



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

☐ Water Right Number(s):

37-25571, 37-11924B, 37-11925B
37-11926B, 37-11927B, 37-11928B

☐ Old Mailing Address:

P.O. Box 287
Bellevue, Idaho
83313

☐ New Mailing Address:

P.O. Box 301
Bellevue, Idaho
83313

☐ New Telephone Number:

(208) 788-5038

☒ Signature of Claimant(s):

Sean A. Smith

Date:

Nov 3, 2003

FOR IDWR USE ONLY
Initial Review and Data Entry
Date: By:
Further Action Needed:
Further Action Taken
Date: By:
Final Review and Data Entry
Date: By:

RECEIVED

NOV 12 2003

Department of Water Resources
Southern Region

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: **A37-11924B**
Date Received: 10/24/1988
Receipt No: X777777
Received By: *QC HLB*

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: EASTFIELD AT BELLEVUE FARMS HOA 208-726-6951
Address: PO BOX 287
BELLEVUE ID 83313

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
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
VIA DISTRICT CANAL TO DITCHES TO LANDS IRRIGATED.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.767		117.17

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

8. Total consumptive use is 117.1 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	19E	7	SE	SE		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
		18	NE	NE	IRR	20.0
			NW	NE	IRR	25.9
					Section Acres	45.9
					Total Acres	46.9

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A37-11924 THRU A37-11928 & A37-02557

14. Remarks:

THIS CLAIM IS BASED ON A PORTION OF 37-0577.

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-11924. A37-11924B BELONGS TO MC CARTHY WITH .767 CFS. A37-11924A BELONGS TO BELLEVUE FARMS WITH 4.289 CFS. 3/18/96 TLB

OWNERSHIP CHANGE MADE 2/28/97 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

REC-1010

DATE OF CLOSING: AUGUST 1, 1996

FEB 21 1997

LEGAL DESCRIPTION OF PROPERTY: Township 1N Range 19E Section 18, NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot 9, Block, 2, Subdivision/Townsite BELLEVUE FARMS SUBDIVISION, Southern Region, Department of Water Resources

If you have additional legal descriptions, please attach separate sheet. Please refer to Schedule A, attached.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: Please refer to Schedule B, attached.
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Susan M. & Michael J. McCarthy
P.O. Box 287
Bellevue, ID 83313
- ☐ New Owner/Claimant (Purchaser): Eastfield, At Bellevue Farms Homeowners Association
- ☐ New Mailing Address: Post Office Box 287
Bellevue, ID 83313
- ☐ New Telephone Number: (208) 726 - 6951
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes xx no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Quit Claim Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Eastfield, At Bellevue Farms HOA Date 2/17/97
- ☐ Signature of Former Owner/Claimant(s) Susan McCarthy Date 2/17/97

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

SCHEDULE A

COMPLETE LEGAL DESCRIPTION OF PROPERTY:

1. Lot 9, Block 2 of Bellevue Farms Subdivision	<u>46.87 acres</u>
2. Township 1N Range 19E	
Section 18 NW1/4 of NE 1/4 of NE 1/4	25.87 acres
Section 18 NE 1/4 of NE 1/4 of NE 1/4	20.00 acres
Section 7 SE 1/4 of SE 1/4 of SE 1/4	<u>1.00 acres</u>
	<u>46.87 acres</u>

SCHEDULE B

Water Right Numbers Assigned by IDWR:

Groundwater Right	A37-02557P (25187)
Surface Water Right	A37-11924B (37-0577)
Surface Water Right	A37-11925B (37-0664)
Surface Water Right	A37-11926B (37-0298)
Surface Water Right	A37-11927B (37-0666)
Surface Water Right	A37-11928B (37-0480 & 37-0667)

QUIT CLAIM DEED

FOR VALUE RECEIVED MICHAEL J. MCCARTHY AND SUSAN M. MCCARTHY, husband and wife, the Grantor, does hereby convey, release, remise and forever quit claim unto EASTFIELD, AT BELLEVUE FARMS HOMEOWNERS ASSOCIATION, an Idaho Nonprofit Corporation, the Grantee, whose current address is P.O. Box 287, Bellevue, Idaho 83313, the following described premises, in Blaine County, Idaho, to-wit:

The water rights appurtenant to the following described real property:

Lots 9A, 9B, 9C, 9D and 9E of Eastfield, At Bellevue Farms, Blaine County, Idaho, according to the official plat thereof recorded as Instrument No. 382137, records of Blaine County, Idaho, being a Replat of Lot 9, Block 2 of Bellevue Farms Subdivision.

Dated August 1, 1996

392838
CLARK CO. REQUEST
96 AUG 1 PM 3 46
MARY GREEN CLERK
JULY FEES \$ 3.00

Michael J. McCarthy
Michael J. McCarthy

Susan M. McCarthy
Susan M. McCarthy



STATE OF IDAHO)
County of Blaine) ss.

On this 1st day of August, 1996, before me, a notary public in and for said State, personally appeared Michael J. McCarthy and Susan M. McCarthy, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same as their free and voluntary act.

Karla G. Mink
Notary Public, Residing at Bellevue
Idaho, Commission Expiration 12/01/99

STATE OF IDAHO, COUNTY OF BLAINE

I hereby certify that this instrument was filed for record at the request of Michael J. McCarthy and Susan M. McCarthy, husband and wife, Box 6683, Ketchum, Idaho 83340, at _____ minutes past _____ o'clock m., this _____ day of _____, 1996, in my office, and duly recorded in Book _____ of Deeds at page _____.

Ex-Officio Recorder

Deputy

Fees \$ _____
Mail Deed and Tax Notice To:
Eastfield, at Bellevue Farms Homeowners Association
P.O. Box 287
Bellevue, Idaho 83313

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: A37-11924B

Date Received: 10/24/1988

Receipt No: X777777

Received By: *JC [signature]*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MICHAEL J MC CARTHY 208-726-6951
Address: PO BOX 287
BELLEVUE ID 83313

AND

Name: SUSAN M MC CARTHY 208-726-6951
Address: PO BOX 287
BELLEVUE ID 83313

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
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
VIA DISTRICT CANAL TO DITCHES TO LANDS IRRIGATED.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.767		117.17 <i>MB</i>

7. Total Quantity Appropriated is:
0.767 C.F.S. (and/or) *0* A.F.A.

8. Total consumptive use is *117.17*
~~115.9~~ Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	7	SE	SE		IRR	1.0
						Section Acres	1.0
		18	NE	NE		IRR	20.0
			NW	NE		IRR	25.9
						Section Acres	45.9
						Total Acres	46.9

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A37-11924 THRU A37-11928 & A37-02557

14. Remarks:

THIS CLAIM IS BASED ON A PORTION OF 37-0577.

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-02557L. A37-11924B
BELONGS TO MC CARTHY WITH .767 CFS. A37-11924A BELONGS TO
BELLEVUE FARMS WITH 4.289 CFS. 3/18/96 TLB

11924

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

SUSAN & MICHAEL MCCARTHY
POST OFFICE BOX 287
BELLEVUE, ID 83313
(208) 726-6951

RECEIVED

FEB 13 1996

Department of Water Resources
Southern Region

February 13, 1996

Mr. James E. Stanton, Sr. Water Resources Agent
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301-6105

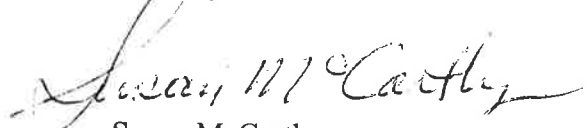
Re: New Property Owner Notice of Change of Water Right Ownership Request

Dear Jim;

Enclose please find a completed Notice of Change of Water Right Ownership form.
Please consider this letter a formal request to process the enclosed form.

If you have any questions please do not hesitate to call me at the above phone number.
Your assistance in this matter is greatly appreciated.

Sincerely,


Susan McCarthy

Enclosure

MICROFILMED
NOV 27 1995



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type
(see instructions on back of page)

DATE OF CLOSING: JUNE 4, 1989

FEB 15 1996

LEGAL DESCRIPTION OF PROPERTY: Township 1N Range 19E Department of Water Resources
Section 18, NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____, BM. Southern Region
Lot 9, Block, 2, Subdivision/Townsite Bellevue Farms Subdivision
If you have additional legal descriptions, please attach separate sheet. Please see Schedule A, attached

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s) _____
Assigned by IDWR: Please see Schedule B, attached.

[] Name and Address of Former Owner/Claimant(s)(Seller): Bellevue Farms Landowners Association
P.O. Box 774

Bellevue, ID 83313

[] New Owner/Claimant (Purchaser): Susan M. & Michael J. McCarthy

[] New Mailing Address: P.O. Box 287
Bellevue, ID 83313

[] New Telephone Number: (208) 726-6951

[] Does the change in ownership result in a splitting of the water right owned/claimed? xx yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
Please see Schedule C, attached.

[] Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) Susan M. McCarthy Date 1/25/96

M. J. McCarthy Date 1/25/96

[] Signature of Former Owner/Claimant(s): BELLEVUE FARMS LANDOWNERS ASSOCIATION Date _____
Robert Glesher, PRESIDENT Date 1/28/96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed: _____

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 3/18/96 By: MB

Claim Numbers of Split, if any:

A37-025572-1924-1925-1926
11927-11928

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED
NOV 27 1996

SCHEDULE A

COMPLETE LEGAL DESCRIPTION OF PROPERTY:

1. Lot 9, Block 2 of Bellevue Farms Subdivision	<u>46.87 acres</u>
2. Township 1N Range 19E	
Section 18 NW1/4 of NE 1/4 of NE 1/4	25.87 acres
Section 18 NE 1/4 of NE 1/4 of NE 1/4	20.00 acres
Section 7 SE 1/4 of SE 1/4 of SE 1/4	<u>1.00 acres</u>
	<u>46.87 acres</u>

NW NE 25.9
NE NE 20.00

MICROFILMED
NOV 27 1996

SCHEDULE B

WATER RIGHT NUMBERS ASSIGNED BY IDWR:

Groundwater Right	A37-02557L
Surface Water Right	A37-11924 (37-0577)
Surface Water Right	A37-11925 (37-0664)
Surface Water Right	A37-11926 (37-0298)
Surface Water Right	A37-11927 (37-0666)
Surface Water Right	A37-11928 (37-0480,37-0667)

MICROFILMED

NOV 27 1996

SCHEDULE C

PORTION OF WATER RIGHT OWNED BY SUSAN M. & MICHAEL J. MCCARTHY:

Total Groundwater Rights	261 acres
Total Surface Water Rights	309 acres
Lot 9, Block 2 Bellevue Farms	46.87 acres

Portion of Water Rights applicable (appurtenant) to Lot 9, Block 2 Bellevue Farms:

Groundwater (A37-02557) $(46.87 \div 261) \times 5.3 \text{ cfs} =$.952 cfs . 8 55

Surface Water(A37-11924)	$(46.87 \div 309) \times 5.056 \text{ cfs} = $	.767 cfs
Surface Water(A37-11925)	$(46.87 \div 309) \times .30 \text{ cfs} = $	.046 cfs
Surface Water(A37-11926)	$(46.87 \div 309) \times 3.00 \text{ cfs} = $	.455 cfs
Surface Water(A37-11927)	$(46.87 \div 309) \times .30 \text{ cfs} = $	.046 cfs
Surface Water(A37-11928)	$(46.87 \div 309) \times 7.60 \text{ cfs} = $	<u>1.153 cfs</u>
Total Portion of Surface Water		<u>2.467 cfs</u>

MICROFILMED
NOV 27 1996

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: A37-11924
Date Received:
Receipt No: 5003178
Received By: 40

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BELLEVUE FARMS LANDOWNERS' ASSOC. 206-621-7626
Address: 1950 112TH AVE. N. E.
SUITE # 204
BELLEVUE, WA 98004

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
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
VIA DISTRICT CANAL TO DITCHES TO LANDS IRRIGATED.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.056		

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

8. Total consumptive use is 772.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	19E	7	SW	NW	2	IRR	8.0
			NW	SW	3	IRR	40.0

A37-11924

Page 1

Date: 10/24/88

COPY

MICROFILMED

FEB 25 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	19E	7	SW		SW	4	IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	5.0
			SW		SE		IRR	35.0
			SE		SE		IRR	1.0
			Section Acres					169.0
		18	NE		NE		IRR	20.0
			NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW	1	IRR	40.0
			Section Acres					140.0
			Total Acres					309.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
A37-11924 THRU A37-11928 & A37-02557

14. Remarks:
THIS CLAIM IS BASED ON A PORTION OF 37-0577.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

COPY

MICROFILMED
FEB 25 1993

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: 3

For Organizations:

I do solemnly swear or affirm that I am Agent of
Title
Bellevue Farms Landowners Assn., that I have signed the foregoing
Organization
document in the space below as Agent of
Title
Bellevue Farms Landowners Assn. and that the statements contained in the
Organization
foregoing document are true and correct.
William B. Cary
Signature of Authorized Agent
Agent - Bellevue Farms Landowners Assn.
Title and Organization

Oct. 24, 1988
Date

State of Idaho)
County of Bl Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of Oct. 19 88
[Signature]
Notary Public

Seal

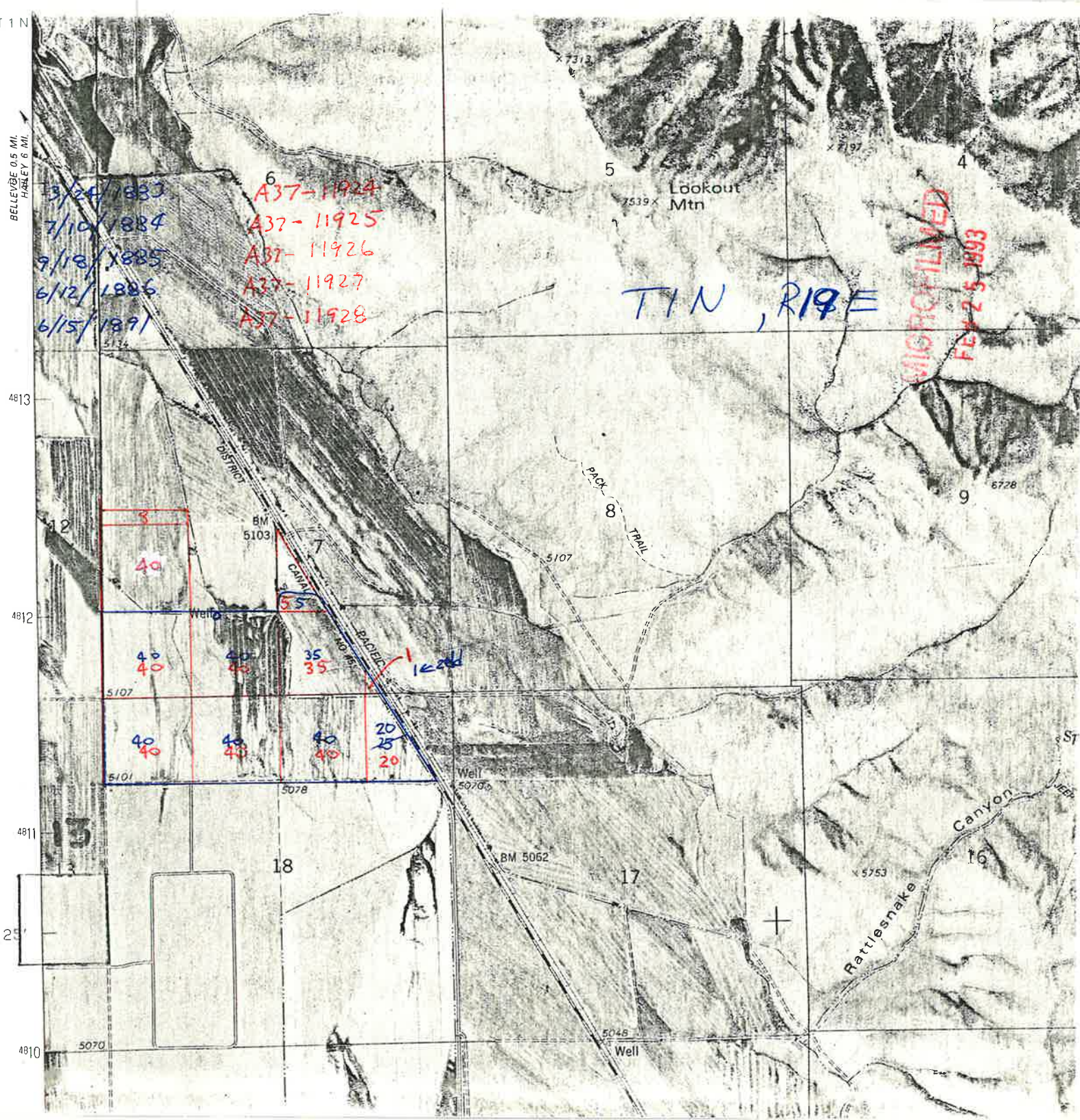
Residing at Kimberly, Id.
My Commission Expires 6/30/94

COPY MICROFILMED
FEB 25 1993

T 1 N

BELLEVEUE 0.5 MI.
HAWLEY 6 MI.

P/D NE SW NW
Sec 36
T 2N R 18E



Special Meeting Of The Board Of Directors
of Bellevue Farms Landowner's Association,
Inc. Held At 2706 Harvard Avenue, East,
Seattle, Washington At 9:00 A.M. On
September 27, 1988.

Directors And Officers Present:

George H. Brown, Jr.-President and Director
Elizabeth Rockwell Brown-Secretary and
Director

George H. Brown, Jr., presided at the meeting.

Old business was called for and none was presented.

A resolution was made to authorize Association member
William Cary to execute any and all documents necessary
to file with the appropriate authorities all water rights
pertaining to all properties covered under the Association.

There being no further business the meeting was adjourned
at 9:15 A.M.

Respectfully submitted,



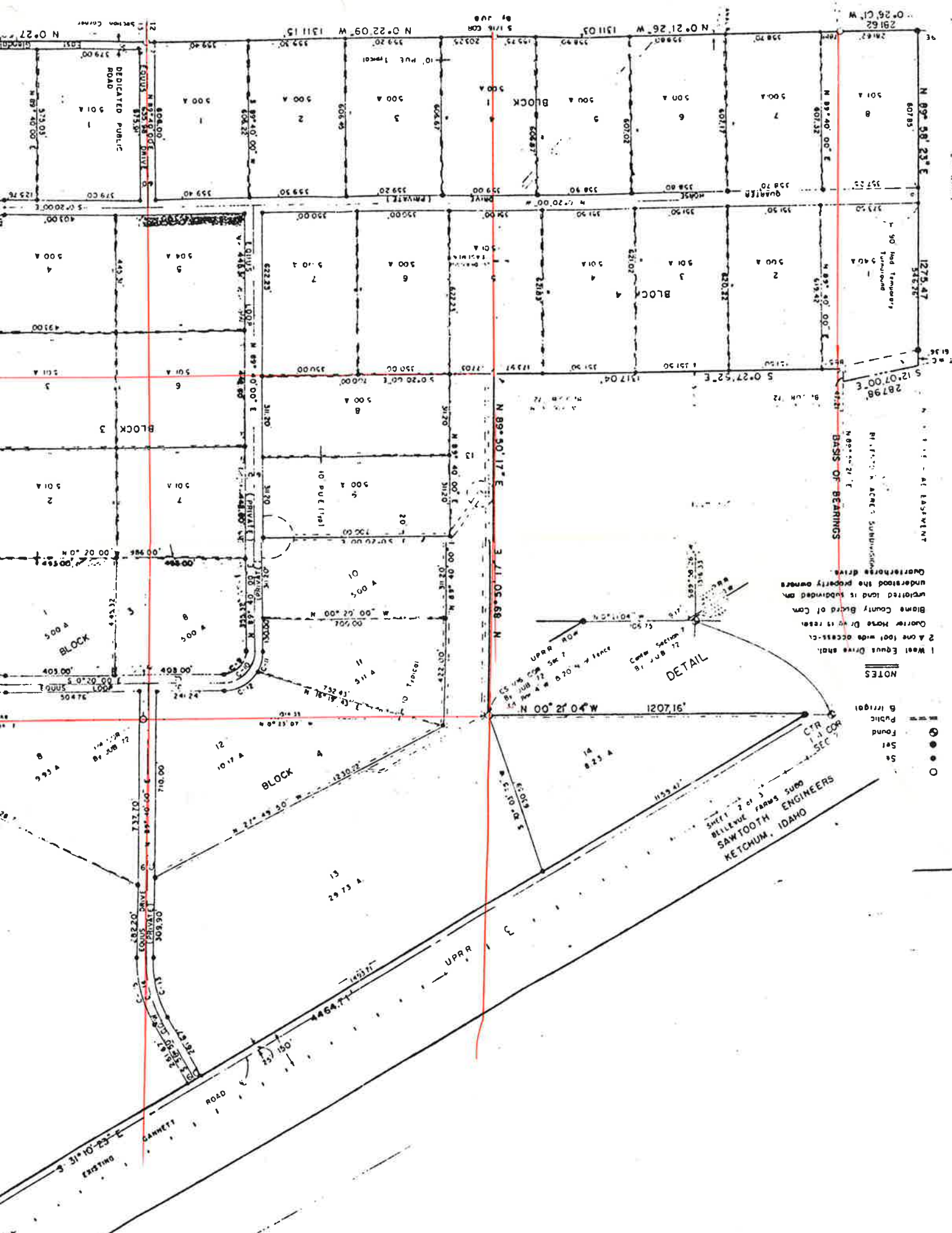
Elizabeth Rockwell Brown,
Secretary

Attest:



George H. Brown, Jr.,
President

MICROFILMED
FEB 25 1993

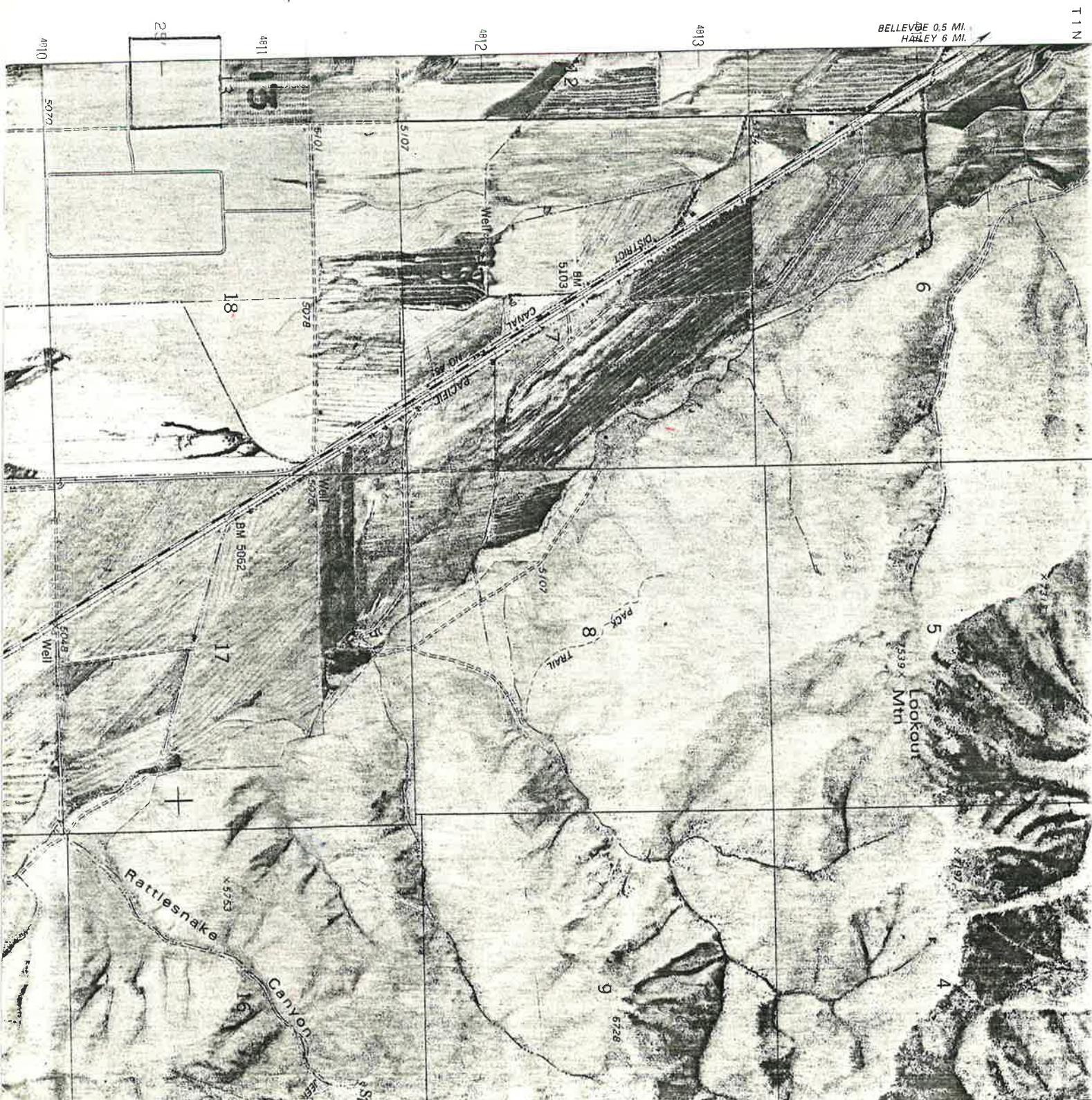


- NOTES
- 1 West Equus Drive Shal.
 - 2 A one foot wide access to
 - Quartermaster Drive is reserved
 - Blaine County Board of Com.
 - understood land is subdivided and
 - Quartermaster Drive is reserved
 - understood land is subdivided and
 - Quartermaster Drive is reserved
- Legend:
- Set
 - Found
 - Public
 - Irrigat

DETAIL

SHEET 2 of 3
BILLYE RAME SUBD
SAWTOOTH ENGINEERS
KETCHUM, IDAHO

TIN

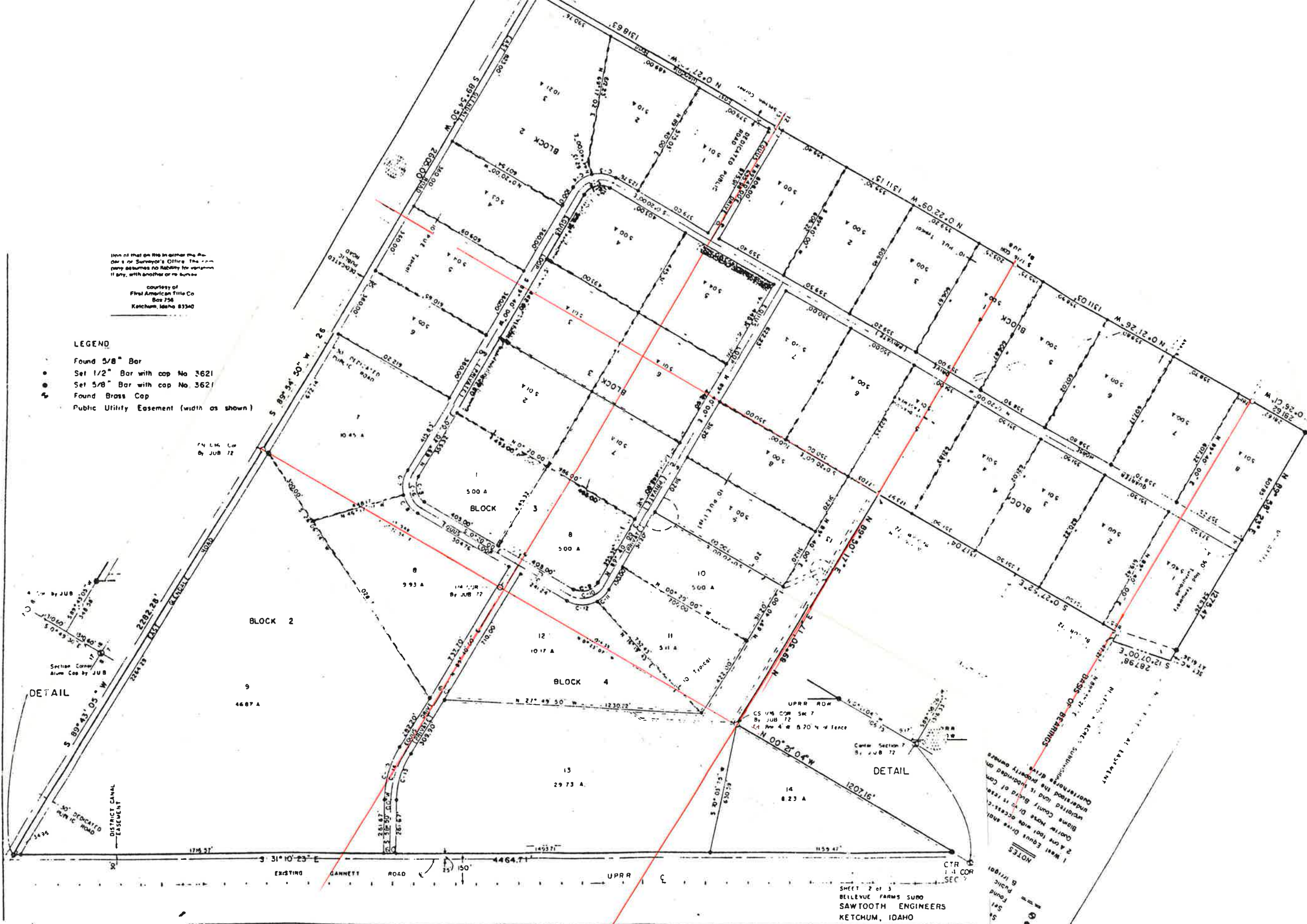


It is to be noted that on this map the location of the Surveyor's Office, the party assumes no liability for variation if any, with another or no survey.

Courtesy of
First American Title Co
Box 758
Ketchum, Idaho 83340

LEGEND

- Found 5/8" Bar
- Set 1/2" Bar with cap No 3621
- Set 5/8" Bar with cap No 3621
- Found Brass Cap
- Public Utility Easement (width as shown)



NOTES
1 West Equus Drive and
2 4 one foot wide easement
Quorum Road Dr. across
Blons Road Dr. is 120
under road is 120 ft of Com
under road is 120 ft of Com
Quorum Road Dr. is 120 ft of Com

SHEET 2 of 3
BELLEVUE FARMS SUBD
SAWTOOTH ENGINEERS
KETCHUM, IDAHO

MAR 08 2011

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR - 7 2011

By _____ Clerk
_____ Deputy Clerk

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

Case No. 39576

ORDER TO SHOW CAUSE AND SUMMONS TO APPEAR

**SUBCASE NOS.: 37-2557Y, 37-11924B,
37-11925B, 37-11926B, 37-11927B, and
37-11928B**

A Status Conference for this subcase was held on October 13, 2010. Notice of the hearing was sent to the claimant, however the claimant failed to appear at the hearing. At the hearing, IDWR informed the court that proposed *Standard Forms 5* had been sent to the claimant, however, the claimant did not return the *Standard Forms 5* by the deadline set by the court.

Therefore, the court issued this Order to Show Cause why the court should not recommend these rights pursuant to the proposed *Standard Forms 5* Settlement Agreements attached as Exhibit A.

Therefore, IT IS HEREBY ORDERED, pursuant to I.R.C.P. 6(c)(2) and I.R.C.P. 6(c)(4) that the claimants, Eastfield at Bellevue Farms HOA shall appear at a Show Cause Hearing to determine whether these water rights should be recommended pursuant to the proposed *Standard Forms 5*.

DATE: March 23, 2011 Wednesday
TIME: 10:00 am
LOCATION: Snake River Basin Adjudication
253 3rd Ave. North
Twin Falls, Idaho 83301

Parties may participate by telephone for this Show Cause Hearing by dialing 1-215-446-0193 and when prompted enter participant code 926509. If you have any questions regarding participating by telephone, please contact the Clerks Office at (208) 736-3011.

IT IS FURTHER ORDERED THAT, any affidavits filed pursuant to I.R.C.P. 6(c)(2) shall be due on or before March 18, 2011.

Eastfield at Bellevue Farms HOA is hereby informed that pursuant to Rule 6(c)(4) of the Idaho Rules of Civil Procedure, any party has the right to elect to produce testimony and evidence at the hearing upon the Order to Show Cause, or to cross-examine the adverse party or the adverse party's affiants, by first giving at least twenty four (24) hours notice to the Court and opposing counsel before the show cause hearing.

A copy of this *Order to Show Cause and Summons to Appear* shall be served upon Eastfield at Bellevue Farms HOA not less than five (5) days prior to the date set for hearing, upon which those parties are required to appear before this Court and show cause. Service of this *Order* shall be made in accordance with I.R.C.P. 5(b) and 6(c)(2).

APPEARANCE AT THIS HEARING IS MANDATORY. FAILURE TO APPEAR AT THIS HEARING MAY RESULT IN THE RECOMMENDATION OF THESE WATER RIGHTS AS SET FORTH IN THE ATTACHED PROPOSED STANDARD FORMS 5.

Dated: March 7, 2011.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER TO SHOW CAUSE AND SUMMONS TO APPEAR was mailed on March 07, 2011, with sufficient first-class postage to the following:

EASTFIELD AT BELLEVUE
FARMS HOA
PO BOX 301
BELLEVUE, ID 83313
Phone: 208-788-5038

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BIG WOOD CANAL COMPANY
Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330
Phone: 208-934-4429

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098


Deputy Clerk

05/12/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-11924B

NAME AND ADDRESS: EASTFIELD AT BELLEVUE FARMS HOA
PO BOX 301
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.767 CFS

The rights listed below shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use. Combined Right Nos.: 37-2557Y, 37-11924B, 37-11925B, 37-11926B, 37-11927B, and 37-11928B.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

Water diverted from Headgate #45 delivered through District Canal.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.767 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S07	SWSE	0.50	T01N R19E S07	SESE	0.50
T01N R19E S18	NENE	16.90	T01N R19E S18	NWNE	29.00

46.9 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 46.9 acres in a single irrigation season. Combined Right Nos.: 37-11924B, 37-11925B, 37-11926B, 37-11927B, 37-11928B, and 37-2557Y.

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

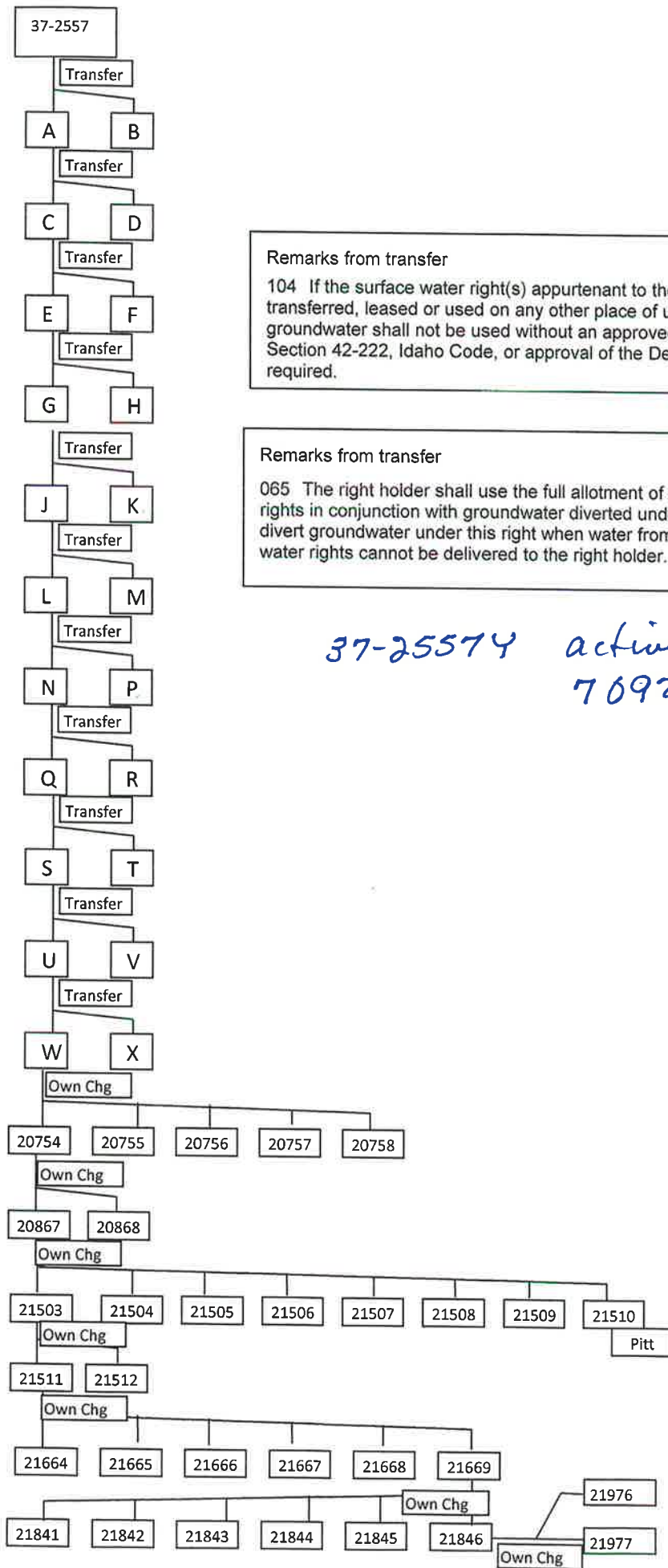
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-577.

Proposed Partial Decree

37-11924B



Remarks from transfer

104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Remarks from transfer

065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

37-2557Y active transfer
70929

Mar 23, 2011

37-25574, 11924B 11925B 11926B 11927B 11928B
Eastfield @ Bellevue Farms,
AL, Craig, Nick

Court - Settledoes sent no response fm Claimant
show cause order went out.

Nick. - lost hearing in Oct. Given
a Dec deadline Vicki contacted Derek
Trent. He said he would present info
to H.O.A. Vicki tried 2 more times
to contact Trent. No response.

Court Show cause gave claimants
opportunity to respond. Court will issue
recommendations based upon Show cause

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, May 12, 2010 12:07 PM
To: Kelly, Vicki; Spencer, Nick
Subject: 37-2557Y Eastfield etal SF-5s

Eastfield et Bellevue

O.K. this group has a little quirk. The transfer language regarding subordination of the GW right was already a part of the recommendation. The language has been updated now as reflected in the Bloomfield and Pitt recommendations. I did not change it to the current language nor did I move it to the source area. It can be done if you think it is necessary but I thought that it would lead to less confusion for claimant review. The rest is just like Bloomfield and Pitt.

Derek Trent's e-mail is Trentcon@mindspring.com I am not sure if the first letter is caps or not though. He put it down as Cap. Do we want to send the group as SF-5s to be signed or just send the proof reports for their review?



37-2557Y eastfield 37-11928B eastfield 37-11927B eastfield 37-11926B eastfield 37-11925B eastfield 37-11924B eastfield
SF-5 2003.d... SF-5 2003.... SF-5 2003.... SF-5 2003.... SF-5 2003.... SF-5 2003....

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

*at issue as of
1-24-11
last communication
5-12-10*

05/12/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-11924B

NAME AND ADDRESS: EASTFIELD AT BELLEVUE FARMS HOA
PO BOX 301
BELLEVUE ID 83313



SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.767 CFS

The rights listed below shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use. Combined Right Nos.: 37-2557Y, 37-11924B, 37-11925B, 37-11926B, 37-11927B, and 37-11928B.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County
Water diverted from Headgate #45 delivered through District Canal.

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	IRRIGATION		04/15 10/31		0.767 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>				
	T01N R19E S07	SWSE	0.50	T01N R19E S07	SESE 0.50
	T01N R19E S18	NENE	16.90	T01N R19E S18	NWNE 29.00

46.9 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 46.9 acres in a single irrigation season. Combined Right Nos.: 37-11924B, 37-11925B, 37-11926B, 37-11927B, 37-11928B, and 37-2557Y.

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 split from former right 37-577.

11/24/2006

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

RIGHT NUMBER: 37-11924B

NAME AND ADDRESS: EASTFIELD AT BELLEVUE FARMS HOA
PO BOX 301
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.767 CFS

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County
Water diverted from Headgate #45 delivered through District Canal.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.767 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S07	SWSE	0.50	T01N R19E S07	SESE	0.50
T01N R19E S18	NENE	16.90	T01N R19E S18	NWNE	29.00

46.9 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 46.9 acres in a single irrigation season. Combined Right Nos.: 37-11924B, 37-11925B, 37-11926B, 37-11927B, 37-11928B, and 37-2557Y.

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 split from former right 37-577.



Idaho Department of Water Resources

SRBA Recommendation:

**37-11924B, 37-11925B
37-11926B, 37-11927B
37-11928B, 37-2557Y**

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles

Prepared by N. Erickson
On Friday, November 24, 2006
2005 Aerial Photography



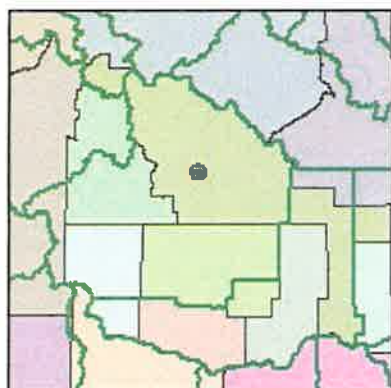
Idaho Department of Water Resources

SRBA Recommendation:

**37-11924B, 37-11925B
37-11926B, 37-11927B
37-11928B, ~~37-2557B~~**

Legend

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



Blaine County
IDWR Basin 37



0 1 2 Miles

Prepared by N. Erickson
On Friday, November 24, 2006
2005 Aerial Photography



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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 13, 2003

EASTFIELD AT BELLEVUE FARMS HOA
SCOTT SMITH
PO BOX 301
BELLEVUE ID 83313

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 37-2557Y, #37-11924B, #37-11925B,
#37-11926B, #37-11927B, # 37-11928B

Change of Address Notification

Dear Claimant:

Thank you for notifying us of your change in address on the water right claims referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Carrie Hahn
clerk



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

APR 7, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

EASTFIELD AT THE BELLEVUE FARMS HOA
PO BOX 287
BELLEVUE ID 83313

RE: SRBA CLAIM(S): A37-02557P, A37-11924B, A37-11925B, A37-11926,
A37-11927B, & A37-11928B
McCARTHY

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH
THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE
DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR
YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS
OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES



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

APR 7, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

EASTFIELD AT THE BELLEVUE FARMS HOA
PO BOX 287
BELLEVUE ID 83313

RE: SRBA CLAIM(S): A37-02557P, A37-11924B, A37-11925B, A37-11926,
A37-11927B, & A37-11928B
McCARTHY

DEAR CLAIMANT(S):

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SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

Eastfield, At Bellevue Farms HOA

Post Office Box 287
Bellevue, Idaho 83313

Telephone (208)726-6951
Fax (208)726-1082

February 18, 1997

Ms. Tara L. Backlund
Records Clerk
Idaho Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301-6105

RECEIVED
FEB 21 1997
Department of Water Resources
Southern Region

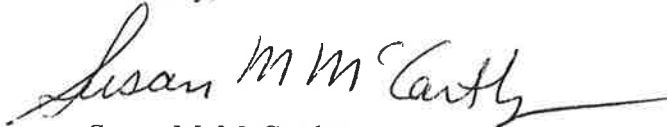
Re: New Property Owner Notice of Change of Water Right Ownership

Dear Ms. Backlund:

Enclosed please find a completed Notice of Change of Water Right Ownership form. We respectfully request that the enclosed Notice be processed. Please mail reports, as confirmation of the requested change in your records, to the address indicated above.

If you have any questions please do not hesitate to call. Thank you for your assistance in this matter.

Sincerely,



Susan M. McCarthy
Eastfield, At Bellevue Farms HOA
Secretary/Treasurer

ENCLOSURES