

RECEIVED  
OCT 25 2007  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

# STATE OF IDAHO DEPARTMENT OF WATER RESOURCES NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

| Water Right No(s) | Adjudication Claim No(s) | Split(s)         | Water Right No(s) | Adjudication Claim No(s) | Split(s) |
|-------------------|--------------------------|------------------|-------------------|--------------------------|----------|
| 37-20883          | A37-20883                | X 22362<br>22363 |                   |                          |          |
| 37-00666D         | A37-00666D               | X 22358<br>22359 |                   |                          |          |
| 37-20885          | A37-20885                | X 22364<br>22365 |                   |                          |          |
| 37-20443          | A37-20443                | X 22346<br>22361 |                   |                          |          |
|                   |                          |                  |                   |                          |          |
|                   |                          |                  |                   |                          |          |
|                   |                          |                  |                   |                          |          |
|                   |                          |                  |                   |                          |          |

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
  - B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
  - C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

**OR**

- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)
- B&M Ranch, LLC
- P.O. Box 1001
- Hailey, ID 83333
4. New Owner/Claimant(s)
- Bell Mountain Ranch Homeowner's Assn., Inc.
- Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
- P.O. Box 1001
- Hailey, ID 83333
- New Mailing Address
- City, State and ZIP Code
- New Telephone Number
- ( 208 ) 578-0520
- Email: \_\_\_\_\_

5. Date you acquired the property

January 18, 2006

6.

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Water Right and/or Adjudication Claim Number _____                                                                   |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock see attached                                                                                                   |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| Water Right and/or Adjudication Claim Number _____                                                                   |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| Water Right and/or Adjudication Claim Number _____                                                                   |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) Bell Mountain Ranch Homeowners Assn., Inc.By: John Brashears

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

## For IDWR Office Use Only:

Received by \_\_\_\_\_ Date \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_

Receipt Amt. \_\_\_\_\_  
 Receipt No. \_\_\_\_\_  
 WR \_\_\_\_\_ Date \_\_\_\_\_

Water Appurtenant to:

Acres:

Portion:

|                                        |      |      |
|----------------------------------------|------|------|
| Lot 2, Bell Mountain Ranch Subdivision | 2.04 | 0.09 |
| Lot 3, Bell Mountain Ranch Subdivision | 2.05 | 0.09 |
| Lot 4, Bell Mountain Ranch Subdivision | 2.13 | 0.09 |
| Lot 5, Bell Mountain Ranch Subdivision | 2.03 | 0.09 |
| Lot 6, Bell Mountain Ranch Subdivision | 2.04 | 0.09 |
| Lot 7, Bell Mountain Ranch Subdivision | 2.09 | 0.09 |

Per CC&R's, relevant portion attached

Per Plat, attached

system approved by the Association Board) shall be permitted, and further provided that the water therefrom shall be used for irrigation purposes only. The Association shall be responsible for operating, maintaining, repairing and improving the Association's Irrigation System (the plans for which are attached hereto as Exhibit C) from its beginning on the Association's side of the valve at the boundary with the Agricultural Tract and Lot 2 (identified as "Point of Delivery" on attached Exhibit B) to the point of stub-out on each Lot within the Residential Subdivision. From and after stub-out on each Lot, all pipes, valves, sprinkler heads and so forth, shall be the sole responsibility of the Owner of the Lot. The Association shall protect the Association's Irrigation System from freezing and otherwise maintain said irrigation system.

**E. WATER FROM THE ASSOCIATION IRRIGATION SYSTEM AND THE FIRE PROTECTION WELL AND HYDRANT IS NOT DRINKABLE.** Each Lot The Water from the Association Irrigation system and the Fire Protection Well and Hydrant is not drinkable. The Owner shall be responsible to ensure that irrigation water within the boundaries of such Owner's Lot is not consumed by any person or used for culinary purposes. The Association shall take all reasonable steps to ensure that irrigation water from the Fire Protection well and hydrant is not consumed by any person or used for culinary purposes.

**F.** The following is a list of the irrigation water rights appurtenant to the Property, identified by the water right numbers assigned by IDWR:

| <b>WATER RIGHTS</b> | <b>SOURCE</b>  | <b>PRIORITY</b> | <b>AMOUNT</b> |
|---------------------|----------------|-----------------|---------------|
| 37-20883            | Big Wood River | 6/15/1891       | 0.38 cfs      |
| 37-666D             | Big Wood River | 6/12/1886       | 1.78 cfs      |
| 37-20885            | Big Wood River | 10/15/1884      | 0.62 cfs      |
| 37-20443            | Ground Water   | 1/29/1965       | 2.78 cfs      |

The amount of water which may be delivered to the Association for each Lot and Parcel within the Residential Subdivision at any particular time shall be Lot's or Parcel's portion of the total amount of the above-described water rights appurtenant to said Lot or Parcel then being delivered to and available for use by the Association under then applicable laws and regulations of the state of Idaho. Each Lot's portion of the water rights shall be based upon the maximum number of acres which may be irrigated on each Lot. The maximum irrigated acres and percentages of the water rights are as follows:

| <b>LOT</b> | <b>ACRES</b> | <b>PORTION OF WATER RIGHTS</b> |
|------------|--------------|--------------------------------|
| 1          | 123.73       | 5.02                           |
| 2          | 2.04         | 0.09                           |
| 3          | 2.05         | 0.09                           |
| 4          | 2.13         | 0.09                           |
| 5          | 2.03         | 0.09                           |
| 6          | 2.04         | 0.09                           |

7  
TOTAL

2.09  
136.11

0.09  
5.56

The Association shall own the above water rights appurtenant to Lots 2 through 7, inclusive, and Parcels A, B, C and D. The Association shall own, operate, maintain, repair and replace the Association Irrigation System and control, administer, regulate and restrict the delivery of water to the Lots and Parcels for irrigation. The Association shall have no right, title or interest in and no right to possession, use or control over any of the diversion works, pumps and delivery system for these water rights on, over or across the Agricultural Tract. The Association shall not apply for or obtain approval by IDWR for any change or transfer of said water rights, or any portion thereof, or for an change in any point of diversion or places of use of any of the above water rights without the prior written consent of the Owner of the Agricultural Tract.

**EACH OWNER, BY ACCEPTING THE DEED TO A LOT, ACKNOWLEDGES AND AGREES THAT THE AMOUNTS AND IRRIGABLE ACRES FOR EACH WATER RIGHT ARE SUBJECT TO FINAL DETERMINATION BY THE COURT IN THE SRBA, THAT DECLARANT DOES NOT MAKE ANY REPRESENTATION OR WARRANTY AS TO SUCH AMOUNTS OR IRRIGABLE ACRES, AND THAT DELIVERY OF THE WATER RIGHTS IS SUBJECT TO AVAILABILITY UNDER THE LAWS OF THE STATE OF IDAHO, RULES AND REGULATIONS OF IDAHO DEPARTMENT OF WATER RESOURCE ("IDWR"), AND CONTROL BY THE WATER MASTER FOR WATER DISTRICT 37. IF THE AMOUNT OR NUMBER OF IRRIGABLE ACRES FOR ANY SUCH WATER RIGHT IS REDUCED IN A FINAL DECREE ISSUED BY THE SRBA COURT, THE AMOUNT OR MAXIMUM IRRIGABLE ACRES ON EACH LOT AND PARCEL AREA PARCEL SPECIFIED HEREIN SHALL BE REDUCED PROPORTIONATELY.**

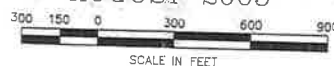
**EACH OWNER, BY ACCEPTING THE DEED TO A LOT, ACKNOWLEDGES AND UNDERSTANDS THAT WATER RIGHTS IN IDAHO MAY BE LOST IN WHOLE OR IN PART IF THEY ARE NOT USED FOR A CONTINUOUS PERIOD OF FIVE (5) YEARS OR MORE.**

G. For the purpose of maintaining and protecting the irrigation water rights and maintaining the unimproved Lots in a neat, irrigated and weed-free condition, Declarant hereby reserves for itself and the Association the right to use the irrigation water rights and the Association Irrigation System to irrigate all or such portions of each Lot prior to such time as construction has begun pursuant to a valid building permit. After an Owner has begun such construction, the Owner, at the Owner's expense, shall be responsible for maintaining the Lot in a reasonable condition during the course of construction.

9.3 Water System Assessments. All common expenses related to operation, maintenance, repair and replacement of the Association Irrigation System shall be born by Declarant until the sale by Declarant of the first Lot within the Residential Subdivision, and

WHEREIN PARCEL 4 OF THE **DEER MOUNTAIN RANCH SUBDIVISION**  
STRUTHERS RANCH RECORD OF SURVEY (TAX LOT 7152) IS REPLATTED INTO AN A-20 CLUSTER DEVELOPMENT  
LOCATED WITHIN SECTION 20, T.1N., R.19E., B.M., BLAINE COUNTY, IDAHO  
AUGUST 2005

AUGUST 2005



SCALE: 1" = 300'

LEGEND

- |                                                                                     |                         |
|-------------------------------------------------------------------------------------|-------------------------|
|  | Found Brass Cap         |
|  | Found Aluminum Cap      |
|  | Found 5/8" Rebar        |
|  | Found 1/2" Rebar        |
|  | Set 1/2" Rebar          |
|  | Set 5/8" Rebar          |
|  | Record Information      |
|  | Property Boundary       |
|  | Adjoiners Property Line |
|  | Centerline              |
|  | Easement, As Shown      |

| CURVE TABLE |         |         |         |           |         |               |
|-------------|---------|---------|---------|-----------|---------|---------------|
| CURVE       | LENGTH  | RADIUS  | TANGENT | DELTA     | CHORD   | CHORD BEARING |
| C1          | 39.47   | 35.00'  | 25.15'  | 90°20'06" | 35.46'  | N 14°14'44" E |
| C2          | 39.32'  | 70.00'  | 20.19'  | 32°11'00" | 38.80'  | N 75°35'12" E |
| C19         | 111.70' | 200.00' | 34.50'  | 21°10'54" | 111.05' | S 81°00'49" E |

SEE SHEET 3 FOR NOTES

Unplatted - State of Idaho  
(See Note 12, Sheet 3)

Parcel 3 Slruthers Ranch R.O.S.

|         |         |
|---------|---------|
| 1310.74 | 1310.74 |
|---------|---------|

**LOT 1**  
**Agricultural Tract**  
5,390,650 Sq. Ft.±  
123.75 Ac.±

(Old Parcel 4, Struthers Ranch R.O.S.)

BLOCK 1

- See Sheet 2 for  
Detail

15' Non-Motorized Pedestrian  
Easement to Benefit Blaine  
County Recreation District  
R/W Dedication to Blaine  
County-176,030 Sq. Ft.±  
4.04 Ac.±

True Point of Beginning  
Fd. 5/8" Rebor  
Illegible Cap  
Tie  
N89°54'50"E  
172.78'  
Fd. Brass Cap

PERO ROAD  
48°12'33"W 1572.31'  
2359.27'  
S89°54'59"W 3784.12'  
BASIS OF BEARINGS  
(S89°54'59"W 3784.43')

Parcel 4  
Prairie Sun Subdivision  
Ph. 1

Unplatted

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

Date \_\_\_\_\_ South Central District Health Dept., EHS

BELL MOUNTAIN RANCH  
SUBDIVISION  
GALENA ENGINEERING, INC.  
KETCHUM, IDAHO

SHEET 1 OF 4

MICHAEL D. CHOAT, L.S. 10161

Job No. 5320-01

OCT 25 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGIONRECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:James W. Phillips  
THE ROARK LAW FIRM  
409 N. Main St.  
Hailey, Idaho 83333

Instrument # 531238

HAILEY, BLAINE, IDAHO

2006-01-19

03:04:00

No. of Pages: 1

Recorded for: JIM PHILLIPS

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

(Space Above Line for Recorder's Use)

## QUITCLAIM DEED

FOR VALUE RECEIVED, B & M Ranch, LLC, an Idaho limited liability company ("Grantor"), hereby grants, bargains, sells and conveys unto Bell Mountain Ranch Homeowners Association, Inc., an Idaho non-profit corporation, whose address is P.O. Box 1001, Hailey, Idaho 83333 ("Grantee"), all right, title and interest in and to any water rights, in whole or in part, appurtenant to Lot 2, Bell Mountain Ranch Subdivision, according to the official plat of record located in Blaine County, State of Idaho:

Said water right numbers include, but are not necessarily limited to, the following appurtenant rights: 37-20883, 37-00666D, 37-20885 and 37-20443, all according to the official records of the State of Idaho.

DATED this 18 day of January, 2006

B &amp; M RANCH, LLC

John Brashears  
By: John Brashears, Manager

STATE OF IDAHO, )

) ss.

County of Blaine. )

On this 18 day of January, 2006 before me, a Notary Public in and for said State, personally appeared John Brashears, Manager, B & M Ranch, LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said limited liability corporation.



Heidi Southward  
Notary Public in and for the State of Idaho  
Residing at Hailey  
Commission expires 6-18-11

OCT 25 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:

James W. Phillips  
THE ROARK LAW FIRM  
409 N. Main St.  
Hailey, Idaho 83333

Instrument # 531239

HAILEY, BLAINE, IDAHO

2006-01-19

03:05:00

No. of Pages: 1

Recorded for : JIM PHILLIPS

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

(Space Above Line for Recorder's Use)

### QUITCLAIM DEED

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Said water right numbers include, but are not necessarily limited to, the following appurtenant rights: 37-20883, 37-00666D, 37-20885 and 37-20443, all according to the official records of the State of Idaho.

DATED this 18 day of January, 2006.

B & M RANCH, LLC

John Brashears  
By: John Brashears, Manager

STATE OF IDAHO, )

) ss.

County of Blaine. )

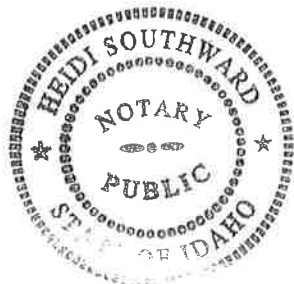
On this 18 day of January, 2006 before me, a Notary Public in and for said State, personally appeared John Brashears, Manager, B & M Ranch, LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said limited liability corporation.

Heidi Southward

Notary Public in and for the State of Idaho

Residing at Hailey

Commission expires 1-18-11



OCT 25 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:  
James W. Phillips  
THE ROARK LAW FIRM  
409 N. Main St.  
Hailey, Idaho 83333

Instrument # 531240  
HAILEY, BLAINE, IDAHO  
2006-01-19 03:06:00 No. of Pages: 1  
Recorded for : JIM PHILLIPS  
MARSHA RIEMANN Fee: 3.00  
Ex-Officio Recorder Deputy  
Index to: WTY/QC/CORP DEED

(Space Above Line for Recorder's Use)

### QUITCLAIM DEED

FOR VALUE RECEIVED, B & M Ranch, LLC, an Idaho limited liability company ("Grantor"), hereby grants, bargains, sells and conveys unto Bell Mountain Ranch Homeowners Association, Inc., an Idaho non-profit corporation, whose address is P.O. Box 1001, Hailey, Idaho 83333 ("Grantee"), all right, title and interest in and to any water rights, in whole or in part, appurtenant to Lot 4, Bell Mountain Ranch Subdivision, according to the official plat of record located in Blaine County, State of Idaho:

Said water right numbers include, but are not necessarily limited to, the following appurtenant rights: 37-20883, 37-00666D, 37-20885 and 37-20443, all according to the official records of the State of Idaho.

DATED this 18 day of January, 2006

B & M RANCH, LLC

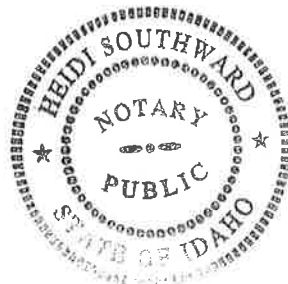
John Brashears  
By: John Brashears, Manager

STATE OF IDAHO, )

) ss.

County of Blaine. )

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Heidi Southward  
Notary Public in and for the State of Idaho  
Residing at Hailey  
Commission expires 1-18-11

RECEIVED

OCT 25 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:  
James W. Phillips  
THE ROARK LAW FIRM  
409 N. Main St.  
Hailey, Idaho 83333

Instrument # 531241  
HAILEY, BLAINE, IDAHO  
2006-01-19 03:07:00 No. of Pages: 1  
Recorded for: JIM PHILLIPS  
MARSHA RIEMANN Fee: 3.00  
Ex-Officio Recorder Deputy  
Index to: WTYQCICORP DEED *mp*

(Space Above Line for Recorder's Use)

## QUITCLAIM DEED

FOR VALUE RECEIVED, B & M Ranch, LLC, an Idaho limited liability company ("Grantor"), hereby grants, bargains, sells and conveys unto Bell Mountain Ranch Homeowners Association, Inc., an Idaho non-profit corporation, whose address is P.O. Box 1001, Hailey, Idaho 83333 ("Grantee"), all right, title and interest in and to any water rights, in whole or in part, appurtenant to Lot 5, Bell Mountain Ranch Subdivision, according to the official plat of record located in Blaine County, State of Idaho:

Said water right numbers include, but are not necessarily limited to, the following appurtenant rights: 37-20883, 37-00666D, 37-20885 and 37-20443, all according to the official records of the State of Idaho.

DATED this 18 day of January, 2006

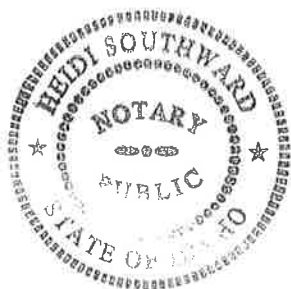
B &amp; M RANCH, LLC

*John Brashears*  
By: John Brashears, Manager

STATE OF IDAHO, )  
) ss.  
County of Blaine. )

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*Heidi Southward*  
Notary Public in and for the State of Idaho  
Residing at Hailey  
Commission expires 1-18-11



OCT 25 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:  
James W. Phillips  
THE ROARK LAW FIRM  
409 N. Main St.  
Hailey, Idaho 83333

Instrument # 531242  
HAILEY, BLAINE, IDAHO  
2006-01-19 03:08:00 No. of Pages: 1  
Recorded for: JIM PHILLIPS  
MARSHA RIEMANN  
Ex-Officio Recorder Deputy  
Index to: WTYIG/CICORP DEED

(Space Above Line for Recorder's Use)

### QUITCLAIM DEED

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Said water right numbers include, but are not necessarily limited to, the following appurtenant rights: 37-20883, 37-00666D, 37-20885 and 37-20443, all according to the official records of the State of Idaho.

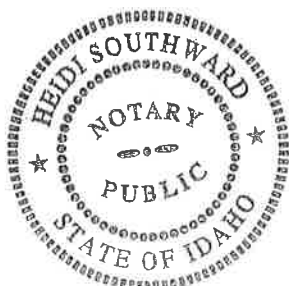
DATED this 18 day of January, 2006

B & M RANCH, LLC

John Brashears  
By: John Brashears, Manager

STATE OF IDAHO, )  
 ) ss.  
County of Blaine. )

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Heidi Southward  
Notary Public in and for the State of Idaho  
Residing at Hailey  
Commission expires 1-18-11

**RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:  
James W. Phillips  
THE ROARK LAW FIRM  
409 N. Main St.  
Hailey, Idaho 83333**

Instrument # 531243

HAILEY, BLAINE, IDAHO

2006-01-19

03:09:00 No. of Pages: 1

Recorded for : JIM PHILLIPS

MARSHA RIEMANN

**Fee: 3.00**

Ex-Officio Recorder Deputy  
Index to: WTY/QC/CORP DEED

(Space Above Line for Recorder's Use)

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Said water right numbers include, but are not necessarily limited to, the following appurtenant rights: 37-20883, 37-00666D, 37-20885 and 37-20443, all according to the official records of the State of Idaho.

DATED this 18 day of January, 2006

B & M RANCH, LLC

By: John Brashears, Manager

STATE OF IDAHO,

)

) SS.

County of Blaine.

)

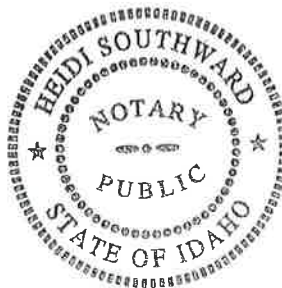
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Hindi Southward  
Notary Public in and for the State of Idaho  
Residing at Hailey  
Commission expires 1-18-11

Notary Public in and for the State of Idaho

Residing at Hailey

Commission expires 1-18-11



**HAEMMERLE & HAEMMERLE P.L.L.C.**

Attorneys & Counselors at Law

Fritz X. Haemmerle  
Jennifer L. K. Haemmerle

P. O. Box 1800  
Hailey, ID 83333

400 South Main Street, Suite 102  
Tel: (208) 578-0520  
Fax: (208) 578-0564

RECEIVED

OCT 25 2007

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

October 23, 2007

IDWR Southern Region  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301-3380

Re: *Notice of Name Change with Splits (37-20883, 37-00666D, 37-20885  
and 37-20443)*

To Whom It May Concern:

Please find enclosed a Notice of Name Change with Splits for the aforementioned water rights, claimed by B&M Ranch, LLC, and the Bell Mountain Ranch Homeowner's Assn., Inc. I understand that no fee is required for these splits. Please advise if I am wrong in this impression, or advise if there is anything else required.

As always, thank you for your assistance.

Sincerely,

HAEMMERLE & HAEMMERLE, P.L.L.C.



Fritz X. Haemmerle

FXH: fxh  
Encl.



# Idaho Department of Water Resources

SRBA Recommendation  
37-22365  
(IRRIGATION)

## Legend

○ Point of Diversion

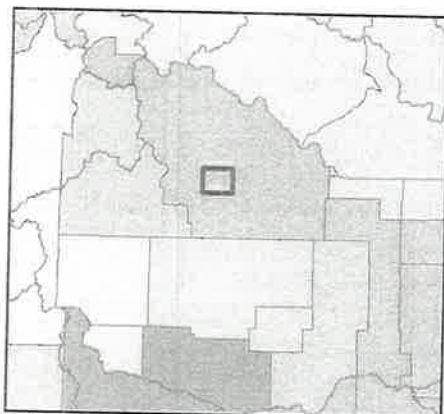
Place of Use

State Outline

Townships

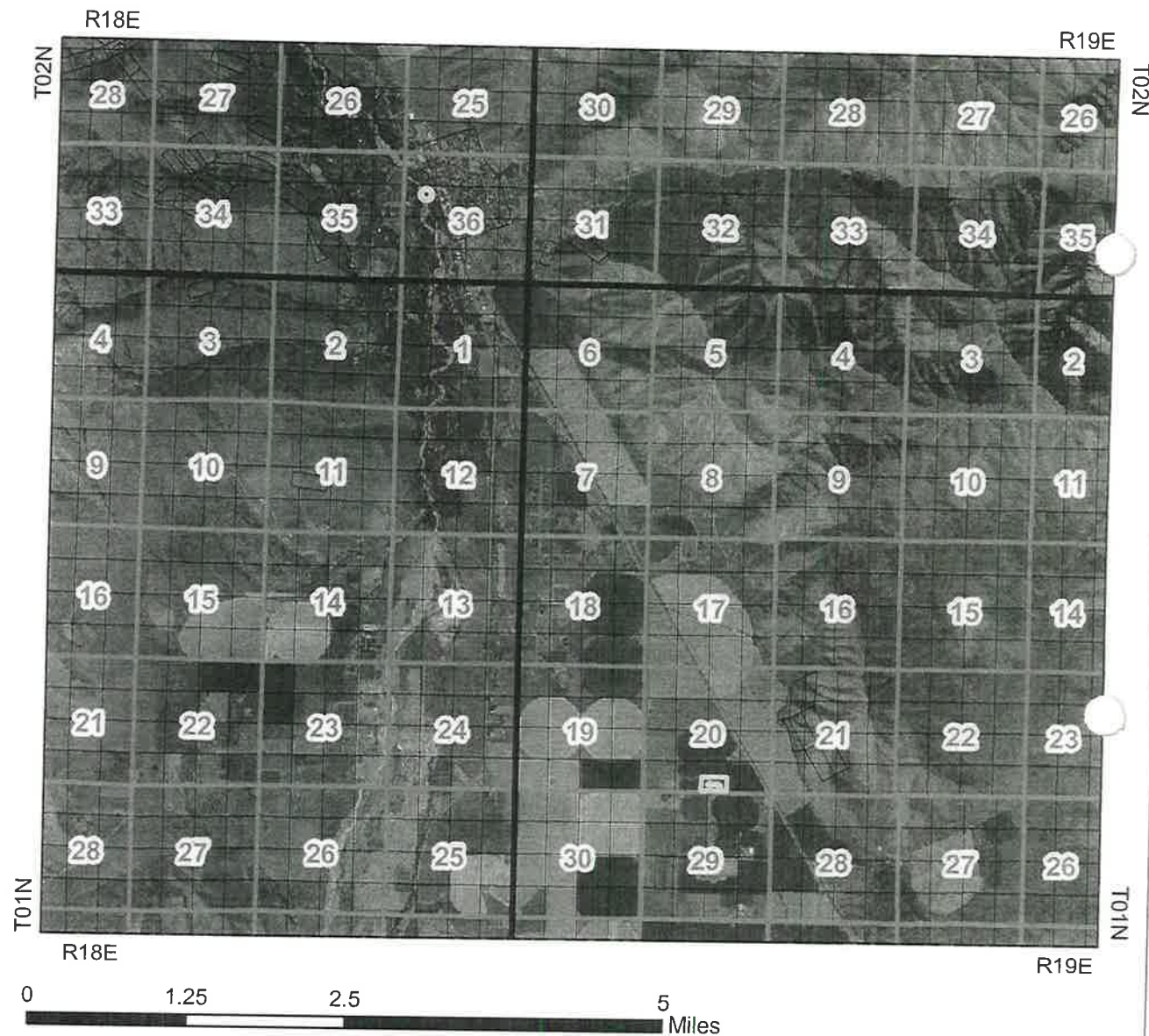
PLS Sections

Quarter Quarters



Blaine County  
IDWR Basin 37

Prepared by Trish Fawcett  
On Wednesday, July 09, 2008  
2004 Aerial Photography





# Idaho Department of Water Resources

SRBA Recommendation

37-22364

(IRRIGATION)

## Legend

○ Point of Diversion

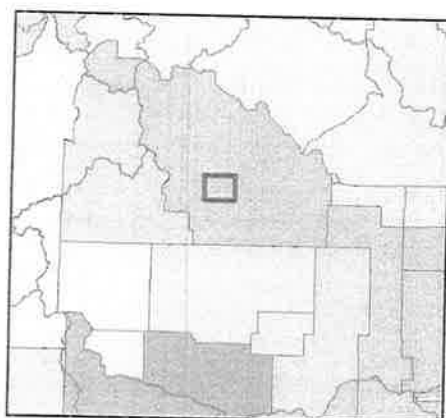
Place of Use

State Outline

Townships

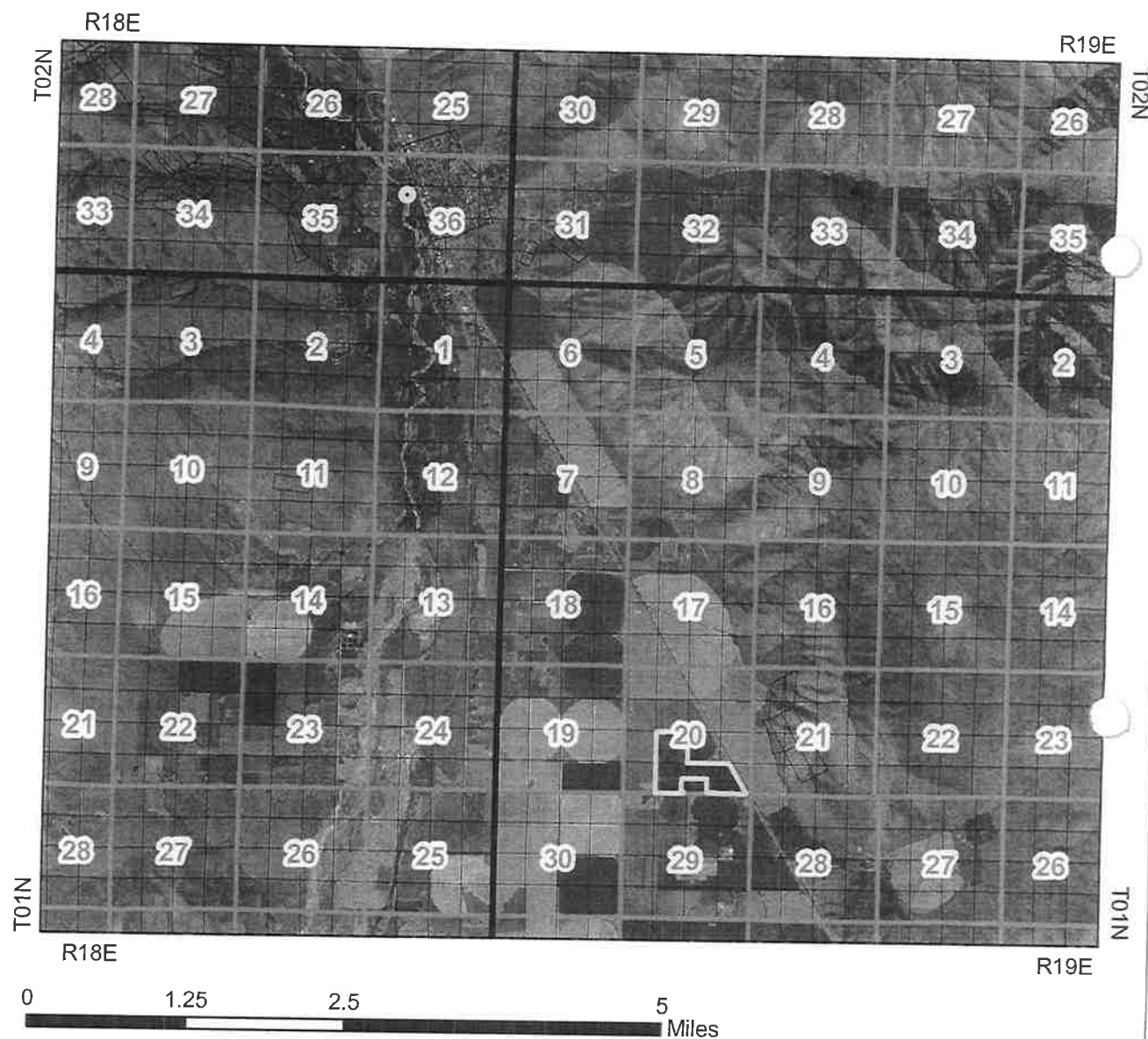
PLS Sections

Quarter Quarters



Blaine County  
IDWR Basin 37

Prepared by Trish Fawcett  
On Wednesday, July 09, 2008  
2004 Aerial Photography





# Idaho Department of Water Resources

SRBA Recommendation  
37-22360  
(IRRIGATION)

## Legend

○ Point of Diversion

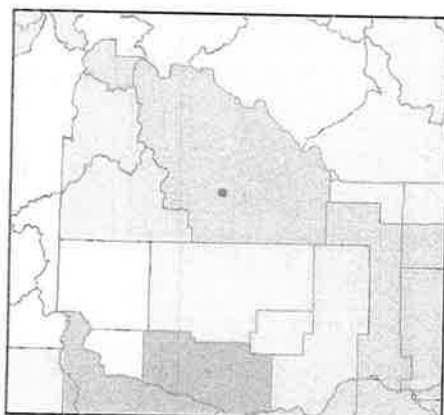
Place of Use

State Outline

Townships

PLS Sections

Quarter Quarters



Blaine County  
IDWR Basin 37

Prepared by Trish Fawcett  
On Wednesday, July 09, 2008  
2004 Aerial Photography



0 0.15 0.3 0.6 Miles



# Idaho Department of Water Resources

SRBA Recommendation  
37-22362  
(IRRIGATION)

## Legend

○ Point of Diversion

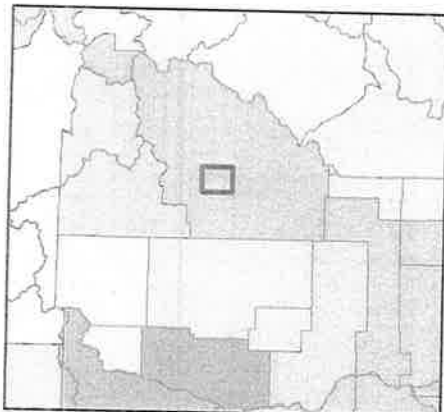
Place of Use

State Outline

Townships

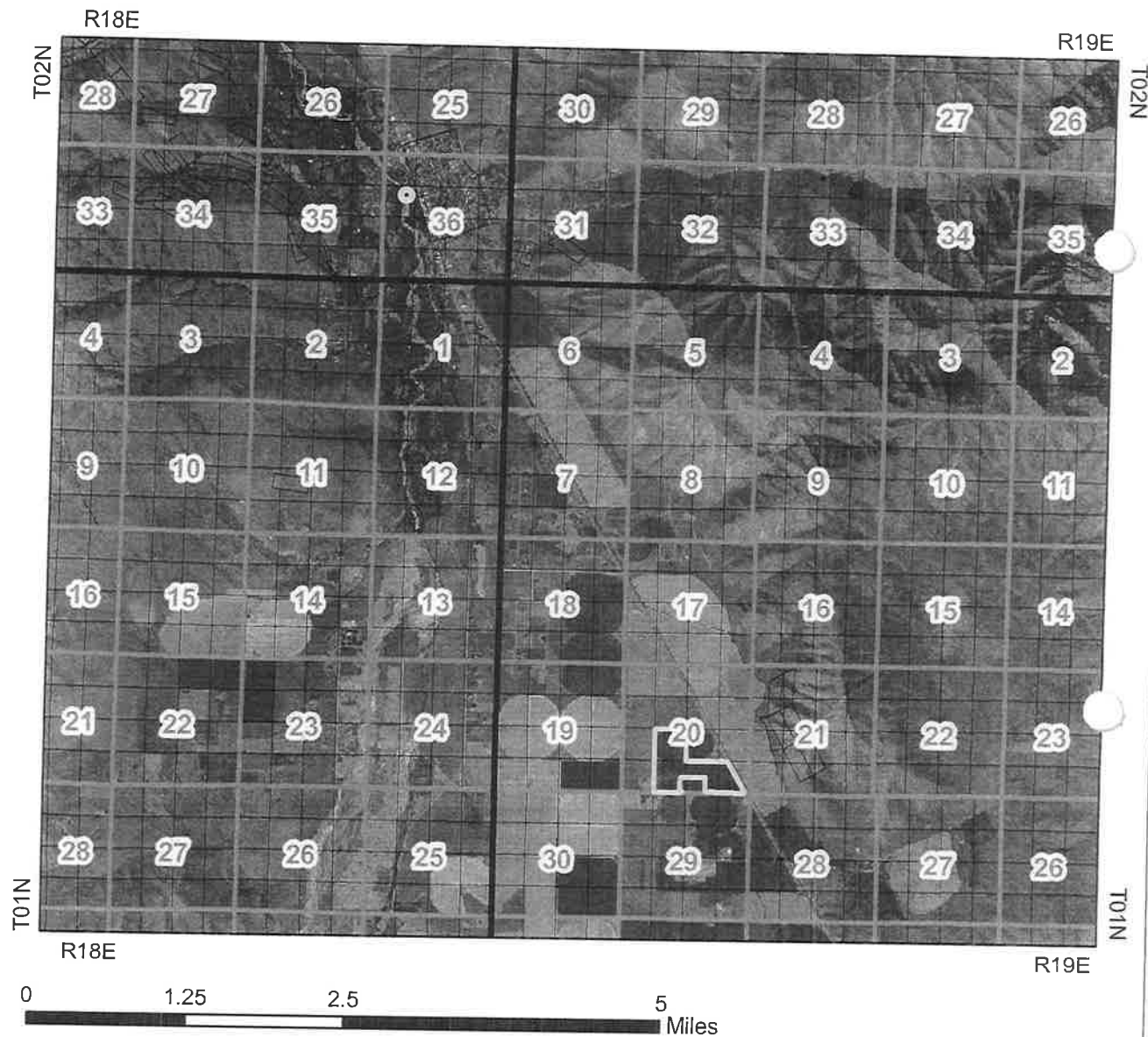
PLS Sections

Quarter Quarters



Blaine County  
IDWR Basin 37

Prepared by Trish Fawcett  
On Wednesday, July 09, 2008  
2004 Aerial Photography





# Idaho Department of Water Resources

SRBA Recommendation  
37-22363  
(IRRIGATION)

## Legend

○ Point of Diversion

Place of Use



State Outline



Townships



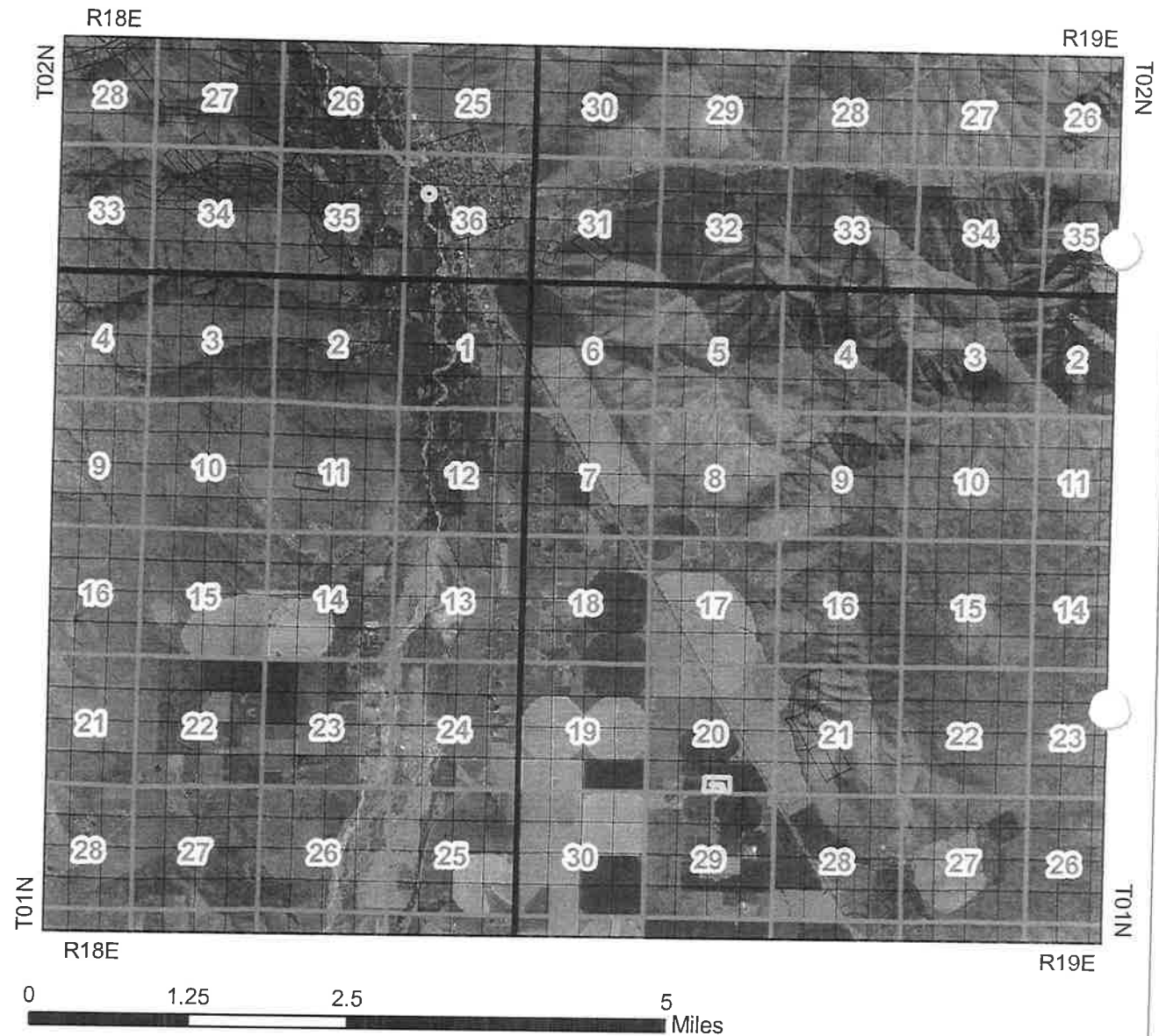
PLS Sections



Quarter Quarters



Blaine County  
IDWR Basin 37



Prepared by Trish Fawcett  
On Wednesday, July 09, 2008  
2004 Aerial Photography



# Idaho Department of Water Resources

SRBA Recommendation

37-22361

(IRRIGATION)

## Legend

○ Point of Diversion

Place of Use



State Outline



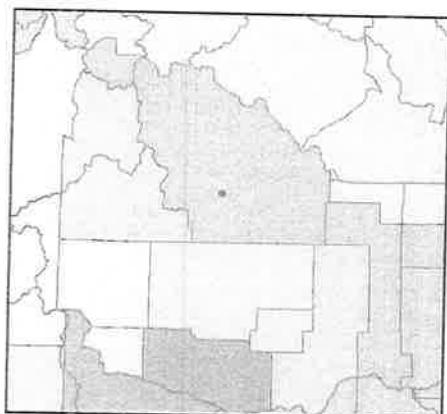
Townships



PLS Sections

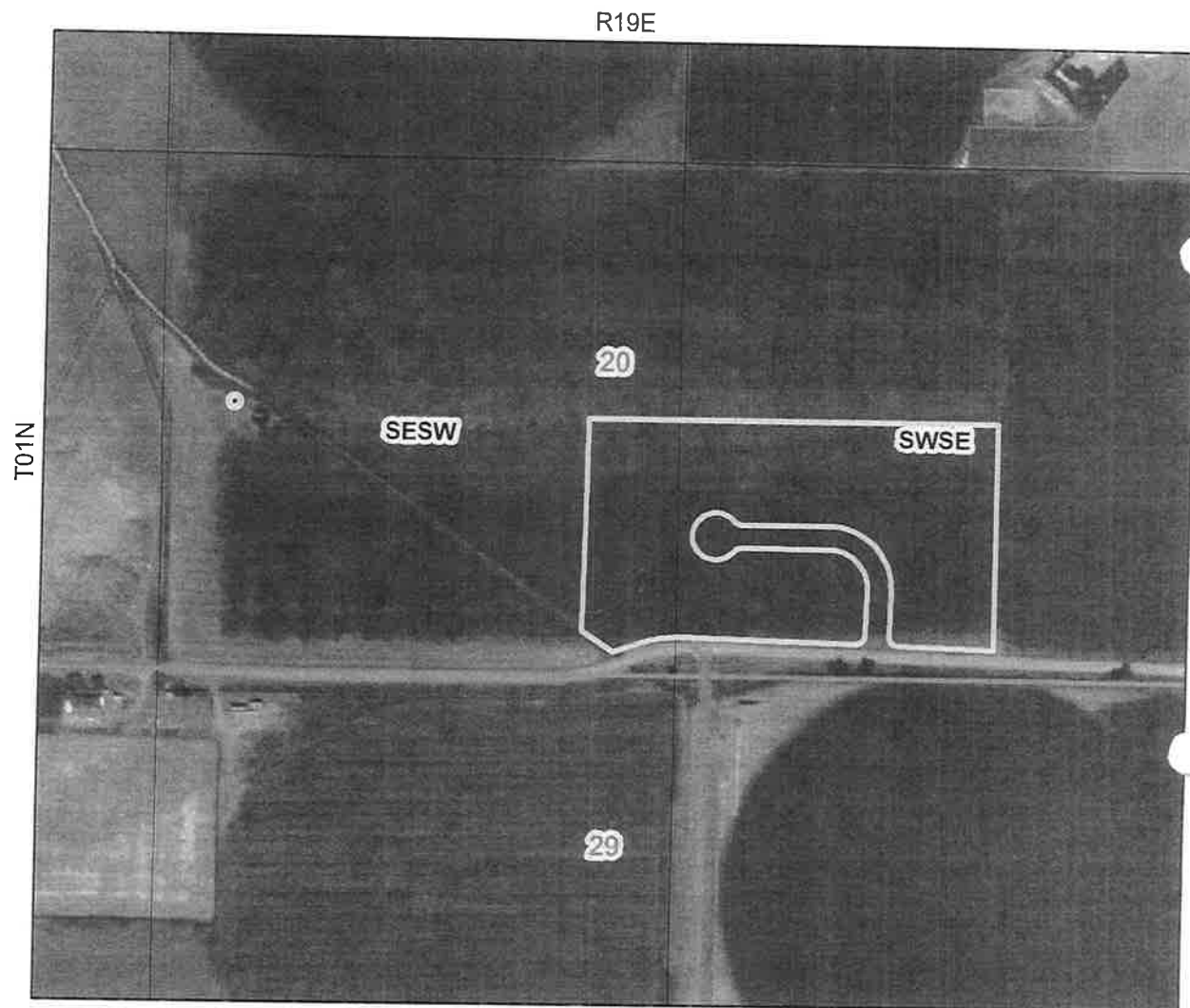


Quarter Quarters



Blaine County  
IDWR Basin 37

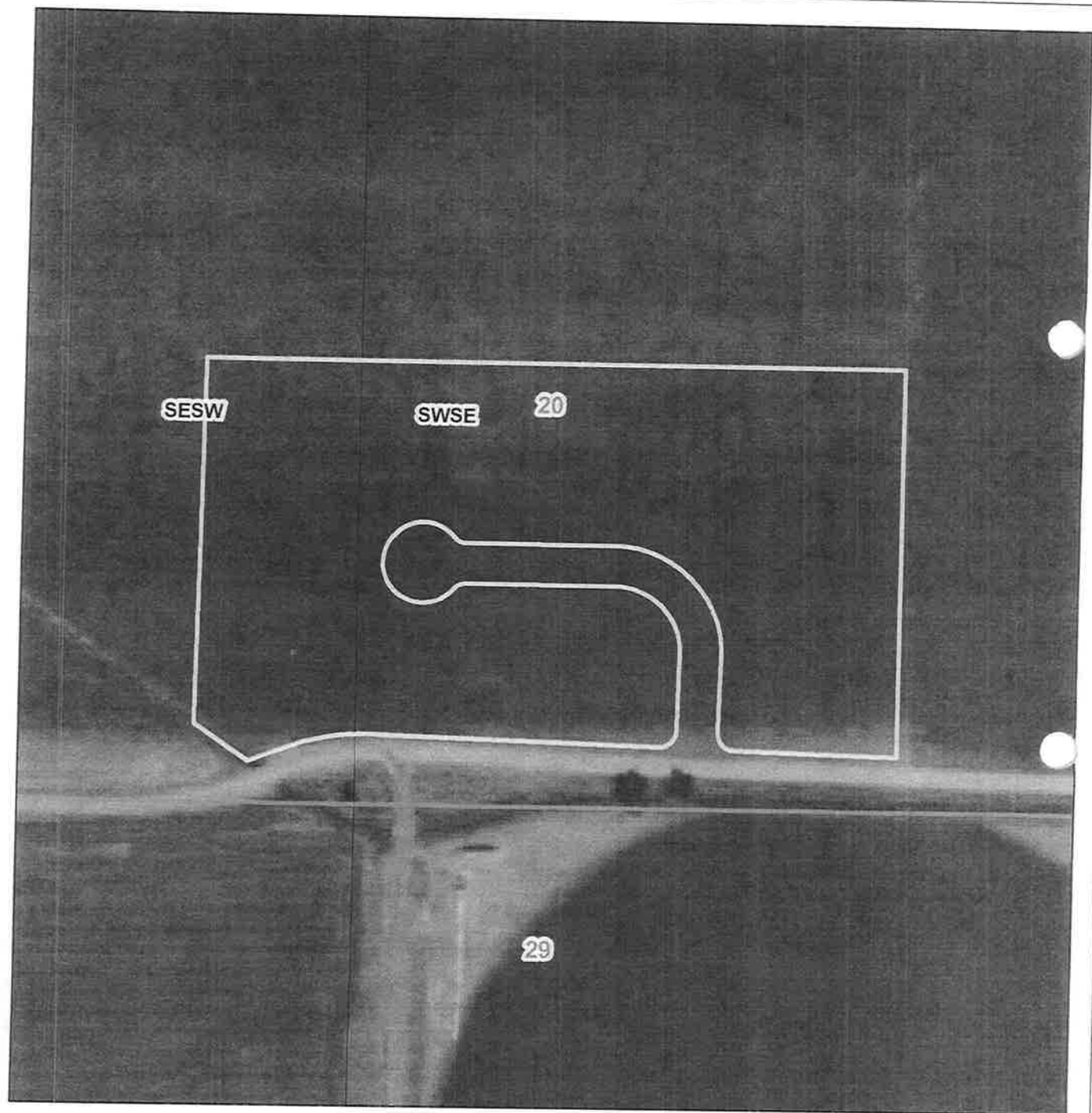
Prepared by Trish Fawcett  
On Wednesday, July 09, 2008  
2004 Aerial Photography



0 0.05 0.1 0.2  
Miles



37-22359





# Idaho Department of Water Resources

SRBA Recommendation  
37-22359  
(IRRIGATION)

## Legend

○ Point of Diversion

Place of Use



State Outline



Townships



PLS Sections

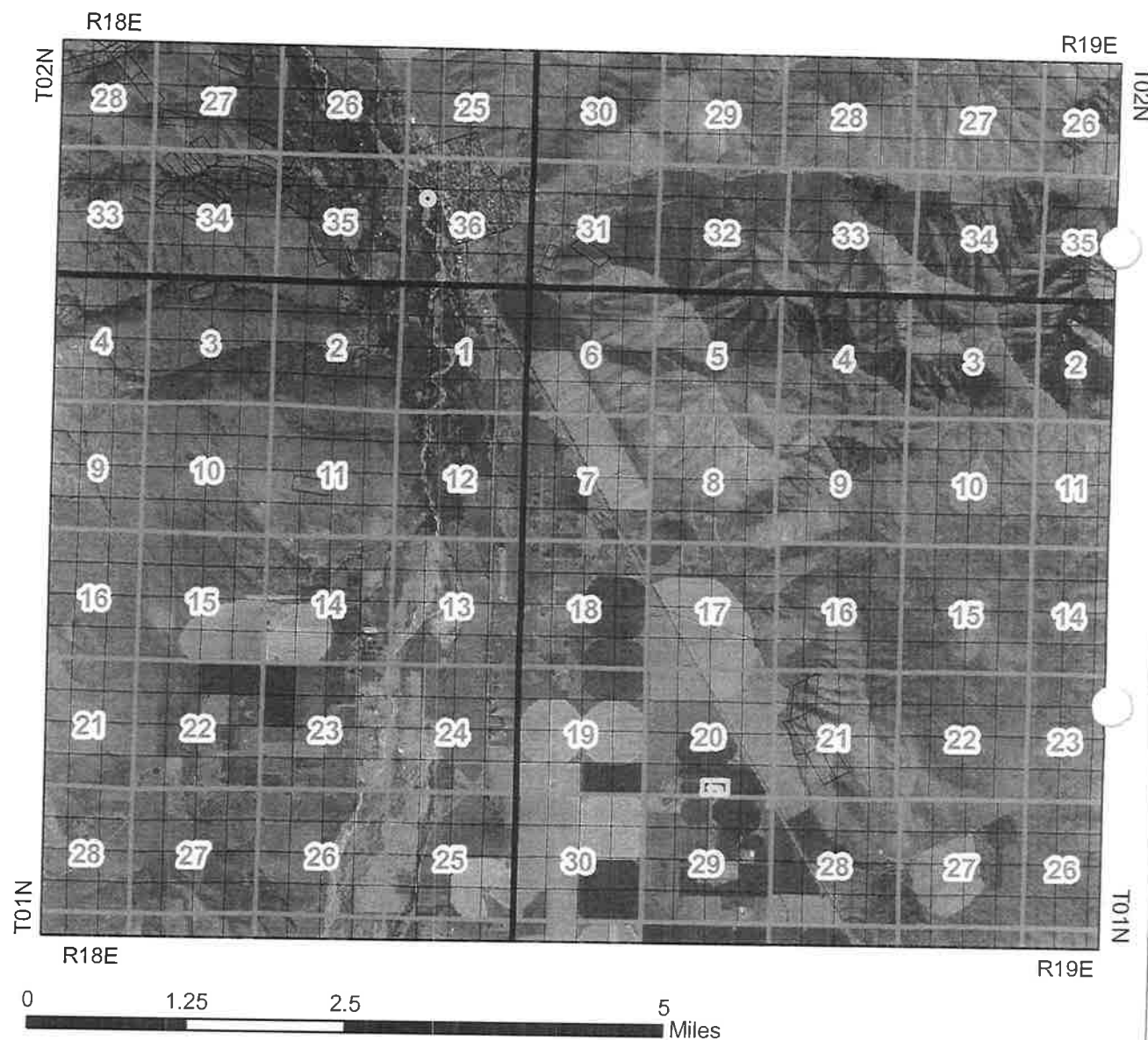


Quarter Quarters



Blaine County  
IDWR Basin 37

Prepared by Trish Fawcett  
On Wednesday, July 09, 2008  
2004 Aerial Photography





# Idaho Department of Water Resources

SRBA Recommendation  
37-22359  
(IRRIGATION)

## Legend

○ Point of Diversion

Place of Use

State Outline

Townships

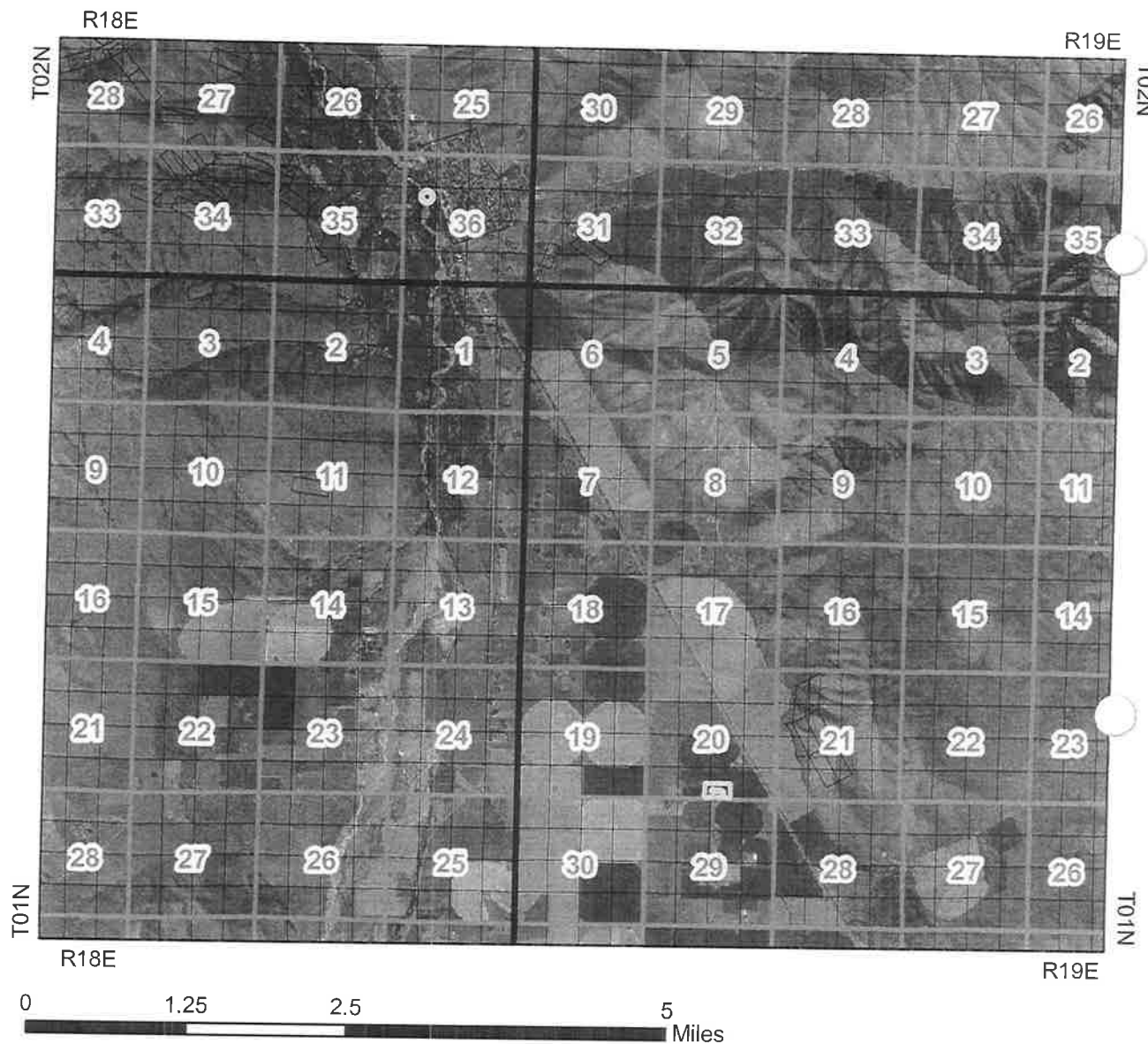
PLS Sections

Quarter Quarters



Blaine County  
IDWR Basin 37

Prepared by Trish Fawcett  
On Wednesday, July 09, 2008  
2004 Aerial Photography





# Idaho Department of Water Resources

SRBA Recommendation

37-22358

(IRRIGATION)

## Legend

○ Point of Diversion

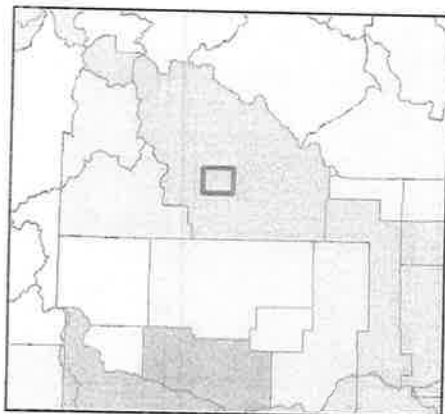
Place of Use

State Outline

Townships

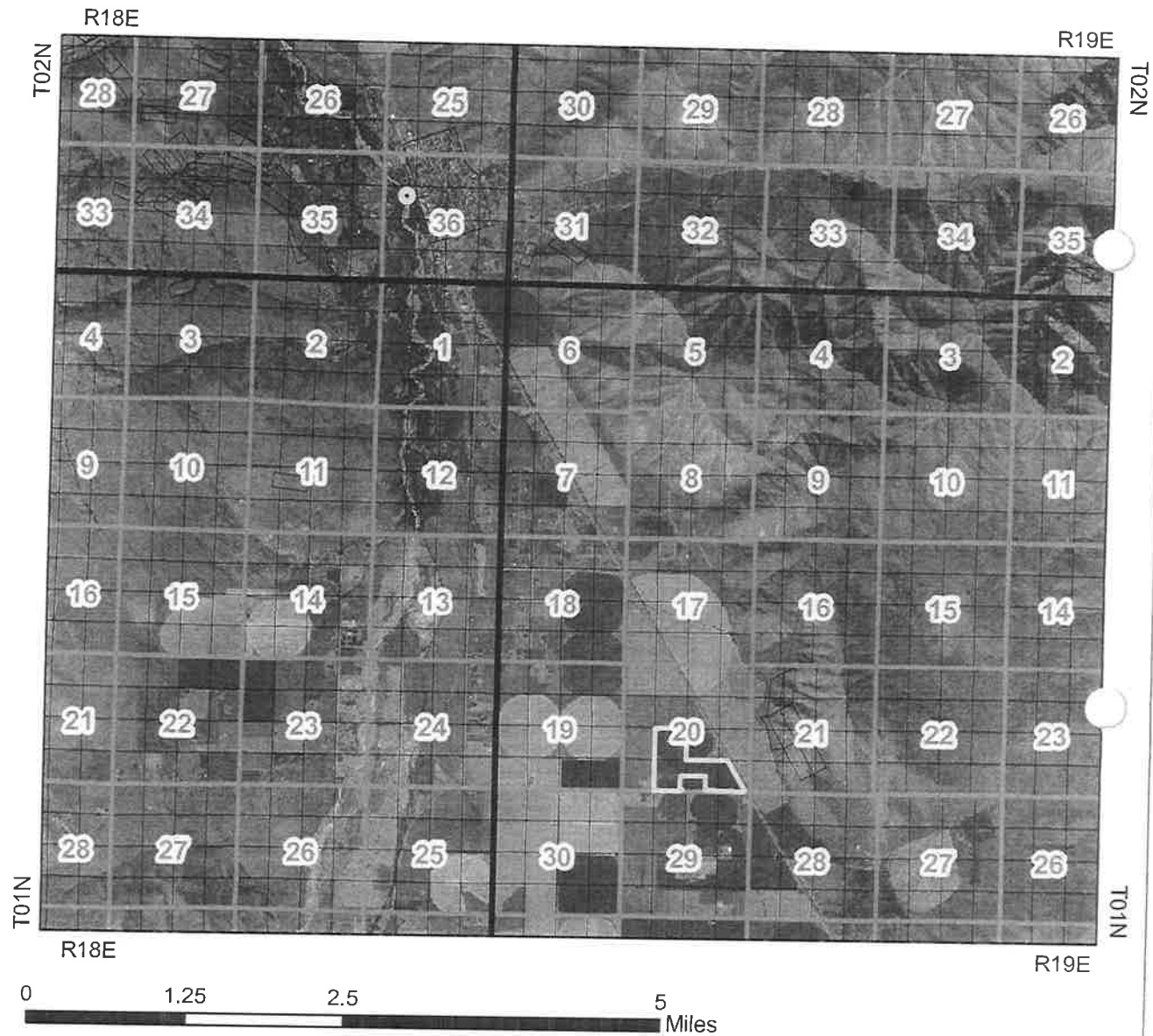
PLS Sections

Quarter Quarters



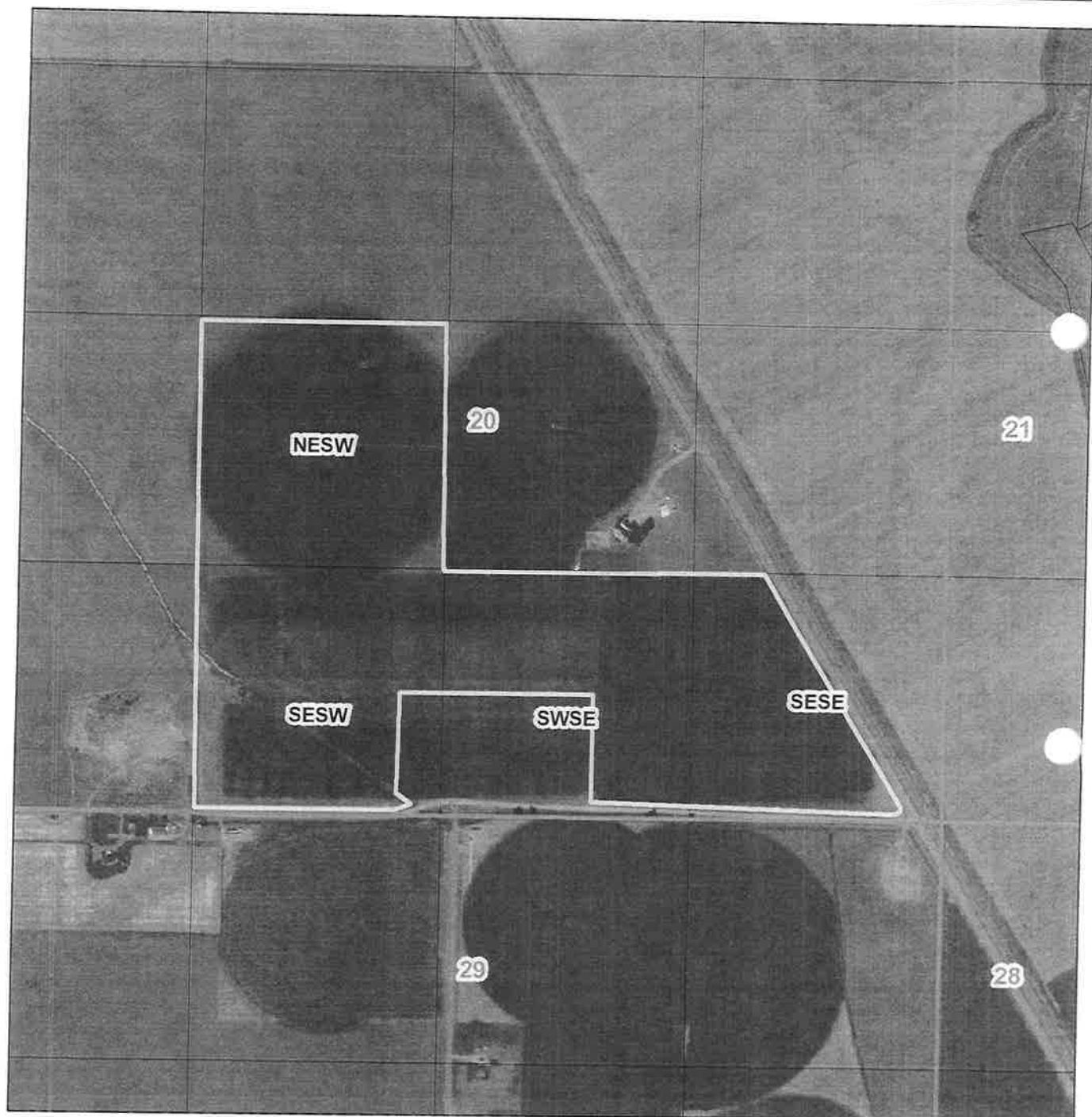
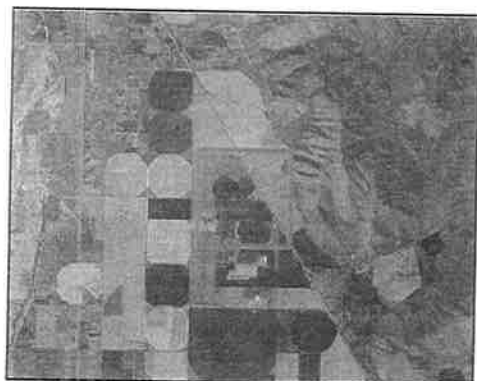
Blaine County  
IDWR Basin 37

Prepared by Trish Fawcett  
On Wednesday, July 09, 2008  
2004 Aerial Photography





37-22358





# Idaho Department of Water Resources

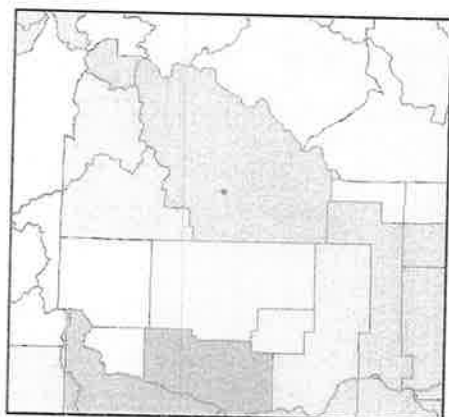
SRBA Recommendation

37-22359

(IRRIGATION)

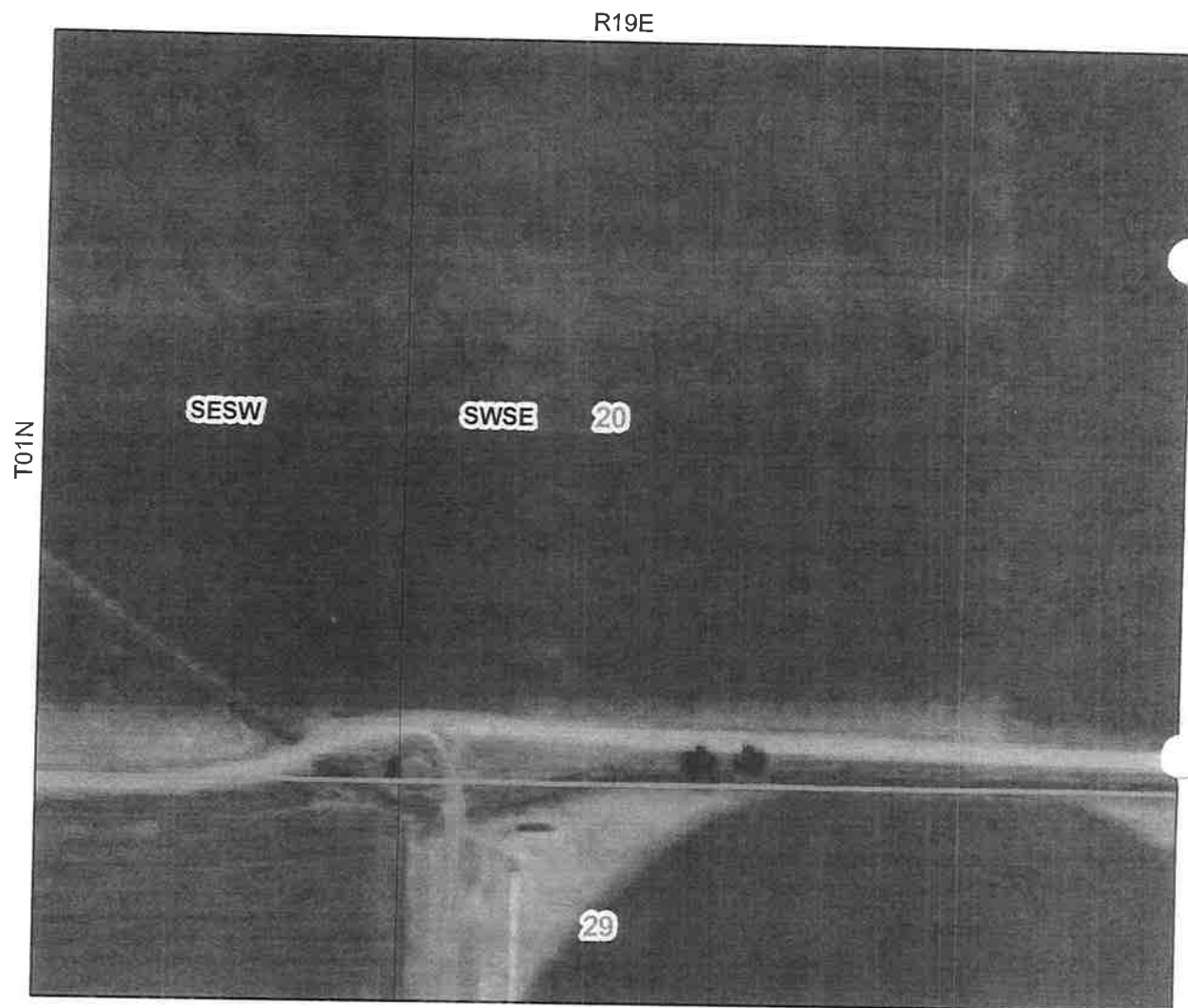
## Legend

-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County  
IDWR Basin 37

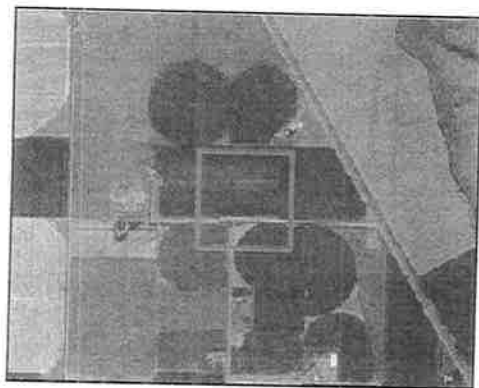
Prepared by Trish Fawcett  
On Wednesday, July 09, 2008  
2004 Aerial Photography



0 0.05 0.1 0.2 Miles



37-22359



COPY

CLERK OF DISTRICT COURT - TWIN FALLS  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

2008 SEP 11 AM 11 34

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

In Re SRBA

Case No. 39576

) Subcase No. 37-666D (Split)  
) 37-22358 & 37-22359  
)  
)

) NOTICE OF COMPLETED  
) ADMINISTRATIVE PROCEEDING  
)

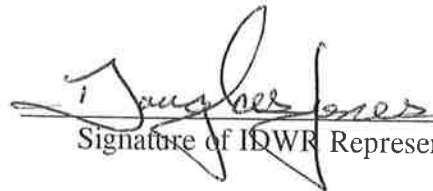
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 9/10/08

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on 9/11, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

United States Dept Of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

Bell Mountain Ranch Homeowners Assn Inc  
PO Box 1001  
Hailey ID 83333

B & M Ranch LLC  
PO Box 1001  
Hailey ID 83333

James P. Speck  
Speck & Aanestad  
PO Box 987  
Ketchum ID 83340



Signature of person or attorney mailing the form

07/9/2008

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

---

| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u>                           | <u>CLAIM DISPOSITION</u> | <u>REASON</u>                         |
|--------------------|---------------------------------------------------|--------------------------|---------------------------------------|
| 37-666D            | B & M RANCH LLC<br>PO BOX 1001<br>HAILEY ID 83333 | Disallowed               | Recommended as 37-22358 and 37-22359. |

07/09/2008

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

RIGHT NUMBER: 37-22358

NAME AND ADDRESS: B & M RANCH LLC  
PO BOX 1001  
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.620 CFS

PRIORITY DATE: 06/12/1886

POINT OF  
DIVERSION:

T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>              | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|---------------|------------------------------------|----------------------|-----------------|
|               | IRRIGATION                         | 04/15 10/31          | 1.620 CFS       |
| PLACE OF USE: | <u>IRRIGATION in BLAINE County</u> |                      |                 |
|               | T01N R19E S20                      | NESW 39.70           | T01N R19E S20   |
|               |                                    |                      | SESW 35.80      |
|               | T01N R19E S20                      | SWSE 28.30           | T01N R19E S20   |
|               |                                    |                      | SESE 22.50      |
|               | 126.3 ACRES TOTAL                  |                      |                 |

This right is limited to the irrigation of 81 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 126.3 acres in a single irrigation season. Combined Right Nos.: 37-22358, 37-22360, 37-22362 and 37-22364.

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 37-666D.

07/09/2008

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

RIGHT NUMBER: 37-22359

NAME AND ADDRESS: BELL MOUNTAIN RANCH HOMEOWNERS ASSN INC  
PO BOX 1001  
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.160 CFS

PRIORITY DATE: 06/12/1886

POINT OF  
DIVERSION:

T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>              | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|---------------|------------------------------------|----------------------|-----------------|
|               | IRRIGATION                         | 04/15 10/31          | 0.160 CFS       |
| PLACE OF USE: | <u>IRRIGATION in BLAINE County</u> |                      |                 |
|               | T01N R19E S20                      | SESW 3.10            | T01N R19E S20   |
|               |                                    |                      | SWSE 9.30       |
|               | 12.4 ACRES TOTAL                   |                      |                 |

This right is limited to the irrigation of 8 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 12.4 acres in a single irrigation season. Combined Right Nos.: 37-22359, 37-22361, 37-22363 and 37-22365.

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 37-666D.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

September 11, 2008

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

BELL MOUNTAIN RANCH HOMEOWNERS ASSN INC  
PO BOX 1001  
HAILEY ID 83333

RE: SRBA Claim(s) 37-666D, 37-20443, 37-20883, 37-20885

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,



Trish Fawcett  
Technical Records Specialist

Enclosures

cc: B & M Ranch LLC  
PO Box 1001  
Hailey ID 83333

James P. Speck  
Speck & Aanstad  
PO Box 987  
Ketchum ID 83340