

08/30/2006

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

RIGHT NUMBER: 22-13538
NAME AND ADDRESS: BECKY CRAPO
2403 E 244 N
ST ANTHONY ID 83445
JARED CRAPO
2403 E 244 N
ST ANTHONY ID 83445

SOURCE: WASTE WATER TRIBUTARY:
QUANTITY: 0.040 CFS
PRIORITY DATE: 04/08/1910

POINT OF DIVERSION:
T07N R41E S19 SWNW Lot 2 Within FREMONT County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.040 CFS
PLACE OF USE:	<u>IRRIGATION Within FREMONT County</u>		
	T07N R41E S19 Lot 3 NWSW 2.00		
	2 ACRES TOTAL		

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

This right is a split from former right 22-2050 .

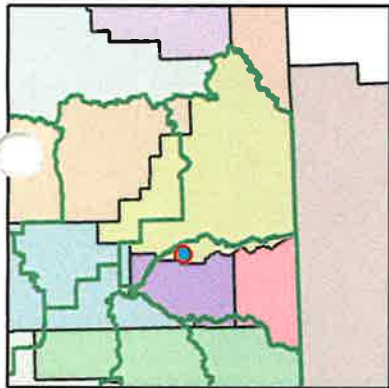


Idaho Department of Water Resources

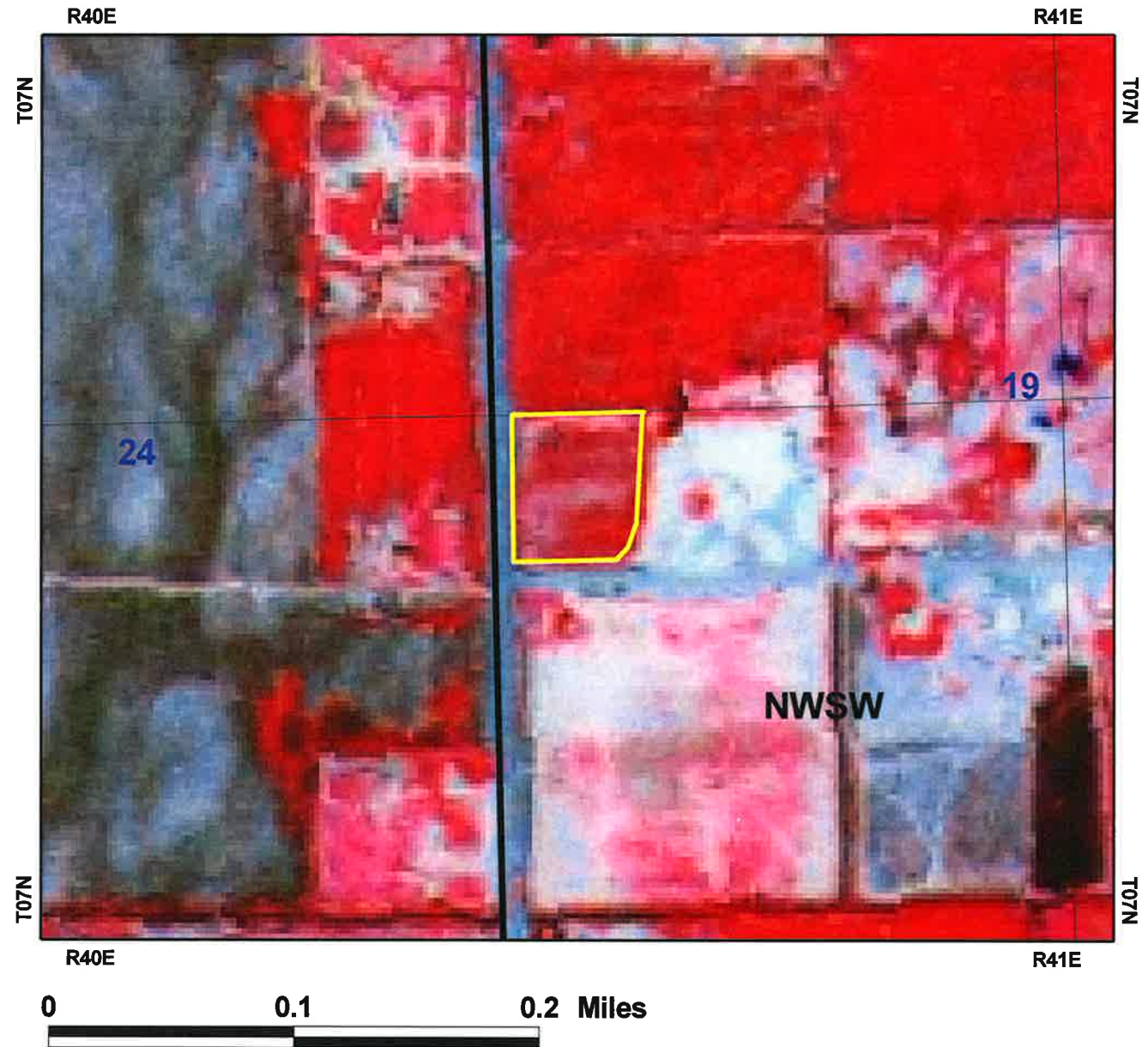
SRBA Claim:
22-13538

Legend

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



Fremont County
IDWR Basin 22



Prepared by J. Crabtre
On Friday, June 2, 2006
1987/88 Aerial Photography

Owner: **BECKY CRAPO**

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

- 10-20-06 called Becky talked to her mom. she said she would call becky and have her call me. Regarding NOE.

JB

- Jared Crapo called back said he doesn't understand how he owned .12 cts then all of a sudden he has .04 cts. I explained that the .1206 was only a claim and that based on the license he is entitled to .04 cts. He said he actually owns 3 acres according to plat map. I told him to get me the plat map. JB 10-20-06

County: Fremont
Stream: Unnamed Stream
Amount: 1.36 cu.ft. per sec.
Use: Irrigation and domestic
Priority: April 8, 1910

STATE OF IDAHO

Water License No. 6015

WHEREAS, On the 8th day of April, A. D. 1910,

O. K. Meservy

of St. Anthony, County of Fremont, State of Idaho, duly made application (No. 8600) to me for a permit to use four (4) cubic feet per second of the waters of an unnamed stream

County of Fremont, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 29th day of April, A. D. 1910, Permit No. 6015 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 29th day of April, A. D. 1911, and for the application to beneficial use of said water on or before the 29th day of April, A. D. 1914, and,

WHEREAS, On the 29th day of April, A. D. 1911,

O. K. Meservy

the holder of said permit, duly made proof of the completion of adequate works for the diversion of four (4) cubic feet per second of said waters, as evidenced by my Certificate No. 6015 dated June 12, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use four (4) cubic feet per second of said water, with date of priority of April 8, 1910, and

WHEREAS, On the 4th day of April, A. D. 1914,

O. K. Meservy

the holder of said permit, duly made proof of the application to beneficial use of 1.36 cubic feet per second of said water.

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to O. K. Meservy

of St. Anthony, County of Fremont, State of Idaho, the holder and owner of said Permit No. 6015, a perpetual right, dating from April 8, 1910 to the use of 1.36 cubic feet per second of the waters of an unnamed stream,

in the County of Fremont and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at the S.E. Cor. of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 18, T. 7 N., R. 41 E.B.M.,

and conducted to and upon 68.4 acres, divided as follows: 13.3 acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 19, T. 7 N., R. 41 E.B.M.; 36.4 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and 18.7 acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 24, T. 7 N., R. 40 E.B.M.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source or supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 14th day of December A. D. nineteen hundred and fourteen.

Herbert Wing,

(Seal)

Acting State Engineer

22 3050

**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: 22-13538

BECKY CRAPO
2403 E 244 N
ST ANTHONY ID 83445
Telephone Number: (208)458-9826

JARED CRAPO
2403 E 244 N
ST ANTHONY ID 83445
Telephone Number: (208)458-9826

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

Don't agree with Diversion Rate Being dropped from .100 to .040. I bought this property with the knowledge of this diversion amount, ~~I am~~

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

Leaving Diversion amount alone is what I would like. Diversion Rate .100

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

I am going to start putting horses on the pasture & the water is a must with stock animals. also used for agricultural Pasture!

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

DATE: _____ SIGNATURE: _____

Please print your name: _____



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

June 2, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

JOSEPH MESERVY
243 N 2400 E
ST ANTHONY ID 83445

RE: CHANGE IN OWNERSHIP FOR 22-2050

Dear Mr. Meservy:

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:

22-2050 split into:

22-13537: 1.24 cfs, 20 acres, Meservy & Meservy

22-13538: 0.12 cfs, 2 acres, Crapo

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,

Jennifer Crabtree
Technical Records Specialist

cc: Royal Meservy
Jared and Becky Crapo



Idaho Department of Water Resources

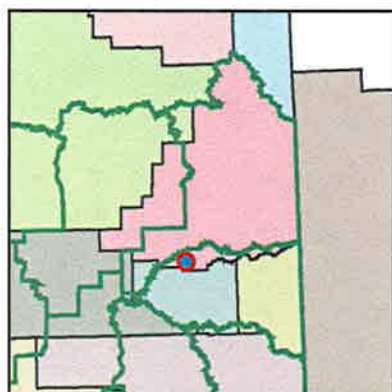
SRBA Recommendation:

22-13538

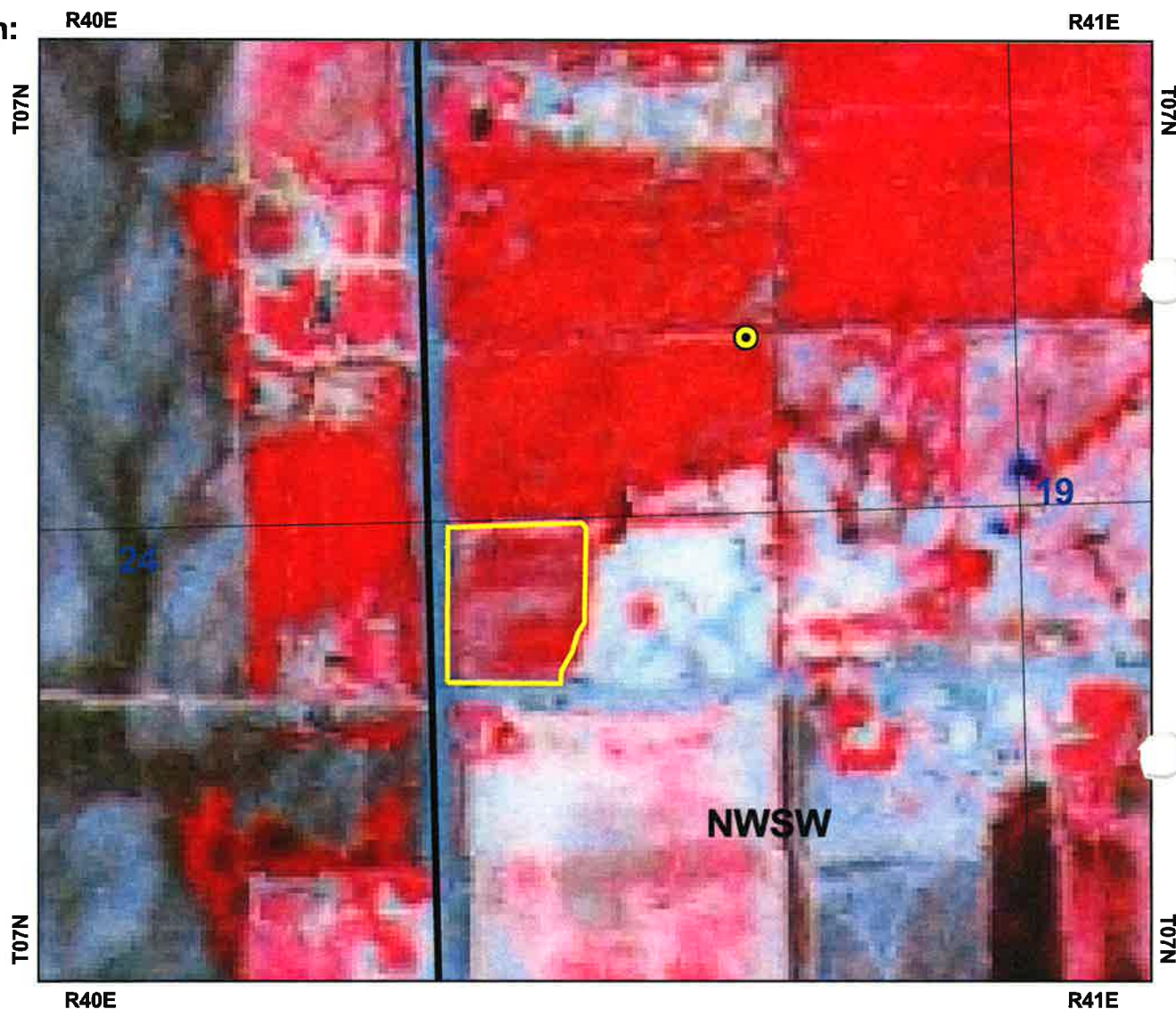
(Irrigation)

Legend

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



Fremont County
IDWR Basin 22



0 0.1 0.2 Miles

Prepared by T. Galbraith
On Wednesday, August 30, 2006
1987/88 Aerial Photography

8-30-06

See 27-2050 for Field exam
notes & Map.

VB



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

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Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

cc: Royal Meservy
Jared and Becky Crapo

**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.

Department of Water Resources
Eastern Region

DELOG AR
4-22-04
RECEIVED
APR 22 2004
OK
9/23/05

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
6015	or A22-02050				

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)

Marvin Crain

4. New Owner/Claimant(s)

Jared & Becky Crapo

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

New Mailing Address

2403 E 244th

City, State and ZIP Code

St. Anthony ID 83445

New Telephone Number

(208) 458-9826

5. Date you acquired the property

June 2 2003

Ownership Change Completed
KMT 9/26/05

owns 2 acres
only

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) _____
(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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

RX31822

WARRANTY DEED

For Value Received **Marvin D. Crain and Misty Crain, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Jared B. Crapo and Becky Crapo, husband and wife

whose address is: **2403 East 244 North, St. Anthony, ID 83445**

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

All of Lot 3, Block 29 of the Wilford Townsite, Fremont County, Idaho, as shown on the recorded plat thereof.

Excepting Therefrom: Beginning at the SW corner of Lot 4, Block 29, of the Original Wilford Townsite; thence N. 00°14'36" E. for a distance of 328.66 feet; thence South 07°00'18" W. for a distance of 330.98 feet; thence S. 89°46'59" E. for a distance of 38.97 feet to the Point of Beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: June 2, 2003


Marvin D. Crain


Misty Crain

Microfilm No. 482666
5 Day June 23
At 5:52 Clock P.M.
ABBE MACE
FEE \$ 3 FREMONT CO RECORDS
Recorded at Request of
First American Title Company

STATE OF Idaho

ss.

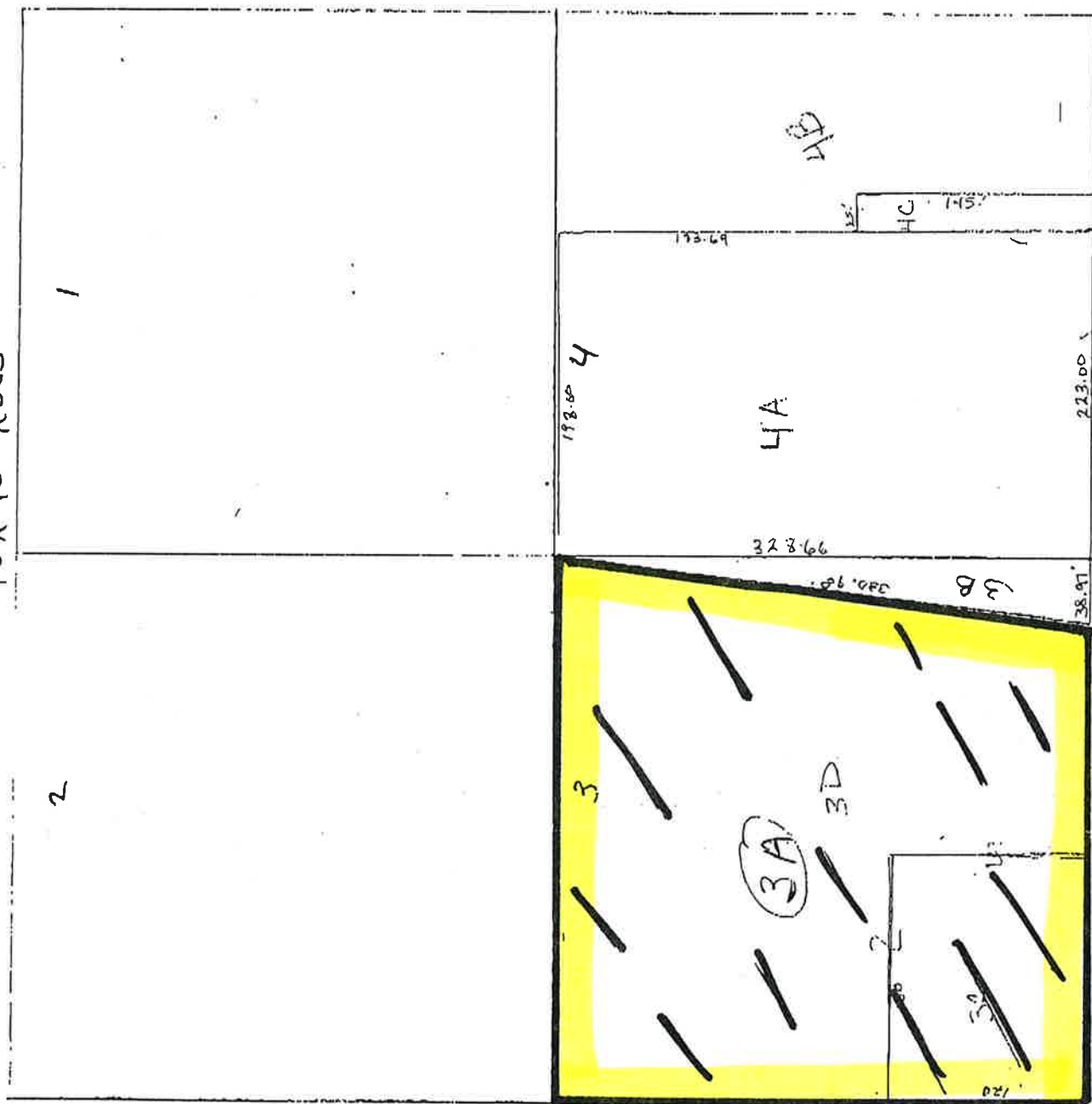
COUNTY OF Madison

On this 2nd day of June, 2003, before me the undersigned, personally appeared Marvin D. Crain and Misty Crain, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public of Idaho
Residing at: Madison County, Idaho
Commission Expires: 01/03/06

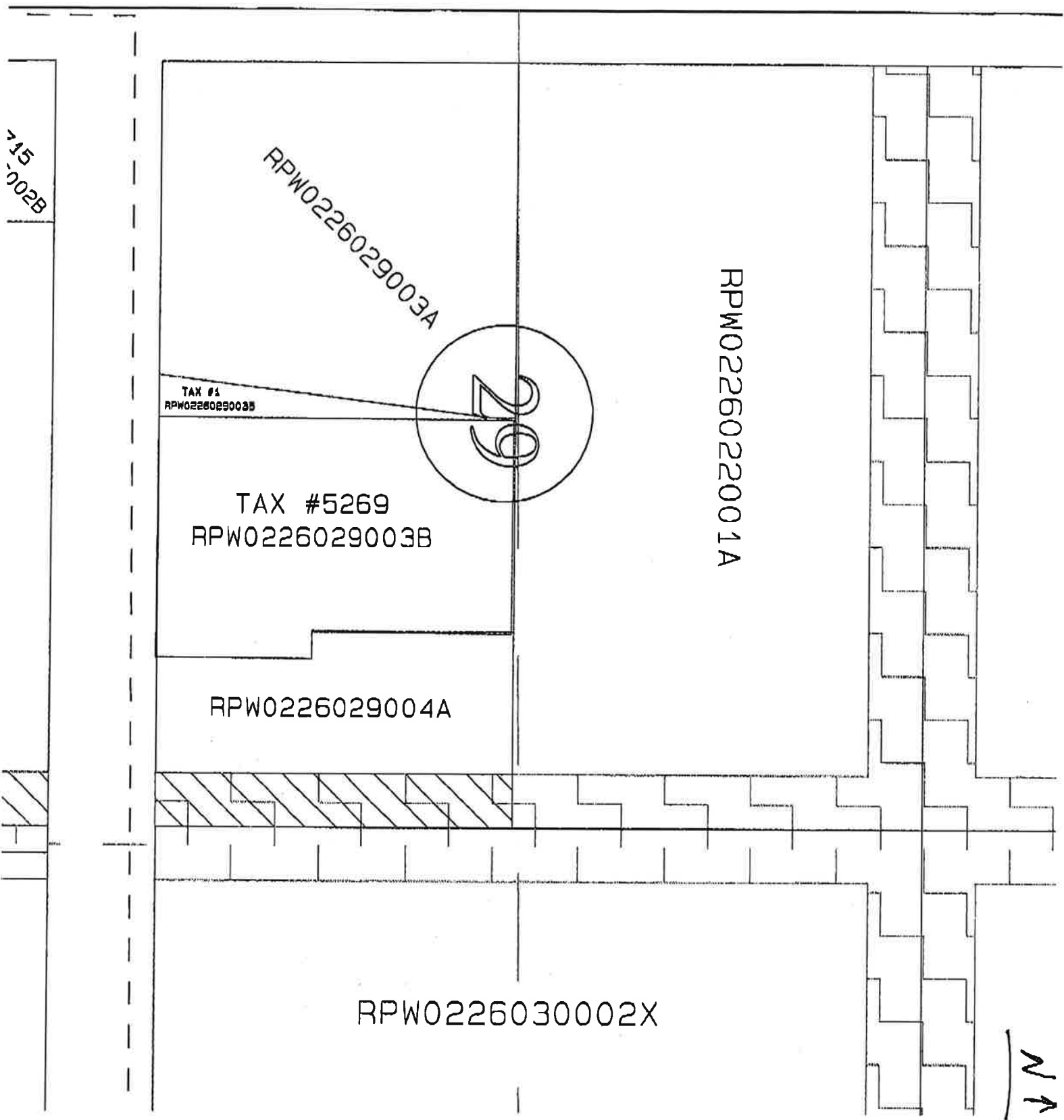
NICKI L. STEARS
STATE OF IDAHO
NOTARY-- • --PUBLIC

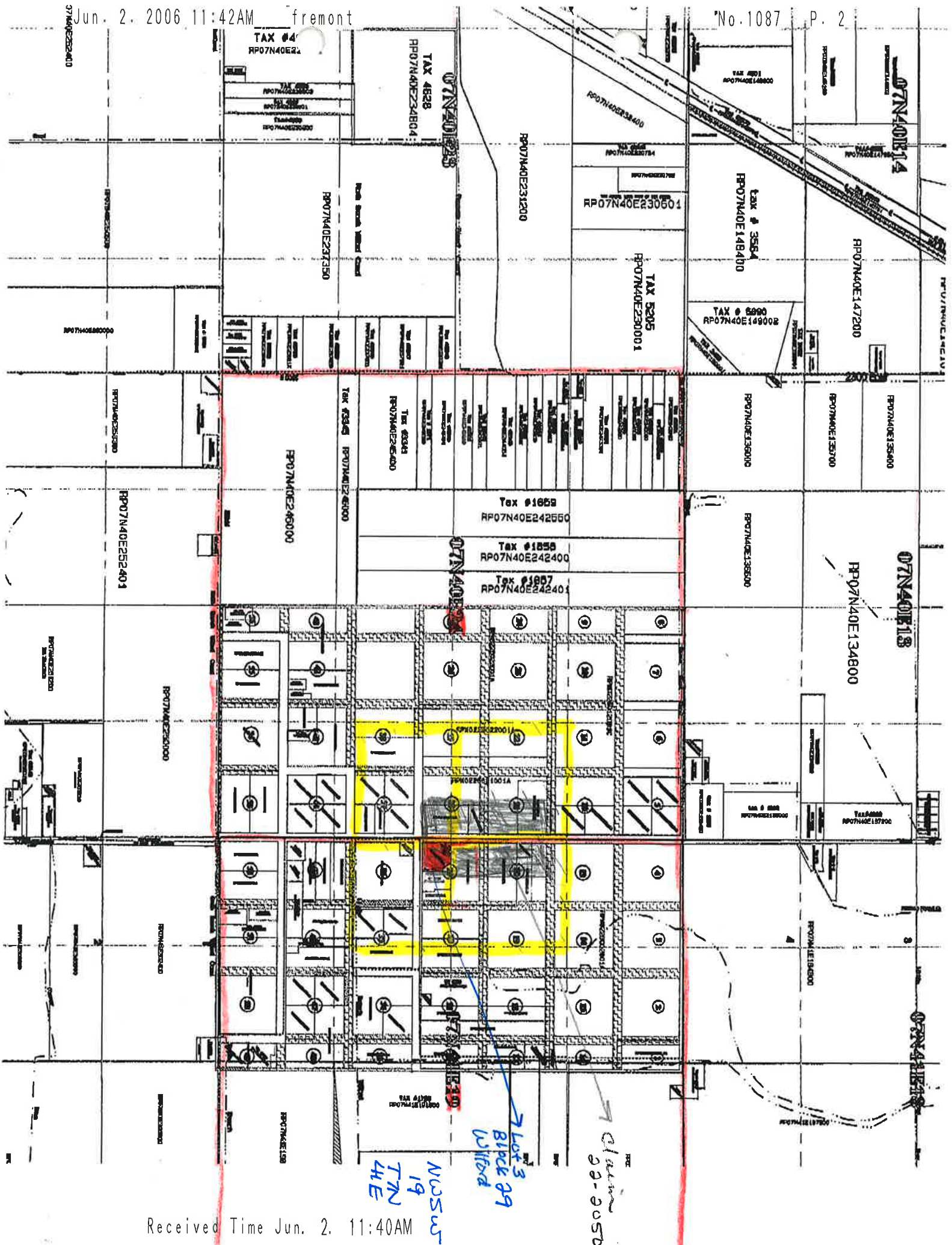
Wilford Townsite.
40x40 Rods

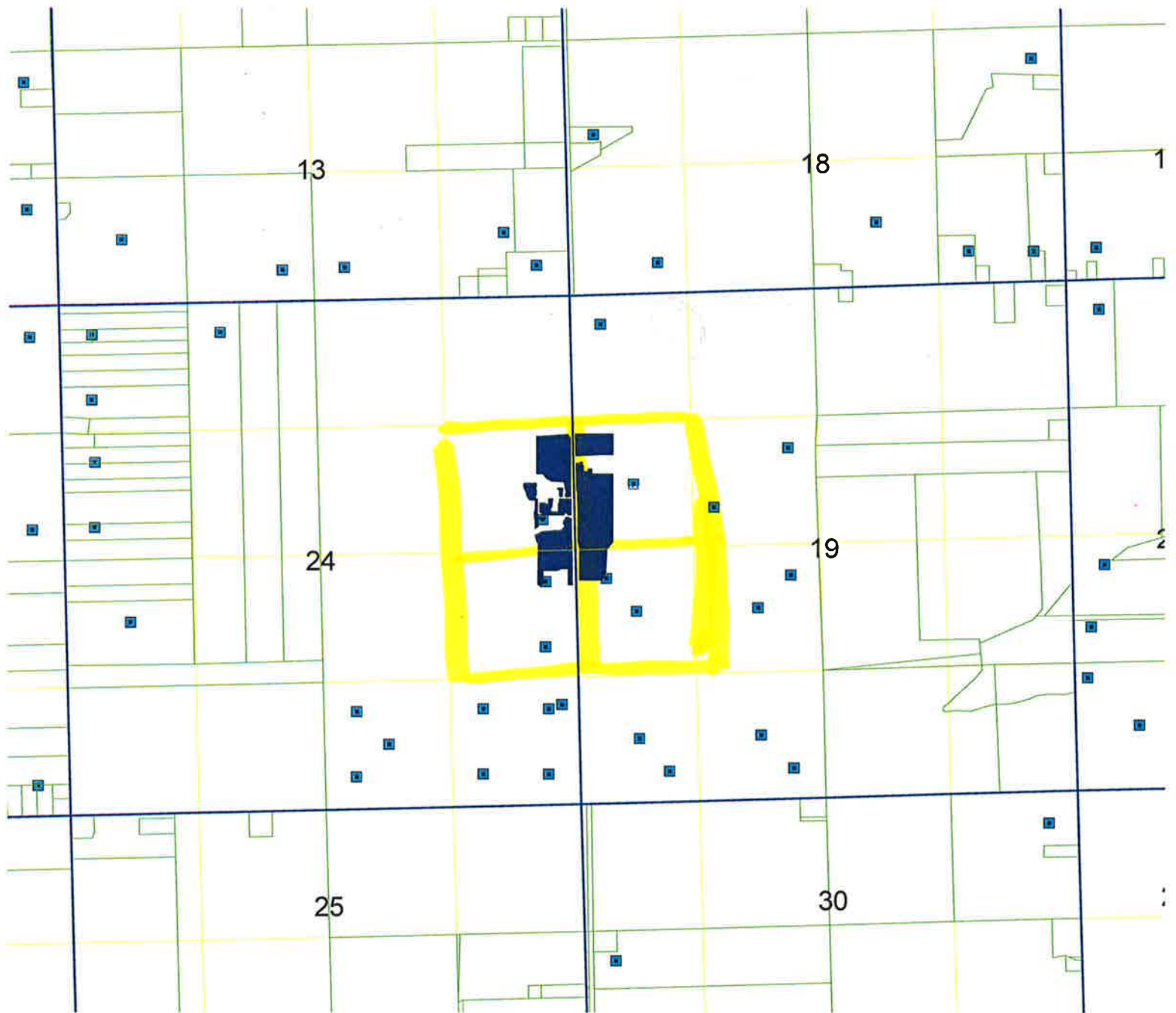


10" scale

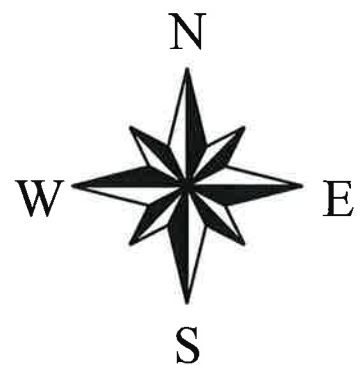
This sketch is made solely for the purpose of assisting in locating the premises. The Company assumes no liability for alleged loss or damage which result from reliance on this map.

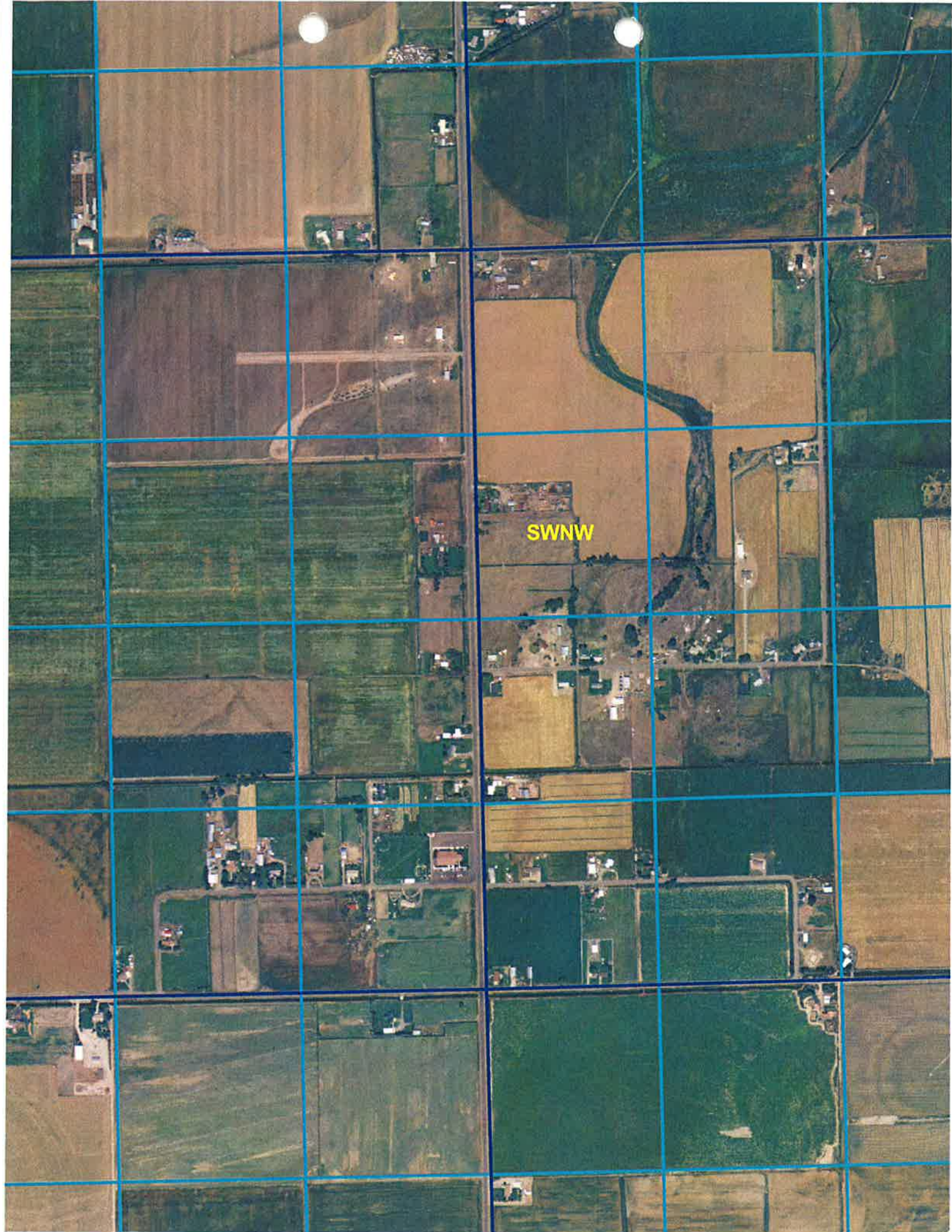






-  Sections
-  Fremont taxlots
-  QQ
-  Theme73.shp
-  GCDB07N41E GCDB
-  GCDB07N40E GCDB
-  Claim POD
-  Administrative BasinsAdminbas.shp





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 22-13538
Date Received: 3/7/1989
Receipt No:
Received By:

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

1. Name of Claimant(s)

BECKY CRAPO Phone: (208)458-9826
2403 E 244 N
ST ANTHONY ID USA 83445

JARED CRAPO Phone: (208)458-9826
2403 E 244 N
ST ANTHONY ID USA 83445

2. Date of Priority: 04/08/1910

3. Source: UNNAMED STREAM Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	41E	19	SW SE NW	FREMONT	

5. Description of diverting works:

HDGATE IN STREAM WITH CULVERT DIVERSION ON PROPERTY.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.12	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	41E	19	NW	SW	IRRIGATION	2
					Section Acres	2
					Total Acres	2

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

AC. IRR. = 22.0. STORAGE WATER IS CONCEYED THROUGH THE FOLLOWING. WATER IS CONVEYED THROUGH THE FARMERS FRIEND CANAL AND THE FALL RIVER CANAL.

This right is a split from former right 22-2050.

15. Basis of Claim: License