

10/05/2004

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

RIGHT NUMBER: 25-241
NAME AND ADDRESS: CLYDE R BECK
629 N 3400 E
MENAN ID 83434

SOURCE: EMIGRANT CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1896

In times of scarcity, this right shall be subordinate to all surface water rights diverted from the Snake River and its tributaries, with a priority date earlier than December 16, 1910, as adjudicated by the court in Rexburg Irrigation Company, et al. v. Teton Irrigation Canal Company, et al. (Sixth Judicial District, Fremont County, December 16, 1910), commonly known as the Rexburg Decree.

POINT OF DIVERSION:

T05N R38E S19 SWSWSW Lot 4 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T05N R37E S26	NENE	37.0	T05N R37E S26	NWNE	37.0
T05N R37E S26	NENW	36.0			

110 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 110 acres in a single irrigation season. Combined Right Nos.: 25-240, 25-241, and 25-242.

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.

Rights have also been claimed to water from Basin 01 for the same purpose of use at the same place of use described above, which will be included in a Directors Report to be filed at a later date. Any water rights recommended in the Basin 01 report for the same purpose of use at the same place of use described above will contain combined use limitations for this right and the Basin 01 rights.

EXPLANATORY MATERIAL: Decreed

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

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

Use of this right is combined with water from Long Island Irrigation Co

Water is delivered through Bear Trap Canal.

SCANNED

OCT 13 2004

PROFILED



Department of Water Resources

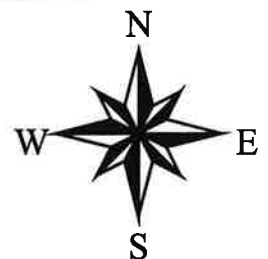
Claim Nos.: 25-00240, 25-00241,
and 25-00242



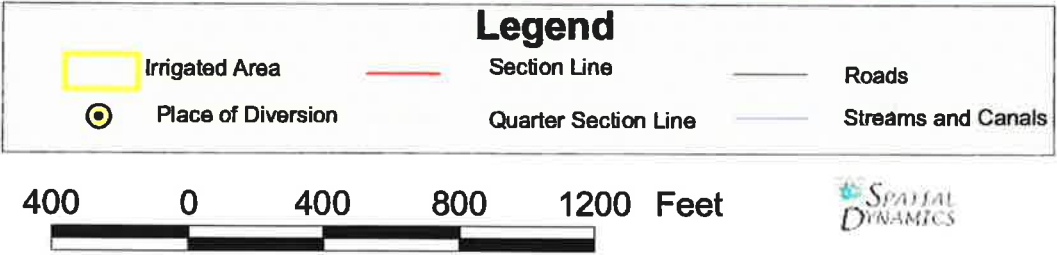
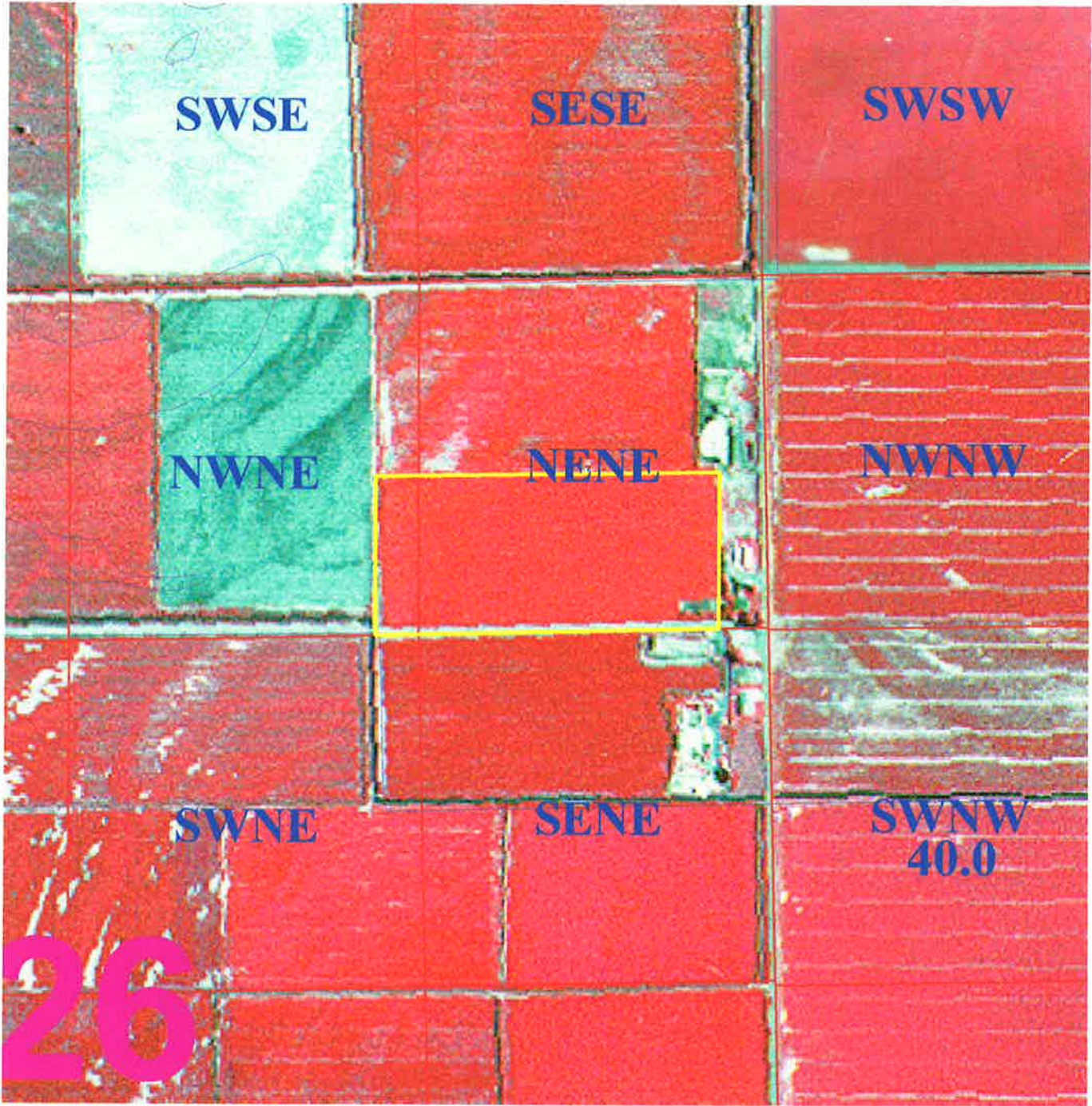
0 1 2 Miles

-  Place of Use
-  Point of diversion
-  Sections
-  QQ

PROFILED

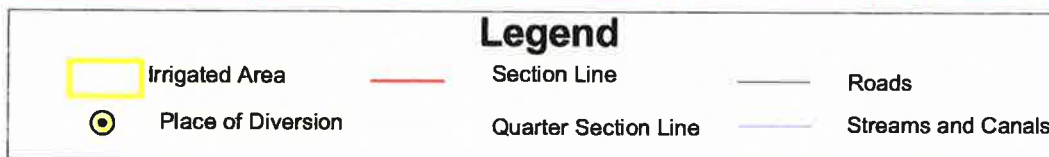


GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: October 2004



Water Right Claim Number 25-00241
Township , 5N37E

12/14/2000



 SPATIAL
DYNAMICS



M H

10/05/2004

**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: 25-241
CLYDE R BECK
629 N 3400 E
MENAN ID 83434
Telephone Number: (208)754-4557

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:

RECEIVED

OCT 15 2004

Department of Water Resources
Eastern Region

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

DATE: 10-15-04

SIGNATURE: Clyde R Beck

Please print your name: Clyde R Beck

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

PROFILED
SCANNED
OCT 15 2004

OCT 13 2004

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PROFITED

See 25-11/218 for additional remarks
to be added.

Source mutually with P/D or SN 37E.
Should be SN 37E 19 SW SW.

JOHN T. POOLE
ABOUT 375 ACRES
P/D: SN 37E 19 SW SW
Source: EMIGRANT CR
POU: SN 37E 26 N/2 of N/2
27 N/2 of NE 1/4
SW 1/4 of NE 1/4
SE 1/4 of NW 1/4
LOT 6

25-240	25-241	25-242
1.04 cfs	0.80 cfs	0.78 cfs
6/1/1888	6/1/1896	1/22/1916

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.

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
_____	25-241	—	_____	_____	—
_____	25-230 B	—	_____	_____	—
_____	25-246 B	—	_____	_____	—
_____	_____	—	_____	_____	—
_____	_____	—	_____	_____	—

2. The following **REQUIRED** information must be submitted with this form:

☒ 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)

RULON J + ELAINE B POOLE

779 N 3200 EAST, MENAN

83434

4. New Owner/Claimant(s)

CLYDE BECK

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

New Mailing Address

629 N 3400 E

City, State and ZIP Code

MENAN, ID 83434

New Telephone Number

() 754-4557

5. Date you acquired the property

6/7/1991

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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)

Clyde R. Beck

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 _____

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NOV 07 1966

To migrant Creek 5/15/19
 5/15/19 19
 1.04 June 1, 1888
 Cycle f. Beck Jan 22, 1916 .78
 J. Fulton Cook June 1, 1896 0.80
 17 ac.
 Bear Trap
 5/15/19 38E 20 SUNE-NA.
 319" = 6.38E
 Cycle f. Beck Oct 11, 1901
 Cycle f. Beck June 1, 1892
 25" = 0.50E
 163" = 3.26E
 Cecil f. Cook Oct 11, 1901
 J. Fulton Cook Oct 11, 1901
 23" = 0.46E
 J. Fulton Cook June 1, 1892
 25" = 0.50E
 100 winged
 77 winged
 90.13 winged
 388.13 acce
 Fulton Blue 100.13 acce
 108 acce
 80 acce
 100.13 acce
 159 ac
 431 ac
 25-00247
 25-00246
 25-00230
 25-00230
 25-00246
 25-00230
 25-00246
 25-00241
 25-00242
 25-00240

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 25-241
Date Received: 10/31/1988
Receipt No: E003633
Received By: MWH

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

1. Name of Claimant(s)

CLYDE R BECK Phone: (208)754-4557
629 N 3400 E
MENAN ID USA 83434

2. Date of Priority: 06/01/1896

3. Source: EMIGRANT CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	38E	19	SW SW SW	JEFFERSON	

5. Description of diverting works:

CONCRETE HEADGATE WITH FLASH BOARDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/04	0.8	

7. Total Quantity Appropriated is:
0.8 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
05N	37E	26	NE NE	IRRIGATION	35
			NW NE	IRRIGATION	37
			NE NW	IRRIGATION	38

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OCT 13 2004

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Section Acres 110

Total Acres 110

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

AMENDED CLAIM TO INCLUDE ALL ACREAGE IRRIGATED UNDER THIS DECREEED RIGHT.

EMIGRANT CREEK SPRINGS UP IN S1/2NW1/4 SECTION 20 TWP. 5N, RGE 38E.

15. Basis of Claim: Decreed

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): Clyde R. Beck Date: 10-5-04

Date:

State of Idaho)
County of Bonneville) SS.

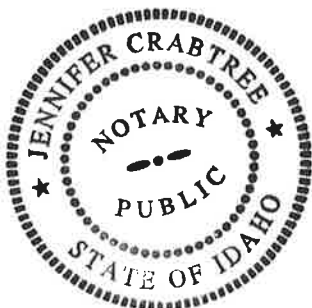
Subscribed and sworn (or affirmed) before me this 5th
of Oct 2004

Jennifer Crabtree

Notary Public

Residing at Idaho Falls ID

My commission Expires 10/29/09



AJ5809NP
No. A25-00241

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 14

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J RULON POOLE	06/01/1896	IRRIGATION	04-01 11-04	0.800 CFS	
C	ELAINE B POOLE					
	779 N 3200 E					
	MENAN ID 83434			TOTAL DIVERSION:	0.800 CFS	
	(208) 754-4294			CONSUMPTIVE USE:		42.50 AFA

Water Source: EMIGRANT CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T05N R38E S19

SWSWSW

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05N	37E	26	:	15		02														:	17.0
																				TOTAL ACRES	17.0

POU County: JEFFERSON

Other Rights: 25-00230, 25-00246.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A25-00234 A25-00235 A25-00236 A25-00237 A25-00238 A25-00239 A25-00240 A25-00242 A25-00245 A25-10726
A25-11218 A25-11219

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00109G A01-00110E A01-00111E A01-00112E A01-00113E A01-00114C A01-00115S A01-00317 A25-00230A A25-00230B
A25-00240 A25-00242 A25-00246A A25-00246B

Remarks: GEN EMIGRANT CREEK SPRINGS UP IN S1/2NW1/4 SECTION 20 TWP. 5N,
RGE 38E.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 10/31/88 CARLSEN 11/17/88 THOMPSON 03/29/95 POST-STD

SCANNED

JUL 27 2001

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: A25-00241
Date Received: 10/31/1988
Receipt No: E003633
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RULON J. POOLE 208-754-4294
Address: 779 N. 3200 E.
MENAN, ID 83434
AND/OR
Name: ELAINE B. POOLE 208-754-4294
Address: 779 N. 3200 E.
MENAN, ID 83434

2. Date of Priority: JUN 01, 1896

3. Source: EMIGRANT CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	38E	19	SW	SW	SW		JEFFERSON

5. Description of diverting works:
CONCRETE HEADGATE WITH FLASH BOARDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/04	0.800		

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

8. Total consumptive use is 42.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A25-00241

Page 1

Date: 10/31/88

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	37E	26	NE	NE		IRR	15.0
			NW	NE		IRR	2.0
						Section Acres	17.0
						Total Acres	17.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
25-00230, 25-00246.

14. Remarks:
EMIGRANT CREEK SPRINGS UP IN S1/2NW1/4 SECTION 20 TWP. 5N,
RGE 38E.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. 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.

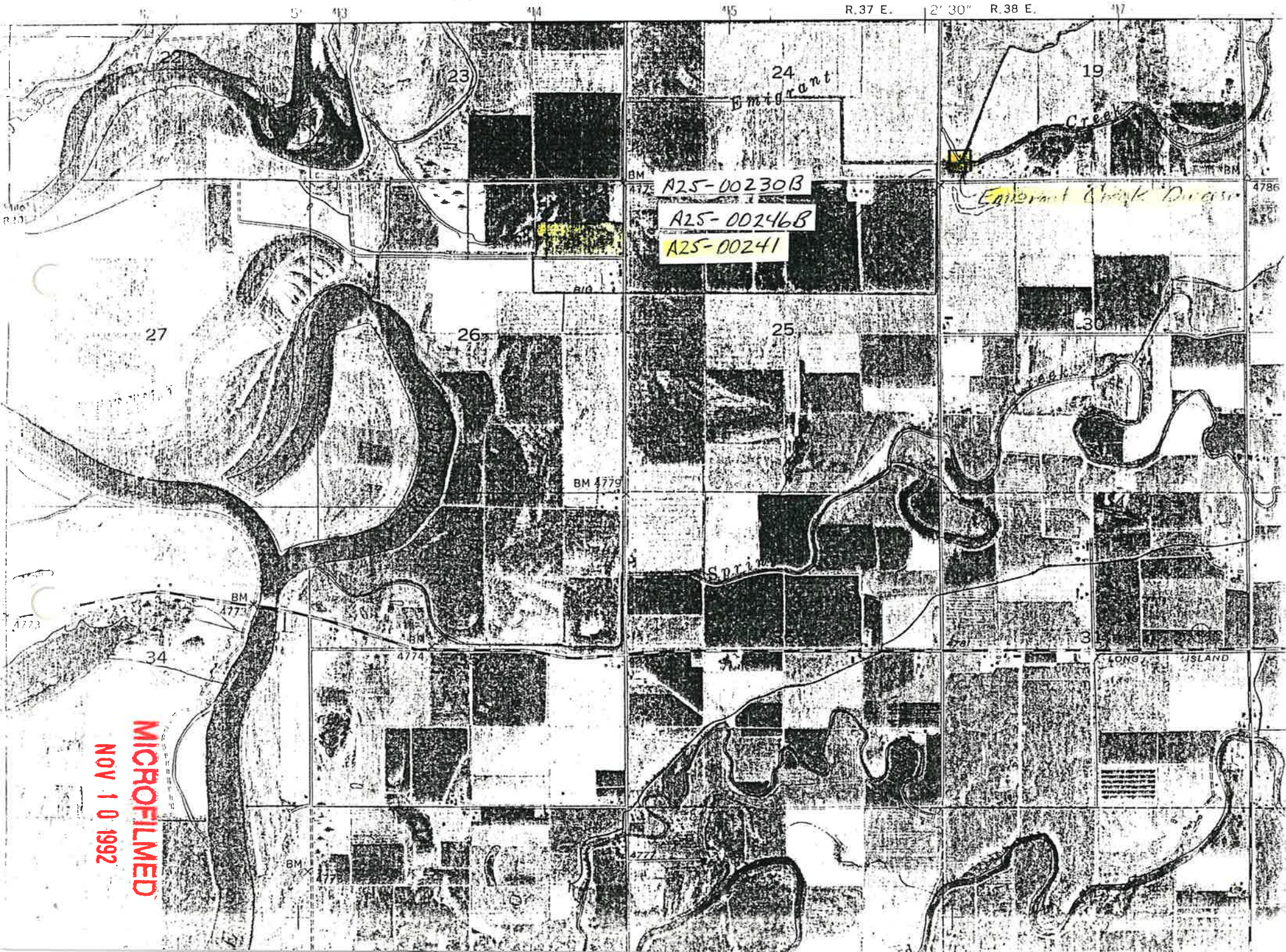
Signature of Claimant(s): *Duane Poole* Date: 10-31-88
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 31 day
of 10 19 88 *Ernest Carlson*
Notary Public

Seal

Residing at *Idaho Falls, ID*
My Commission Expires 6-14-1994



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NOV 10 1992