

No Color
Documents
In File

RECEIVED

AUG 27 2002

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

Department of Water Resources

RECEIVED

AUG 22 2002

IDWR/North

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, 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
<u>A 81-10058</u>	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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) are 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) Roper T K. Hayward
RT 1 Box 38
4. New Owner/Claimant(s) Keeskia Idaho 83539
Name Connector (Check one): ☐ and, ☐ or, ☒ James F Beaton and Karen B Beaton
New Mailing Address RT 1 Box 38
City, State and ZIP Code Keeskia Idaho 83539
New Telephone Number (208) 926-7251
5. Date you acquired the property 7-20-92

MICROFILMED

AUG 11 2003

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)

James F. Beaton
Karen B. Beaton

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 CP

Date

8/22/02

Fee

\$25⁰⁰

Received by CP

Date

8/22/02

Receipt No.

NO 15232

Processed by _____

AJ

Date

WR

Date

MICROFILMED
JUN 11 2003

301277

WARRANTY DEED

GRANTOR, RUPERT K. HAYWARD and MARIAM M. HAYWARD, husband and wife, of Route 1 Box 38, Kooskia, ID 83539, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto JAMES F. BEASTON and KAREN B. BEASTON, husband and wife, of 25700 S. W. New Land Road, Wilsonville, OR 97070, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

Township 31 North, Range 5 East, Boise Meridian
Section 8: A part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as:
Beginning at an iron pipe marking the Southeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 8, being the real point of beginning;
thence North, along the East Boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, 746.72 feet to the edge of the County road right of way;
thence N.66°01'35"W., 296.15 feet along said County road right of way;
thence South 867.05 feet;
thence East 270.60 feet to the real point of beginning.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 1992, which are a lien, not yet due and payable.
2. Reservations as set forth in Warranty Deed, including the terms and conditions thereof, by and between PAUL B. PALMER JR. and ANGELA PALMER, husband and wife, and DALE CUTHBERT and SANDY CUTHBERT, husband and wife, recorded October 12, 1977, under Instrument No. 270494, records of Idaho County, Idaho.
3. Easement as contained in Quit Claim Deed, including the terms and conditions thereof, by and between RUPERT HAYWARD and MARIAM HAYWARD, husband and wife, Grantors, and JOHN E. CLUTE,

WARRANTY DEED

1

MICROFILMED
AUG 11 2003

1 a married man, Grantee, recorded December 11,
2 1991, under Instrument No. 361440, records of
Idaho County, Idaho.

3 Grantor, for himself, his heirs and assigns does hereby
4 covenant, warranty and shall defend the quiet and peaceable
5 possession of said premises by the Grantee, their heirs and assigns
6 forever against the lawful claims of all persons.

7 In construing this deed, and where the context so requires,
8 the singular includes the plural and the masculine, the feminine
9 and the neuter.

10 IN WITNESS WHEREOF, Grantors have hereunto subscribed their
11 names to this instrument this 17th day of July, 1992.

12
13 Rupert K. Hayward
14 RUPERT K. HAYWARD

Mariam M. Hayward
MARIAM HAYWARD

15 STATE OF IDAHO)
16 ss.
County of Idaho)

17 On this 17th day of July, 1992, before me,
18 Kenneth A. Hoegjard, a Notary for the said County and
19 State, personally appeared RUPERT K. HAYWARD and MARIAM HAYWARD,
20 husband and wife, known or identified to me to be the persons whose
21 names are subscribed to the within instrument, and they
22 acknowledged to me that they freely executed the same and that the
23 statements therein contained are true.

24
25
26
27
28 WARRANTY DEED

2

MICROFILMED

AUG 11 2003

1 IN WITNESS WHEREOF, I have hereunto set my hand and affixed
2 my official seal the day and year first above written.

3
4 (NOTARY SEAL)

Benjamin P. Thompson
Notary Public for State of Idaho,
Residing at Orangeville, therein.
My commission expires on 10-15, 1994.



10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28 WARRANTY DEED

MICROFILMED

AUG 11 2003

STATE of IDAHO ss	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO	
at	30 minutes past 10 o'clock A. M.
this	20 day of July, 1992
ROSE E. GEHRING	
By	<i>Edith L. Andersson</i> Recorder
Fees	\$ 9.00 Deputy

2000 AUG 18 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILEDIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 81-10058

NAME AND ADDRESS: RUPERT K HAYWARD
RT 1 BOX 38
KODSKIA, ID 83539

SOURCE: SPRING TRIBUTARY: CLEAR CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1958

POINT OF DIVERSION: T31N ROSE S08 NW/4 Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOUSE	01-01 TO 12-31	0.04 CFS

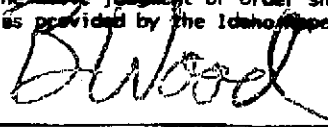
PLACE OF USE: Domestic Within Idaho County
T31N ROSE S08 NW/4

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

AUG 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 27, 2002

JAMES F BEASTON
KAREN B BEASTON
RT 1 BOX 38
KOOSKIA ID 83539

RE: Change of Ownership for Water Right 81-10058

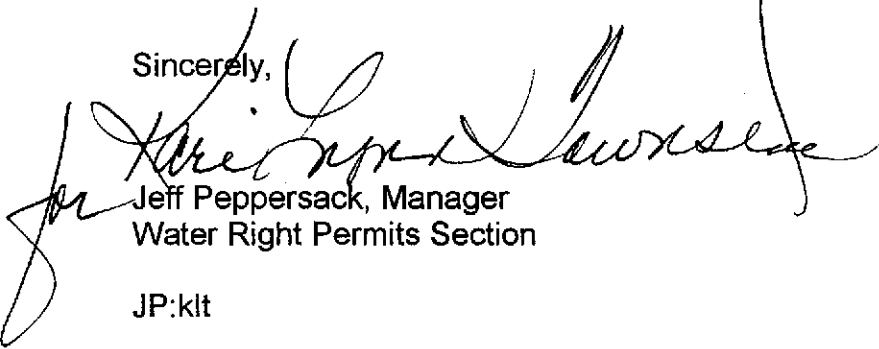
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
AUG 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 22, 2002

JAMES F & KAREN B BEASTON
RT 1 BOX 38
KOOSKIA ID 83539

Re: Water Right 81-10058

Dear Mr. and Mrs. Beaston:

This acknowledges receipt of the Notice of Change in Water Right Ownership papers for the above referenced water right, changing the ownership to you. Enclosed is receipt No. N015232, for your records.

We are forwarding the paperwork to the State Office for processing.

If you have any questions, please contact KariLynn Townsend in our State Office, at 208-327-7941.

Sincerely,

Dianne Ball
Administrative Assistant

Enc.

db

cc: IDWR State Office - KariLynn Townsend

MICROFILMED
AUG 11 2003