

(Internet)

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 73761

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant JUDITH R. BECK, TRUSTEE Phone 208-585-6046
Post Office address THE BECK FAMILY TRUST
9409 FOOTHILL RD, MIDDLETON, ID 83644

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Moving point of diversion to
new well on property.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|----------|-----------------------|------------------|---------------|
| 63-32088 | 10/26/77 | 0.05-22.5 | IRRIGATION | 3-15 to 11-15 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred 0.05 cubic feet per second and/or 22.5 acre-feet per annum. | | | | |
| 3. Source of water Ground Water tributary to N/A | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

RECEIVED

Total acres 5

MAY 20 2005

WATER RESOURCES
WESTERN REGION

PART 1

6. General Information:

a. Description of diversion system Well Pump to Sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ☒ No ☐ If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

* SEE ATTACHMENT A

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 20 day of May 19 2005

Judith R. Beck, Trustee
(Signature of Applicant)

Lori Harris
(Notary Public)

My commission expires 12-8-06

**FOR DEPARTMENT USE ONLY**

Transfer contains 4 pages and 3 attachments

Received by DAN Date 5-20-2005 Protest filed by _____

Prelim. check by AG Fee \$100 (W032962)

Received by DAN Date 5-20-05

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

*SEE ATTACHMENT B

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 63-32088

Priority Date: 10/26/1977

Origin: Adjudication Recommendation

Basis:

Status: Active

Source: GROUND WATER**Tributary to:**

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.05 CFS	22.5 AFA	
Total Diversion		0.05 CFS	22.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENE 05N 02W 20 CANYON

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals	
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
05N 02W 20																	5.0	5.0

Total Acres: 5

Conditions/Remarks:

1. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. This right is a split of former Right No. 63-31381.
4. 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.

ATTACHMENT A (2 PGS)

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Transfer No. 73761
Receipt No. _____

Current Water Right No. 63-32088

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

No

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

None

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

No

T05N R02W S20

NESE

P/D

P/U

NESE

P/D

Recording Requested By and
When Recorded Return To:

(The recording of this document is not required
to exercise the powers contained herein)

DURABLE POWER OF ATTORNEY

I, the undersigned, Kyle A. Beck, hereby appoint Judith R. Beck as my lawful attorney-in-fact to act for me in my place and stead.

THIS POWER OF ATTORNEY SHALL NOT BE AFFECTED BY MY SUBSEQUENT INABILITY TO MANAGE MY OWN AFFAIRS AND SHALL CONTINUE TO BE EFFECTIVE UNLESS AND UNTIL I REVOKE IT.

My attorney-in-fact above named is hereby granted the following authority:

A. The power to request and make demands, to compromise or compound, to collect and receive, any sum of money, whether a debt, account, legacy, bequest, interest, dividend or annuity, belonging to or claimed by me, and to use any lawful means of recovery by legal process or otherwise, and to execute and deliver a release on receipt of same and all other powers conferred by Probate Code Section 4450;

B. With respect to real property, my attorney-in-fact is granted all authority allowed under Probate Code Section 4451, including, but not limited to, the power to contract for, purchase, receive and take possession of any real property and any evidence of title; to lease the property for any term or purpose, including business, residential, or oil and gas or other mineral development; to sell or exchange the property, and to convey title with or without warranty; to transfer the property into any trust of which I am the Settlor; and to encumber the property to secure the payment of any obligation of mine;

C. With respect to personal property, whether the same be tangible or intangible, my attorney-in-fact is granted all authority allowed under Probate Code Section 4452, including, but not limited to, the power to contract for, buy, sell, exchange, transfer and in any other legal manner to deal with the property; to transfer such property into any trust

of which I am a Settlor; and to pledge or hypothecate the property or use the same as collateral to secure the payment of any obligation of mine;

D. To borrow money and to execute negotiable or non-negotiable instruments in exchange for such money, without giving security or securing the same as provided in paragraphs B and C above; to lend money and to receive negotiable or non-negotiable notes in exchange with such security as my attorney-in-fact deems proper under the circumstances then existing;

E. With respect to stocks and bonds, my attorney-in-fact is granted the powers contained in, but not limited to, Probate Code Section 4453, including the following: (1) Buy, sell, and exchange stocks, bonds, mutual funds, and all other types of securities and financial instruments except commodity futures contracts and call and put options on stocks and stock indexes; (2) Receive, in my name, certificates and other evidences of ownership with respect to securities; (3) Exercise voting rights with respect to securities in person or by proxy, enter into voting trusts, and consent to limitations on the right to vote, (4) Represent me in any of my corporate interests and to vote stock, exercise stock rights and to accept and deal with dividends, distributions or bonuses; (5) To transfer such stocks and bonds into any trust of which I am a Settlor; (6) Exercise or not exercise any subscription, conversion or other rights or options which may at any time attach, belong or be given to me as a holders of any stocks, bonds, securities or other instruments;

F. To execute and deliver revocable living trust agreements, to make additions to any existing or future living trust of which I am the Settlor, to withdraw property from such trusts, including the power to make gifts of such withdrawn assets in furtherance of any plan of giving I have established or made known to the holder of this power, and to amend, revoke or terminate any such trusts to the extent that I would be authorized to do so, but only to the extent that such acts do not substantially alter distribution of my estate during my lifetime and only for so long as such acts do not cause adverse tax consequences for my estate;

G. To make gifts to individuals and to charitable, religious, scientific or educational institutions according to my pattern of giving established in recent years;

H. With respect to business operation transactions, my attorney-in-fact is granted all authority allowed under Probate Code Section 4456, including, but not limited to, the power to transact business of any kind and to execute and deliver any bill of lading, bill of sale, bond, note, evidence of debt, release, request for reconveyance, and any other instrument in writing necessary to the transaction of such business;

I. With respect to tax matters, my attorney-in-fact is granted all authority allowed under Probate Code Section 4463 as to any federal, state, local and foreign tax returns or other tax matters and to prepare, sign and file any power of attorney required by the Internal Revenue Service or other taxing authority with respect to a tax year upon which

the statute of limitations has not run and to the tax year in which the power of attorney was executed and any subsequent tax year;

J. With respect to banking and financial matters, my attorney-in-fact is granted all authority allowed under Probate Code Section 4455, including, but not limited to, the power to establish, continue, modify, and terminate an account or other banking arrangement made by or on behalf of me; to withdraw by check, order or otherwise money or property of mine deposited with or left in the custody of a financial institution; to receive statements, vouchers, notices, and similar documents from a financial institution;

K. My agent shall have access to any safe deposit box in my name or with respect to which I am an authorized signatory; to contract with financial institutions for the maintenance and continuance of safe deposit boxes in my name, and to add to and remove the contents of all such safe deposit boxes, as well as the authority to terminate contracts for such safe deposit boxes;

L. With respect to insurance and annuity transactions, my attorney-in-fact is granted all authority allowed under Probate Code Section 4457;

M. With respect to any probate estate, trust, conservatorship, guardianship, escrow, custodianship, or other fund to which I am or may become a beneficiary, or I have a claim to be entitled as a beneficiary, to a share or payment, my attorney-in-fact is granted all authority allowed under Probate Code Section 4458;

N. With respect to claims that are mine or made against me, and any litigation in which I may become involved, my attorney-in-fact is granted all authority allowed under Probate Code Section 4459;

O. With respect to personal and family maintenance, my attorney-in-fact is granted all authority allowed under Probate Code Section 4460;

P. With respect to benefits from social security, medicare, medicaid, or other government program, or civil or military service, my attorney-in-fact is granted all authority allowed under Probate Code Section 4461;

Q. With respect to retirement plan transactions, my attorney-in-fact is granted all authority allowed under Probate Code Section 4462.

R. With respect to stock options, put and calls, and margin account, my attorney-in-fact is granted all authority allowed under Probate Code Section 4454 including authorization to buy, sell and trade in securities of any nature, including short sales, on margin, including the purchase of put and call options, both covered and uncovered, and for such purposes may maintain and operate margin accounts with brokers and may

pledge any securities held or purchased by or on behalf of myself with such brokers as security for loans and advances made me.

The authority of my attorney-in-fact under this Durable Power of Attorney is limited to those powers specifically mentioned in this instrument together with all powers which are reasonably incident to the implementation of those granted.

In addition to the foregoing, I hereby nominate Judith R. Beck as the conservator of my person or of my estate, or of my person and my estate, in the event I should be in need of such conservator.

I have signed this Durable Power of Attorney this 19th day of July, 2004, at Lafayette, California.

Kyle A. Beck
Kyle A. Beck

STATE OF CALIFORNIA)
) ss.
COUNTY OF CONTRA COSTA)

On July 19, 2004, before me, the undersigned Notary Public for the State of California, personally appeared Kyle A. Beck, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Timothy B. Walker
NOTARY PUBLIC

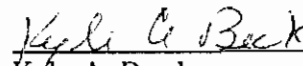


RESIGNATION OF TRUSTEE

I, the undersigned, Kyle A. Beck, am the Trustee of that certain trust designated as Ralph O. Beck Decedent's Trust established under the terms of The Beck Family Living Trust, under trust declaration dated October 25, 1990, as amended by First Amendment thereto dated May 12, 1997 and by Second Amendment thereto dated August 5, 1998. Said decedent's trust was created upon the death of Ralph O. Beck, whose date of death was November 9, 1998. The Trust provides that I am the initial trustee of said decedent's trust, and that Judith R. Beck shall be the Successor Trustee of the Trust.

My resignation as Trustee shall be effective with my signature on the date of this document and I request Judith R. Beck to accept the Trust and act as the Successor Trustee thereof immediately.

I have signed this RESIGNATION OF TRUSTEE this 19th day of July, 2004, at Lafayette, California.

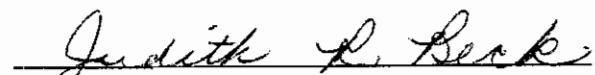


Kyle A. Beck

ACCEPTANCE OF TRUST AND CONSENT TO ACT AS TRUSTEE

I, the undersigned, Judith R. Beck, hereby accept the RALPH O. BECK DECEDENT'S TRUST and I consent to act as Trustee as of this date.

I have signed this ACCEPTANCE OF TRUST AND CONSENT TO ACT AS TRUSTEE this 19th day of July, 2004, at Lafayette, California.



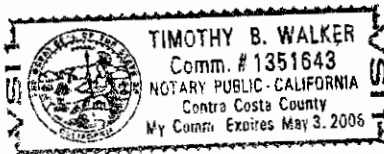
Judith R. Beck

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF CONTRA COSTA)

On July 19, 2004, before me, the undersigned Notary Public for the State of California, personally appeared Kyle A. Beck, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS my hand and official seal.



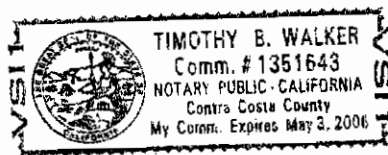
Timothy B. Walker
NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF CONTRA COSTA)

On July 19, 2004, before me, the undersigned Notary Public for the State of California, personally appeared Judith R. Beck, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS my hand and official seal.



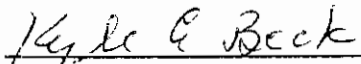
Timothy B. Walker
NOTARY PUBLIC

RESIGNATION OF TRUSTEE

I, the undersigned, Kyle A. Beck, am one of the Settlor (together with my late husband, Ralph O. Beck) of THE BECK FAMILY LIVING TRUST, under trust declaration dated October 25, 1990, and I am one of the initial Trustees of that trust. The trust provides in the first paragraph thereof (as amended by First Amendment thereto dated May 12, 1997) that Judith R. Beck shall be the Successor Trustee of the trust in the event both of the Settlor are no longer acting as Trustee. Ralph O. Beck passed away on November 9, 1998.

My resignation as Trustee shall be effective with my signature on the date of this document and I request Judith R. Beck to accept the trust and act as the Successor Trustee thereof immediately.

I have signed this RESIGNATION OF TRUSTEE this 19th day of July, 2004, at Lafayette, California.

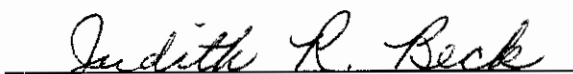


Kyle A. Beck

ACCEPTANCE OF TRUST AND CONSENT TO ACT AS TRUSTEE

I, the undersigned, Judith R. Beck, hereby accept THE BECK FAMILY LIVING TRUST, under trust declaration dated October 25, 1990, as amended by First Amendment thereto dated May 12, 1997, and as further amended by Second Amendment thereto dated August 5, 1998, and I consent to act as Trustee as of this date.

I have signed this ACCEPTANCE OF TRUST AND CONSENT TO ACT AS TRUSTEE this 19th day of July, 2004, at Lafayette, California.



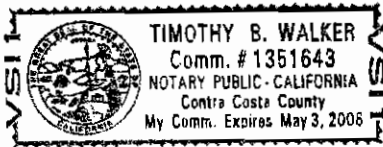
Judith R. Beck

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF CONTRA COSTA)

On July 19, 2004, before me, the undersigned Notary Public for the State of California, personally appeared Kyle A. Beck, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS my hand and official seal.



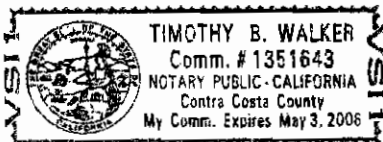
Timothy B. Walker
NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF CONTRA COSTA)

On July 19, 2004, before me, the undersigned Notary Public for the State of California, personally appeared Judith R. Beck, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

WITNESS my hand and official seal.



Timothy B. Walker
NOTARY PUBLIC