

03/29/2004

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

RIGHT NUMBER: 23-90
NAME AND ADDRESS: CELESTE B BEAM
PO BOX 91
SWAN VALLEY ID 83449

FRANCIS R BEAM
PO BOX 91
SWAN VALLEY ID 83449

SOURCE: RAINEY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER
QUANTITY: 7.200 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:

T02N R44E S33 SENESE Within BONNEVILLE County
T02N R44E S33 SENWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	7.200 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S04 Lot 1 NENE	12.0	T01N R44E S04 Lot 2 NWNE	40.0
T01N R44E S04 Lot 3 NENW	16.0	T02N R44E S33 SESW	32.0
T02N R44E S33 SWSE	32.0	T02N R44E S33 SESE	1.3

133.3 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 133.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00014, 23-00017,
23-00021, 23-00046, 23-00090.

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: Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 23-00014, 23-00017, 23-00021, 23-00046,
23-00090.

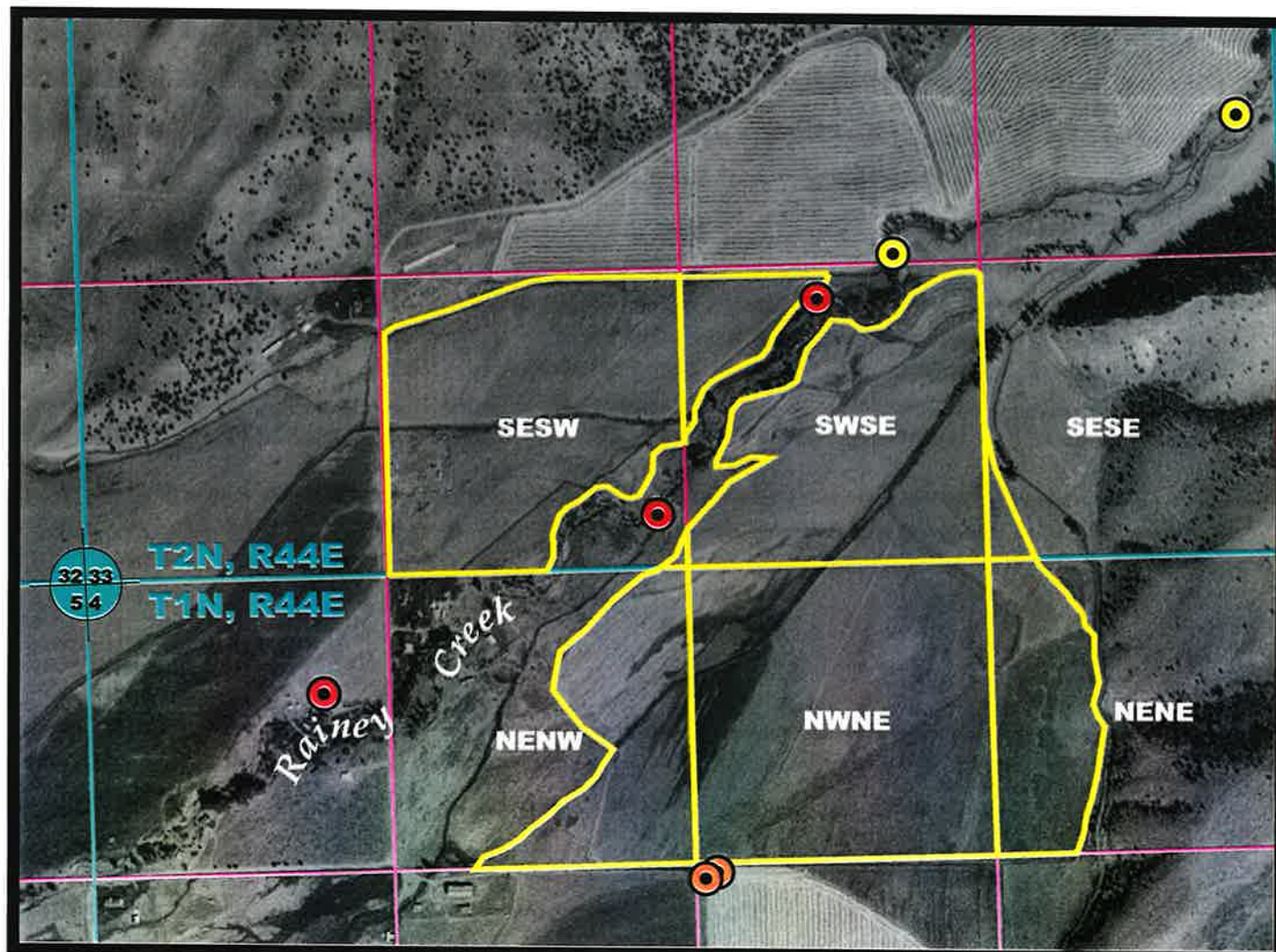


SCANNED
JUL 09 2004

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
23-00014, 23-00017,
23-00021, 23-00046,
23-00090

Place of Use: (parts of)
T2N, R44E Sec. 33
SES, S2SE
T1N, R44E Sec. 4
NENW, N2NE

Point(s) of Diversion:
T2N, R44E Sec. 33
SENWSE, SENESE



LEGEND

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

250 0 250 500 750 1000 1250 1500 1750 2000 2250 2500 2750 3000 3250 3500 3750 4000 4250 4500 Feet

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: December 2003

02/20/2004

**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: 23-90

CELESTE B BEAM
PO BOX 91
SWAN VALLEY ID 83449
Telephone Number: (208)483-3183

FRANCIS R BEAM
PO BOX 91
SWAN VALLEY ID 83449
Telephone Number: (208)483-3183

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:

Take off Limiting Language

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: Mar 25, 2004 SIGNATURE: Celeste B. Beam
Please print your name: Celeste B. Beam

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

3/29/04 Done 

Contacts Data Entry Form

Water Right No. 23-90

Owner Type	Full Name	Address	City	State	Zip	Phone
------------	-----------	---------	------	-------	-----	-------

Current Owner FRANCIS BEAM

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

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

CLAIMED AS DECREE UNDER ROXBURG TRING. VS TETON
TRING. 1910. Problem THIS DECREE WAS DONE 1910
PRIORITY DATE CLAIMED IS 1916 -

THIS CLAIM WAS DECREEED UNDER FAUSHOLD TRING CO,
VS L. CRANDALL, et al. (DECREE 23-H, pg. 5) 1951,
SEE EXCERPT ATTACHED.

FS INDICATOR: RPU ALL RTS

Reviewer: _____

Date: _____

SCANNED

JUL 09 2004

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: JAN 22 1916 Claimed Basis: DECEASEDRecommended Priority Date: 1/22/1916 Recommended Basis: DECEASED

____ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

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

Claim matches DECEASED (NOTE: Pg 1 e-CVR #2)

Reviewer: _____

Date: _____



Rainey Creek Diversion Northside
T.2N., R.44E.
Section 33 SWSESW
(Diversion serves several users)
Photo taken 9/30/03 ABR



Rainey Cr Div.
T.2N R.44E
SEC. 33 SWSESW

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 2N, R 44E, Sec. 33, NE NW 38 SE. County: BONN.Source: RAINY CK Tributary: SNAKE RIVER

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
					<u>BONN.</u>	<u>RAINY CK</u>
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

POD NOT ADDRESSOR BT DEEDS.OTHER Rts SAME POD Remark

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
1N	44E	4			BONN		83 ⁰	Pring
2N		33			"		65 ⁰	"

Total Acres 148⁰

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

POU ADDRESSED BY DECREES 23-H; PAUSADOS VS L. CRANDALL, 1951
SEE ATTACHED EXCERPT.

cφ5

POU w/ 23-14, 17, 21, 46, 90

Remark

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Tring	4/1	11/1	7.2	

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Tring	4/15	10/31	2.67@133 ³ / _{AC}	

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

SOLL NOT ADDRESSSED BY DECEMBER, USE DORT STD AS
4/15 TO 10/31.

DECEMBER AS 7.2 cfs (ON BEST CASE ACRES 6 QD'S X 40AC =
240 AC) $\therefore 7.2 \text{ cfs} / 240 \text{ AC} = 0.03 \text{ cfs/AC}$

Claims 148 AC X 0.03 cfs/AC = 4.44 cfs

APPEARS ABANDONMENT OR 2.76 cfs MAY APPLY

RECOMMENDED 133³-AC @ 0.02 cfs/AC = 2.67 cfs

Reviewer: _____

Date: _____

4.53 cfs Lost

7.20

Partially Abandoned

Remark

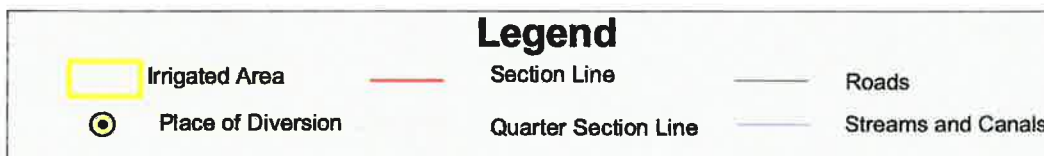
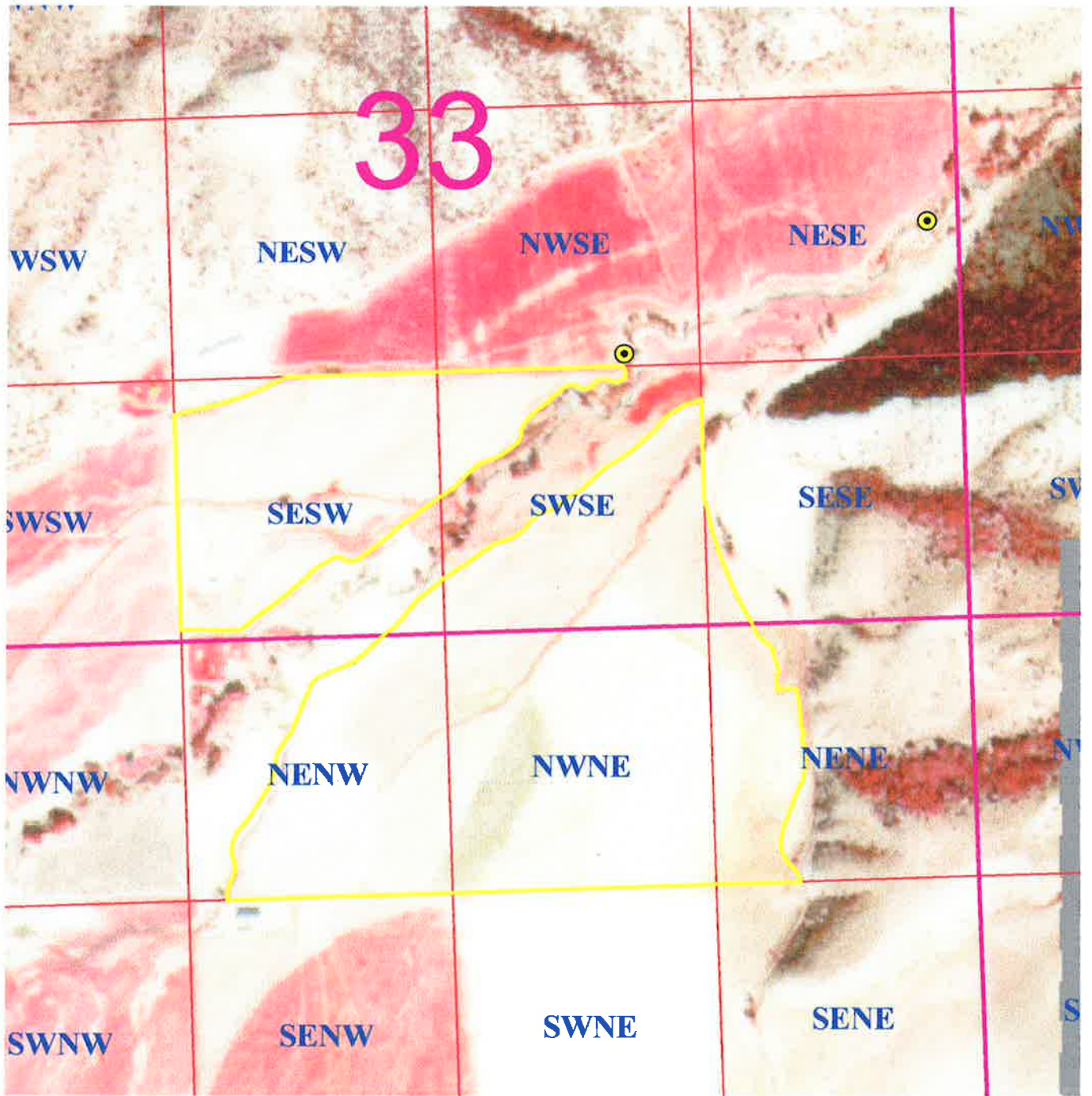
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n44e	4	NENE	13	12	
01n44e	4	NWNE	40	40	
01n44e	4	NENW	30	26	
02n44e	33	SESW	31	31	
02n44e	33	SWSE	32	28	
02n44e	33	SESE	2	1.4	
Totals:			148	138.4	

Qs:

1. WHICH POD SERVOS WHICH SIDE?
2. Lower Polygon - E. Boundary looks
Like it might BORDER A DITCH
3. CENTER ALONG CH LOOKS OOO?

Water Right Claim Number 23-00090
Townships , 2N44E, 1N44E

05/31/2001



500 0 500 1000 Feet



SPATIAL
DYNAMICS

rights shall immediately lapse and become void and of no effect.

III.

It is further considered, adjudged and decreed by the Court that the plaintiffs are entitled to a summary decree and adjudication of the waters of Snake River and its tributaries with date of priority of January 22, 1916.

Plaintiffs	Amount of Miners Inches	Amount of Second Feet
The Palisade Irrigation Company	4890	97.8
J. L. Higham	120	2.4
Richard A. Beam	360	7.2
Ivan Weeks	160	3.2
Thomas M. Weeks	200	4.
John B. Miller	240	4.8
Shurtleff Bros.	880	17.6
Elizabeth Beam	150	3.
David H. Peterson and Jess L. Peterson	100	2.00
Henry Goettsche	312	6.24
Weeks Bros.	135	2.7
Luther Smith	160	3.2
M. E. Toliver	800	16.
Harry Bitton	160	3.2
Francis Stoltenberg	210	4.2
Joe Kruse	120	2.4
Henry McCabe	150	3.

IV.

Further ordered, adjudged and decreed that the plaintiffs have the right to divert and use said quantity of water with the said priority date subject, however, to the terms of the said decree of December 16th, 1910, and said decree of June 25th, 1929, for use for irrigation and domestic purposes upon the following described lands, to-wit:

23-0090 It is Further Ordered, Adjudged and Decreed that the plaintiff, Richard A. Beam, has the right to divert from Upper Rainey Creek and use said quantity of water with the said priority date for irrigating and domestic purposes upon the following described lands, to-wit:

Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$), South-
east Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
Section Four (4), Township One (1) North, Range
Forty-four (44), East of the Boise Meridian; South
east Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$),
Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$),
Section Thirty-three (33), Township Two (2) North,
Range Forty-four (44), East of the Boise Meridian.

NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$
SEC. 4 T.1N, R.44E

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SEC. 33
T.2N R.44E

Best Case 480AC
240

60005 x40AC = 240AC

\$50.00

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

RECEIVED

Ident. Number: A23-00090
Date Received: 8/03/1989
Receipt No: EO10422/90
Received By: _____

SEP 14 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	FRANCIS R. BEAM	208-483-3183
Address:	P. O. BOX 91	
	SWAN VALLEY, ID	83449
	OR	
Name:	CELESTE B. BEAM	208-483-3183
Address:	P. O. BOX 91	
	SWAN VALLEY, ID	83449



2. Date of Priority: JAN 22, 1916

3. Source: RAINEY CREEK Trib. to: SNAKE RIVER, SOUTH F

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	44E	33		NE	SE		BONNEVILLE
				NW	SE		BONNEVILLE

5. Description of diverting works:
HEADGATES TO DITCHES TO PLACE OF USE FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.200		

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

8. Total consumptive use is 370.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

A23-00090

Page 1

Date: 08/09/89

MICROFILMED
NOV 07 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	44E	4	NE		NE	1	IRR	13.0
			NW		NE	2	IRR	40.0
			NE		NW	3	IRR	30.0
							Section Acres	83.0
02N	44E	33	SE		SW		IRR	31.0
			SW		SE		IRR	32.0
			SE		SE		IRR	2.0
							Section Acres	65.0
							Total Acres	148.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

A23-00014, A23-00017, A23-00021, A23-00046

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL.
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: _____

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): Francis Bean Date: 11 Sept 89
Celeste B. Bean Date: 9/11/89

State of Idaho)
County of Bonneville) ss.

Subscribed and sworn (or affirmed) before me this 11th day
of Sept. 19 89 Patricia L. Weeks
Notary Public

Seal

Residing at Irwin, ID.
My Commission Expires 10-8-94

NOV 07 1992

MICROFILMED

9 10
4 5

8 9
5 6

San Valley Cemetery

T1U

T2U

R44E

13 33 34

4 5
32 33

RO

NOON

A23-00090

33 34
28 29

32 33
28 29