

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: A37-07637
Date Received: 8/02/1988
Receipt No: 5002206
Received By: llw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF BELLEVUE 208-788-2128
Address: BOX 267
BELLEVUE, ID 83313

2. Date of Priority: JUN 01, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	36		NE	SE		BLAINE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	2.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
M/300 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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11. Place of use in counties:

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

A37-07637

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Date: 08/02/88

MICROFILMED

FEB 24 1993

13. Other Water Rights Used:

14. Remarks:

P/U WITHIN CITY LIMITS OF BELLEVUE.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ Mayor _____ of _____ Title _____

City of Bellevue, Idaho _____, that I have signed the foregoing

Organization

document in the space below as _____ Mayor _____ of _____ Title _____

_____ Title _____

Bellevue, Idaho _____ and that the statements contained in the _____ Organization _____ foregoing document are true and correct.

Wayne H. Douthett
Signature of Authorized Agent

Mayor, Bellevue, Idaho _____

Title and Organization _____

9-6-88

Date

State of Idaho)

County of BLAINE) SS.

Subscribed and sworn (or affirmed) before me this 6th day

of Sept. 19 88

Annette Coy
Notary Public

Seal

Residing at Hailey, Idaho

My Commission Expires 12-30-93

Date: 08/02/88

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FEB 24 1993

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02N 18E 36 NE SE BLAINE
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MUNICIPAL 01/01 12/31 2.000
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Page 1

Date: 08/02/88

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FEB 24 1993

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I do solemnly swear or affirm that I am _____ Mayor _____ of
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Organization
document in the space below as _____ Mayor _____ of
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Organization
foregoing document are true and correct.

Wayne H. Douthett
Signature of Authorized Agent

Mayor, Bellevue, Idaho
Title and Organization

9-6-88
Date

State of Idaho)
County of Blaine) SS.

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FEB 24 1993

11/26/2006

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

RIGHT NUMBER: 37-7637

NAME AND ADDRESS: CITY OF BELLEVUE
PO BOX 449
BELLEVUE ID 83313-0449

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS

PRIORITY DATE: 06/01/1977

POINT OF DIVERSION:

T02N R18E S36 NESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	2.000 CFS

PLACE OF USE:

Place of use is within the service area of the City of Bellevue municipal water supply system as provided for under Idaho Law.

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 - License

For licensing purposes, a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

10/21/2006

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

RIGHT NUMBER: 37-7637

NAME AND ADDRESS: CITY OF BELLEVUE
PO BOX 449
BELLEVUE ID 83313-0449

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS

other
second

The rate of diversion of water for irrigation under this right and all water rights on the same land shall not exceed 0.02 cubic feet per acre for each acre of land.

rate of
properly
prior to

For licensing purposes, a scientific measurement of the diversion of the system as it is normally operated shall be provided by either installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department submitting proof of beneficial use of water.

PRIORITY DATE: 06/01/1977

POINT OF DIVERSION:

T02N R18E S36 NESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

01/01 12/31

2.000 CFS

PLACE OF USE:

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

for
the water
no
Idaho

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of rights as may be ultimately determined by the Court at a point in time later than the entry of a final unified decree. Section 42-1412(6), Code.

P/U WITHIN CITY LIMITS OF BELLEVUE.

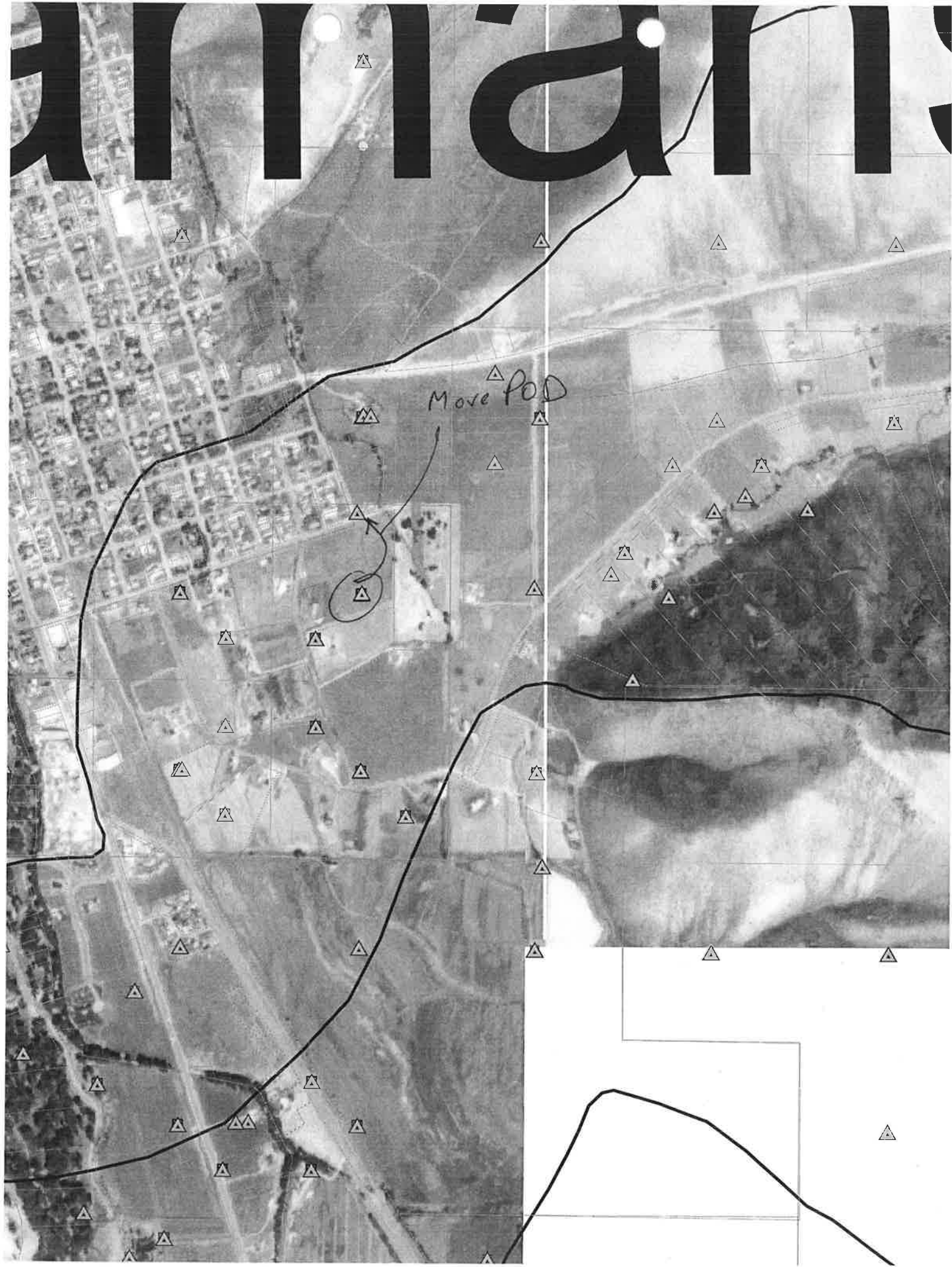
~~USE~~ Use Standard Condition

recommended POD

Correct to Spatial
data point

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

amman



WATER RIGHT LICENSE

THIS IS TO CERTIFY, that City of Bellevue, Idaho
of Bellevue, Idaho, has complied with the terms and conditions of Permit
No. 37-7637 issued pursuant to Application for Permit dated June 1, 1977,
and has submitted proof to the Department of Water Resources on August 6, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.46 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than 2.0 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed n/a acre feet per year, said waters to be diverted within the NE 1/4 Sec 36,
Twp 2N, Rge 18E in the County of Blaine

[illegible]

Acting for the

Director

42-1409. Notice of claim. (1) The director shall prepare and furnish on request a standard notice of claim form.

The notice of claim form shall include the following:

- (a) the name and address of the claimant;
- (b) the source of water;
- (c) the quantity of water claimed:
 - (i) the quantity of water claimed to be used for water rights acquired under state law shall describe the rate of diversion or, for an instream flow claim, a rate of water flow in cubic feet per second or the annual volume of diversion of water for use or storage in acre-feet per year, or both;
 - (ii) the quantity of water claimed for water rights established under federal law shall describe for each and every purpose the rate of present and future water diversion or, in the case of an instream flow claim the rate of flow in cubic feet per second or annual volume of present and future diversion in acre-feet per year or both;
- (d) the date of priority claimed:
 - (i) the date of priority claimed for water rights acquired under state law shall be from any license, permit, or decree; or if the right is not based upon a license, permit, or decree, then the date when the water was first applied to beneficial use;
 - (ii) the date of priority claimed for water rights established under federal law shall be determined in accordance with federal law;
- (e) the number thereof, if founded upon a right on file with the department; or if the right is founded upon judicial decree not on file with the department, then the title of the court and cause, number of the action and the date of entry;
- (f) the legal description of the existing point(s) of diversion; if the claim is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow;
- (g) the purpose(s) of use and the period of use:
 - (i) the purpose(s) of use for water rights acquired under state law shall describe each purpose of use and the period of the year when water is used for each purpose;
 - (ii) the purpose(s) of use for a water right established under federal law shall describe the purposes for which the water included in the claim is presently being used, if at all, and the period of the year when water is necessary for the designated purposes;
- (h) a legal description of the place of use:
 - (i) the legal description of the place of use for water rights acquired under state law shall describe the land where the water is beneficially used; if one (1) of the purposes of use is irrigation, then the number of irrigated acres within each forty (40) acre subdivision, except as provided in section 42-219, Idaho Code;
 - (ii) the legal description of the place of use for a water right established under federal law shall describe the federal reservation and the existing or proposed place of use for each consumptive use;
- (i) the dates of any changes or enlargements in use for water rights acquired under state law, including the dimension of the diversion works as originally constructed and as enlarged;
- (j) conditions on the exercise of any water right included in any decree, license, approved transfer application or other document; and

(k) such remarks and other matters as are necessary for definition of the right, for clarification of any element of a right or for administration of the right by the director.

(2) With respect to any water right for which a change was approved by the director pursuant to section 42-211 or 42-222, Idaho Code, after filing the notice of claim and prior to filing of the director's report, the claimant shall amend the notice of claim consistent with the determination of the director on the change.

~~(3) Each claimant shall sign and verify under oath that the statements contained in a notice of claim or amended notice of claim are true and correct.~~

(43) All claimants of water rights that are included in a general adjudication shall file with the director a notice of claim for all water rights, except for those types of water rights designated in paragraphs (a) through (d) of subsection (1) of section 42-1420, Idaho Code.

(54) Any person who fails to submit a required notice of claim shall be deemed to have been constructively served with notice of a general adjudication by publication and mailing as required by section 42-1408, Idaho Code.

(65) Each purchaser of a water right from the water system shall inquire of the director whether a notice of claim has been filed, and if not, shall file a notice of claim in accordance with this section. All claimants and purchasers shall provide the director written notice of any change in ownership or of any change in mailing address during the pendency of a general adjudication. All purchasers shall submit some evidence of ownership along with the notice of change of ownership.

(76) At least one hundred twenty (120) days prior to filing of the director's report with the court, the director may notify each holder of a permit or license to appropriate water from the water system, for which proof of beneficial use was filed after entry of the court's order commencing a general adjudication, to file a notice of claim within thirty (30) days of mailing of the notice. The director shall notify the holder of the permit or license by certified mail at the most recent address shown in the records of the department.

(87) The district court or director may extend the time for filing a notice of claim.