



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



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



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):

37-2557Y, 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):

Sam 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: A37-11928B  
Date Received: 10/24/1988  
Receipt No: X777777  
Received By: O/C 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: JUN 15, 1891

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 | 1.153 |      | 117.17 |

7. Total Quantity Appropriated is:  
1.153 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 37-0480 & 37-0667 COMBINED.  
\*\*\*\*\*

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-11928. A37-11928B  
BELONGS TO MC CARTHY WITH 1.153 CFS. A37-11928A BELONGS TO  
BELLEVUE FARMS WITH 6.447 CFS. 3/18/96 TLB

\*\*\*\*\*

CLERICAL ERROR CORRECTED. TLB 7/16/96

\*\*\*\*\*

OWNERSHIP CHANGE MADE 3/3/97 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

---

Decree Plaintiff

vs

---

Decree Defendant

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: A37-11927B

Date Received: 10/24/1988

Receipt No: X777777

Received By: *QC RB*

**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: JUN 12, 1886

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 | 0.046 |      | 117.17 |

7. Total Quantity Appropriated is:  
0.046 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 37-0666.

\*\*\*\*\*

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-11927. A37-11927B  
BELONGS TO MC CARTHY WITH .046 CFS. A37-11927A BELONGS TO  
BELLEVUE FARMS WITH .254 CFS. 3/18/96 TLB

\*\*\*\*\*

CLERICAL ERROR CORRECTED. TLB 7/16/96

\*\*\*\*\*

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)

RECEIVED

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 1, Department of Water Resources  
Lot 9, Block, 2, Subdivision/Townsite BELLEVUE FARMS SUBDIVISION, Southern Region

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  
President Date 2/17/97
- ☐ Signature of Former Owner/Claimant(s): Susan McCarthy Date 2/17/97  
Michael J. 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  
Blaine Co. REQUEST  
OF  
1996 AUG 1 PM 3 46  
MARY CREEK CLERK  
M.P. FILES \$  
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.

Michael J. Mink  
Notary Public, Residing at Bellevue  
Idaho, Commission Expiration 12/31/2000

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: **A37-11928B**  
Date Received: 10/24/1988  
Receipt No: X777777  
Received By: *OK LFB*  
*spbt*

**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: JUN 15, 1891

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 | 1.153 |      | 117.17 <i>HB</i> |

7. Total Quantity Appropriated is:  
1.153 C.F.S. (and/or) 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 37-0480 & 37-0667 COMBINED.  
\*\*\*\*\*

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-11928. A37-11928B  
BELONGS TO MC CARTHY WITH 1.153 CFS. A37-11928A BELONGS TO  
BELLEVUE FARMS WITH 6.447 CFS. 3/18/96 TLB

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

\_\_\_\_\_  
Decree Plaintiff

vs

\_\_\_\_\_  
Decree Defendant

## RECEIVED

(see instructions on back of page)

FEB 10 1996

**[ ] 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)**

[ ] 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.

(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 Former Owner/Claimant(s): BELLEVUE FARMS LANDOWNERS ASSOCIATION Date 1/28/96  
Robert G. Eschen PRESIDENT

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

1927 + 1928

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 46.87 acres
  
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 1.00 acres46.87 acres

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)        | $(46.87 \div 261) \times 5.3 \text{ cfs} =$   | <u>.952 cfs</u> . 855 |
| 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

DEPARTMENT OF  
WATER RESOURCES

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

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

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

ORDER TO SHOW CAUSE AND SUMMONS TO APPEAR  
S:/BASIN FOLDERS/37ORDERS2557Y.etal.ORDER.SHOWCAUSE  
3/7/11

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: 37-11928B

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

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.153 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: 06/15/1891

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          | 1.153 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:

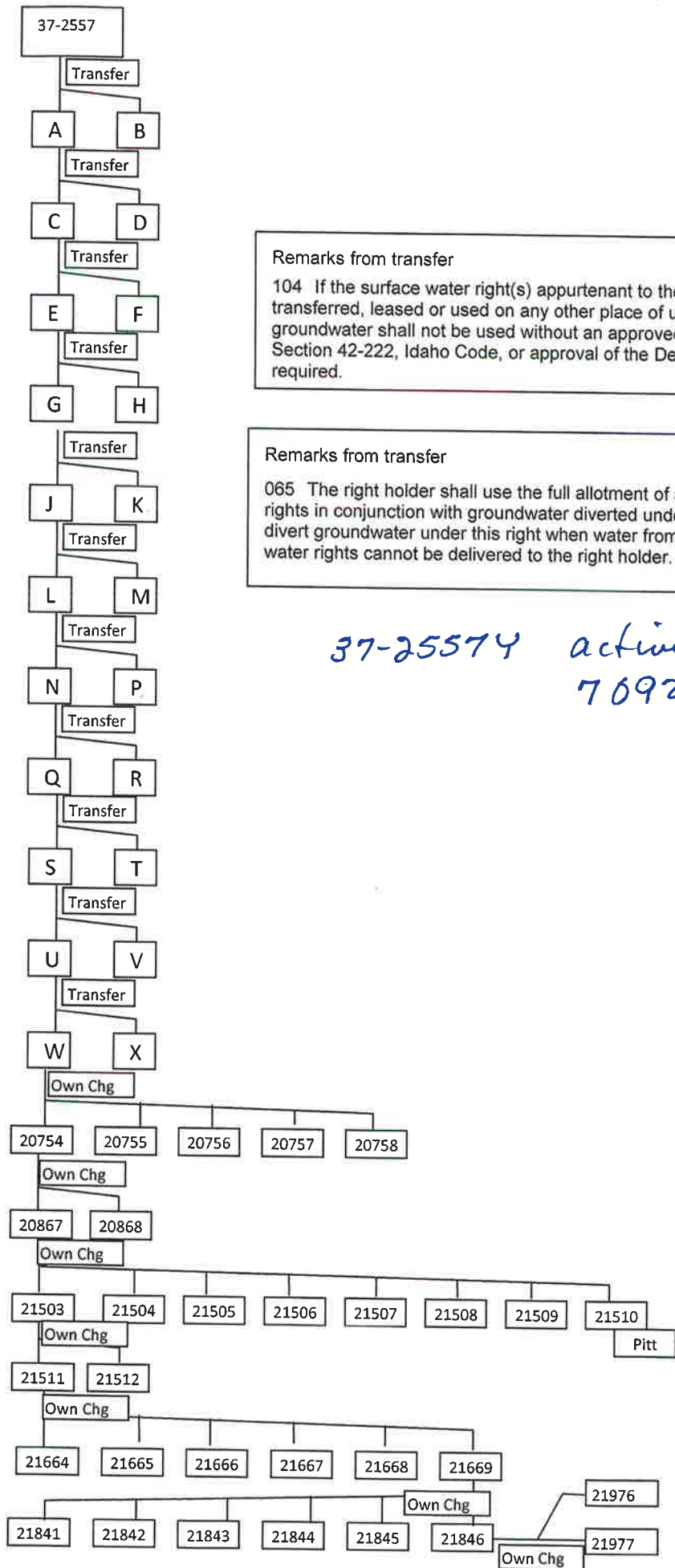
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-480 and 37-667.

Proposed Partial Decree

37-11928B



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.

37-25574 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  
recommendation 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 at 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](mailto: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 SF-5 2003.d... 37-11928B eastfield SF-5 2003.... 37-11927B eastfield SF-5 2003.... 37-11926B eastfield SF-5 2003.... 37-11925B eastfield SF-5 2003.... 37-11924B eastfield 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: 37-11928B

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



SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.153 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: 06/15/1891

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          | 1.153 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 37-480 and 37-667.

11/24/2006

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

RIGHT NUMBER: 37-11928B  
NAME AND ADDRESS: EASTFIELD AT BELLEVUE FARMS HOA  
PO BOX 301  
BELLEVUE ID 83313  
SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER  
QUANTITY: 1.153 CFS  
PRIORITY DATE: 06/15/1891  
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          | 1.153 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 37-480 and 37-667.



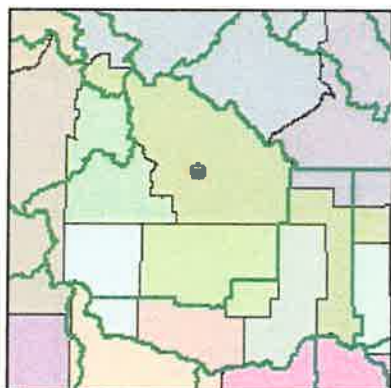
# Idaho Department of Water Resources

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



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

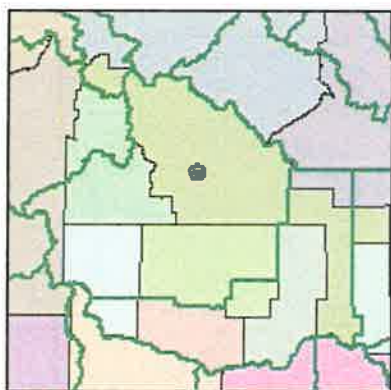
# Idaho Department of Water Resources

SRBA Recommendation:

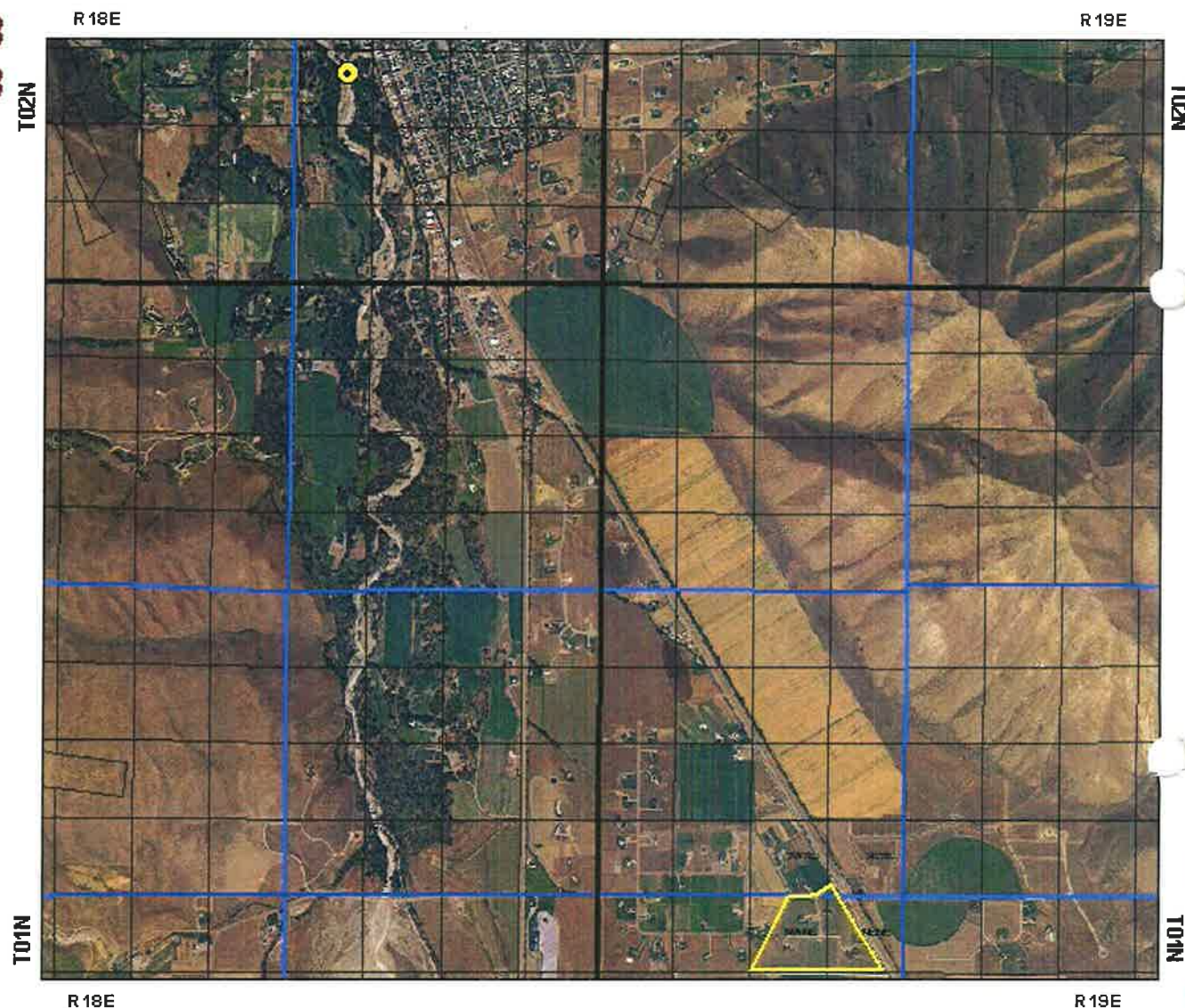
37-11924B, 37-11925B  
37-11926B, 37-11927B  
37-11928B, ~~37-2557~~

## 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,

A handwritten signature in cursive script that reads "Tara L. Backlund".

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

RECEIVED  
FEB 21 1997  
Department of Water Resources  
Southern Region

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

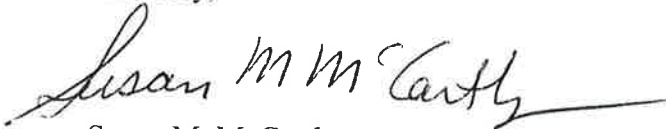
## Re: New Property Owner Notice of Change of Water Right Ownership

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

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

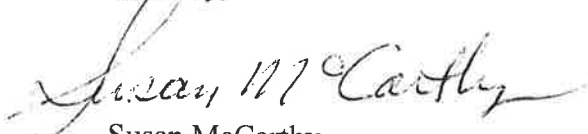
Re: New Property Owner Notice of Change of Water Right Ownership Request

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 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033  
Fax (208) 736-3037

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

MARCH 19, 1996

SUSAN & MICHAEL MCCARTHY  
PO BOX 287  
BELLEVUE ID 83313

RE: SRBA CLAIM(S) A37-02557L, A37-11924, A37-11925, A37-11926,  
A37-11927, & A37-11928 (SPLIT)  
BELLEVUE FARMS

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. **THIS COPY IS 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

CC: BELLEVUE FARMS, PO BOX 774, BELLEVUE, ID 83313

MICROFILMED  
NOV 27 1996

6/9/94

## COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

**IDWR Employee/Agent** Kelly K Christensen

**DATE**

July 16, 1996 8:49am

**CUSTOMER**

**SUSAN MC CARTHY** PHONE 726-6951  
FAX 726-1082

**SUBJECT:** ERRORS IN CLAIMS A37-02557P, A37-11924, A37-11925, A37-11926, A37-11927, A37-11928  
phone call (X) walk-in (.)

She noted several data entry errors related to the above claims. In the remarks for A37-11924(B) it references 02557L as the base right. That is a surface water right.

A37-02557P does not show an AFA value. The original right did.

All surface water rights show an AFA value of 115.9. She had calculated that volumn to be 117.17 based upon the split acreage. In remarks for A37-11926B, remarks lists the diversion rate as 4.545, she thought that it should read 2.545.

In A37-11928 remarks list one right as 19928 rather than 11928.

She also noted that on each of the rights the ownership flag is set at 'No'. I asked that she send a letter to this office noting the error and that the department would then update the claims for that problem.

She received a copy of the A suffix rights rather than the B suffix rights. After the corrections (excluding the ownership issue) she would like a copy of each right faxed to her, preferably a profile report.

MICROFILMED

NOV 27 1996