

6225 AT Prospects

6569 AT

Prospects
Springs

6079 T

6026 T

15

6113 T

42' 30"
4953

T
16
N
R26E

PIPELINE

POINT OF DIVERSION

74-00160
74-02289

35

12

4.7

279

3

Leadore

Landing
Strip

Gravel Pit

6016 T BM 6040

5996 T

Eighteenmile

16N
15N

6074 T T 16 N
T 15 N

6052 T

6042 T

6020 T

BM 6013

**NOTICE OF PROPOSED
CHANGE OF A
WATER RIGHT**

NO. 74-00160 & 74-02289

Notice is hereby given that MER-
RIL OR SHARAL BEYELER has
applied to the Department of Water
Resources to CHANGE POINT OF
DIVERSION and ADD A POINT
OF DIVERSION of the waters of
CANYON CREEK tributary to the
LEMHI RIVER. The right sought to
be changed is evidenced by DE-
CREE NO.'S 74-00160 and 74-02289
and recorded as follows:

Decree No. 74-00160 Decreed to
MAXWELL F. BEYELER in case
of LEMHI DECREE.

AMOUNT: .50 CFS

PRIORITY: 7-1-1877

POINT OF DIVERSION: SESW,
SEC 22, T 16N, R 26E

The water is used from MARCH
15 to NOVEMBER 15 to irrigate
15.5 acres within the SWNW, SEC
27; SENE, SEC. 28, T 16N, R 26E,
B.M.

Decree No. 74-02289 Decreed to
MAXWELL F. BEYELER in case
of LEMHI DECREE.

AMOUNT: .74 CFS

PRIORITY: 3-7-1944

POINT(S) OF DIVERSION:
SWSE, SEC 22, T 16N, R 26E

The water is used from MARCH
15 to NOVEMBER 15 to irrigate
35.6 acres within the SWNE,
SESW, NESW, SEC 27, T 16N, R
26E, B.M.

**TO BE CHANGED
AS FOLLOWS:**

THE WATER WILL BE diverted
from the SESWSE, NESESE, SEC
22, T16N, R 26E, B.M.

Any protests against the proposed
change must be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Idaho Falls, ID, 83401,
on or before DECEMBER 24, 1990.

R. Keith Higginson
Director

Published in the RECORDER-
HERALD on DECEMBER 6 & 13,
1990.

12-6-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

DEC 17 1990

Department of Water Resources
Eastern District Office

RICKY G. HODGES

being first duly sworn, deposes
and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published
weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Proposed Change of Water Rights 74-00160
and 74-02289

a true
printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-
lished in the regular and entire issue of every number of said newspaper and not in any supplement
thereof or thereto for 2 consecutive issues, commencing with the issue
dated Dec. 6, 1990 and ending with the issue dated Dec. 13,
1990.

STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this thirteenth day of December in the year of 1990
before me, A Notary Public, personally appeared
known or identified to me to be the person whose name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he
executed the same.

Shirley K. Hodges
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-95

Publication Fee \$ 62.64

**NOTICE OF PROPOSED
CHANGE OF A
WATER RIGHT**

No. 74-00160 & 74-02289

Notice is hereby given that MERRIL OR SHARAL BEYELER has applied to the Department of Water Resources to CHANGE POINT OF DIVERSION and ADD A POINT OF DIVERSION of the waters of CANYON CREEK tributary to the LEMHI RIVER. The right sought to be changed is evidenced by DECREE NO.'S 74-00160 and 74-02289 and recorded as follows:

Decree No. 74-00160 Decreed to MAXWELL F. BEYELER in case of LEMHI DECREE.

AMOUNT: .50 CFS

PRIORITY: 7-1-1877

POINT OF DIVERSION: SESW, SEC 22, T 16N, R 26E

The water is used from MARCH 15 to NOVEMBER 15 to irrigate 15.5 acres within the SWNW, SEC 27; SENE, SEC. 28, T 16N, R 26E, B.M.

Decree No. 74-02289 Decreed to MAXWELL F. BEYELER in case of LEMHI DECREE.

AMOUNT: .74 CFS

PRIORITY: 3-7-1944

POINTS (S) OF DIVERSION: SWSE, SEC 22, T 16N, R 26E

The water is used from MARCH 15 to NOVEMBER 15 to irrigate 35.6 acres within the SWNE, SEC 27, T 16N, R 26E, B.M.

TO BE CHANGED AS FOLLOWS:

THE WATER WILL BE diverted from the SESWSE, NESESE, SEC 22, T16N, R 26E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before NOVEMBER 5, 1990.

R. Keith Higginson
Director

Published in the RECORDER-HERALD on OCTOBER 18 AND 25, 1990.

10-18-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

OCT 30 1990

Department of Water Resources
Eastern District Office

RICKY G. HODGES

being first duly sworn, deposes and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Proposed Change of Water Rights 74-00160 and 74-02289

is a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated Oct. 18, 1990 and ending with the issue dated Oct. 25, 1990.

STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this twenty fifth day of October in the year of 1990, before me, A Notary Public, personally appeared known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Residing At Salmon, Idaho

Shirley K. Hodges
Notary Public for Idaho

My Commission expires: 9-21-95

Publication Fee \$61.56

Re-ad
their error

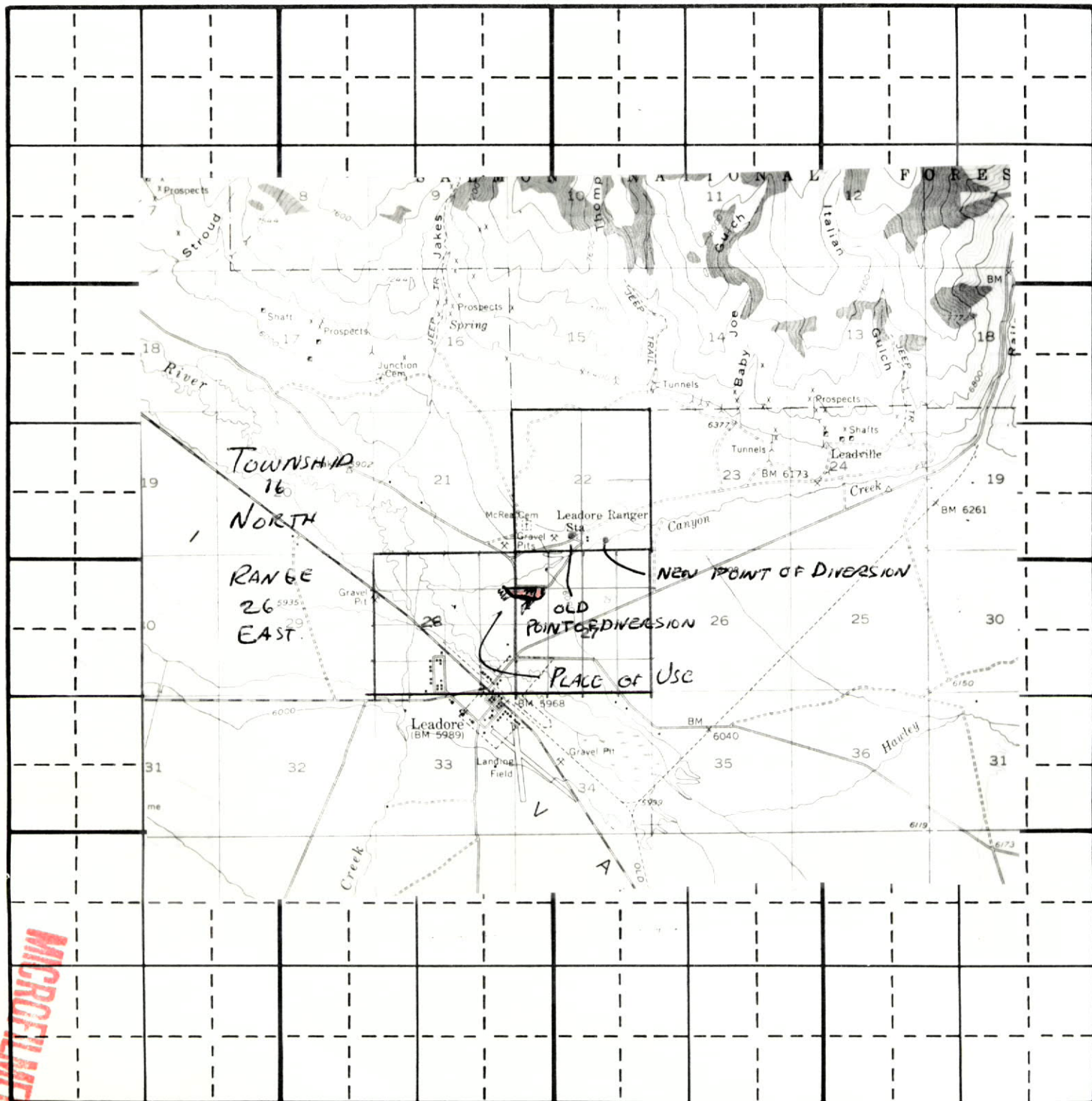
c. Describe the lands place of use to which the right will be transferred:

No change

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	26E	27							12										12
		28				3.5													3.5

Total number of acres to be irrigated 15.5

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT

NO. 74-0160

Notice is hereby given that Merrill Beyeler, Leadore, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Canyon Creek tributary to Lemhi River. The right sought to be changed is evidenced by decree no. 74-0160 to Maxwell F. Beyeler in case of State of Idaho vs. Mary A. Adams, et al in Lemhi County and is recorded as follows:

AMOUNT: 0.50 cfs

PRIORITY: 7-1-1877

POINT OF DIVERSION:

SE 1/4 SW 1/4 Sec. 22, T. 16N, R. 26E, B.M. Lemhi County;

The water is used to irrigate 15.5 acres within the SW 1/4 NW 1/4, Sec. 27, SE 1/4 NE 1/4, Sec. 28, T. 16N, R. 26E, B.M.

TO BE CHANGED AS
FOLLOWS

The water will be diverted within the SW 1/4 SE 1/4 Sec. 22, T. 16N, R. 26E, B.M. Lemhi County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before May 2, 1983.

A. KENNETH DUNN
Director

Published in The Recorder Herald on 4/14 & 4/21/83.

4-14-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

APR 28 1983

Department of Water Resources
Eastern District Office

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

Notice of Proposed Change of Water Right 74-0160

That the

a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated April 14, 1983 and ending with the issue dated April 21, 1983

Jerry G. Rosin

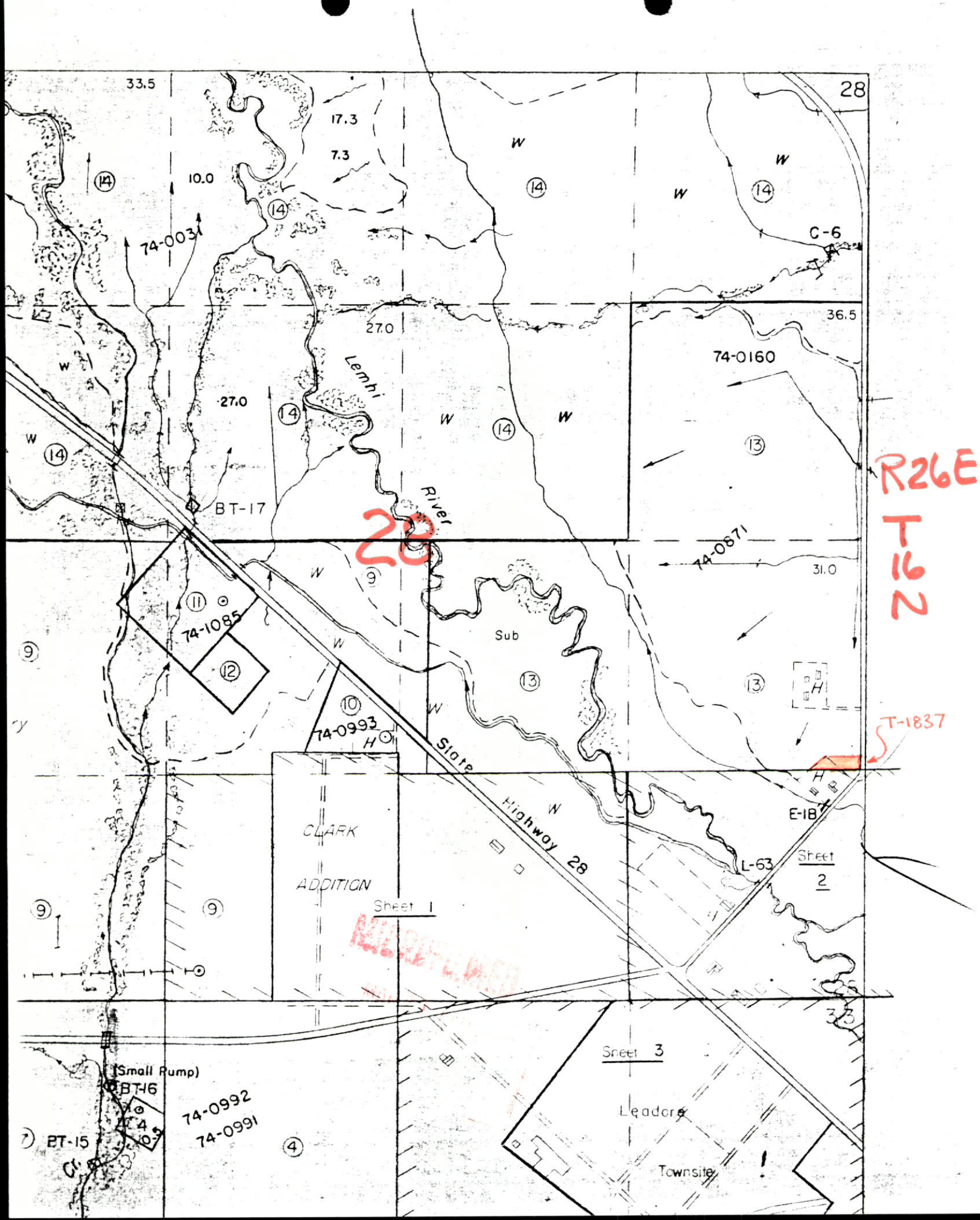
Subscribed and sworn to before me, this twenty first

day of April, 1983

Neil Armstrong

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 23.40



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 2813
3774

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant MERRIL OR SHARAL BEYLER Phone 768-2651
Post Office address P.O. Box 62, LEADORE, ID. 83464

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 CORNER HAS INSTALLED GRAVITY FLOW PIPELINE. HEADINGS OF PIPELINE IS APPROX. 1/4 MILE UPSTREAM OF ORIGINAL DIVERSION, THAT IS STILL IN USE WHEN NEEDED.

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
<u>74-00160</u>	<u>JULY 1, 1877</u>	<u>0.50</u>	<u>IRR</u>	<u>3/15</u> to <u>11/15</u>
<u>74-02289</u>	<u>MAR. 7, 1944</u>	<u>0.74</u>	<u>IRR</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.24 cubic feet per second and/or _____ acre-feet per annum.3. Source of water CANYON CREEK tributary to LEWIS RIVER

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	SE	22	16N	26E	LEWIS	
	NE	SE	SE	22	16N	26E	LEWIS	

5. 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	
74-00160	16N	26E							12										12
		28				3.5													3.5
			NO CHANGE IN PLACE OF USE																
74-02289	16N	26E			27.9				4.7	3									35.6

Total acres 5.1

PART 1

6. General Information:

a. Description of diversion system HEADGATES IN STREAM TO DITCHES. CAN FLOOD IRRIGATE OR PUT WATER INTO GRAVITY FLOW MAINLINE w/ BOOSTERS 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~~ Yes X 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NO CHANGE IN PLACE OF USE

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 74-0160/2289

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

See attached sheet for conditions of approval.

RECORDED

MAR 21 1991

Witness my hand this 25th day of February, 19 91

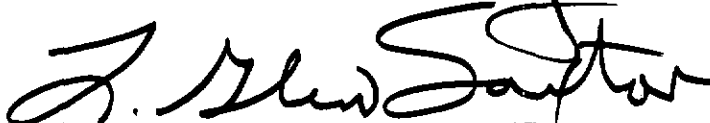
J. Glen Saylor
 Chief, Water Allocation Bureau

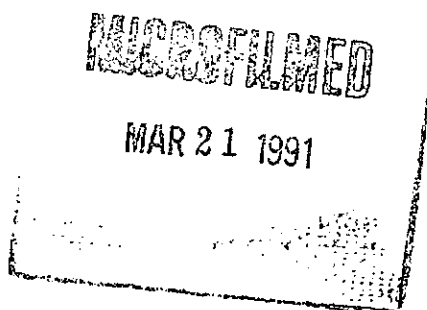
CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 74-0160 & 74-2289

1. Use of water under this water right is subject to control by the watermaster of State Water District No. 74-W, Canyon Creek.
2. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
3. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 25th day of February, 1991.


Chief, Water Allocation Bureau



**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-00160 Decreed to MAXWELL F. BEYELER
in case of LEMHI DECREE vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water CANYON CREEK tributary to LEMHI RIVER

4. Date or priority 7-1-1877

5. Water is used for the following purpose:

amount 0.50 for IRR purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.50 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			SE	22	16N	26E	LEMHI	

8. 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	
16N	26E	27							12										
		28				3.5													

Total acres 15.5

9. Describe any other water rights used for the same purpose as described above

NONE

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

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 |
| | amount | for | purposes from | to |
| | amount | for | purposes from | to |
| | amount | for | purposes from | to |
| 2. | Point(s) of Diversion: | | | |

3. Lands irrigated or place of use:

[illegible][illegible]

Total acres

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

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

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-02289 Decreed to MAXWELL F. BEYELER
in case of LEWIS DECREE vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water CANYON CREEK tributary to LEWIS RIVER

4. Date or priority 3-7-1944

5. Water is used for the following purpose:

amount 0.74 for IRR purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.74 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	22	16N	26E	LEWIS	

8. 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	
16N	26E	27			27.9					4.7	3.0								35.6

Total acres 35.6

9. Describe any other water rights used for the same purpose as described above NONE

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
	(cfs/ac-ft)		amount		for		purposes from
	(cfs/ac-ft)		amount		for		purposes from

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres

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

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

2. Point(s) of Diversion:

[illegible]

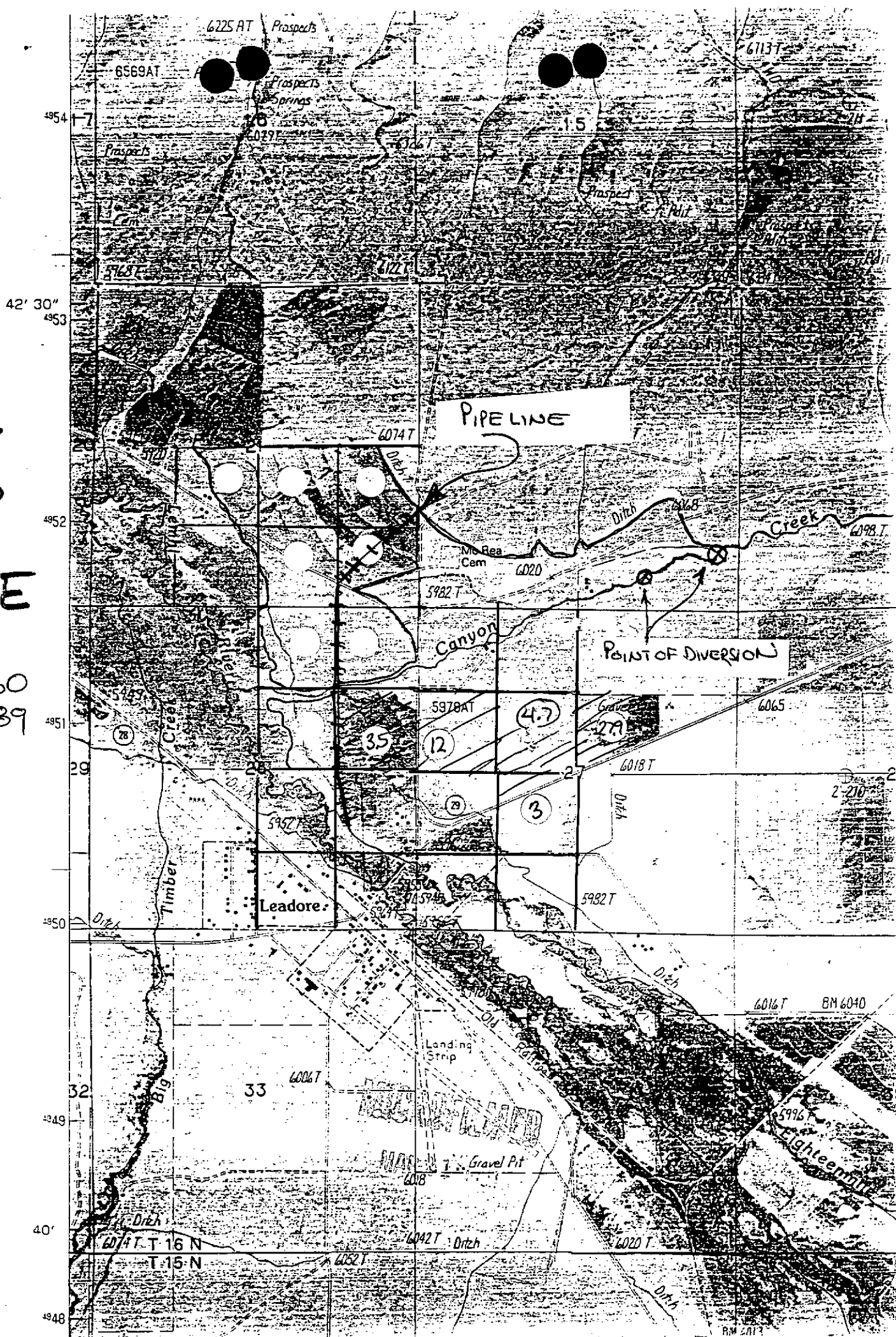
3. Lands irrigated or place of use:

[illegible]

Total acres

74-00160
74-02289

16 N
15 N



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

A large grid for drawing a map, with a dashed line indicating a section boundary. A stamp in the bottom right corner reads "RECEIVED MAR 21 1991".

SCALE: 2 inches equal 1 mile. Draw plan in ink.

B. CHANGES IN NATURE OF USE

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

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

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

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

9th

(Signature of Applicant)

M. Arnold B. B. B.

day of August

1990

(Notary Public)

My commission expires

1994

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____

Date 8-20-92

Prelim. check by _____

Fee \$50.00 E015148

Received by _____

Date 8-20-92

Published in Recorder - Herald

Pub. dates 10-18-95-90 12-8-93-90

Watermaster recommendation requested on _____

rec'd. _____

Copy of transfer sent to lien holder _____

by REC

1992-2-20-91

Recommended for ☒ approval ☐ denial

Hearing held by _____ Date _____

Copies of protest forwarded by _____

WARRANTY DEED

For Value Received Marjorie E. McRea, an unmarried woman, and Earl W. McRea, a married man dealing with his sole and separate property, of P.O. Box 121, Leadore, Idaho 83464

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

Merrill M. Beyeler and Sharal L. Beyeler, husband and wife

whose current address is P.O. Box 62
Leadore, Idaho 83464

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

See Exhibit "A"

** THIS DOCUMENT IS BEING RE-RECORDED TO CORRECT AN ERROR IN THE
LEGAL DESCRIPTION.

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

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

Dated: March 29, 1990

Marjorie E. McRea
MARJORIE E. McREA

Earl W. McRea
EARL W. McREA

RECORDED
INDEXED

STATE OF IDAHO, COUNTY OF LEMHI

On this 29th day of MARCH, 1990,
before me, a notary public in and for said State, personally
appeared.....

MARJORIE E. McREA AND EARL
McREA

MAR 21 1991

State of Idaho
County of Lemhi

as No.

206131

This instrument was filed for record at
the request of American Land Title
at 11:25 o'clock A m 4-2 19 90

Dated: March 29, 1990

Marjorie E. McRea
MARJORIE E. McCREA

Earl W. McRea
EARL W. McCREA

STATE OF IDAHO, COUNTY OF LEMHI

On this 29th day of MARCH, 1990,
before me, a notary public in and for said State, personally
appeared.....

MARJORIE E. McCREA AND EARL
McCREA

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Laurie M. Santee
LAURIE M. SANTEE Notary Public
Residing at SALMON, Idaho
Comm. Expires 6-19-1995

State of Idaho)
County of Lemhi)

as No. 226131

This instrument was filed for record at
the request of American Land Title
at 11:25 o'clock A m 4-2 19 90
and duly filmed and indexed in the
records of Lemhi County

Alberta Wiederrick

Ex-Officio Recorder

By Terri J. Morton Deputy
Fees: 6.00

RECORDED

MAR 21 1991

EXHIBIT "A"

TOWNSHIP 16 NORTH, RANGE 26 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

SECTION 21: SE1/4, E1/2SW1/4, SW1/4SW1/4.

SECTION 28: NW1/4, W1/2NE1/4, NE1/4NE1/4.

EXCEPTING THEREFROM:

PART OF THE SE1/4 OF THE SE1/4 OF SECTION 21 AND NE1/4 OF THE NE1/4 OF SECTION 28, TOWNSHIP 16 N., RANGE 26 E., IN LEMHI COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT THE SE CORNER OF SECTION 21 AND RUNNING THENCE N. $00^{\circ} 33' 42''$ W., 667.01 FEET; THENCE ALONG A FENCE LINE S. $71^{\circ} 32' 32''$ W., 1052.32 FEET; THENCE S. $65^{\circ} 46' 25''$ W., 49.28 FEET TO A FENCE CORNER AT THE COUNTY ROAD RIGHT OF WAY; THENCE ALONG THE COUNTY ROAD RIGHT OF WAY FENCE S. $59^{\circ} 40' 33''$ E., 40 FEET; THENCE S. $64^{\circ} 51' 14''$ E., 517.37 FEET; THENCE S. $56^{\circ} 12' 28''$ E., 223.31 FEET; THENCE S. $46^{\circ} 13' 12''$ E., 206.54 FEET; THENCE S. $33^{\circ} 28' 51''$ E., 324.09 FEET; THENCE S. $16^{\circ} 14' 56''$ E., 129.61 FEET; THENCE N. $00^{\circ} 17' 18''$ W., 588.32 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

State of Idaho)
County of Lemhi)

ss No. **206230**

This instrument was filed for record at
the request of American Land Title
at 2:15 o'clock p m 9-13 1990
and duly filmed and indexed in the
records of Lemhi County

Alberta Wiederrick

Ex-Officio Recorder

By Anna L. Wiederrick Deputy

Fees: 6.00 pd.

ARLA BOOTS
LEMHI COUNTY ASSESSOR
LEMHI COUNTY COURTHOUSE
206 COURTHOUSE DRIVE
SALMON, ID 83467

THIS IS NOT A BILL

PARCEL NO. RP 16N26E280001 A

TAX CODE	3-00
LOTS / ACRES	MARKET VALUE
134.000 AC	20,110
134.730 AC	5,758
9.000 AC	

CATEGORY DESCRIPTION
1 IRRGTD AG
5 DRY GRAZING
19 WASTE

277.730

1990
TAXPAYERS
VALUATION
25,868* ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 20, 1990

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER RP16N26E280000A
NW4 W2NE4 NE4NE4
LESS FR T-3104
28 16 26

Mail To:
BEYELER, MERRILL M
& BEYELER, SHARAL L
P O BOX 62
LEADCRE, IDAHO 83464

ARLA BOOTS
LEMHI COUNTY ASSESSOR
LEMHI COUNTY COURTHOUSE
206 COURTHOUSE DRIVE
SALMON, ID 83467

THIS IS NOT A BILL

PARCEL NO. RP 16N26E214801 A

TAX CODE	3-00
LOTS / ACRES	MARKET VALUE
236.000 AC	62,543
26.500 AC	1,669
1.000 AC	5,250
7.000 AC	

CATEGORY DESCRIPTION
1 IRRGTD AG
5 DRY GRAZING
10 RURAL HOMESITE
19 WASTE
31 RURAL RES BLDG
32 RURAL IMP ON AG

270.500

1990
TAXPAYERS
VALUATION
25,640
11,281
106,383* ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 20, 1990

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER RP16N26E214800T
SE4 LESS FR T-3104 E2SW4
SW4SW4
21 16 26

Mail To:
BEYELER, MERRILL M
& BEYELER, SHARAL L
P O BOX 62
LEADCRE, IDAHO 83464

ARLA BOOTS
LEMHI COUNTY ASSESSOR
LEMHI COUNTY COURTHOUSE
206 COURTHOUSE DRIVE
SALMON, ID 83467

THIS IS NOT A BILL

PARCEL NO. RP 16N26E2712C0 A

CATEGORY DESCRIPTION	TAX CODE	LOTS / ACRES	MARKET VALUE
1 IRRGTD AG		65.000 AC	18,982
5 DRY GRAZING		121.000 AC	2,695
10 RURAL HOMESITE		1.000 AC	5,250
19 WASTE		13.000 AC	
		200.000	26,927*

1990
TAXPAYERS
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 20, 1990

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER RP16N26E271200A
N2SW4 S2NW4 SW4NE4
27 16 26

Mail To:
BEYELER, MERRIL
& BEYELER, SHARAL
BOX 62
LEADORE, IDAHO 83464

ARLA BOOTS
LEMHI COUNTY ASSESSOR
LEMHI COUNTY COURTHOUSE
206 COURTHOUSE DRIVE
SALMON, ID 83467

THIS IS NOT A BILL

PARCEL NO. RP 16N26E2818C1 A

CATEGORY DESCRIPTION	TAX CODE	LOTS / ACRES	MARKET VALUE
1 IRRGTD AG		101.820 AC	18,981
5 DRY GRAZING		8.580 AC	210
10 RURAL HOMESITE		2.000 AC	10,500
31 RURAL RES BLOC			39,565
32 RURAL IMP ON AG			8,808
		112.400	78,064*

1990
TAXPAYERS
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 20, 1990

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER
NW4SE4 LESS T-2499 & 1.44
BELONGING TO LEMHI COUNTY (RR
RIGHT OF WAY) & .56 TO HWY
SE4NE4, NE4SE4 LESS T-1837
28 16 26

Mail To:
BEYELER, MERRILL
& BEYELER, SHARAL
BOX 62
LEADORE, IDAHO 83464

RECORDED

MAR 21 1991

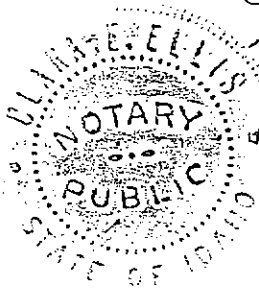
August 15, 1990

We, Earl & Marjorie McKee,

have examined the transfer of water for rights # 74-00158 and 74-00159 from Canyon Creek by Merrill & Sharyl Beyeler, and we find no problem in the applications for transfer of water rights.

Earl McKee 8/15/90

Marjorie E. McKee 8/15/90



Clara E. Ellis
Notary Public

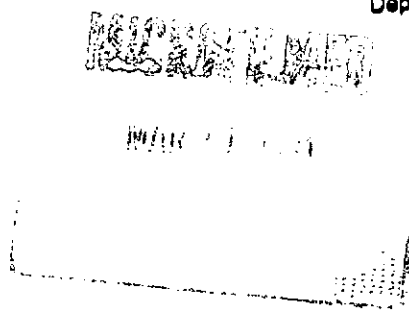
Aug 15, 1990

Lease, Idaho
Comm. Expires 5-1992

RECEIVED

AUG 20 1990

Department of Water Resources
Eastern District Office



LIEN HOLDER

**NOTICE OF PROPOSED
CHANGE OF A
WATER RIGHT**

NO. 74-00160 & 74-02289

Notice is hereby given that MER-
RIL OR SHARAL BEYELER has
applied to the Department of Water
Resources to CHANGE POINT OF
DIVERSION and ADD A POINT
OF DIVERSION of the waters of
CANYON CREEK tributary to the
LEMHI RIVER. The right sought to
be changed is evidenced by DE-
CREE NO.'S 74-00160 and 74-02289
and recorded as follows:

Decree No. 74-00160 Decreed to
MAXWELL F. BEYELER in case
of LEMHI DECREE.

AMOUNT: .50 CFS

PRIORITY: 7-1-1877

POINT OF DIVERSION: SESW,
SEC 22, T 16N, R 26E

The water is used from MARCH
15 to NOVEMBER 15 to irrigate
15.5 acres within the SWNW, SEC
27; SENE, SEC. 28, T 16N, R 26E,
B.M.

Decree No. 74-02289 Decreed to
MAXWELL F. BEYELER in case
of LEMHI DECREE.

AMOUNT: .74 CFS

PRIORITY: 3-7-1944

POINT(S) OF DIVERSION:
SWSE, SEC 22, T 16N, R 26E

The water is used from MARCH
15 to NOVEMBER 15 to irrigate
35.6 acres within the SWNE,
SESW, NESW, SEC 27, T 16N, R
26E, B.M.

**TO BE CHANGED
AS FOLLOWS:**

THE WATER WILL BE diverted
from the SESWSE, NESESE, SEC
22, T16N, R 26E, B.M.

Any protests against the proposed
change must be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Idaho Falls, ID, 83401,
on or before DECEMBER 24, 1990.

R. Keith Higginson

Director

Published in the RECORDER-
HERALD on DECEMBER 6 & 13,
1990.

12-6-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

DEC 17 1990

Department of Water Resources
Eastern District Office

RICKY G. HODGES

being first duly sworn, deposes
and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published
weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Proposed Change of Water Rights 74-00160
and 74-02289

a true
printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-
lished in the regular and entire issue of every number of said newspaper and not in any supplement
thereof or thereto for 2 consecutive issues, commencing with the issue
dated Dec. 6, 1990 and ending with the issue dated Dec. 13
1990.

STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this thirteenth day of December in the year of 1990
before me, A Notary Public, personally appeared
known or identified to me to be the person whose name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he
executed the same.

Residing At Salmon, Idaho

Shirley K. Hodges
Notary Public for Idaho

My Commission expires: 9-21-95

Publication Fee \$ 62.64

**NOTICE OF PROPOSED
CHANGE OF A
WATER RIGHT**

No. 74-00160 & 74-02289

Notice is hereby given that MERRIL OR SHARAL BEYELER has applied to the Department of Water Resources to CHANGE POINT OF DIVERSION and ADD A POINT OF DIVERSION of the waters of CANYON CREEK tributary to the LEMHI RIVER. The right sought to be changed is evidenced by DECREE NO.'S 74-00160 and 74-02289 and recorded as follows:

Decree No. 74-00160 Decreed to MAXWELL F. BEYELER in case of LEMHI DECREE.

AMOUNT: .50 CFS

PRIORITY: 7-1-1877

POINT OF DIVERSION: SESW, SEC 22, T 16N, R 26E

The water is used from MARCH 15 to NOVEMBER 15 to irrigate 15.5 acres within the SWNW, SEC 27, SENE, SEC. 28, T 16N, R 26E, B.M.

Decree No. 74-02289 Decreed to MAXWELL F. BEYELER in case of LEMHI DECREE.

AMOUNT: .74 CFS

PRIORITY: 3-7-1944

POINTS (S) OF DIVERSION: SWSE, SEC 22, T 16N, R 26E

The water is used from MARCH 15 to NOVEMBER 15 to irrigate 35.6 acres within the SWNE, SEC 27, T 16N, R 26E, B.M.

TO BE CHANGED AS FOLLOWS:

THE WATER WILL BE diverted from the SESWSE, NESESE, SEC 22, T16N, R 26E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before NOVEMBER 5, 1990.

R. Keith Higginson

Director

Published in the RECORDER-HERALD on OCTOBER 18 AND 25, 1990.

10-18-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

OCT 30 1990

Department of Water Resources
Eastern District Office

RICKY G. HODGES

being first duly sworn, deposes and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Proposed Change of Water Rights 74-00160 and 74-02289

is a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated Oct. 18, 1990 and ending with the issue dated Oct. 25, 1990.

STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this twenty fifth day of October in the year of 1990, before me, A Notary Public, personally appeared known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

MAR 21 1991

Residing At Salmon, Idaho

Shirley K. Hodges
Notary Public for Idaho

Publication Fee \$61.56

My Commission expires: 9-21-95

Re-ad
their error

Transfer No. 2813

Water Right No. 74-0160

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Merrill Beyeler Phone 768-2391
Post Office address Box 62, Leadore, ID 83464

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. 74-0160 Decreed to Maxwell F. Beyeler
(Name)
in case of State of Idaho vs Mary A. Adams, et al
dated in _____ in _____ county of Lemhi
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Applicant acquired the water right through purchase of the lands
under place of use.

3. Source of water Canyon Creek tributary to Lemhi River
4. Date of priority 7-01-1877

5. Water is used for the following purposes:
- amount 0.50 cfs for irrigation purposes from 3/15 to 11/15
4/1 6-15-93
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 0.50 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22
Township 16N Range 26E, B.M., in Lemhi County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	26E	27							12										12
		28				3.5													3.5

Total number of acres to be irrigated 15.5

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No
If yes, describe in item D. REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 0.50 c.f.s. &/or _____ acre feet
b. Description of diverting works Headgate and ditch to flood irrigation
c. Describe the reasons for the proposed changes Applicant wishes to convey the water in his upper ditch (74-2289) to minimize loss.

2. Change in point of diversion

Point of diversion SW ¼ SE ¼, Section 22 Township 16N
Range 26E, B.M., Lemhi County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
No change

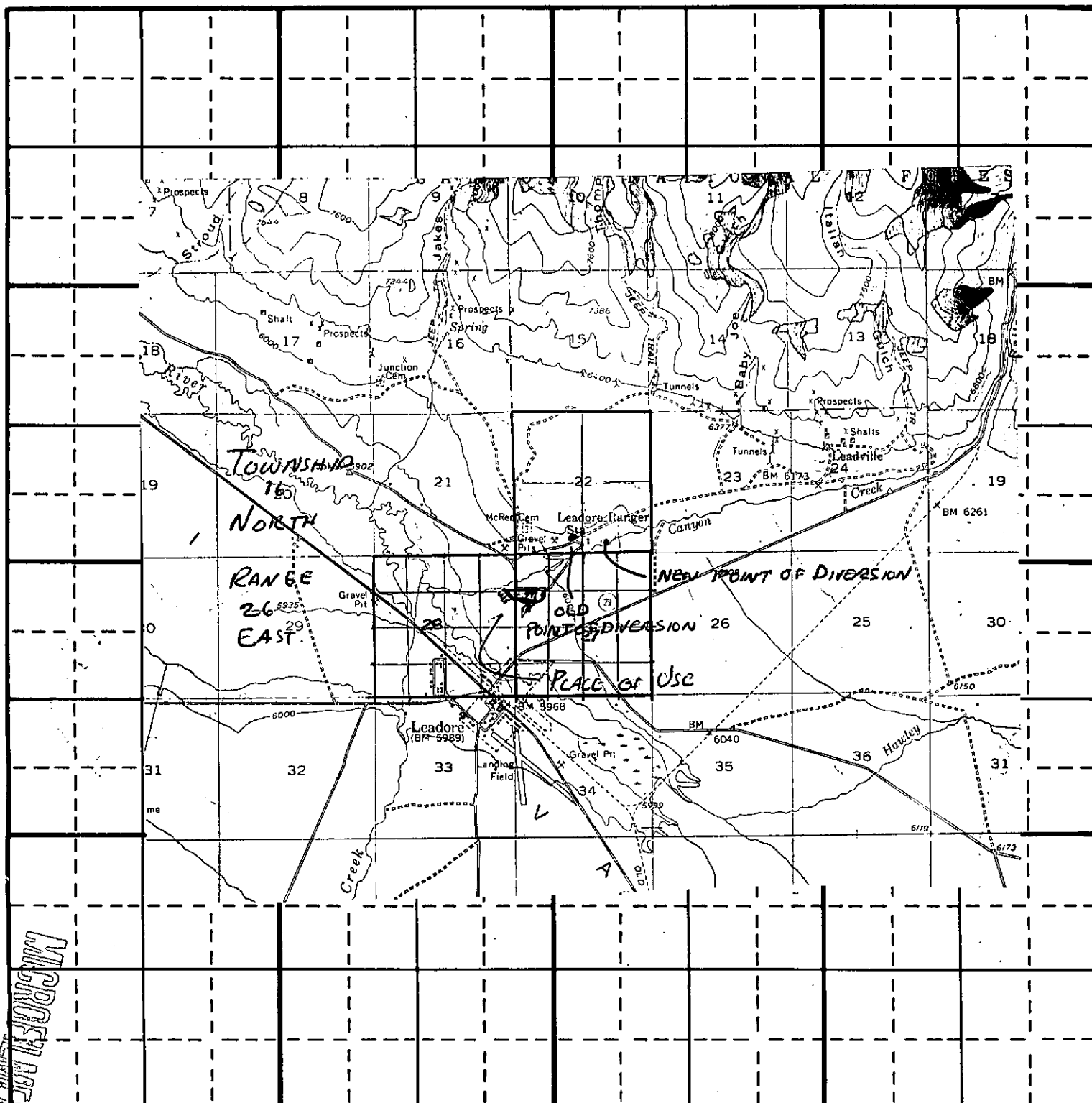
c. Describe the land and place of use to which the right will be transferred:

No change

[illegible]

Total number of acres to be irrigated 15.5

4. Describe any other water rights used for the same purpose as described above. None
-
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

MICROFILMED

_____ 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 willfull misrepresentations made in this application may result in voiding its approval.

Merrill Beveler
(Signature of Applicant)

Subscribed and sworn to before me this 16th day of March, 19 83

Calvin Gray
(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 74-0160 and said application is hereby Approved, subject to the following limitations and conditions:

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Use of water under this right is subject to control by the watermaster of State Water District No. 74W, Canyon Creek.

Witness my hand this 15th day of June, 19 83

L. Glen Saxton
L. GLEN SAXTON, Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by SM Date 3-16-83 Protest filed by _____
Prelim. check by KCW Fee \$50.00 _____
Receipted by CW Date 3-16-83 #25506 _____
Published in Recorder Herald Copies of protest forwarded by _____
Pub. dates 4/14 & 4/21/83 Hearing held by _____ Date _____
Watermaster recommendation requested on 4-11-83 Recommended for approval denial
_____ rec'd. 4-23-83 by Juni

RECEIVED

MAR 29 1983

Eastern District Office

6-1631-9

WARRANTY DEED

For Value Received

MAXWELL F. BEYELER and REVA S. BEYELER, husband and wife

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

MERRILL M. BEYELER and SHARAL L. BEYELER, husband and wife,

whose current address is

P.O. Box 62

Leadore, Idaho 83464

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

SEE ATTACHED EXHIBIT "A"

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

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

Dated: September 8, 1980

Maxwell F. Beyeler
Maxwell F. Beyeler

Reva S. Beyeler
Reva S. Beyeler

STATE OF IDAHO, County of Lemhi
On this 8th day of Sept., 1980,
before me, a Notary Public in and for said State, personally
appeared

Maxwell F. Beyeler and Reva S.
Beyeler, husband and wife

known to me to be the persons whose names s are
subscribed to the within instrument, and acknowledged to
me that they have executed the same.

[Signature]
Notary Public
Residing at Salmon, Idaho
Comm. Expires 2/15/82

STATE OF IDAHO } ss. No. 153820
COUNTY OF LEMHI }

This instrument was filed for record

at the request of American Land title Co.
on 9:42 o'clock A. M. Sept 9 1980
and duly filed and indexed in the
Records of Lemhi County, Idaho. DEEDS

Eleanor Aldous

[Signature] Ex-Officio Recorder
Fee 5.00 pd

Transmitted by the AMERICAN LAND TITLE CO.

EXHIBIT "A"

The SE $\frac{1}{4}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the N $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 27, Township 16 N., Range 26 E., Boise Meridian, Lemhi County, Idaho.

The SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, and the N $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, all in Township 16 N., Range 26 E., Boise Meridian, Lemhi County, Idaho.

EXCEPTING THEREFROM THE FOLLOWING TRACT, known as the George Clark Property;

Beginning at a given point on the Southwest Corner of the NE $\frac{1}{4}$ and the Southeast Corner of the NW $\frac{1}{4}$ and the Northeast Corner of the SW $\frac{1}{4}$ and the Northwest Corner of the SE $\frac{1}{4}$ of Section 28, Township 16 N., Range 26 E., Boise Meridian, thence extending from said described corner, East 10 rods, thence South 80 rods, thence West 10 rods, thence North 80 rods to the PLACE OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING:

A strip of land 100.0 feet wide, being 50.0 feet on each side of the following described center line of highway as surveyed and shown on the official plat of State 28 - Project No. S-6873 (1) Highway Survey on file in the office of the Department of Highways of the State of Idaho and lying over and across a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 16 N., Range 26 E., Boise Meridian.

Beginning at Station 2375-85 of the said Highway Survey which station is a point on tangent approximately 1475.0 feet North and 165.0 feet East from the South Quarter Corner of Section 28, Township 16 N., Range 26 E., Boise Meridian; thence running S. 48° 16' 10" E., 225.0 feet to Station 2378-10 of said Survey, which station is a point on tangent approximately North 1320.0 feet and East 340.0 feet from the South Quarter Corner of Section 28, Township 16 N., Range 26 E., Boise Meridian.

ALSO EXCEPTING THEREFROM:

A fraction of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, Township 16 N., Range 26 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows, to-wit:

Commencing at an Iron Pipe at the intersection of the Southerly Right-of-Way Line of Idaho State Highway No. 28 with the Southerly Boundary of the N $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 28, run thence N. 89° 42' E., 2096.47 feet along the Southerly Boundary of said N $\frac{1}{4}$ SE $\frac{1}{4}$ to a Rebar Rod, the TRUE POINT OF BEGINNING, thence N. 49° 33' E., 136.49 feet to a Rebar Rod, thence S. 89° 42' E., 176.81 feet to a Rebar Rod, thence 88.19 feet along the Westerly sideline of a County Road on a curve concave to the West with a radius of 246.5 feet to a Rebar Rod, thence S. 89° 42' W., 252.82 feet along the Southerly Boundary of said N $\frac{1}{4}$ SE $\frac{1}{4}$ to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A fraction of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, Township 16 N., Range 26 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at an iron pipe at the intersection of the Southerly Right-of-Way line of Idaho State Highway No. 28 with the Southerly boundary of the N $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 28, run thence N. 89° 42' E., 1,726.47 feet along the Southerly boundary of said N $\frac{1}{4}$ SE $\frac{1}{4}$ to the TRUE POINT OF BEGINNING, thence continuing on a bearing of N. 89° 42' E., a distance of 370.0 feet, thence N. 49° 33' E., 136.49 feet to a rebar rod, thence S. 89° 42' E., 176.81 feet to the Westerly boundary of a county road, thence

(Continued on page -2-)

EXHIBIT "A"
Page -2-

Northerly along the Right-of-Way of said County road a distance of 628 feet, thence Westerly along an existing fence 179 feet, thence Southerly and parallel with the West boundary of the County road 243 feet to an existing fence, thence Westerly along said fence 158 feet, thence in a Southwesterly direction along said fence a distance of 460 feet, more or less to the POINT OF BEGINNING. . .

ENCLOSURE

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT

NO. 74-0160

Notice is hereby given that Merrill Beyeler, Leadore, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Canyon Creek tributary to Lemhi River. The right sought to be changed is evidenced by decree no. 74-0160 to Maxwell F. Beyeler in case of State of Idaho vs. Mary A. Adams, et al in Lemhi County and is recorded as follows:

AMOUNT: 0.50 cfs

PRIORITY: 7-1-1877

POINT OF DIVERSION:

SE 1/4 SW 1/4 Sec. 22, T. 16N, R. 26E, B.M. Lemhi County;

The water is used to irrigate 15.5 acres within the SW 1/4 NW 1/4, Sec. 27, SE 1/4 NE 1/4, Sec. 28, T. 16N, R. 26E, B.M.

TO BE CHANGED AS
FOLLOWS

The water will be diverted within the SW 1/4 SE 1/4 Sec. 22, T. 16N, R. 26E, B.M. Lemhi County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before May 2, 1983.

A. KENNETH DUNN
Director

Published in The Recorder Herald on 4/14 & 4/21/83.

4-14-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

APR 28 1983

Department of Water Resources
Eastern District Office

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

Notice of Proposed Change of Water Right 74-0160

That the

a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated April 14, 1983 and ending with the issue dated April 21, 1983

Jerry G. Rosin

Subscribed and sworn to before me, this twenty first

day of April, 1983

Neil Armstrong

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 23.40

INDICATES TOTAL

SOURCE: CANYON CREEK

TRIBUTARY TO: LEWIS RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACHARGE	BASIS FOR RIGHT
--------------	------------------	---------------	-------------	---------------------	-----------------	--------------------------	-----------------

74-0158	MC REA, TERRY E. MC REA, MARJORIE E. LEADORE	07-01-1876	IRRIGATION 03-15 11-15	5.00 CFS	SESE S22 T16N R26E	NEW(07) S28 T16N R26E	DEGREE
					SESA S22 T16N R26E	SESM(36) SMSM(03) NESE(32) NWSE(40) SWSE(36) SESM(35) S21 T16N R26E	

REMARKS: AC. IRR. = 189.2.

* 189 ACRES*

74-0159	MC RRA, TERRY E. MC REA, MARJORIE E. LEADORE	07-01-1876	IRRIGATION 03-15 11-15	.50 CFS	SESE S22 T16N R26E	SESE(39) S21 T16N R26E	DEGREE
					SESA S22 T16N R26E		

* 39 ACRES*

74-0160	BEYELER, MAXWELL F. BEYELER, REVA S. P.O. BOX 73 LEADORE	07-01-1877	IRRIGATION 03-15 11-15	.50 CFS	SESA S22 T16N R26E	SENE(04) S28 T16N R26E SENM(12) S27 T16N R26E	DEGREE

* 16 ACRES*

74-1227	U.S. DEPT. OF AGRIC. FOREST SERVICE FEDERAL BLDG. 324 25TH ST. OGDEN	06-29-1908	DOMESTIC 04-01 10-31	.02 CFS	SWSE S22 T16N R26E	SASE S22 T16N R26E	DEGREE

74-0161	SIMS, RALPH SIMS, RUTH P.O. BOX 192 LEADORE	07-29-1909	IRRIGATION 03-15 11-15	1.54 CFS	NWSM S24 T16N R26E	SENM(40) NESM(40) S26 T16N R26E	DEGREE

* 80 ACRES*

74-0162	SIMS, RALPH SIMS, RUTH P.O. BOX 192 LEADORE	07-29-1909	IRRIGATION 03-15 11-15	1.02 CFS	NWSM S24 T16N R26E	NESE(35) NWSE(30) S27 T16N R26E NWSM(40) SMSM(37) S26 T16N R26E	DEGREE

* 142 ACRES*

74-0163	SIMS, RALPH SIMS, RUTH	07-29-1909	IRRIGATION 03-15 11-15	1.02 CFS	NWSM S24 T16N R26E	NWNE(17) SWNE(02) NEWM(34) NWNM(37)	DEGREE

MICROFILMED

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT

NO. 74-0160

Notice is hereby given that Merrill Beyeler, Leadore, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Canyon Creek tributary to Lemhi River. The right sought to be changed is evidenced by decree no. 74-0160 to Maxwell F. Beyeler in case of State of Idaho vs. Mary A. Adams, et al in Lemhi County and is recorded as follows:

AMOUNT: 0.50 cfs

PRIORITY: 7-1-1877

POINT OF DIVERSION:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T. 16N, R. 26E, B.M. Lemhi County;

The water is used to irrigate 15.5 acres within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 16N, R. 26E, B.M.

TO BE CHANGED AS
FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 16N, R. 26E, B.M. Lemhi County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before May 2, 1983.

A. KENNETH DUNN
Director

Published in The Recorder Herald on 4/14 & 4/21/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 74-00160/02289
Transfer No. 3774
2. Name of Water Right Holder(s): Merrill or Shara Beyeler
Address: Box 62, Leadore, Idaho 83464
3. Water right transfer authorized by Department is:
(check appropriate space or provide description)
Complete ✓ Not Complete _____
Partially Complete (describe work completed) _____

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete: _____

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

Merrill Beyeler April 15, 1992
Signature Date
(& title if on behalf of a company or organization)

RECEIVED

MAY 21 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 26, 1992

Merril or Sharal Beyeler
Box 62
Leadore, ID 83464

RE: Approved Transfer No. 3774/Water Right No(s). 74-00160/02289

Dear Water Right Holder(s):

On February 25, 1991, the Department approved an application for transfer of the above referenced water right(s). A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 15 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,

SHARLA CURTIS
Water Resource Agent

Enclosure

RECEIVED
MAY 21 1992

March 8, 1991

RE: Transfer of Water Right Nos. 74-00160/02289

Merrill Beyeler
Sharal Beyeler
P.O. Box 62
Leadore, ID 83464

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Trans. No. 3774). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

RECEIVED
MAR 21 1991

MAR 21 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: February 20, 1991

RE: TRANSFER NO. 2813/RT. NO.S 74-0160 & 74-2289

=====

This transfer application merely adds a point of diversion to the two decreed rights above. The application may be approved subject to the following conditions:

1. <<R04>> Use of water under this water right is subject to control by the watermaster of State Water District No. 74-W, Canyon Creek.
2. <<R39>> A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
3. <<T07>> The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. <<T08>> Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. <<T09>> Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

T-Files created 2-20-91
Tim

RECEIVED
MAR 21 1991

28 16 26
it 134344

Max F. Beyeler and Reeva Beyeler to Frank P. Hays and Bobbie L. Hays
A fraction of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, T. 16 N., R. 26 E., Boise Meridian,
Lemhi County, Idaho, more particularly described as follows, to wit:

Commencing at an Iron Pipe at the intersection of the Southerly Right-of-Way
line of Idaho State Highway No. 28 with the Southerly Boundary of N $\frac{1}{4}$ SE $\frac{1}{4}$ of
said Section 28, run thence N. 89 Deg. 42' E. 2096.47 feet along the Southerly
Boundary of said N $\frac{1}{4}$ SE $\frac{1}{4}$ to a Rebar Rod, THE TRUE POINT OF BEGINNING, thence N.
49 Deg. 33' E. 136.49 feet to a Rebar Rod, thence S. 89 Deg. 42' E. 176.81
feet to a Rebar Rod, thence 88.19 feet along the Westerly Sideline of a County
Road on a curve concave to the West with a radius of 246.5 feet to a Rebar Rod,
thence S. 89 Deg. 42' W. 252.82 feet along the Southerly Boundary of said
N $\frac{1}{4}$ SE $\frac{1}{4}$ to THE TRUE POINT OF BEGINNING. Contains 0.43 acres.

The above conveyance is made free and clear of all other encumbrances except:
Rights of way and easements, reservations in Federal patents and State deeds,
or other restrictions imposed by law, building and use restrictions of record,
building and zoning regulations and ordinances of any governmental unit.
Together with any and all improvements located thereon and any and all
water and water rights, ditch and ditch rights used in connection therewith.

#1837

RECEIVED

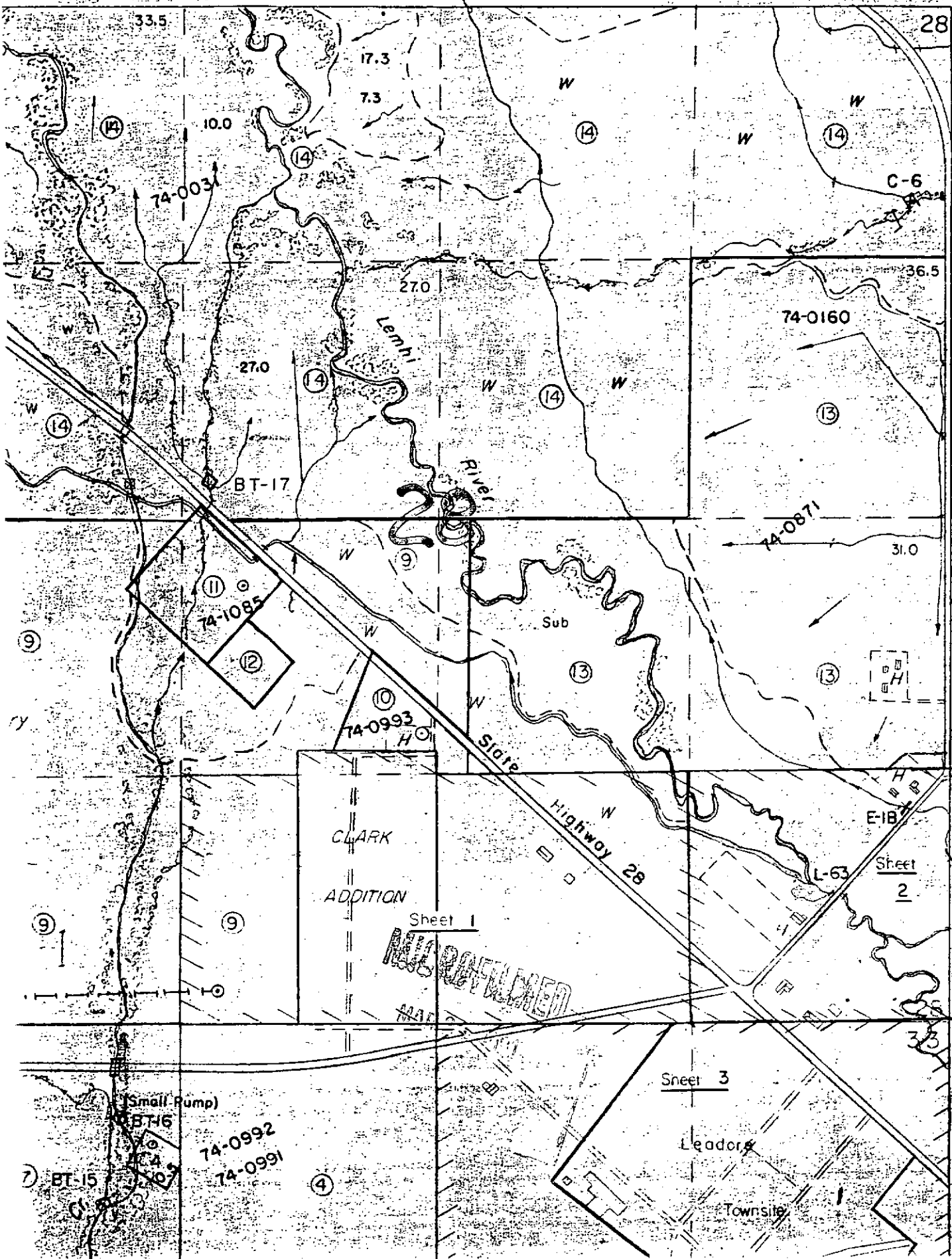
JAN 31 1991

Department of Water Resources
Eastern District Office

74-0160

RECEIVED
MAR 21 1991

earls
then
1.71



R26E
T16N

009fchng
not. of prop. chng.
water right

009flegl
not. of apppc.
for water right

Published 12/6/1990 &
12/13/1990

12-6-2tc

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT

NO. 74-00160 & 74-02289

Notice is hereby given that MER-
RIL OR SHARAL BEYELER has
applied to the Department of Water
Resources to CHANGE POINT OF
DIVERSION and ADD A POINT
OF DIVERSION of the waters of
CANYON CREEK tributary to the
LEMHI RIVER. The right sought to
be changed is evidenced by DE-
CREE NO.'S 74-00160 and 74-02289
and recorded as follows:

Decree No. 74-00160 Decreed to
MAXWELL F. BEYELER in case
of LEMHI DECREE.

AMOUNT: .50 CFS

PRIORITY: 7-1-1877

POINT OF DIVERSION: SESW,
SEC 22, T 16N, R 26E

The water is used from MARCH
15 to NOVEMBER 15 to irrigate
15.5 acres within the SWNW, SEC
27; SENE, SEC. 28, T 16N, R 26E,
B.M.

Decree No. 74-02289 Decreed to
MAXWELL F. BEYELER in case
of LEMHI DECREE.

AMOUNT: .74 CFS

PRIORITY: 3-7-1944

POINT(S) OF DIVERSION:
SWSE, SEC 22, T 16N, R 26E

The water is used from MARCH
15 to NOVEMBER 15 to irrigate
35.6 acres within the SWNE,
SESW, NESW, SEC 27, T 16N, R
26E, B.M.

TO BE CHANGED
AS FOLLOWS:

THE WATER WILL BE diverted
from the SESWSE, NESESE, SEC
22, T16N, R 26E, B.M.

Any protests against the proposed
change must be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Idaho Falls, ID, 83401,
on or before DECEMBER 24, 1990.

R. Keith Higginson
Director

Published in the RECORDER-
HERALD on DECEMBER 6 & 13,
1990.

12-6-2tc

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

74-07318

MAGOON, TERRY
RT. 1, BOX 63A
SALMON, ID 83467
Source: SPRING
Tributary: LEMHI RIVER
Diversion Pt: SWSENE Sec 4 T 20N
R 23E

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 5/11/1990

In: T20N R23E S04 SENE

74-07319

CARLSON, ROBERT E.
HC 68, BOX 16
LEADORE, ID 83464
CARLSON, NORMA E.
HC 68, BOX 16
LEADORE, ID 83464
Source: SPRING
Tributary: SINKS
Diversion Pt: SWSENE Sec 13 T
16N R 24E

Use: IRRIGATION (.060 CFS)

STOCKWATER (.070 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.170 CFS)

Date Filed: 5/10/1990

In: T16N R24E S13 NENE

2.0 ACRES TOTAL

74-07320

CARLSON, ROBERT E.
HC 68, BOX 16
LEADORE, ID 83464
CARLSON, NORMA E.
HC 68, BOX 16
LEADORE, ID 83464
Source: GROUNDWATER
Diversion Pt: SENW Sec 18 T 16N
R 25E

Use: IRRIGATION (1.000 CFS)

STOCKWATER (.070 CFS)

Total Diversion: (1.000 CFS)

Date Filed: 5/10/1990

In: T16N R25E S07 NESE SESE

S08 NWSW SWSW S18 NENE

NWNE SWNE SENE NENW

NWNW

131.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Water
Resources, Eastern Region, 150
Shoup Avenue, Suite 15, Idaho Falls,
Idaho 83402 on or before DECEM-
BER 24, 1990.

R. KEITH HIGGINSON,
Director

*Galley
Proof*

RECEIVED
DEPT. OF WATER RESOURCES
IDaho FALLS, ID

MAR 21 1991

26-Nov-1990

RECORDER HERALD
PO BOX 310
SALMON ID 83467

RE: 74-0160

Gentlemen:

We are resubmitting a legal notice to be published on December 6 & 13, 1990. This notice was originally published in your paper on October 18 & 25, 1990. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print, we request this be readvertised again at your expense.

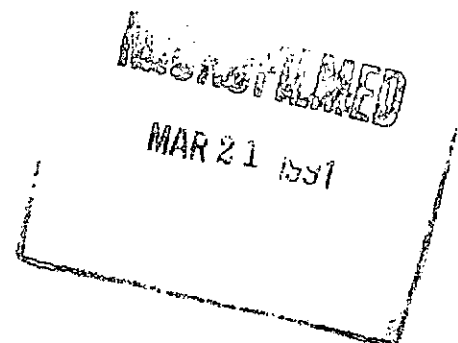
To prevent future problems in this matter, please submit a galley proof before the first date of publication. If we have any corrections, we will notify you; otherwise, assume the notice is correct. If the administrative procedures of your paper will not allow time for making corrections by submitting a galley proof, we will be glad to review the notice with you by telephone prior to publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this office by December 24, 1990. Your cooperation in this matter is greatly appreciated.

Very truly yours,

RITA BODELL
Secretary/Office Coordinator

enc.



NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 74-00160 & 74-02289

Notice is hereby given that MERRIL OR SHARAL BEYELER has applied to the Department of Water Resources to CHANGE POINT OF DIVERSION and ADD A POINT OF DIVERSION of the waters of CANYON CREEK tributary to the LEMHI RIVER. The right sought to be changed is evidenced by DECREE NO.'S 74-00160 and 74-02289 and recorded as follows:

Decree No. 74-00160 Decreed to MAXWELL F. BEYELER in case of LEMHI DECREE.

AMOUNT: .50 CFS PRIORITY: 7-1-1877

POINT OF DIVERSION: SESW, SEC 22, T 16N, R 26E

The water is used from MARCH 15 to NOVEMBER 15 to irrigate 15.5 acres within the SWNW, SEC 27; SENE, SEC. 28, T 16N, R 26E, B.M.

Decree No. 74-02289 Decreed to MAXWELL F. BEYELER in case of LEMHI DECREE.

AMOUNT: .74 CFS PRIORITY: 3-7-1944

POINT(S) OF DIVERSION: SWSE, SEC 22, T 16N, R 26E

The water is used from MARCH 15 to NOVEMBER 15 to irrigate 35.6 acres within the SWNE, SENW, NESW, SEC 27, T 16N, R 26E, B.M.

TO BE CHANGED AS FOLLOWS:

THE WATER WILL BE diverted from the SESWSE, NESESE, SEC 22, T16N,

RECEIVED

MAR 21 1991

R 26E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before DECEMBER 24, 1990.

R. Keith Higginson
Director

Published in the RECORDER-HERALD on DECEMBER 6 & 13, 1990.

RECORDED

MAR 21 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: K. C. Wilson

1. Right number 74-00160/-02289 Applicant Merril or Sherol Beyeler
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☐ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments NONE
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 74-00871 (Springs)
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? 74

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 10-17-90 Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* Adequate headgates & measuring devices

4. By Rpe Date 2/4/91

D.O.P.
11-5-90
12-24-90

RECEIVED
FEB 06 1991

Department of Water Resources

17-Oct-1990

DAN SMITH
BOX 22
LEADORE, ID 83464

RE: Application for No. 74-0158, 74-0159, & 74-0160/74-02289

Dear Watermaster:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is NOVEMBER 5, 1990, and we are required to take action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Thank you for your cooperation in this matter.

Respectfully submitted,

Harold Jones
Water Rights Supervisor

HJ/rb
Enclosure

RECEIVED

MAR 21 1991

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 74-00160 & 74-02289

Notice is hereby given that MERRIL OR SHARAL BEYELER has applied to the Department of Water Resources to CHANGE POINT OF DIVERSION and ADD A POINT OF DIVERSION of the waters of CANYON CREEK tributary to the LEMHI RIVER. The right sought to be changed is evidenced by DECREE NO.'S 74-00160 and 74-02289 and recorded as follows:

Decree No. 74-00160 Decreed to MAXWELL F. BEYELER in case of LEMHI DECREE.

AMOUNT: .50 CFS PRIORITY: 7-1-1877

POINT OF DIVERSION: SESW, SEC 22, T 16N, R 26E

The water is used from MARCH 15 to NOVEMBER 15 to irrigate 15.5 acres within the SWNW, SEC 27; SENE, SEC. 28, T 16N, R 26E, B.M.

Decree No. 74-02289 Decreed to MAXWELL F. BEYELER in case of LEMHI DECREE.

AMOUNT: .74 CFS PRIORITY: 3-7-1944

POINT(S) OF DIVERSION: SWSE, SEC 22, T 16N, R 26E

The water is used from MARCH 15 to NOVEMBER 15 to irrigate 35.6 acres within the SWNE, SENW, NESW, SEC 27, T 16N, R 26E, B.M.

TO BE CHANGED AS FOLLOWS:

THE WATER WILL BE diverted from the SESWSE, NESESE, SEC 22, T16N,

MICROFILMED

MAR 21 1991

R 26E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before NOVEMBER 5, 1990.

R. Keith Higginson
Director

Published in the RECORDER-HERALD on OCTOBER 18 & 25, 1990.

RECEIVED

MAR 21 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 23, 1983

Re: Transfer of Water Right No. 74-0160

Merrill Beyeler
Box 62
Leadore, Id 83464

Dear Mr. Beyeler

Enclosed is a copy of your approved application for Transfer of the above referenced water right (Transfer No. 2813). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:jvv
Enclosure

MICROFILMED

RECEIVED
APR 23 1983

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 74-0160

Department of Water Resources
Eastern District Office

RECOMMENDATION OF WATERMASTER

I, RICHARD A BROWN, watermaster of CANYON CREEK,
of Water District No. 74-W, County of LEMHI, State of Idaho,
whose address is Box 173
have read the attached copy of the application for transfer of water right for _____
MERRILL BEYELER, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: NONE

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at LEADORE, Idaho, this 19 day of APRIL 19 83.

Richard A Brown
(signature)

MICROFILMED

Please use reverse side if needed.

April 11, 1983

RE: Application for Transfer No. 74-2326 & 74-0160 BEYELER

Rick Brown, Watermaster
Water District No. 74-W
Leadore,
Idaho 83464

Dear Mr. Brown:

Please find enclosed a copy of the above referenced applications and watermaster recommendation forms. Please review the applications and complete the forms, returning them to this office on or before May 2, 1983.

Thank you for your cooperation.

Sincerely,

BARBARA L. POWERS
Secretary

bp

Enclosures

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 74-0160

Notice is hereby given that Merrill Beyeler, Leadore, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Canyon Creek tributary to Lemhi River. The right sought to be changed is evidenced by decree no. 74-⁰¹160 to Maxwell F. Beyeler in case of State of Idaho vs. Mary A. Adams, et al in Lemhi County and is recorded as follows:

AMOUNT: 0.50 cfs

PRIORITY: 7-1-1877

POINT OF DIVERSION: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T. 16N, R. 26E, B.M.
Lemhi County;

The water is used to irrigate 15.5 acres within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 16N, R. 26E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 16N, R. 26E, B.M. Lemhi County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before May 2, 1983.

A. KENNETH DUNN

Director

Published in the Recorder Herald on 4/14 & 4/21/83.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Keith C Wells

1. Right number 74-0160 Applicant Merrill Begelev
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments _____

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 74-W - Canyon Creek

FINAL PROCESSING REVIEW BY: _____

1. ☒ Watermaster recommendation requested on 4-11-83 Received on 4-23-83

2. Is transfer published correctly? ☒ Yes ☐ No

3. ☒ Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* Lockable headgate & measuring device @ Watermaster control. 74w
OIE, OS (74W Canyon Creek)

4. By Ernest Carlson

Date May 5, 1983

June 6-10-83

USE ABOVE CONDITIONS

* All uses within Watermaster Districts require special conditions.

RECEIVED
MAY 12 1983

Department of Water Resources