

07/05/2006

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

RIGHT NUMBER: 75-13963

NAME AND ADDRESS: DON R BELLAMY
PO BOX 1031
SALMON ID 83467

SOURCE: FOURTH OF JULY CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.880 CFS

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION:

T24N R22E S20 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 08/01	0.880 CFS0.660
	08/02 11/01	CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T24N R22E S20	SESW	14.00	T24N R22E S20	SWSE	2.00
T24N R22E S29	NENW	6.00			

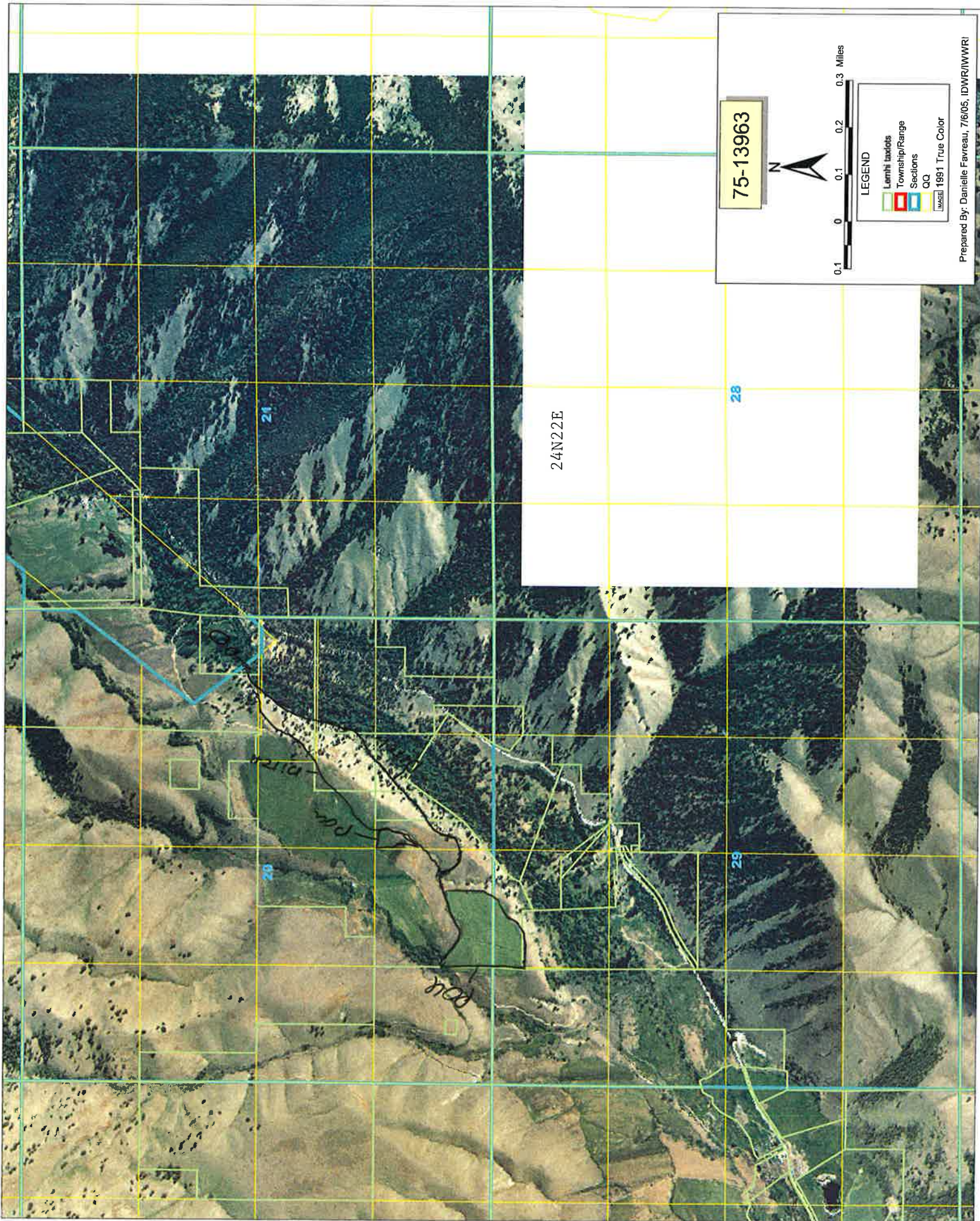
22 ACRES TOTAL

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.

This is a split of 75-10252 which is a combined right of 75-122 and 75-123.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



75-13963



0.1 0 0.1 0.2 0.3 Miles

LEGEND

- Lemhi Islands
- Township/Range
- Sections
- QQ
- 1991 True Color

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-13963

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0015076 File J72505 P001

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

Dam in Ardele, ditcher to place of use

Deoree - 0.03 cfs/acre from 8/2 to 11/1

27 acres x 0.03 = 0.66 cfs

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

NO PD IN SESEWSE 24N 22E 20

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-25-05

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature



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 KEMPTHORNE
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 Region1. Water Right Number(s) A 75-10252Adjudication 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. BellamyPO Box 1031, Salmon, ID 834674. 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 theretoNew Mailing Address 15345 N. 95th St.,
Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/ORCity, State and ZIP Code Longmont CO 80501-4747New Telephone Number (303) 722-19675. 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 Date OCT 12, 00Carol K. Yerden 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.

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

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 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
(*)	24N	22E	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)

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 in 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

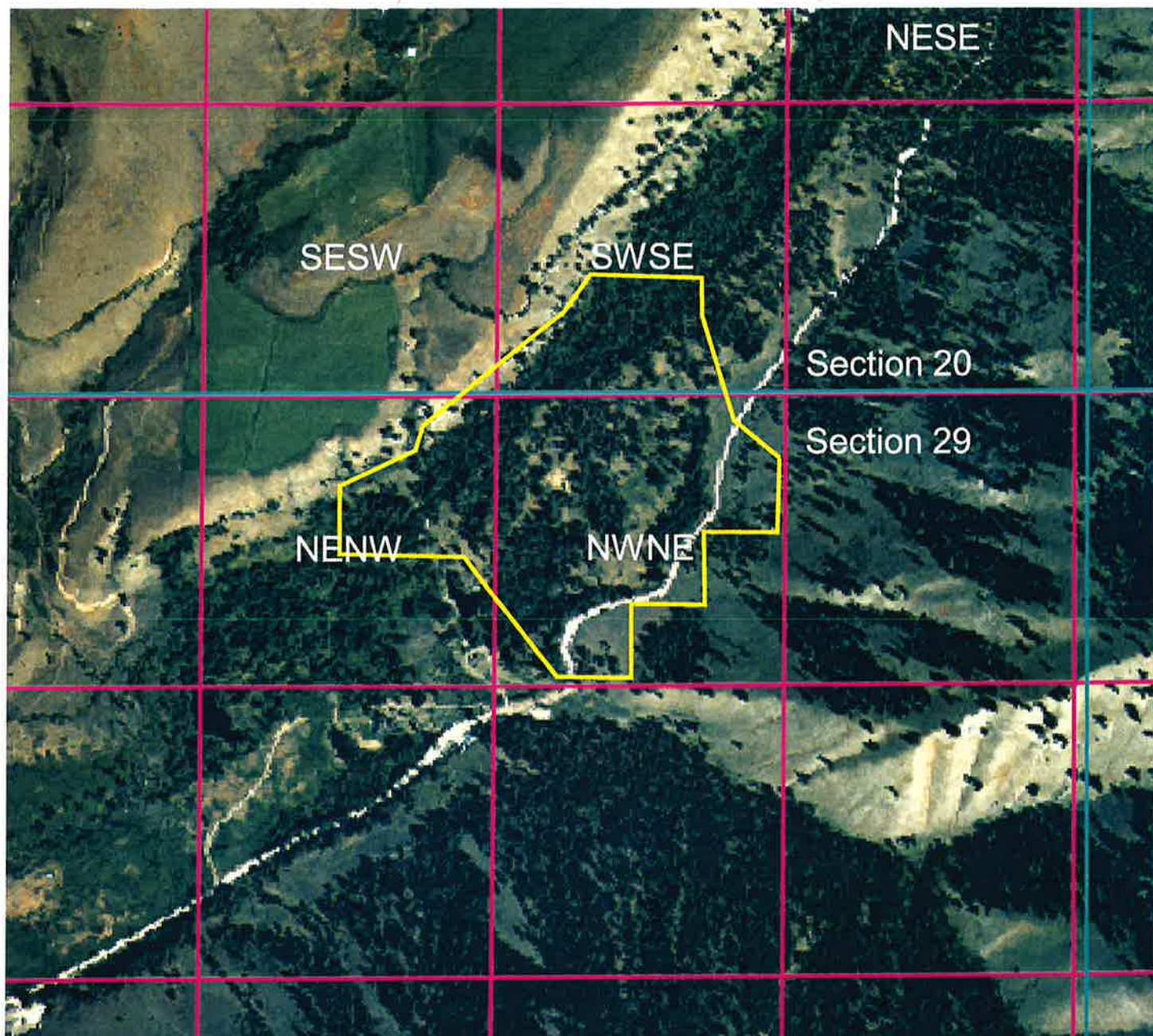
STATE OF IDAHO, COUNTY OF Lemhi--ss
On this 13th day of October 2000
before me, Notary Public in and for said State, personally appeared

DON R. BELLAMY AND
CONSUELO BELLAMY

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

Residing at SALMON Notary Public
Comm. Expires 2-19-2003, Idaho

215575
State of Idaho) SS No
County of Lemhi)
This instrument was filed for record at the request
of Alliance Title
at 11:55 a.m. 10-18-2000
and duly filed and indexed in the records of Lemhi
County
Toni J. Morton
Ex-Officio Recorder
By Deputy
Fee 7.00
Return to 9.7.



-  Bellamy-yerden.shp
-  Sections.shp
-  T24n22e.shp

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:

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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