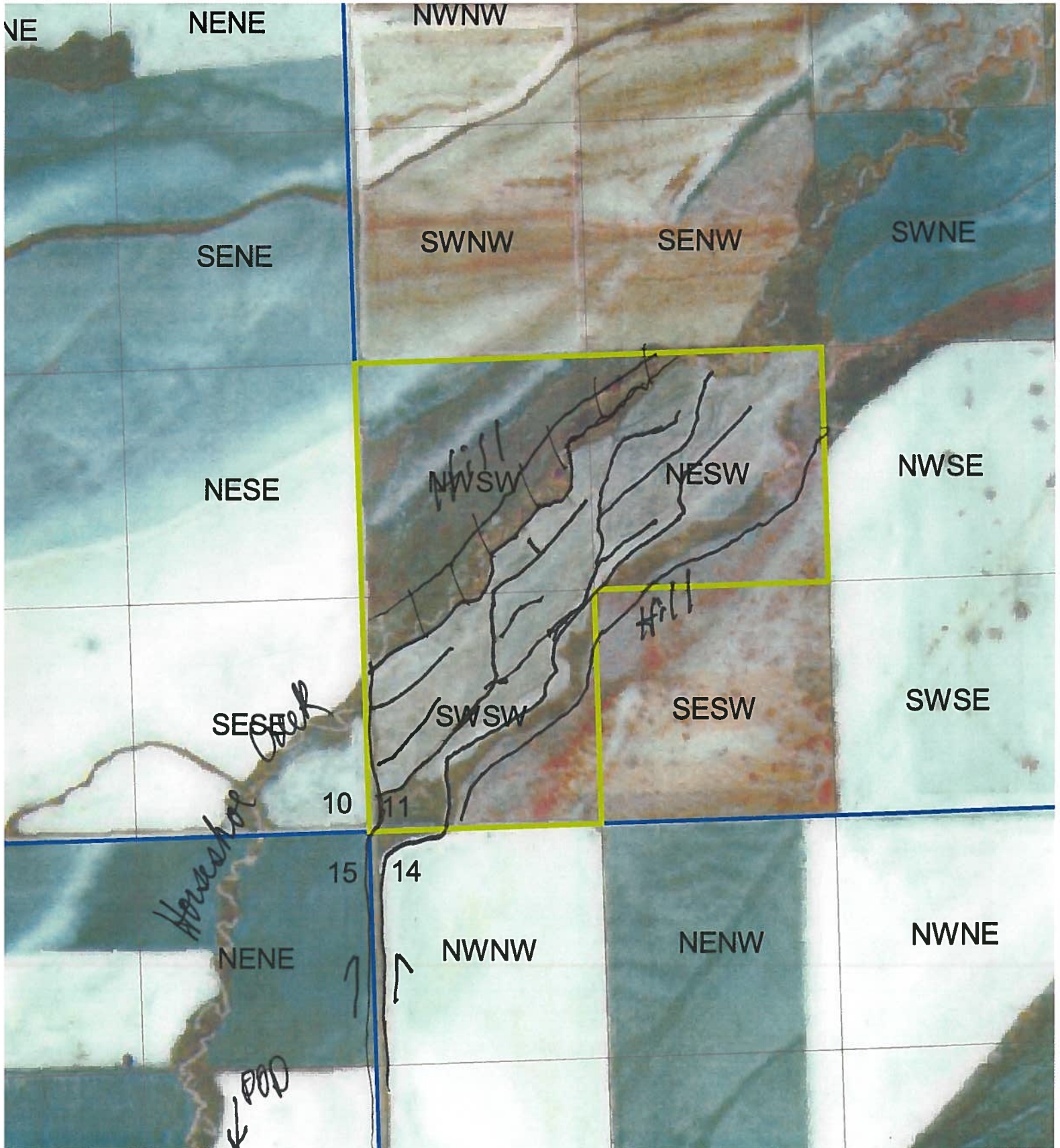
These POD can also be used to water claim A2200189. USGS Quad W-99 shows source as 'HORSESHOE'

Reviewer: _____ Date: _____

22-2105

5N 44E

8/25/04



Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

8/2/04 a series of ditches and dams are used to irrigate the claimed land.

Reviewer: _____ Date: _____

State of Idaho
License and Certificate of Water Right

Water License No. 14826
 Water District No. 36-G

Amount 0.46 sec. ft.
 Priority 7-9-20

THIS IS TO CERTIFY that JAMES T. BEARD, JR.
 of Driggs, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated July 9, 1920; that Permit No. 14826
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 three second feet, was issued thereunder on August 5, 1921, showing that said works
 were completed on the 11th day of July, 1921; and that on the 20th
 day of August, 1921,

JAMES T. BEARD, JR.

of Teton, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of Horseshoe
 Creek, a tributary of Teton River, for the purpose of irrigation
 & domestic use under Use Permit No. 14826 of the Commissioner of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of
 Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
 Volume 5 of Licenses, at page 2840, on the 22nd day of September, 1921;

The right hereby confirmed dates from July 9, 1920;

The Point of Diversion is located about 14 rods west of the SE cor. of
 in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, Tp. 5 N., R. 44 E., B. M.
 County of Teton.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
 exceed 0.46 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	44 E.	11	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	--
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	--
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	23
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	--

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
 this 22d day of September, 1921.

W. G. SWENDSEN
 Commissioner of Reclamation.

(SEAL)

22 2105

REPORT OF ENGINEER

This proof is for Beneficial Use.In Water District No. 36-C

1. State name of applicant and number of permit: James T. Beard, Jr. - 14826
2. State source of water supply: Horse Shoe Creek.
3. Location of point of diversion: 14 rods W of SE Cor of NE¹/₄ Sec. 15-5N-44E

4. Describe works as they exist, giving dimensions and capacities of same: Head gate 3 ft wide, 2 ft high, 4 ft long. Control 2 1/2 ft wide, 4 ft long, 2 ft deep, 1/4 mile ditch 3 ft wide, 1 ft deep

5. State whether or not water has been turned into works of diversion: yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SW¹/₄ Sec. 11, T. 5 N. R. 44 E.

23 Acres.

7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system?
9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Teton River
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks:

This examination was made on the 25th day of July 1921

(Signed)

Head St. Goldman

Examiner.

14826

OVER

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

County of.....

} ss.

....., being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this.....day of.....19.....

My commission expires.....

Notary Public.

Dist. 36-C

James T. Beard, Jr.,
Tetonla, Idaho

Permit 14826

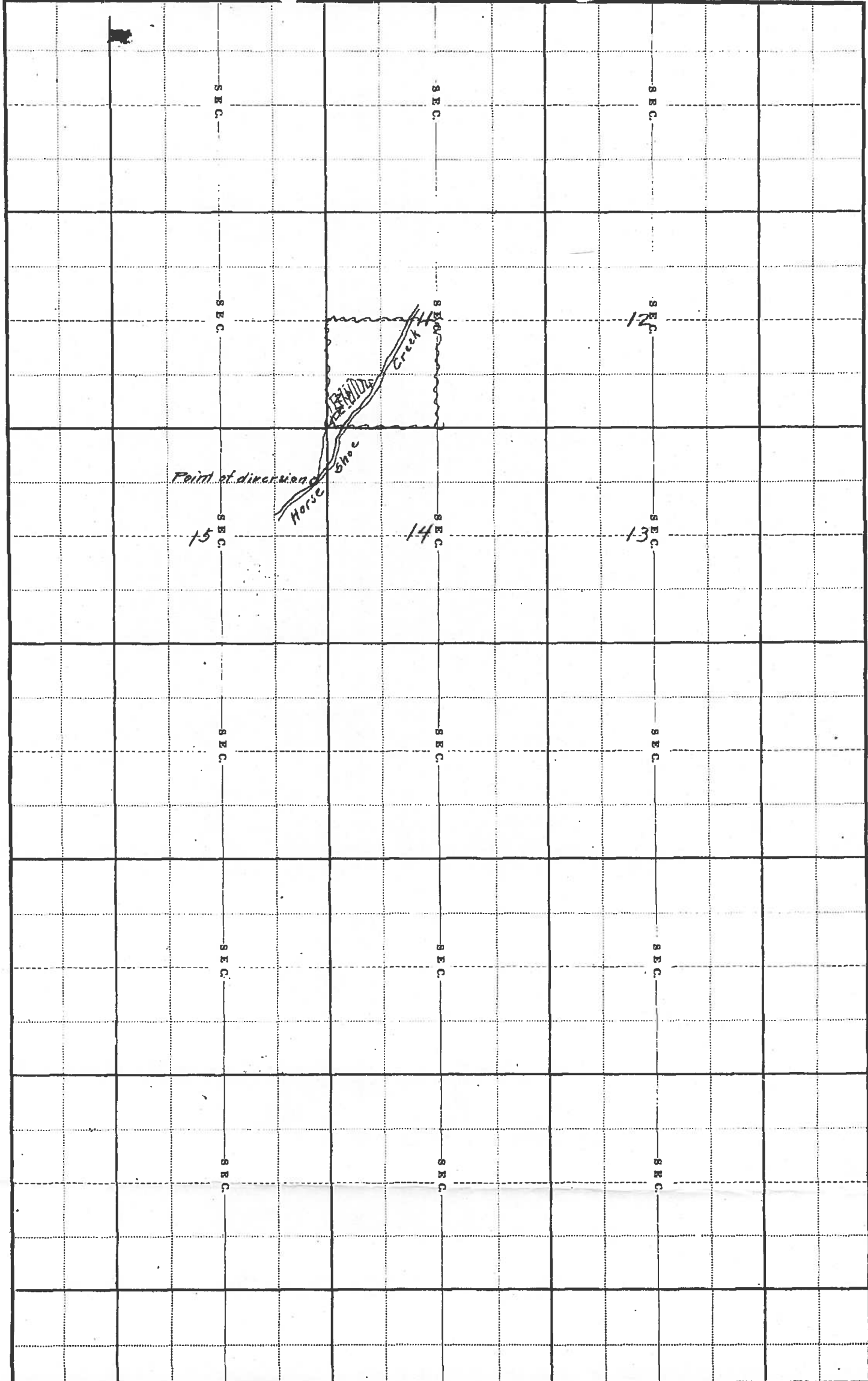
Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streets and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

NAME OF APPLICANT J.T. Beard Jr.

Beneficial use
Permit # 14826

7/25/21
H



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

14826

Sam a 8 A22-00268

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: A22-02105
Date Received: 9/29/1988
Receipt No: 1006/473
Received By: g ve

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LYNN J. BEVAN 208-456-2823
Address: 198 N. 400 W.
RT. 1 BOX 1170
TETONIA, ID 83452

Name: WILMA BEVAN 208-456-2823
Address: 198 N. 400 W.
RT. 1 BOX 1170
TETONIA, ID 83452



2. Date of Priority: JUL 09, 1920

3. Source: HORSESHOE CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	44E	15	NW	NE	SE		TETON

5. Description of diverting works:
DITCHES WITH FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.460		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

A22-02105

Page 1

Date: 09/29/88

MICROFILMED
OCT 29 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	44E	11	NE		SW		IRR	20.0
			NW		SW		IRR	7.0
			SW		SW		IRR	23.0
							Section Acres	50.0
							Total Acres	50.0

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:
A22-00268,A22-00061

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 14826

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): J. Lynn Benson Date: Sept. 29, 1988
_____ Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 29 day

of Sept. 19 88

John Dale Carter
Notary Public

Seal

Residing at Boise Id

My Commission Expires 9/2/89

T5N

770 000
FEET

43°45'

111°15'

750 000 FEET

Produced and published by the Geological Survey
in cooperation with the U.S. Forest Service

Orthophotograph prepared from 1:80,000-scale
aerial photographs taken September 2, 1974

Projection and 10,000-foot grid ticks: Idaho coordinate
system, east zone (transverse Mercator)
1,000-metre Universal Transverse Mercator grid ticks,
zone 12. 1927 North American datum

Photoimagery transformed by scanning techniques

MICROFILMED
OCT 29 1974