

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 37-21351
Date Received: 9/3/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HENRICUS P BEEKWILDER FAMILY REVOCABLE TRUST Phone: (916) 481-1893
2687 TOWNSEND CT
SACRAMENTO CA 95864

2. Date of Priority: 04/14/1952

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	9	NE SE NE	BLAINE	

5. Description of diverting works:

WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.04	

7. Total Quantity Appropriated is:
0.04 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
02N	18E	9	SE	NE	IRRIGATION	1
					Section Acres	1
					Total Acres	1

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

Parcel # RPH0000090012AA and #RPH0000095001BA

This right is a split from former right 37-2530

15. Basis of Claim: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 3, 2004

HENRICUS P BEEKWILDER FAMILY REVOCABLE TRUST
2687 TOWNSEND CT
SACRAMENTO CA 95864

RE: SRBA Claim #37-2530

Dear Claimants:

It has come to our attention the entire above referenced adjudication claim was mistakenly transferred into your name when in actuality you purchased only part of the land to which the water right is appurtenant.

The department has split the original claim. Your portion has been renumbered to 37-21351.

Enclosed please find your copy of the computer-generated claim. Review this document and should you have any questions or corrections, please contact this office.

Sincerely,

Carrie Hahn
Clerk
enc.

Form 42-2-16(47-1-09)(6) July, 2000

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.

RECEIVED
MAY 28 2003
 Department of Water Resources
 Southern 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
37-2530	37-2530	☐			☐
		☐			☐
		☐			☐
		☐			☐
		☐			☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- D. 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) V. K. Jeppesen and Ferne Jeppesen
P.O. Box 117, Hailey, ID 83333
4. New Owner/Claimant(s) Henricus P. Beekwilder and Beatrys M. Beekwilder, Trustees of the Henricus P. Beekwilder Family Revocable Trust dated March 27, 1979
 Name Connector (Check one): ☐ and ☐ or ☐ and/or
- New Mailing Address 2687 Townsend Court
- City, State and ZIP Code Sacramento, CA 95864
- New Telephone Number (916) 481-1893
5. Date you acquired the property February 24, 2003

Zigada

Form 42-21842-1400(6) July, 2000

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)
- Henricus P. Beekwilder* Trustee
Henricus P. Beekwilder, Trustee of the Henricus P. Beekwilder Family Revocable Trust
- Beatrys M. Beekwilder* Trustee
Beatrys M. Beekwilder, Trustee of the Henricus P. Beekwilder Family Revocable Trust

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 _____

K25811

WARRANTY DEED

For Value Received **V. K. Jeppesen and Feme H. Jeppesen, also shown of record as Feme Jeppesen, husband and wife**

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

Henricus P. Beekwilder and Beatrys M. Beekwilder, as Trustees of the Henricus P. Beekwilder Family Revocable Trust, dated March 27, 1979

whose address is: **2687 Townsend Court, Sacramento, CA 95864**

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

The South 16.5 feet of Lots 12 and 24, Block 90, of the City of Hailey, according to the official plat thereof, on file in the office of the County Recorder, Blaine County, Idaho, excepting therefrom the former railroad right-of-way. Together with the Northeasterly 20 feet of vacated Sixth Avenue adjacent to Lot 12 and that portion of the alley in Block 90 adjacent to said portions of Lots 12 and 24, Block 90 of the City of Hailey.

AND

That portion of the right-of-way commonly referred to as Carbonate Street located between Sixth Avenue (shown of record to be Sixth Street) and the Idaho Department of Transportation right-of-way as shown on the official plat of the City of Hailey on file in the office of the County Recorder, Blaine County, Idaho.

AND

Lots 1, 2, 13 and 14 and the Northwesterly 18 feet of Lots 3 and 15, Block 95 of the City of Hailey, according to the official plat thereof, on file in the office of the County Recorder, Blaine County, Idaho, excepting therefrom the former railroad right-of-way. Together with all those portions of vacated streets and alleys adjacent thereto.

The above legal descriptions are described as follows on the Blaine County Tax Rolls:

South 16½
feet of Lot 12 and South 16½
feet of Lot 24, Block 90 of the City of Hailey and 20 feet x 16½
feet of 6th Avenue and 16½
feet of alley in Block 90 of the City of Hailey.

Instrument # 479067
HAILEY, BLAINE, IDAHO
2003-02-24 10:23:00 No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 6.00
Ex-Officio Recorder Deputy
Index to: WTTICORP.DFPO

AND

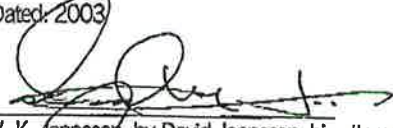
Lots 1, 2, 13 and 14 and North 18 feet of Lots 3 and 15, Block 95 of the City of Hailey and 26x68 vacated alley, 20x68 vacated 6th, 100x236 vacated Carbonate.

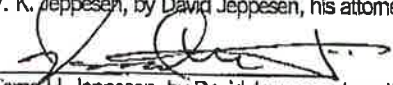
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above,

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.

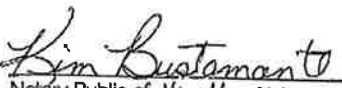
Dated: 2003


V. K. Jeppesen, by David Jeppesen, his attorney in fact


Ferne H. Jeppesen, by David Jeppesen, her attorney in fact

STATE OF *New Mexico*
)ss.
COUNTY OF *Bernalillo*

On this *19th* day of February, 2003, before me the undersigned, personally appeared David Jeppesen, known or identified to me (or proved to me on the oath of _____), to be the person(s) whose name(s) is subscribed to the within instrument as the attorney in fact of V.K. Jeppesen and Ferne H. Jeppesen, and acknowledged to me that he subscribed the name of V.K. Jeppesen and Ferne H. Jeppesen, and his own name as attorney in fact.


Notary Public of *New Mexico*
Residing at: *Albuquerque, NM*
Commission Expires: *10-15-05*



OFFICIAL SEAL
KIM BUSTAMANTE
Notary Public
State of New Mexico
My Commission Expires *10-15-05*

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

JAMES P. SPECK
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD
aanestad@cox-internet.com

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

May 27, 2003

RECEIVED
MAY 28 2003
Department of Water Resources
Southern Region

Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: *Beekwilder Family Revocable Trust - Notice of Change in Water Right Ownership*

Dear Alan:

Enclosed you will find the original and one copy of a Notice of Change in Water Right Ownership for Water Right No. 37-2530, appurtenant to property acquired by my client on February 24, 2003 from V. K. Jeppesen and Ferne Jeppesen. Please receipt date stamp the copy and return it to me in the postage pre-paid self-addressed envelope included for that purpose and, at your convenience, provide me with copies of computer printouts from your database reflecting this change in ownership.

Please call me if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS/jef

Enclosures

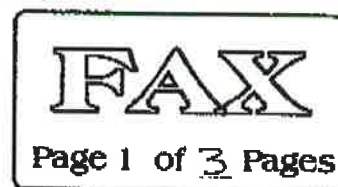
cc: Client, with enclosures

BEEKWILDER PROPERTIES

2687 TOWNSEND COURT
SACRAMENTO, CA 95864
TEL: (916) 481-1893
FAX: (916) 481-1894

Date: 3/28, 2007

Attn: Doug Jones
Fax: # 208 736-3037
Company: IDWR
From: Hans Beekwilder



Doug, For your file RE water right
37-21351 & 37-21350

QUITCLAIM DEED

For Value Received

**HENRICUS P. BEEKWILDER AND BEATRYS M. BEEKWILDER, AS TRUSTEES OF THE
HENRICUS P. BEEKWILDER FAMILY REVOCABLE TRUST, DATED MARCH 27, 1979**

Do hereby convey, release, remise and forever quitclaim unto

SIENA HOMES, L.L.C., an Idaho limited liability companyWhose current address is PO Box 51
Council, ID 83612

The following described premises, to-wit:

PLEASE SEE ATTACHED EXHIBIT "A"

Instrument # 493103

HAILEY, BLAINE, IDAHO

2003-10-10

03:51:00 No. of Pages: 2

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: \$0.00

Ex-Officio Recorder Deputy

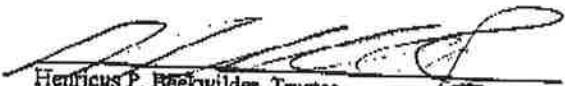
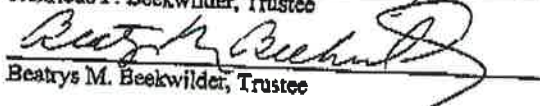
Index to: WTYQCICORP DEED

The Grantor herein reserves all water rights.

INSTRUMENT FILED FOR DEED
BY SUN VALLEY TITLE COMPANY AS AN
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS EFFECT UPON THE TITLE.

Together with their appurtenances.

Dated: October 3, 2003


Henricus P. Beekwilder, Trustee
Beatrys M. Beekwilder, Trustee

State of California

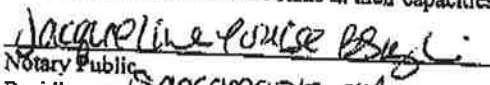
County of: SacramentoOn this 3rd day of October, 2003, before me, a Notary Public in and for said State, personally appeared Henricus P. Beekwilder and Beatrys M. Beekwilder, Trustees of The Henricus P. Beekwilder Family Trust Dated March 27, 1979 and the persons who executed the within instrument, and acknowledged to me that they executed the same in their capacities as Trustees.
Notary Public
Residing at: Sacramento, CA
Comm. Expires: July 19th, 2006

EXHIBIT "A"

The South 16.5 feet of Lots 12 and 24, Block 90, of the City of Hailey, according to the official plat thereof, on file in the office of the County Recorder, Blaine County, Idaho, excepting therefrom the former railroad right-of-way. Together with the Northeasterly 20 feet of vacated Sixth Avenue adjacent to Lot 12 and that portion of the alley in Block 90 adjacent to said portions of Lots 12 and 24, Block 90 of the City of Hailey.

AND

That portion of the right-of-way commonly referred to as Carbonate Street located between Sixth Avenue (shown of record to be Sixth Street) and the Idaho Department of Transportation right-of-way as shown on the official plat of the City of Hailey on file in the office of the County Recorder, Blaine County, Idaho.

AND

Lots 12, 2, 13 and 14 and the Northwesterly 18 feet of Lots 3 and 15, Block 95, of the City of Hailey, according to the official plat thereof, on file in the office of the County Recorder, Blaine county, Idaho, excepting therefrom the former railroad right-of-way. Together with all those portions of vacated streets and alleys adjacent thereto.

The above legal descriptions are described as follows on the Blaine County Tax Rolls:

South 16 ½ feet of Lot 12 and the South 16 ½ feet of Lot 24, Block 90 of the City of Hailey and 20 feet x 16 ½ feet of 6th Avenue and 16 ½ feet of alley in Block 90 of the City of Hailey.

AND

Lots 1, 2, 13 and 14 and North 18 feet of Lots 3 and 15, Block 95 of the City of Hailey and 26x68 vacated alley, 20x68 vacated 6th, 100x236 vacated Carbonate.

Jones, Doug

From: Jones, Doug
Sent: Thursday, September 02, 2004 9:53 AM
To: Clark, Cynthia (Bridge)
Subject: beekwilder

A few observations,

According to Blaine Co., via Arcview, the Beekwilders own 0.95 ac of the 3 ac claimed. The entirety of Block 95 is 2.1 acres and is not split into a lot of little lots. It is east of the Railroad and has about 4 lots. I do not know what the Vault file indicates as place of use and why it is three acres unless the streets or railroad right of way come into play. The basis of claim is license, but the rate of flow is more than licensed and represents capacity - this would make it a beneficial use claim with the priority date the date of completion of works or field exam date if more water can be justified (generally can be up there). Was there mention of decreed rights in the application, proofs or exam? I would think that we could recommend 0.02 cfs for Beekwilder's place under the present claim, or 0.03 cfs for a beneficial use claim.

Our claim file has a note in it (microfilmed) indicating some other folks could have an interest in this right we should not accept the whole thing into the water bank under Beekwilder's name. I am going to have the owner change from 2003 corrected and split the right from Jeppesen to Jeppesen and Beekwilder Trust proportionately. However this will not reflect what we would recommend - that would be less unless they replace the claim with a beneficial use-based claim.

Take a look at the note in the microfilmed claim and the Arcview with 1992 DOQQ X74se with Blaine Co tax lot if you haven't already.

Doug

