

08/29/2006

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

RIGHT NUMBER: 22-13147

NAME AND ADDRESS: JAMES WILLIAM BEARD AND LEONA BEARD TRUST
RT 1 BOX 1790
TETONIA ID 83452

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 3.000 CFS

PRIORITY DATE: 01/18/1905

POINT OF DIVERSION:

T06N R46E S31 SWNW Lot 2 Within TETON County

T06N R46E S31 SWNW Lot 2 Within TETON County

T06N R46E S32 NWNWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

3.000 CFS

PLACE OF USE: IRRIGATION Within TETON County

T06N R45E S36	NWNE	40.00	T06N R45E S36	NENW	40.00
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T06N R45E S36	NWNW	38.00	T06N R45E S36	SWNW	5.50
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T06N R45E S36	NWSW	10.00			
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133.5 ACRES TOTAL

Right Nos. 22-13143 and 22-13147 are limited to the irrigation of a combined total of 133.5 acres 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 - Decreed

Water is delivered through Desert Ditch, South Beard Ditch and or North Beard Ditch.

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

This right is a split from former right 22-208A.



Idaho Department of Water Resources

SRBA Recommendation:

22-13147

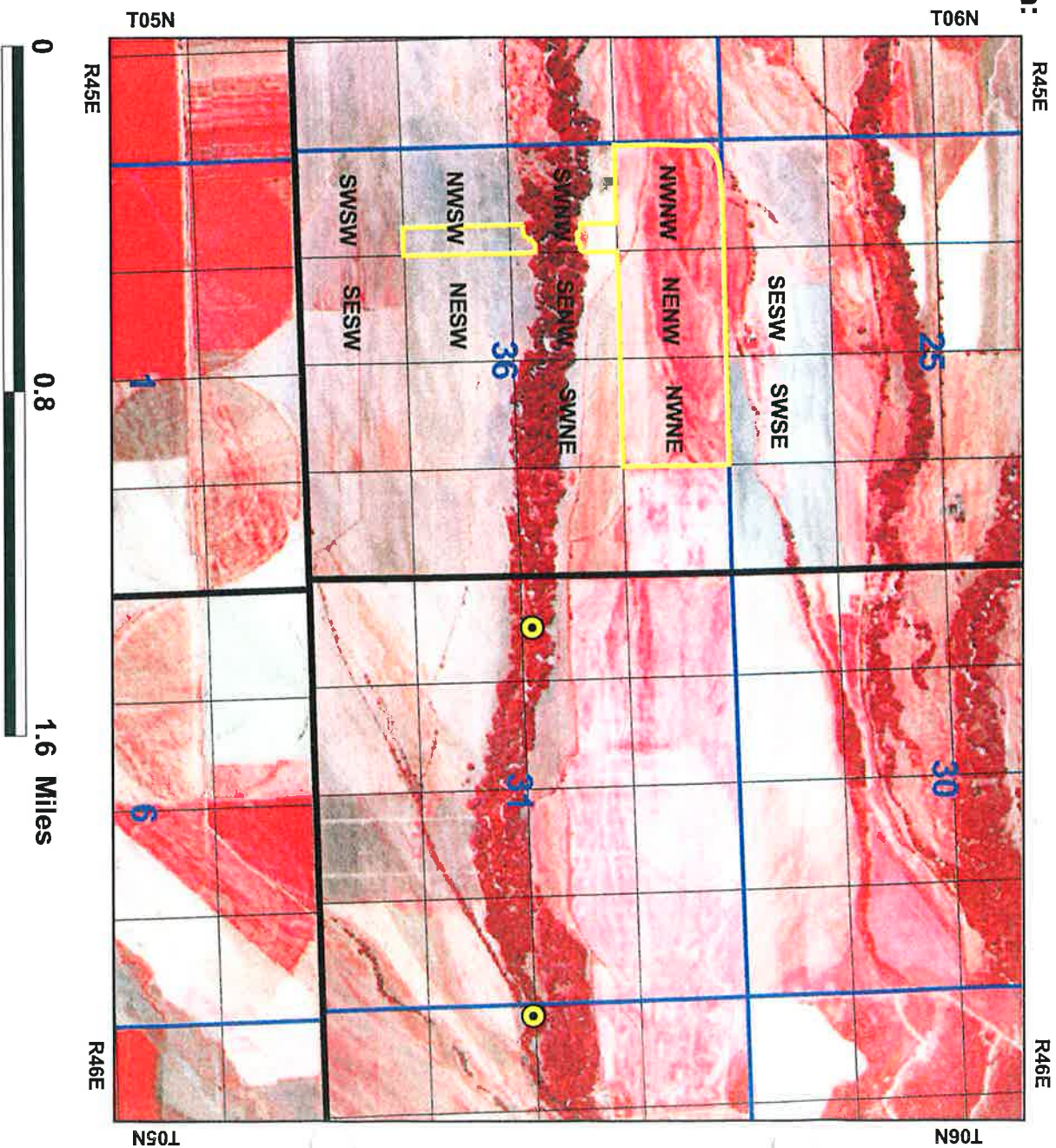
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters

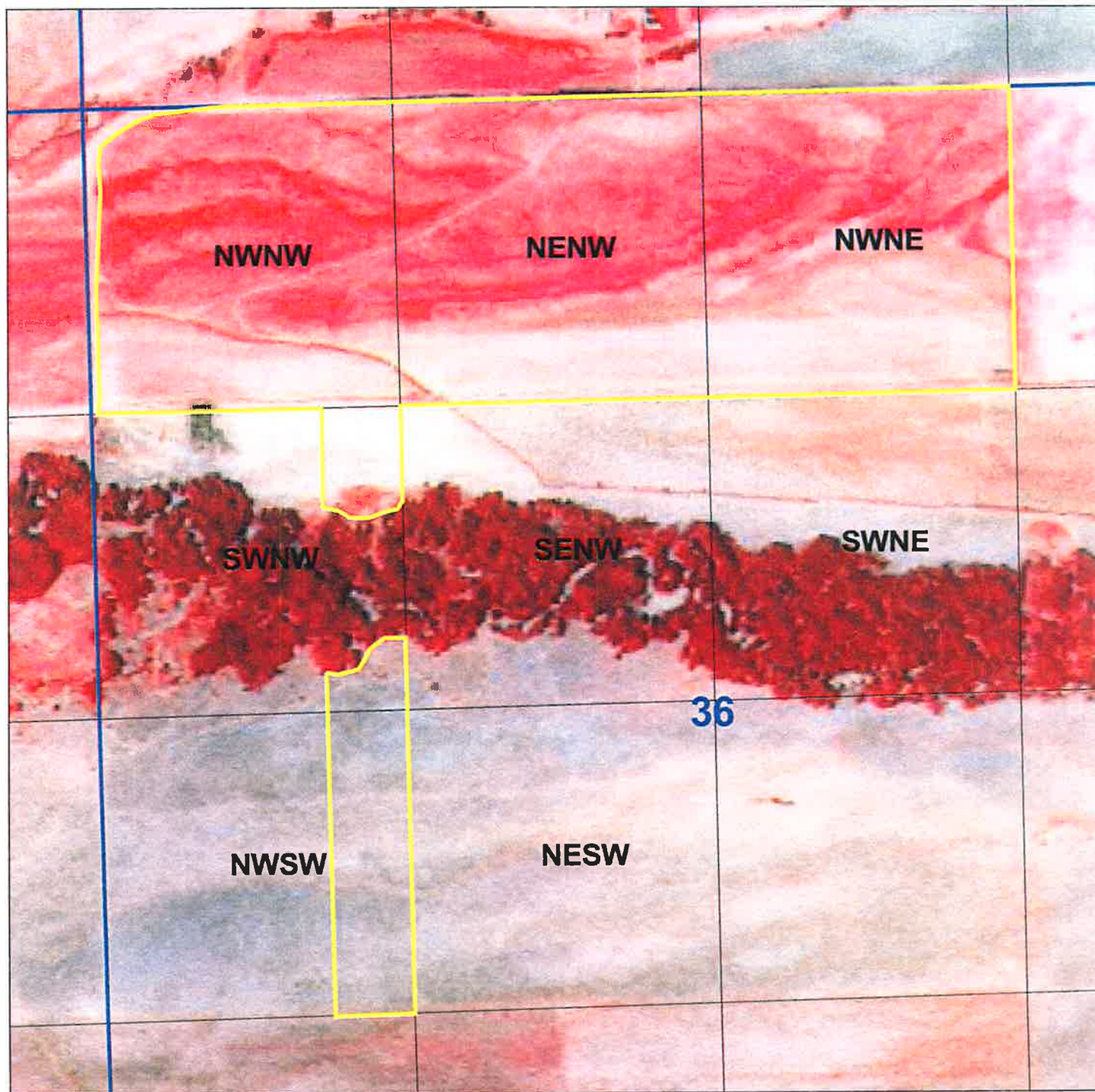


Teton County
IDWR Basin 22



Prepared by T. Galbraith
On Wednesday, June 7, 2006
1987/88 Aerial Photography

22-13147



3-20-06

Allen Rubery originally recommended the
land for 22-13143 + 22-13144 all together.
Through NCEs we have corrected that and recommended
Beards portion to Beard and Smith's portion to
Smith and did a combine use limit with
22-13143 and 22-13147 as well as 22-13144 and
22-13148.

76

150 Acres of original
W2 Pou

01-041✓

~~0134~~ of Idaho Falls, 2,400 inches. Oct. 22, 1904. Snake River. (for Power and municipal Purposes)

~~0134~~ 22 0203✓
City of Rexburg

1,650 inches. Apr. 1, 1898. Teton River.
(For municipal and power purposes)

~~0134~~ 22 0204✓
City of Rexburg

1,350 inches. June 10, 1883. Teton River.
(For municipal and power purposes.)

~~0134~~ 1 042✓

Clark & Edwards
Irrigating
Company,
Limited.

3,500 inches. Feb. 27, 1885. South Fork of Snake River.

~~0134~~ 22 0205✓
Clark & Houghton

160 inches. June 1, 1891. Teton River.

~~0134~~ 22 0206✓
Clark & Houghton

200 inches. Apr. 1., 1898 Teton River.

~~0134~~ 22 0207✓
Clark, H. J.

160 inches. May 15, 1898. Teton River.

Clark, J. P. L.

Good Luck Canal Com-
pany and Pioneer
Ditch Company.

~~0134~~ 22 0208✓

Clawson, B. W.

500 inches. Jan. 18, 1905. North Leigh or Spring Creek.

~~0134~~ 22 0209✓

Clawson, Spencer

150 inches. Jan. 18, 1905. North Leigh or Spring Creek.

~~0134~~ 22 0210✓
Clawson, Spencer,
Admx. Estate of

500 inches. Jan. 18, 1905. North Leigh or Spring Creek.

Clay, S. C.

The Sunny Dell Irriga-
tion Canal Company.

Clay, Z. T.

The Sunny Dell Irriga-
tion Canal Company.

Clegg, William

The Farmers' Friend
Canal Company.

Cleverly, George F.

Enterprise Canal
Company.

Cleverly, Herbert

The Farmers' Friend
Canal Company.

Cleverly, Jesse
and Mary Ann

The Farmers' Friend
Canal Company.

Cleverly, John H.

The Farmers' Friend
Canal Company.

Cleverly, William

The Farmers' Friend
Canal Company.

~~0134~~ 22 0211✓
Cluff, Charles.

10 inches. June 1, 1897. Fox Creek.

Clawson, Spencer,
Admx. of
Estate of

SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 24,
SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 23, NW $\frac{1}{4}$ of Sec.
25, W $\frac{1}{2}$ of NE $\frac{1}{4}$. NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and
N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 25, E $\frac{1}{2}$ of NE $\frac{1}{4}$
and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 26, T. 6 N., R.
44 E. B. M. containing 640 acres.

Clawson, Spencer

Lots 1, 2, 3 and 4 and S $\frac{1}{2}$ of ~~Sec. 3~~
R. 45 E., B. M. S $\frac{1}{2}$ of ^{2 1/2} Sec. 34 T. 6 N.,
R., 45 E., B. M.

Clawson, B. W. Jr

Sec. 36, T. 6 N., R. 45 E., B. M., contain-
ing 640 acres.

Clow, F. T.

W $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 27. T. 1 N. R. 37 E.,
B. M., containing 80 acres.

Cluff, Charles

SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, and lots 2
and 3 of Sec. 19 T. 4 N., R. 46 E. B. M.,
E $\frac{1}{2}$ of NW $\frac{1}{4}$, and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 26
T. 13 N. R. 43 E., B. M., containing 120
acres.

Conant Creek
Canal Company

Lands of stockholders of said Company, the
description of said lands and the names of
said stockholders not being given in the
pleadings of said company.

Consolidated Farmers
Canal Company,
Limited.

Lands of stockholders of said company, the
description of said lands and the names of
said stockholders not being given in the
pleadings of said company.

Consolidated
Feeder Canal
Company

Lands of stockholders of said company, the
description of said lands and the names of
said stockholders not being given in
the pleadings of said company.

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
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Current Owner: BEARD TRUST 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.C/O TO B. Smith 7/2000
C/O TO S. EIRICH (FROM BEARD 6/2004)SUG 22-208
Pacts H&JSUB ATTACHOO SPLIT ANALYSIS:THIS IS A PART OF 208APOW ORCP5CP5

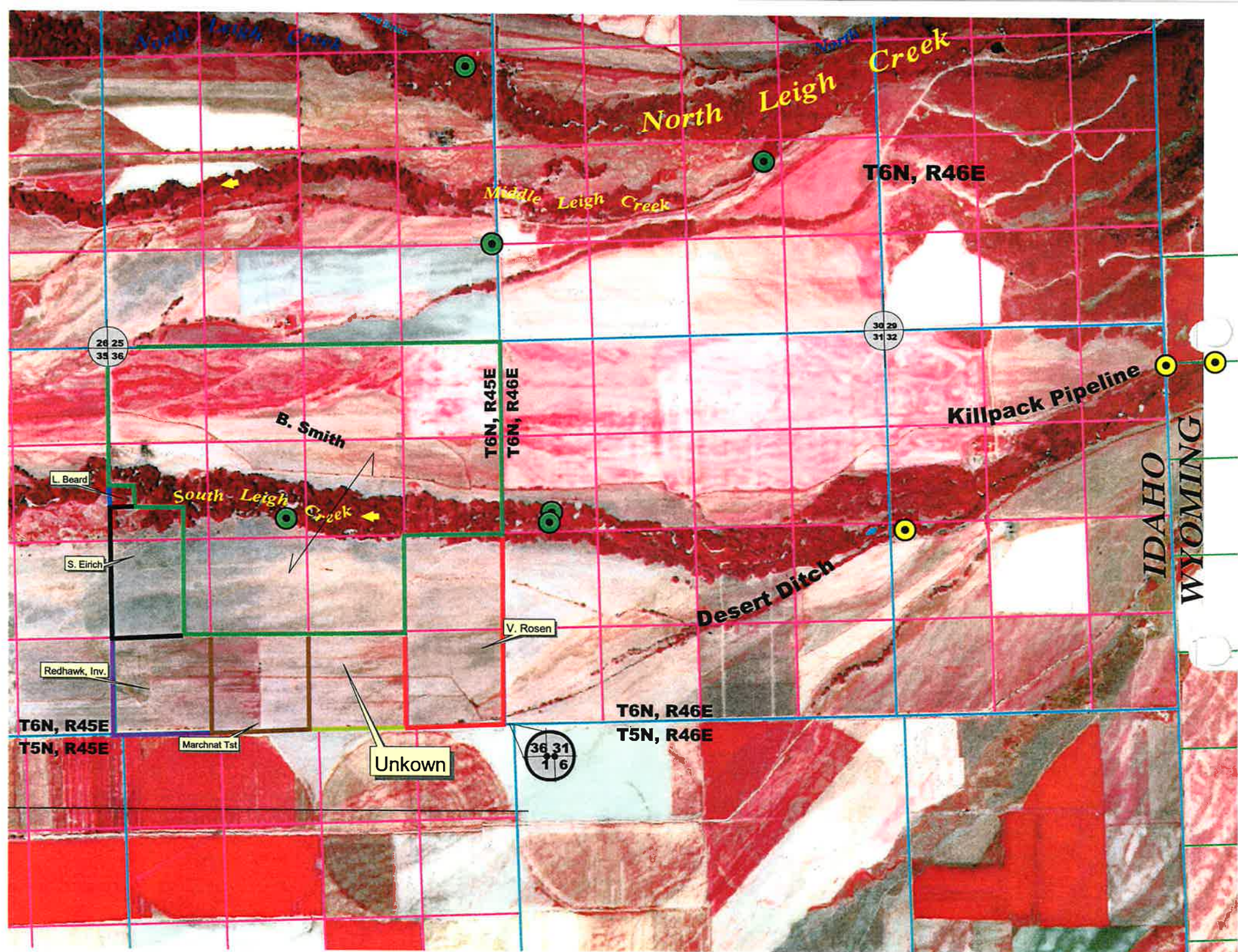
Reviewer: _____ Date: _____

SPLIT ANALYSIS: 22-208 AND SRBA CLAIMS

WATERIGHT	22-208, 1/18/1905, 10° cfs, All Sec. 36 6N/45E (GIS 532° AC)		
	DERIVED FROM NO. LOUGH AND SPRING CR - SOURCE ACTUALLY SO LOUGH		
	$10^{\circ} \text{ cfs} \div 532^{\circ} \text{ AC} = 0.01879 \Rightarrow 0.019 \text{ cfs/AC}$		
	SRBA CLAIMS: SO. LOUGH CR, 1/18/1905		
	22-208 - SPLIT TO A AND B $\Rightarrow$ OVERCLAIMED		-
BEARD	22-208A - SPLIT TO 13147 AND 13148 ^{1/2 to Smith} Smith		-
HILLER, et al	22-208B - SPLIT TO 22-208C, D, E, F		-
WARONANT	22-208C - (FROM B), 0.774 cfs, 40° AC	0.73	39°
REDHAWK INV.	22-208D - SPLIT TO 13257 AND 13258 - PARENT		-
HILLER, et al	22-208E - (FROM B), 0.774 cfs, 40° AC.	0.73	39°
DREAM PROPS.	22-208F - (FROM B), 1.588 cfs, 80° AC	1.41	75°
D. KERR	22-208G - (ORIGINAL CLAIM 22-11644) SPLIT TO 22-208H AND J		-
V. ROSON	22-208H - (PART OF 11644), 0.40 cfs, 20° AC	0.51	27°
L. BEARD	22-208J - (PART OF 11644), 0.40 cfs, 20° AC		-
S. EIRICH	22-11644 - REMEMBERED TO 22-208G - SPLIT TO H AND J		-
BEARD TRUST	22-13147 - 2.60 cfs, 130° AC		31°
SMITH	22-13148 - 2.90 cfs, 145° AC ^{315°} 313° AC		
SMITH	22-13160 - 0.625 cfs, 40° AC (0.73)		
REDHAWK INV.	22-13257 - (PART OF D), 0.21 cfs, 10° AC		38°
WINDHORSE INC.	22-13258 - (PART OF D), 1.37 cfs, 69° AC	(1.58 cfs) 0.73	39°
		9.99 on 532	

**Desert Canal Heading.
7/12/2004 10:16:18 AM; ABR, CF
Diversion off So. Leigh Creek.**





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
①	106N	46E	32		SE NW	Teton	South Leigh	Teton River
②	106N	46E	32		NE SE	Teton	South Leigh	Teton

Deseret Ditch
Hog CanalRecommended Point(s) of Diversion and Source.

	Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
①	106N	46E	32		SE NW	Teton	South Leigh	Teton River
③	106N	46E	31		SW SW NW NE NW SW	Teton	South Leigh	Teton

Deseret Ditch
Hog Canal

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

Claimed / The ① POD is the Deseret Ditch Tag # A0014206.
 The ② POD is the Hog Canal at State Line and does not
 supply any water to these grounds!

Recommended / The ① POD is used for grounds on the South side of South Leigh.
 The ③ POD There are two POD's one on South side of
 Creek and one on North side of Creek. Both have
 been historically used. ③ South side GPS Tag # A0013882
 North side # A0014395

Reviewer: _____ Date: _____

26 25
35 36

22-13147
B. Smith

22-13160

T6N, R45E
T6N, R46E

L. Beard

South Leigh Creek

S. Eirich

PART A
22-208H45
27 AC
PART B

3/5°
22-13148

$\angle_{AC} = 532^\circ$

22-208F
75°

V. Rosen

Redhawk, Inv.

13257
39°
WINDHORSE INC.
22-13257
22-13258

22-208C
39°

22-208E
39°

T6N, R45E

T5N, R45E

Marchnat Tst

DREAM PROPS - KATER
Unkown

36 31
1 6

DELOG
AR 6-8-04

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

RECEIVED

JUN 02 2004

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

Department of Water Resources
Eastern Region

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
	A22-2084	AND J			
	A22-13143				
See Smith Pkts	A22-13145				
	A22-13147	⇒ THIS PART DON'T RELATE			
	22-615B				

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)

Lyle and Trixie Beard

4. New Owner/Claimant(s)

Susan B. Eirich

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

New Mailing Address

P.O. Box 368

City, State and ZIP Code

Driggs ID 83422

New Telephone Number

208 456-0926

5. Date you acquired the property

January 16, 1998

PROFILED

SCANNED
MAY 16 2005

RECEIVED

129280

15-9512-G

JAN 16 1998
TETON CO., ID
CLERK RECORDER

Warranty Deed

ALLIANCE TITLE & ESCROW CORP., INC.
P.O. BOX 644 / 78 N. MAIN STREET
ORIGGS, IDAHO 83422

For Value Received

LYLE BEARD AND TRIxie BEARD, HUSBAND AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto

SUSAN H.B. EIRICH, AN UNMARRIED PERSON

whose current address is P.O. BOX 706, CANON CITY, COLORADO 81215

the grantee, the following described premises, in TETON County Idaho, to wit:

PARCEL B

BEGINNING AT THE SW CORNER NW1SW1, SECTION 36, TOWNSHIP 6 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, AND RUNNING THENCE NORTH 880 FEET; THENCE EAST 990 FEET; THENCE SOUTH 880 FEET; THENCE WEST 990 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS, AND UTILITIES, 30 FEET WIDE ALONG THE MOST WESTERLY BOUNDARY OF THE NW1SW1 AND THE SW1NW1 OF SECTION 36.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all incumbrances except; Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: JANUARY 8, 1998

Lyle Beard
LYLE BEARD

Trixie Beard
TRIXIE BEARD

OFFICIAL SEAL
NANCY ANN PERRY
NOTARY PUBLIC - IDAHO
TETON COUNTY
MY COMMISSION EXPIRES 4/3/01

STATE OF IDAHO, COUNTY OF TETON
On this 14th day of January, 1998
before me, a notary public in and for said State, personally appeared

Lyle Beard and Trixie Beard

known to me to be the persons whose names are
subscribed to the within instrument and acknowledged to me that
they executed the same.

Nancy Ann Perry
Notary Public
Residing at _____, Idaho
Comm. Expires _____

129280
FILED
AT THE REQUEST OF
ALLIANCE TITLE AND ESCROW

AT 56 MINUTES PAST 10 a.m.
DATE Jan. 16, 1998
BY Anna J. Drake
CLERK OF RECORD
BY Mrs. Rigley
CLERK

SCANNED
MAY 16 2005

JAN 1 1998

TETON CO., ID.
CLERK RECORDER

129279

35-9512-G

Warranty Deed

ALLIANCE TITLE & ESCROW CORP., INC.
P.O. BOX 644 / 78 N. MAIN STREET
DRIGGS, IDAHO 83422

For Value Received

LYLE BEARD AND TRIxie BEARD, HUSBAND AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto

SUSAN H.B. EIRICH, AN UNMARRIED PERSON

whose current address is P.O. BOX 706, CANON CITY, COLORADO 81215

the grantees, the following described premises, in TETON

County Idaho, to wit:

PARCEL A

BEGINNING 880 FEET NORTH OF THE SW CORNER NW1/4 SW1/4, SECTION 36, TOWNSHIP 6 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, THE TRUE POINT OF BEGINNING, AND RUNNING THENCE NORTH 880 FEET; THENCE EAST 990 FEET; THENCE SOUTH 880 FEET; THENCE WEST 990 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS, AND UTILITIES, 30 FEET WIDE ALONG THE MOST WESTERLY BOUNDARY OF THE SW1/4 NW1/4 OF SECTION 36.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all incumbrances except; Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: JANUARY 8, 1998

Lyle Beard
LYLE BEARD

Trixie Beard
TRIXIE BEARD

OFFICIAL SEAL
NANCY ANN PERRY
NOTARY PUBLIC - IDAHO
TETON COUNTY
MY COMMISSION EXPIRES 4/3/01

STATE OF IDAHO, COUNTY OF TETON
On this 14th day of January, 1998
before me, a notary public in and for said State, personally appeared

Lyle Beard and Trixie Beard

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Nancy Ann Perry
Residing at _____, Idaho
Comm. Expires _____

Notary Public

129279

FILED
AT THE REQUEST OF

ALLIANCE TITLE & ESCROW

AT 55 MINUTES PAST 10 A.M.

DATE Jan 16, 1998

Chas. J. Drake
BY _____ CLERK OF RECORD
DEPUTY

SCANNED
MAY 16 2005

Twp. 6

TETON COUNTY, IDAHO

Range 45

E.B.M.

Beard Family Trust
% Boyd C Smith

Boyd C. Smith

4/11

0001

Boyd C. Smith
#3701
#3400

Lana Road
3750
#3909
3800
% Boyd C. Smith
#3703

Boyd C. Smith
BGS

Acres
N B
#3702

Circle

#3702

Wild
Gorse

Marchant
Family Long
Trust

Dream
Properties
LLC

Dream
Properties
LLC

Acres

Acres

00137

PROTECTED

SCANNED
MAY 16 2005

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

RECEIVED

JUN 02 2004

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
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Department of Water Resources
 Eastern Region

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
	A22-2084				
	A22-13143	- 1916 →	Smith		
	A22-13145	- 1916 →	Smith		
	A22-13147	1905 →	Smith		

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)

Lyle and Trixie Beard

4. New Owner/Claimant(s)

Susan B. Einich

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

New Mailing Address

P.O. Box 368

City, State and ZIP Code

Driggs ID 83422

New Telephone Number

208 456-0926

5. Date you acquired the property

January 16, 1998

Does?



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 30, 2000

JAMES WILLIAM BEARD AND LEONA BEARD TRUST
RT 1 BOX 1790
TETONIA ID 83452

RE: CHANGE IN OWNERSHIP FOR A22-00615A, A22-00615C,
A22-00208A

Dear Mr. and Mrs. Beard:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A22-00615A split into:
A22-13143: 4.0 CFS, 170 ACRES, BEARD
A22-13144: 3.4 CFS, 145 ACRES, SMITH

A22-00615C split into:
A22-13145: 0.15 CFS, 10 ACRES, BEARD
A22-13146: 0.15 CFS, 10 ACRES, SMITH

A22-00208A split into:
A22-13147: 3.4 CFS, 170 ACRES, BEARD
A22-13148: 2.9 CFS, 145 ACRES, SMITH

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure(s)

RECEIVED

JUL 24 2000

Department of Water Resources
Eastern RegionNEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPDATE OF CLOSING: 6/27/00LEGAL DESCRIPTION OF PROPERTY: See attached Warranty Deeds

[] 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)

[x] Water Rights Number(s)
Assigned by IDWR: A22-00615C, A22-00615A, A22-00208A

[x] Name and Address of Former
Owner/Claimant(s)(Seller): James William Beard and Leona Beard, Trustees
Route 1, Box 1790
Tetonia, Idaho

[x] New Owner/Claimant
(Purchaser): Boyd C. Smith and Jill Johnson Smith, Trustees

[x] New Mailing Address: 301 Coleridge Avenue
Palo Alto, California 94301

[x] New Telephone Number: (650) 493-5411

[x] 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:
That portion of the above referred to water rights which are appurtenant to the
property described on the attached Warranty Deeds is being transferred to the new
owner

[x] Attach proof of ownership, describe proof attached: Copy of Warranty Deeds

(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.)

[x] Signature of New
Owner/Claimant(s)

Boyd C. Smith, Trustee

Date _____

Jill Johnson Smith, Trustee

Date _____

[x] Signature of Former
Owner/Claimant(s)

James W Beard trustee Date 6-20-00
Leona Beard trustee

(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: By:

Claim Number of Split, if any:

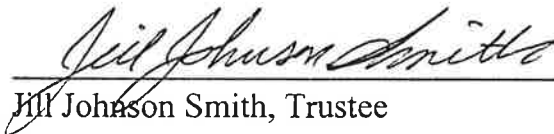
Original to be mailed to Idaho Department of
Water Resources. Copies to Former Owner and
New Owner

[x] Signature of New
Owner/Claimant(s)



Boyd C. Smith, Trustee

Date 6/20/00



Jill Johnson Smith, Trustee

Date 6/20/00

[x] Signature of Former
Owner/Claimant(s)

_____ Date _____

(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: _____ By: _____

Claim Number of Split, if any:

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

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 22-13147
Date Received: 11/22/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES WILLIAM BEARD AND LEONA BEARD TRUST Phone:

RT 1 BOX 1790
TETONIA ID USA 83452

2. Date of Priority: 01/18/1905

3. Source: SOUTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
06N	46E	32	SE NW	TETON
06N	46E	32	NE SE	TETON

5. Description of diverting works:

3 HEADGATES/DITCHES

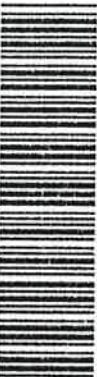
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	3.4 2600	

7. Total Quantity Appropriated is:
3.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:



From 2001

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	45E	36	NW	NE ✓	IRRIGATION	40 <i>ok</i>
			NE	NW ✓	IRRIGATION	40 <i>ok</i>
			SW	NW ✓	IRRIGATION	20 <i>ok</i>
			NW	SW ✓	IRRIGATION	10 <i>ok</i>
<i>Belongs to leg on 208A</i>			~~NE~~	~~SE~~	IRRIGATION	~~40~~ <i>no sy, Reason</i>
			NW	NW ✓	IRRIGATION	20 <i>ok</i>
					Section Acres	~~170~~ <i>130.</i>
					Total Acres	~~170~~

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:

14. Remarks:

15. Basis of Claim: Decreed