

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 75-13963
Date Received: 12/18/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DON R BELLAMY Phone: (208)865-2439

PO BOX 1031
SALMON ID USA 83467

2. Date of Priority: 04/01/1896

3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
24N	22E	20	SE SE NE	LEMHI
24N	22E	20	SE SW SE	LEMHI

5. Description of diverting works:

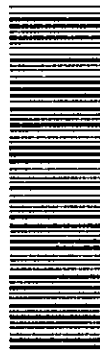
DAMS, DITCHES FLOOD IRRIGATION, DITCHES #3 & #13.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	08/01	0.88	
IRRIGATION	08/02	11/01	0.88	

7. Total Quantity Appropriated is:
0.88 C.F.S.

8. Total consumptive use:



9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	22E	20	SE	SW	IRRIGATION	14
			SW	SE	IRRIGATION	2
					Section Acres	16
24N	22E	29	NE	NW	IRRIGATION	6
					Section Acres	6
					Total Acres	22

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMP THORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 18, 2000

DON R BELLAMY
PO BOX 1031
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR 75-10252

Dear Mr. Bellamy:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-13963, 0.88 cfs, 22 acres, Bellamy
75-13964, 0.32 cfs, 8 acres, Yerden

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

NOV 22 2000

Department of Water Resources
Eastern Region

1. Water Right Number(s) A75-10252

Adjudication Claim Number(s) (same)

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Don R. Bellamy

PO Box 1031, Salmon, ID 83467

4. New Owner/Claimant(s) THOMAS R. YERDEN OR CAROL K. YERDEN, Trustees
or their successors in trust under the YERDEN LIVING
TRUST dated 2/22/1999 and any amendments thereto

New Mailing Address 15345 N. 95th St.,
Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR

City, State and ZIP Code Longmont CO 80504 *try city*

New Telephone Number (303) 722-1967

5. Date you acquired the property 10/13/2000

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 8.0 Number and type of stock _____

Diversion rate in CFS 16 cfs Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

Thomas R. Yerden
Carol K. Yerden

Date OCT 12, 00

Date 10-12-00

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist you in filing actions 42-248 and 42-1409(6), Idaho Code. Section 4 of the Idaho Water Resources Act (IDWR) of any change in mailing address. Section 42-1409(6) provides that during an adjudication of water right claim, you must file the needed

Separate brochures are available from the IDWR of changes in ownership. If you need this form, please contact your nearest IDWR office.

If you need additional space to describe your water right, use additional sheets to the form as you may require.

1. If there are water rights associated with the property or adjudication claim number, please provide the water rights for the property. If you need IDWR for assistance in identifying the rights required, and have not been to the IDWR office for the rights are

2. The information described at Item 1 is the information of ownership. The information obtained this information. If you have difficulty obtaining this information, please contact the IDWR.

3. Please provide the name and address of the claimant at Item 3.

4. The name, mailing address, relationship between multiple parties must sign this form. If more than one party is required to sign, please indicate the "and" is used, all parties must sign.

5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

12/18/00

Per conversation with
Mrs. Yerden, they
only received 8 acres
in NWNE from
Bellamy.

JC

actions 42-248 and
f Water Resources
file with IDWR.
ip of a water right
to file the needed

requirement to notify
about completing

ional sheets to the

with the water right
r believe there are
ne into an office of
for the rights are

unge without docu-
you have difficulty
ing IDWR.

claim at Item 3.

Please indicate the
"and" is used, all
y one of the named

Warranty Deed

For Value Received DON R. BELLAMY AND CONSUELO BELLAMY,
husband and wife,

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

THOMAS R. YERDEN OR CAROL K. YERDEN, TRUSTEES,
or their successors in trust, under the YERDEN
whose current address is LIVING TRUST dated February 22, 1999 and any
amendment thereto.

15345 N. 95th St., Longmont CO 80504

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

SEE EXHIBIT "A" ATTACHED HERETO

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 he y the owner Sin fee simple of said premises; that they are free from all incumbrances

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

Dated: October 13 2000

Don R. Bellamy
DON R. BELLAMY

Consuelo Bellamy
CONSUELO BELLAMY

STATE OF IDAHO, COUNTY OF Lemhi--ss
On this 16th day of October, 2000
before me, a Notary Public in and for said State, personally appeared

DON R. BELLAMY AND
CONSUELO BELLAMY

known to me to be the person S whose name S are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Residing at SALMON
Comm. Expires 2-19-2003

Notary Public
Idaho

State of Idaho
County of Lemhi)

SS No.

This instrument was filed for record at the request
of Alliance Title
at 11:05 o'clock A.M. 10-18-2000
and duly timed and indexed in the records of Lemhi
County
Terr J. Morton
Ex-Officio Recorder

By *[Signature]* Deputy

Fee

Return to

245575

LEGAL DESCRIPTION
EXHIBIT 'A'

A PARCEL OF LAND LOCATED IN THE NW1/4NE1/4 AND NE1/4NW1/4, SECTION 29 AND THE SW1/4SE1/4 AND SE1/4SW1/4, SECTION 20, T. 24 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID SECTION 29, FROM WHICH THE NE1/4 CORNER OF SECTION 29 BEARS N. 89° 59' 33" W., 2644.74 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE N. 89° 59' 33" W. ALONG THE NORTHERLY BOUNDARY OF SECTION 29 A DISTANCE OF 991.78 FT. TO THE NE CORNER OF THE NW1/4NW1/4NE1/4NE1/4 OF SAID SECTION 29;

THENCE S. 00° 07' 12" W. ALONG THE EASTERLY BOUNDARY OF SAID NW1/4NW1/4NE1/4NE1/4 A DISTANCE OF 329.55 FT. TO THE SE CORNER OF SAID NW1/4NW1/4NE1/4NE1/4;

THENCE N. 89° 58' 53" W. ALONG THE SOUTHERLY BOUNDARY OF SAID NW1/4NW1/4NE1/4NE1/4 A DISTANCE OF 330.35 FT. TO THE NE CORNER OF THE SE1/4NE1/4NW1/4NE1/4 OF SAID SECTION 29 AND THE POINT OF BEGINNING;

THENCE S. 00° 04' 37" W. ALONG THE EASTERLY BOUNDARY OF SAID SE1/4NE1/4NW1/4NE1/4 A DISTANCE OF 329.49 FT. TO THE SE CORNER OF SAID SE1/4NE1/4NW1/4NE1/4;

THENCE N. 89° 58' 13" W. ALONG THE SOUTHERLY BOUNDARY OF SAID SE1/4NE1/4NW1/4NE1/4 A DISTANCE OF 330.10 FT. TO THE NE CORNER OF THE NW1/4SE1/4NW1/4NE1/4 OF SAID SECTION 29;

THENCE S. 00° 02' 03" W. ALONG THE EASTERLY BOUNDARY OF SAID NW1/4SE1/4NW1/4NE1/4 A DISTANCE OF 329.42 FT. TO THE SE CORNER OF SAID NW1/4SE1/4NW1/4NE1/4;

THENCE N. 89° 57' 33" W. ALONG THE SOUTHERLY BOUNDARY OF SAID NW1/4SE1/4NW1/4NE1/4 A DISTANCE OF 329.85 FT. TO THE NE CORNER OF THE SE1/4SW1/4NW1/4NE1/4;

THENCE S. 00° 00' 31" E. ALONG THE EASTERLY BOUNDARY OF SAID SE1/4SW1/4NW1/4NE1/4 A DISTANCE OF 329.36 FT. TO THE SE CORNER OF SAID SE1/4SW1/4NW1/4NE1/4;

THENCE N. 89° 56' 53" W. ALONG THE SOUTHERLY BOUNDARY OF SAID SE1/4SW1/4NW1/4NE1/4 A DISTANCE OF 329.61 FT. TO THE SW CORNER OF SAID SE1/4SW1/4NW1/4NE1/4;

THENCE N. 36° 49' 16" W. A DISTANCE OF 690.37 FT.;

THENCE N. 89° 53' 18" W. A DISTANCE OF 558.93 FT.;

THENCE N. 02° 01' 18" W. A DISTANCE OF 312.05 FT.;

THENCE N. 64° 32' 59" E. A DISTANCE OF 361.46 FT.;

THENCE N. 25° 10' 10" E. A DISTANCE OF 109.36 FT.;

THENCE N. 47° 56' 03" E. A DISTANCE OF 268.77 FT.;

THENCE N. 51° 11' 14" E. A DISTANCE OF 545.04 FT.;

THENCE N. 37° 14' 11" E. A DISTANCE OF 222.10 FT.;

THENCE S. 87° 55' 06" E. A DISTANCE OF 496.63 FT.;

245575

THENCE S. 06° 58' 25" E. A DISTANCE OF 207.48 FT.;
THENCE S. 15° 02' 39" E. A DISTANCE OF 452.65 FT.;
THENCE S. 50° 09' 00" E. A DISTANCE OF 264.88 FT. TO THE POINT OF
BEGINNING.

EXCEPTING THEREFROM 4TH OF JULY CREEK ROAD.

The above property cannot be subdivided now or in the future.

The property south of the County Road to the Forest Service land will have a no dwelling deed restriction; however grantees may fence it.

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 75-10252
Date Received: 4/24/90
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DON R BELLAMY Phone: (208)865-2439

PO BOX 1031
SALMON ID USA 83467

(*) [REDACTED] 06/01/1896

(*) 3. [REDACTED] OF JULY CREEK TRIB to Salmon River

(*) 4. [REDACTED]

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
[REDACTED]	[REDACTED]	[REDACTED]	SE SW SE	LEMHI
24N	22E	20	SE SE NE	LEMHI

5. Description of diverting works:

DAMS, DITCHES FLOOD IRRIGATION, DITCHES #3 & #13.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION				

7. Total Quantity Appropriated is:
1.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
24N	22E	20	SE SW	IRRIGATION	14

SW SE IRRIGATION 2

Section Acres 16

* 29 NW NE IRRIGATION 8
NE NW IRRIGATION 6

Section Acres 14

Total Acres 30

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM COMBINES DECREED RIGHT 75-00122 AND 75-00123 THERE ARE TWO POD'S
THE POD #3 IRRIGATES 20 ACRES AND #13 IRRIGATES 10 ACRES *CHANGE IN OWNERSHIP 10-25-
94 GJT

15. Basis of Claim: Decreed

16. Signature(s)