

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: A37-11654D
Date Received: 10/14/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: COYOTE BLUFF HOMEOWNERS ASSOC INC 208-788-0126
Address: PO BOX 2063
KETCHUM ID 83340

2. Date of Priority: MAR 24, 1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	18E	20	SW	SW	NW		BLAINE

5. Description of diverting works:
DIVERSION DAM IN RIVER FOR HIAWATHA CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.360		

7. Total Quantity Appropriated is:
0.360 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	18E	33	NW	SW		IRR	3.4
			SW	SW		IRR	12.9

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	16.3
					Total Acres	16.3

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A PORTION OF 370577BM. SEE TR.-3286.

CHANGE OF OWNERSHIP COMPLETED 1-30-1997 BY KKC BASED UPON SIGNED CHG OWNERSHIP FORM AND WARRANTY DEEDS FROM VAN TO KEGLEY AND KEGLEY TO COYOTE BLUFF.

CHANGE OF OWNERSHIP COMPLETED 4-25-97 BY KKC BASED UPON A SIGNED CHG OF OWNERSHIP FORM AND WARRANTY DEEDS SHOWING OWNERSHIP TRAILS FROM KEGLEY TO COYOTE BLUFF HOMEOWNERSHIP ASSOC. AND DIRECTIONS RECEIVED DURING AN OFFICE VISIT ON 1-13-97. CLAIM SPLIT BASED UPON 18" FOR COYOTE BLUFF HOA AND THE BALANCE TO COYOTE BLUFF LLC. AREA IDENTIFIED FOR COYOTE BLUFF LLC IS THE ROADWAY FOR THE SUBDIVISION AND THE HOMESITES FOR EACH LOT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/27/1925

ALBRETHSEN

Decree Plaintiff

WOOD RIVER LAND CO.

vs Decree Defendant

Idaho Department of Water Resources



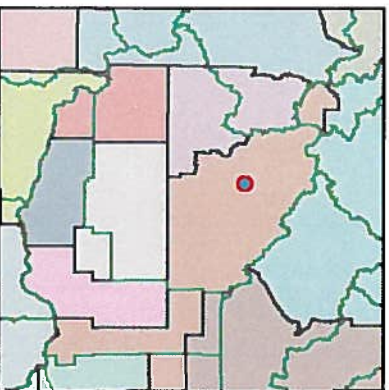
SRBA Recommendation:

37-11654D

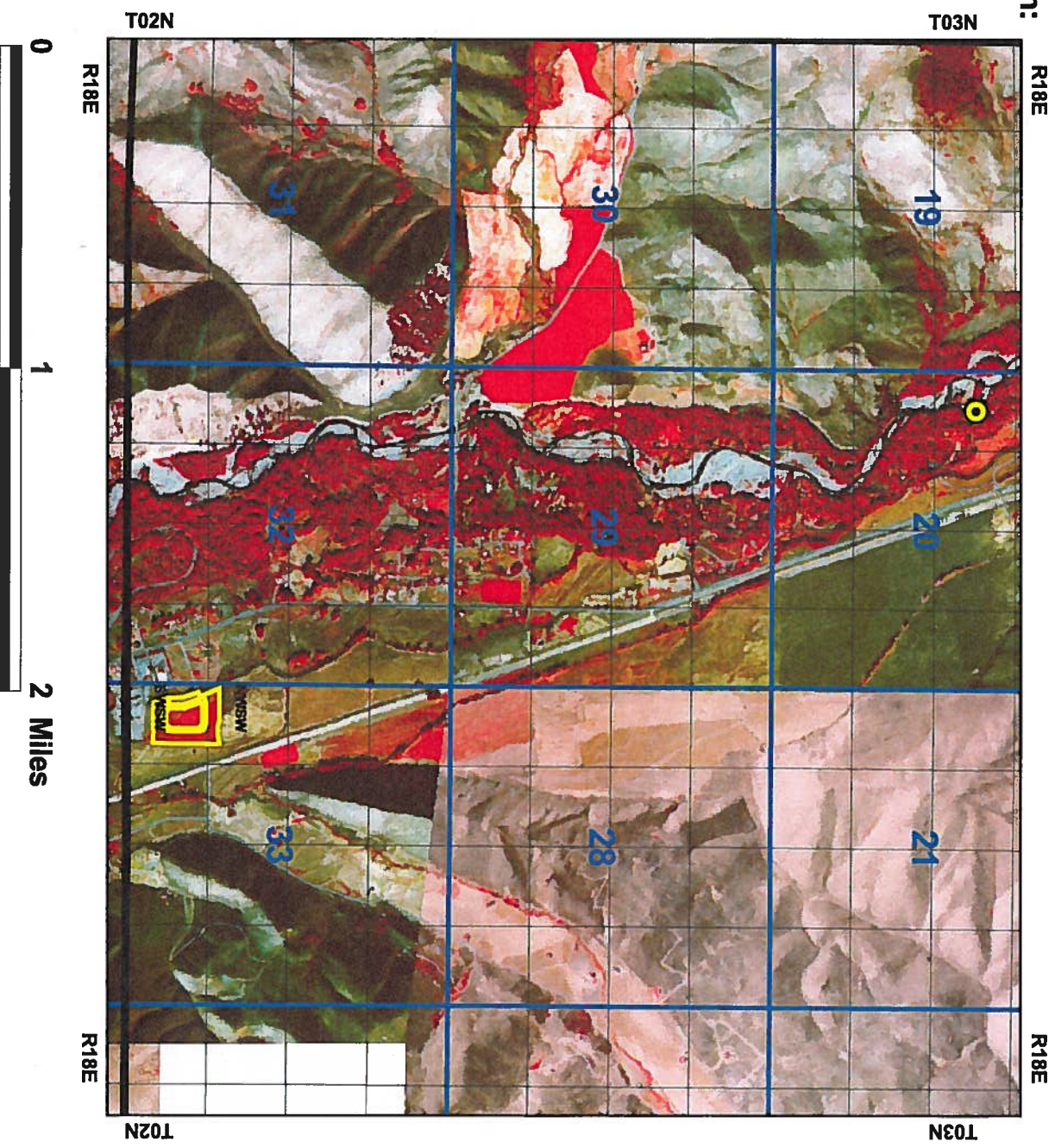
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

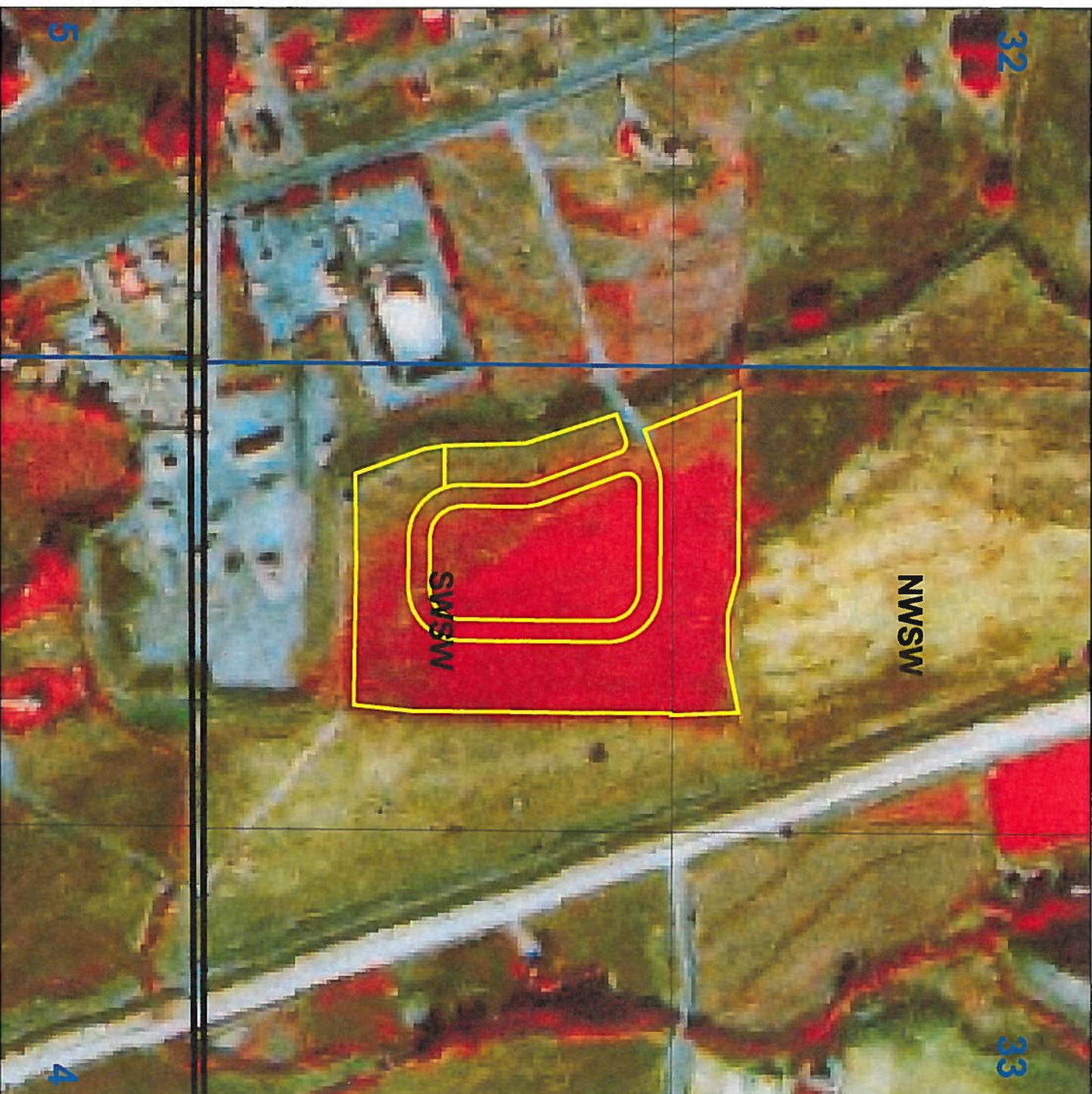
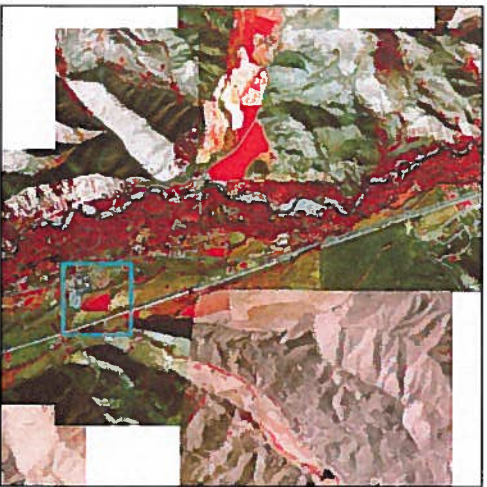


Blaine County
IDWR Basin 37



Prepared by E. NORQUES
On Thursday, November 2, 2006
1987/88 Aerial Photography

37-11654D



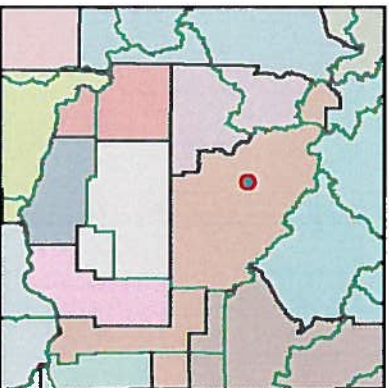
Idaho Department of Water Resources



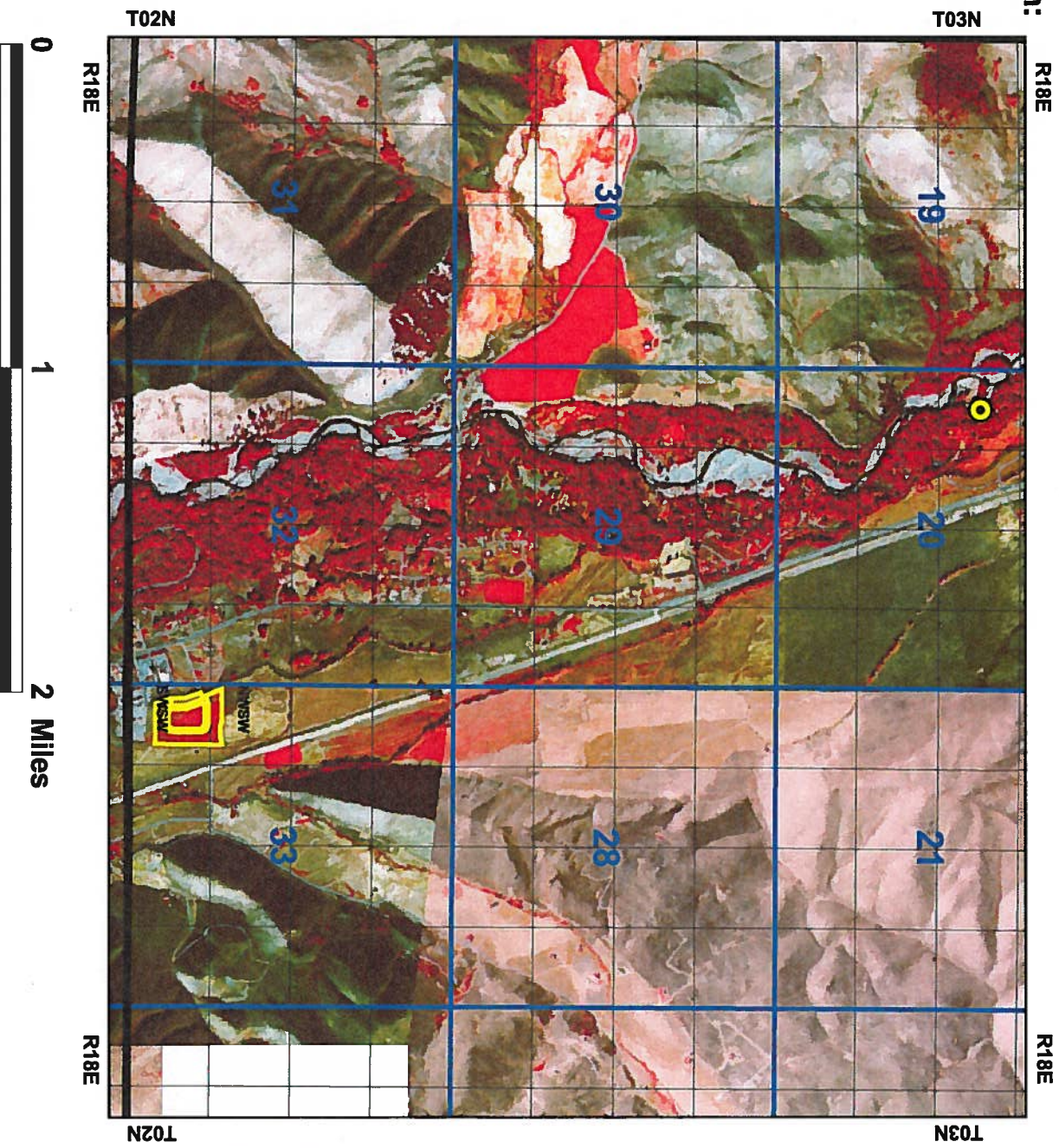
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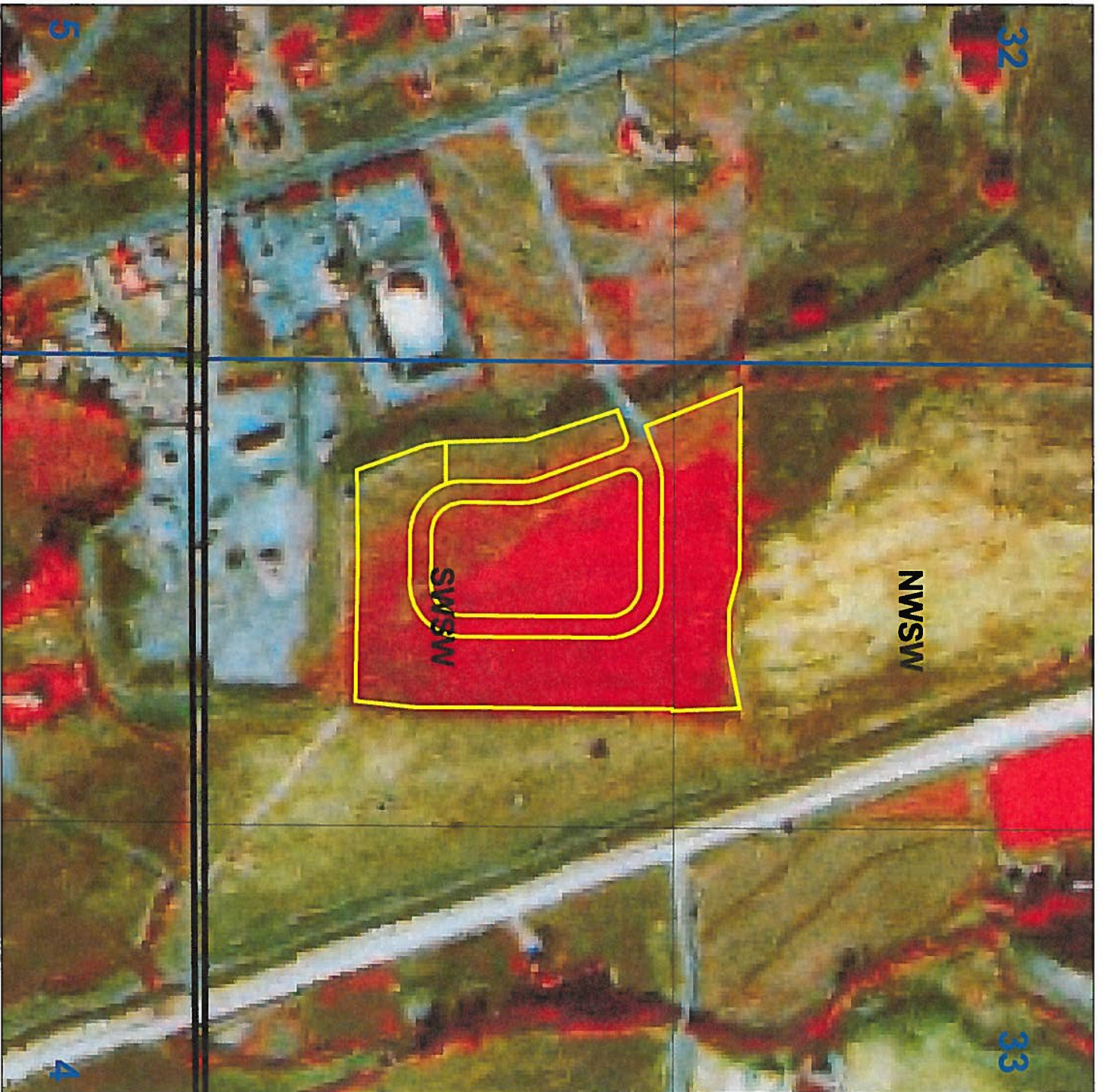


Blaine County
IDWR Basin 37



Prepared by E. NORQUES
On Thursday, November 2, 2006
1987/88 Aerial Photography

37-11654D



10/27/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-11654D

NAME AND ADDRESS: COYOTE BLUFF HOMEOWNERS ASSN INC
PO BOX 2063
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.360 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T03N R18E S20 SWSWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.360 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T03N R18E S33	NWSW	3.40	T03N R18E S33	SWSW	12.90
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16.3 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS A PORTION OF 370577BM. SEE TR.-3286.
***** CHANGE OF OWNERSHIP COMPLETED 1-30-1997 BY KKC BASED
UPON SIGNED CHG OWNERSHIP FORM AND WARRANTY DEEDS FROM
VAN TO KEGLEY AND KEGLEY TO COYOTE BLUFF.
***** CHANGE OF OWNERSHIP COMPLETED 4-25-97 BY KKC BASED
UPON A SIGNED CHG OF OWNERSHIP FORM AND WARRANTY DEEDS
SHOWING OWNERSHIP TRAILS FROM KEGLEY TO COYOTE BLUFF
HOMEOWNERSHIP ASSOC. AND DIRECTIONS RECEIVED DURING AN OFFICE
VISIT ON 1-13-97. CLAIM SPLIT BASED UPON 18" FOR COYOTE BLUFF
HOA AND THE BALANCE TO COYOTE BLUFF LLC. AREA IDENTIFIED FOR
COYOTE BLUFF LLC IS THE ROADWAY FOR THE SUBDIVISION AND THE
HOMESITES FOR EACH LOT.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 30, 1997

ROD KEGLEY
PO BOX 2063
KETCHUM ID 83340

RE: CHANGE OF OWNERSHIP FOR A37-11654B

Dear Rod

I have completed the change of ownership for A37-11654B and have enclosed an analysis sheet dated April 24, 1997 that details the basis for that split. Please review the claims as split and the analysis sheet. If everything is satisfactory, then Corey can proceed with the transfer based upon these records, however, if something needs to be changed, please contact me as soon as possible so that we can resolve them.

As the other three rights were relinquished I did not change ownership for those rights. They still show Coyote Bluff LLC as the current owner.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures



April 24, 1997

ANALYSIS FOR SPLITTING A37-11654B

ADJUDICATION CLAIM A37-11654B WAS CLAIMED FOR:
0.50 CFS ON 23.3 ACRES

At one inch per acre the legal limit would be .466 cfs or 23.3"

Based upon information submitted to the department in Mr Kegley's 3-27-97 letter, and a previously submitted subdivision plat for the Coyote Bluff Subdivision (dated December 1996) the following table was generated.

P/U Sec 33	AJ claim acres	# lots for common for homes	@10,000 SQft/lot Acres available for transfer	Roadway @ 60' wide approx 2470' long	Excluded acres total
NWSW	4.3 ac	4 homes	0.90 acres	0	0.90 acres
SWSW	19.0 ac	12 homes	2.70 acres	3.4 acres	6.10 acres
		1 common	0	0	0
		total	3.6 acres	3.4 acres	<u>7.0 acres</u>

In the 3-27-97 letter Mr Kegley indicated that the claim should be split as follows:

- 18.0" for Coyote Bluff Home Owners assoc. (HOA)
- 2.0" for future transfer to Sawtooth Garden Club (SGC)
- 3.5" for Coyote Bluff LLC (LLC)

During the conversation of the office visit on January 13, 1997, Mr Kegley indicated that the building sites, driveways, sidewalks and such for each lot along with the roadway would be the ground that he would 'dry up' to be used for transfer (retained by LLC.) He further indicated that there would be at least two transfers considered, the first for the SGC and then later an undetermined amount from LLC. As the supplied data is not complete I have made the following assessment for the ownership change.

18" or 0.36 cfs for HOA	16.3 acres
7" or 0.14 cfs for LLC	<u>7.0 acres</u>
25" 0.50 cfs (total)	23.3 acres (total)

Where the 7 acres for the LLC represent the homesite and road acres within the subdivision and the 16.3 acres is the balance of the subdivision. The 18 inches were identified as going to the HOA leaving the balance for the LLC. The portion remaining with the LLC includes the proportionate share identified as a pending transfer for the SGC.



RECEIVED

MAR 28 1997

Department of Water Resources
Southern Region

3/27/97

DEAR KELLY,

SORRY I've BEEN SO SLOW
RESPONDING. ITS BEEN A LONG WINTER.

I've ENCLOSED HOMEOWNER'S ASS. INFO,
THE RELINQUISHMENT FORM AND
~~THE~~ ANSWER TO YOUR QUESTION.
ON THE AVERAGE ABOUT 10,000 SQ FT
OF EACH LOT WILL BE COVERED
WITH HOUSE, DECKS, GARAGE, OUTBLDG
AND DRIVEWAY.

SO, WHEN WE'RE FINISHED ~~HERE~~
18 IN. WILL BE IN COYOTE BLUFF H.O.A.
2 IN TRANSFER TO SAWTOOTH GARDEN
3¹/₂ IN LEFT IN COYOTE BLUFF L.L.C. TO
BE SOLD IN NEAR FUTURE

THANKS FOR
YOUR HELP

Rocky

A PLAT SHOWING

LOT 3A BODNER SUBDIVISION

Blaine County, Idaho



NUMBER	DIRECTION	DISTANCE
L-1	S 85°28'20" E	71.15'
L-2	S 85°28'20" E	62.61'
L-3	S 44°28'20" E	86.05'
L-4	S 44°28'20" E	60.97'
L-5	N 00°31'40" E	85.91'
L-6	N 00°31'40" E	102.97'
L-7	N 45°22'26" E	85.14'
L-8	N 45°22'26" E	91.65'
L-9	S 65°43'08" E	43.27'
L-10	S 65°43'08" E	55.21'
L-11	N 88°48'00" E	67.62'
L-12	S 85°28'20" E	71.15'
L-13	S 85°28'20" E	68.15'

NUMBER	DELTA	3D	R	FT	L	FT	L	FT
C-1	89°36'56"	S 6°25'16" E	30.00	147.11	42.42			
C-2	37°27'27"	S 09°27'30" E	150.00	53.18	55.70			
C-3	15°32'25"	S 08°14'35" E	153.00	51.18	50.41			
C-4	35°04'54"	S 05°03'28" E	150.00	50.70	47.87			
C-5	37°22'36"	S 7°31'51" E	150.00	84.75	83.64			
C-6	37°20'18"	S 7°31'21" W	150.00	80.42	78.03			
C-7	15°19'28"	N 45°31'40" E	150.00	40.12	40.00			
C-8	37°20'18"	N 19°11'48" E	150.00	87.75	92.03			
C-9	37°23'30"	N 16°10'05" W	150.00	87.69	85.18			
C-10	15°19'28"	N 4°31'34" W	150.00	40.12	40.00			
C-11	37°37'51"	N 1°00'13" E	150.00	98.82	95.78			
C-12	27°07'56"	S 8°02'48" W	150.00	53.04	52.77			
C-13	11°07'16"	S 15°52'31" E	34.91	67.18	57.28			
C-14	08°27'46"	S 15°52'58" E	210.00	31.02	30.99			
C-15	12°09'41"	S 05°33'11" E	210.00	44.57	44.49			
C-16	90°00'00"	S 44°28'20" E	90.00	141.37	127.28			
C-17	90°00'00"	N 45°31'36" E	150.00	141.37	127.28			
C-18	90°00'49"	N 44°38'44" W	150.00	141.92	127.06			

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval.

South Central District Health Dept., EHS

Department of Water Resources
Southern Region

- 1) The purchaser and/or owner of this parcel understands and agrees that private road easements, maintenance and other removal shall be the decision of the owner; his successors in interest, or homeownerrs associations and that the Buyer shall in no way be obligated to accept, maintain, or improve these roads, and that each owner shall notify in writing any successor in interest of these facts.
- 2) Individual lot owners are responsible for control of noxious weed per state regulations. Mowing and manual removal are recommended.
- 3) No residential construction shall be allowed within the power line setback, all construction shall be within the building envelope shown hereon.
- 4) This property is subject to the Covenants, Conditions and Restrictions of Bodner Subdivision, Instrument #279941, records of Blaine County, Idaho.
- 5) A 10 foot public utility easement is centered on all interior and adjacent to all exterior lot lines.
- 6) All fire protection requirements of the Wood River Rural Fire District, the Uniform Fire Code, and the Blaine County Fire Protection Ordinances including but not limited to water supply and fire hydrant locations shall be complied with prior to the issuance of any building permits within this subdivision.
- 7) Surface water rights shall be owned by the Homeowners Association for use by each lot owner.
- 8) Native vegetation shall be maintained in its natural state to the greatest extent possible with a maximum of 1/2 acre of yard scape to be irrigated by drip system.
- 9) Coyote Drive is a privately maintained road with public access unless and until dedicated to and accepted by Blaine County or the City of Halley.
- 10) All utilities shall be underground.
- 11) All lots in this subdivision may have individual wells as designated and shall have individual septic systems as shown hereon.
- 12) Blaine County and the City of Halley disclaim any and all claims or liabilities for any damage which may result from exposure to any power lines traversing this subdivision from the transmission lines. Adequate water supply from any source at, surrounding or within this subdivision shall be maintained.
- 13) All domestic wells in this subdivision shall be metered.
- 14) No fences within the subdivision shall exceed 41 inches in height and the bottom rail shall exceed 19 inches in height to allow wildlife migration.
- 15) This property is adjacent to active productive agricultural land. Residents and purchasers should be advised that the property is not zoned for farming and that agricultural chemicals, spraying, ground preparation, harvesting, etc. in addition, the roads encasing this property are used by off-cultural vehicles. Such practices and uses are normal functions on agricultural lands and are not considered nuisances.

SAWTOOTH ENGINEERING

Civil Engineers and Land Surveyors

(205) 788-9030

Idaho

94	7340.01	734021.0500	12-20-06
			9-19-06