

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-27P

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0017406 Flt 923PODW1

Township _____	Range _____	Section _____	1/4 _____	1/4 _____	1/4 _____
Township _____	Range _____	Section _____	1/4 _____	1/4 _____	1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

headgate in creek ditch to headbox, pipeline +
gravity sprinklers

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

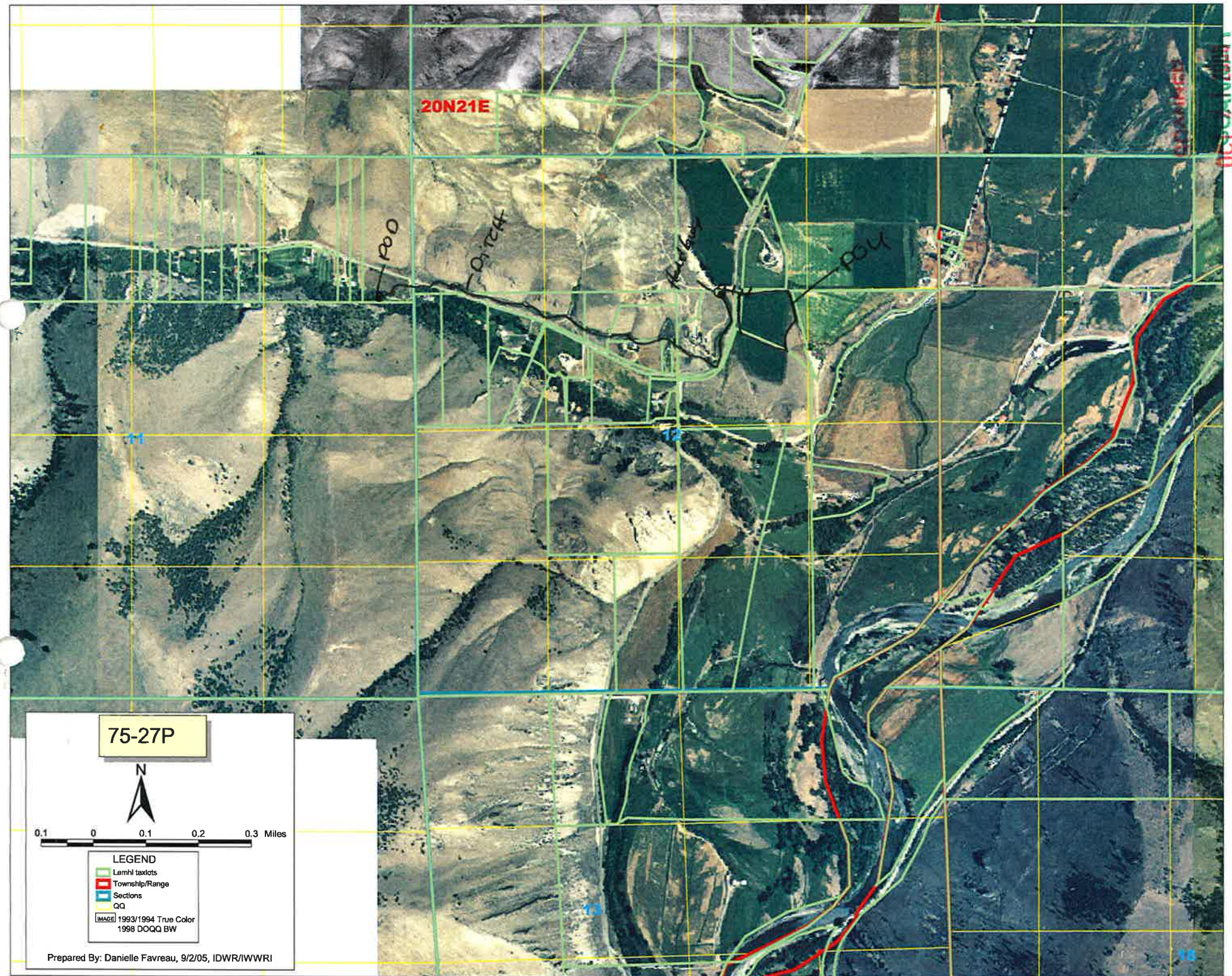
DATE EXAM CONDUCTED: 9-23-05

FIELD EXAMINER: Bob Foster

Print Name

Bob Foster

Signature





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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 21, 2003

JASON & AMY BEYELER
228 WILLIAMS CREEK RD
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR 75-27N

Dear Mr. & Mrs. Beyeler:

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:

75-27N split into:

75-27P: 7.58 acres, .15 cfs, Beyeler

75-27Q: 11.95 acres, .24 cfs, Sims/Graham

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

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OCT 21 2008

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

RECEIVED

AUG 07 2002

Department of Water Resources
Eastern Region

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
	75-27N	☒			

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) CARL A. & Phoebe A. Hodges
Rt 1 Box 243 Salmon ID 83467
4. New Owner/Claimant(s) JASON & Amy Bayeler
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 228 Williams Creek RD
- City, State and ZIP Code Salmon ID 83467
- New Telephone Number (208) 756-8360
5. Date you acquired the property 10-28-1998

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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 <u>75-27N</u>		
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	<u>.12 cfs</u>	<u>6.0 ac</u>
Stock		
Domestic		
Other		
Total	<u>.12 cfs</u>	

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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by AJ Date _____ WR _____ Date _____

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OCT 21 2008

Warranty Deed

For Value Received

GAR L. HODGES AND PHOEBE A. HODGES,
TRUST

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

JASON BEYELER AND AMY BEYELER, HUSBAND AND WIFE,

whose current address is

Rt 2 Box 275-14
Salmon, ID 83467

the granteeS, the following described premises, in Lemhi County Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO:

SUBJECT TO THE EASEMENT AGREEMENT FOR UNDERGROUND
WATER WATERLINE ATTACHED HERETO AS EXHIBIT "B"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GranteeS, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said GranteeS that he the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 29 1998

GAR L. HODGES AND PHOEBE A.
HODGES TRUST

BY

Gar L. Hodges Trustee
GAR L. HODGES, Trustee

BY

Phoebe A. Hodges Trustee
PHOEBE A. HODGES, Trustee

STATE OF IDAHO, COUNTY OF Lemhi--ss
On this 29th day of October, 19 98
before me, a Notary Public, in and for said State, personally appeared
Gar L. Hodges and Phoebe A. Hodges
known to me to be the trustees
of the Gar L. Hodges and Phoebe
A. Hodges Trust
known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Notary Public
, Idaho

Residing at SALMON
Comm. Expires 2-19-2003

State of Idaho
County of Lemhi

SS No. 238611

This instrument was filed for record at the request
of Bull Allen Escrow
at 2:23 o'clock P m 11-4 19 98
and duly filed and indexed in the records of Lemhi
County

Albarta Wiederrick
Ex-Officio Recorder

By Lorri J. Morton Deputy

Fee

Return to

SCANNED

OCT 21 2008

EXHIBIT "A"

WADE SURVEYING

P.O. Box 1175

Salmon, Idaho 83467

Phone (208) 756-3070

October 20, 1998

A parcel of land located in the NE 1/4, Section 12, T. 20 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the E 1/4 Corner of said Section 12 from which the NE Corner of said section bears N 00°29'53" W 2651.76 ft., the Basis Of Bearing of this description, run thence N 48°21'29" W a distance of 2000.94 ft. to the POINT OF BEGINNING;

Thence S 15°08'51" E a distance of 582.38 ft.;

Thence S 50°57'01" W a distance of 29.45 ft.;

Thence S 18°33'52" E a distance of 194.10 ft.;

Thence S 23°09'20" E a distance of 120.83 ft.;

Thence N 43°20'06" W a distance of 254.12 ft.;

Thence N 51°42'23" W a distance of 148.21 ft.;

Thence N 66°33'21" W a distance of 521.45 ft. to a point on the easterly right-of-way of Williams Creek Road;

Thence the following courses and distances along said right-of-way:

136.28 ft. along a curve to the left having a chord of

N 07°42'54" E 136.14 ft., a delta of 08°52'42" and a radius of 879.47 ft.;

N 03°16'54" E 255.75 ft. to a point on an existing fence extended;

Thence N 89°50'27" E along said fence a distance of 497.62 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 7.58 ACRES



The above conveyance is made free and clear of all other encumbrances except: Rights of way and easements, reservation in Federal patents and state deeds, or other restrictions imposed by law, building and use restrictions of records, building and zoning regulations and ordinances of any governmental unit whether of sight or of record.

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OCT 21 2009

EXHIBIT "B"

EASEMENT AGREEMENT
FOR
UNDERGROUND WATERLINE

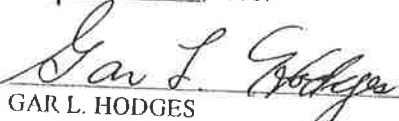
KNOW ALL MEN BY THESE PRESENCE that Gar L. Hodges and Phoebe A. Hodges, husband and wife, of Rt. 1 Box 243, Salmon, Lemhi County, Idaho, in the consideration of the sum of one dollar and no/100 (\$1.00), and other valuable considerations, receipt of which is hereby acknowledged, do hereby grant to William G. Gattung and Lois C. Gattung, of Rt. 1 Box 243A, Salmon, Lemhi County, Idaho, and to their heirs, successors and assigns, an exclusive easement, forever, for a right-of-way, 20 feet in width, described as being 10 feet on each side of the present "blue," PVC, underground water pipeline which runs from the Williams Creek County road across the Gar L. Hodges property to the William G. Gattung property line being adjacent to Corbett Lane in Lemhi County, Idaho, to be used for an underground pipeline to transport water from the diversion near the Williams Creek County road to the Gattung properties as described herein above, together with right and privileges to reconstruct, inspect, alter, improve, remove or relocate such pipeline on the right-of-way above described, with all rights and privileges necessary or convenient for the full enjoyment or use thereof for the above-mentioned purposes, including the right to cut and keep clear all trees and undergrowth and other obstructions within said right-of-way that may interfere with the proper construction, operation and maintenance of said water pipeline and no building, structure or obstruction shall be located or constructed on said right-of-way by the Grantors or their successors, heirs, or assigns; and

FURTHER, that this exclusive easement shall be applicable and apply specifically to the "blue" PVC pipeline which shall run uninterrupted and parallel to the north property boundary line of the William G. Gattung property as purchased in 1995; and

FURTHER, in the event that any person along the Hodges property - subject to said Easement - should cause damage or break the "blue" PVC water pipeline so as to interrupt the flow of said water, the person responsible therefore shall fix and repair said pipeline within 48 hours thereof or the repairs shall be made and the cost of said repairs assessed to the person responsible for said breakage or damage, plus any attorney fees or costs for enforcement therefore; and;

IT IS FURTHER AGREED, that the parties hereto recognize and acknowledge the brass markers which have been installed and set as the legal markers indicating the legal property survey lines between the said properties of the parties hereto.

IN WITNESS WHEREOF, Grantors have executed this agreement this 7th day of September, 1995.


GAR L. HODGES


WILLIAM G. GATTUNG

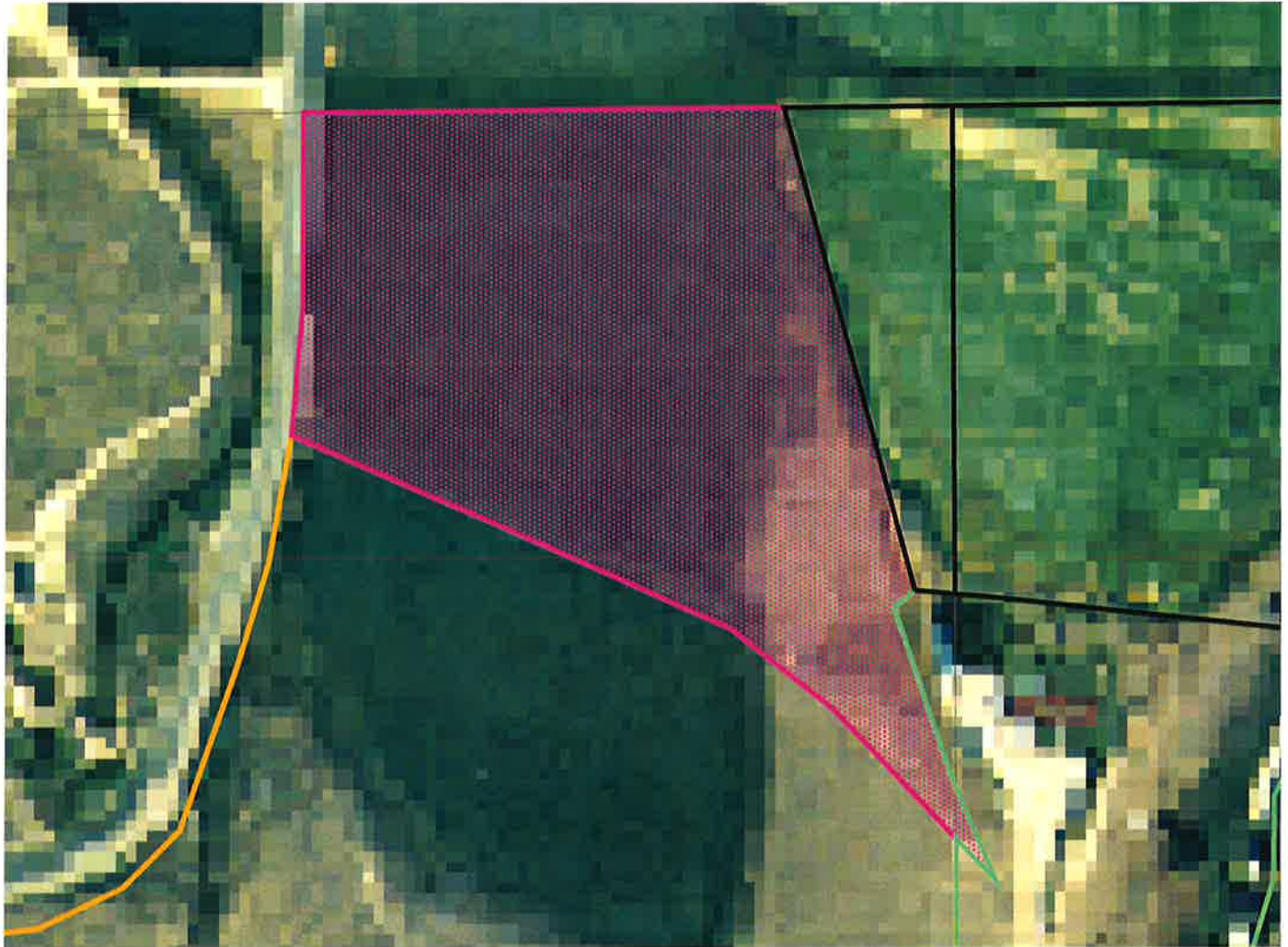

PHOEBE A. HODGES


LOIS C. GATTUNG

SCANNED

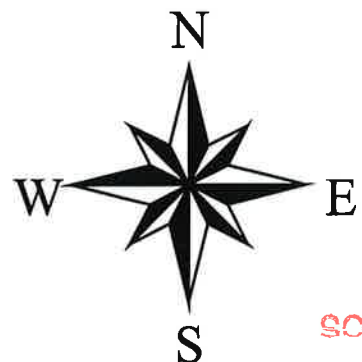
OCT 21 2009

75-27P
Beyeler
7.58 acres



0.04 0 0.04 0.08 Miles

-  **Theme47.shp**
-  **Graham.shp**
-  **Beyeler.shp**
-  **Gattung.shp**
-  **GCDB20N21E GCDB**
-  **POD-AJ ClaimClaim POD**



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OCT 21 2008

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

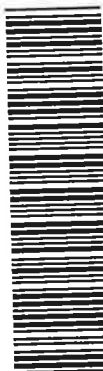
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 75-27P
Date Received: 7/21/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A7500027P



1. Name of Claimant(s)

AMY BEYELER Phone: (208)756-8360
228 WILLIAMS CREEK RD
SALMON ID USA 83467

JASON BEYELER Phone: (208)756-8360
228 WILLIAMS CREEK RD
SALMON ID USA 83467

2. Date of Priority: 05/01/1886

3. Source: WILLIAMS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
20N	21E	11	SE NE NE 1	LEMHI	

5. Description of diverting works:

PIPES WITH PUMP AND GRAVITY SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.15	

7. Total Quantity Appropriated is:
0.15 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
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OCT 21 2008

20N

21E 12

SW

NE

IRRIGATION

7.58

Section Acres

7.58

Total Acres

7.58

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-27N

15. Basis of Claim: Decreed

SCANNED

OCT 21 2008

04/28/2006

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

RIGHT NUMBER: 75-27P

NAME AND ADDRESS: AMY BEYELER
228 WILLIAMS CREEK RD
SALMON ID 83467

JASON BEYELER
223 WILLIAMS CREEK RD
SALMON ID 83467

SOURCE: WILLIAMS CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.150 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION:

T20N R21E S11 NENE Lot 1 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.150 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T20N R21E S12 SWNE 7.50

7.5 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 - Decreed