

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 37-20867
Date Received: 3/12/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BELLEVUE FARMS LANDOWNERS ASSN Phone:
PO BOX 774
BELLEVUE ID 83313

2. Date of Priority: 09/25/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	7	SE SW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	2.63	

7. Total Quantity Appropriated is:
2.63 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres		
01N	19E	7	SW	SW	4	IRRIGATION	24.5		
			NW	SE		IRRIGATION	5		
			SW	SE		IRRIGATION	31		
			SE	SW		IRRIGATION	22.2		
			Section Acres						82.7
01N	19E	18	NW	NE	1	IRRIGATION	8.9		
			NW	NW		IRRIGATION	18.7		
			NE	NW		IRRIGATION	17.9		
			Section Acres						45.5
			Total Acres						128.2

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:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-20754.

15. Basis of Claim: License

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 37-20754
Date Received: 8/26/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BELLEVUE FARMS LANDOWNERS ASSN Phone:
PO BOX 774
BELLEVUE ID 83313

2. Date of Priority: 09/25/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	7	SE SW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	2.73	

7. Total Quantity Appropriated is:
2.73 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
01N	19E	7	SE	SW	IRRIGATION	25.9	
			NW	SE	IRRIGATION	5	
			SW	SE	IRRIGATION	31	
			SW	SW	4	IRRIGATION	24.5
			Section Acres				
01N	19E	18	NW	NE	IRRIGATION	8.9	
			NE	NW	IRRIGATION	19.2	
			NW	NW	1	IRRIGATION	18.7
			Section Acres				
Total Acres					133.2		

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:

14. Remarks:

8/26/02 tf; this is the remaining portion of Bellevue Farms Landowners Assn claim 37-2557W pursuant to all approved transfers and owner changes.

15. Basis of Claim: License

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: A37-02557N

Date Received: 10/24/1988

Receipt No: X777777

Received By: *Q/C J.B. split*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BELLEVUE FARMS LANDOWNERS ASSOC
Address: PO BOX 774
BELLEVUE ID 83313

2. Date of Priority: SEP 25, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	7	NW	SE	SW		BLAINE

5. Description of diverting works:
WELL WITH 60 H.P. PUMP DEL. OPEN DISCHARGE TO PRESSURE PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.810		476.25 <i>HB</i>

7. Total Quantity Appropriated is:
3.810 C.F.S. (and/or) 476.25 A.F.A.

8. Total consumptive use is 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	SW		IRR	37.0
			SE	SW		IRR	35.0
			NW	SE		IRR	5.0
			SW	SE		IRR	27.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	104.0
		18	NW	NE	IRR	9.6
			NE	NW	IRR	38.5
			NW	NW	IRR	36.0
					Section Acres	84.1
					Total Acres	188.1

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

14. Remarks:

CLAIM WAS SPLIT FROM A37-02557J PURSUANT TO APPROVED TRANSFER
4666 12/15/95 TF.

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-02557L. A37-02557N
BELONGS TO BELLEVUE FARMS WITH 3.81 CFS. A37-02557P BELONGS OT MC
CARTHY WITH .95 CFS. 3/18/96 TLB

15. Basis of Claim: LICENSE

Water Right Number: 25187

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

RECEIVED

FEB 15 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 1998



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
Michael J. McCarthy Date 1/25/96

[] Signature of Former Owner/Claimant(s): BELLEVUE FARMS LANDOWNERS ASSOCIATION Date _____
Robert Gleske, 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: THB

Claim Numbers, of Split, if any:

137-0255720 119240 119250 119260
11927 + 11928

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

PROFILED

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 1998

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 . 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) $(46.87 \div 309) \times 7.60 \text{ cfs} =$ 1.153 cfs

Total Portion of Surface Water 2.467 cfs

MICROFILMED
NOV 27 1998

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 37-20754
Date Received: 8/26/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BELLEVUE FARMS LANDOWNERS ASSN Phone:
PO BOX 774
BELLEVUE ID 83313

2. Date of Priority: 09/25/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	7	SE SW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	2.73	

7. Total Quantity Appropriated is:
2.73 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres			
01N	19E	7	SE	SW	4	IRRIGATION	25.9			
			NW	SE		IRRIGATION	5			
			SW	SE		IRRIGATION	31			
			SW	SW		IRRIGATION	24.5			
			Section Acres						86.4	
01N	19E	18	NW	NE	1	IRRIGATION	8.9			
			NE	NW		IRRIGATION	19.2			
			NW	NW		IRRIGATION	18.7			
			Section Acres						46.8	
			Total Acres						133.2	

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:

14. Remarks:

8/26/02 tf; this is the remaining portion of Bellevue Farms Landowners Assn claim 37-2557W pursuant to all approved transfers and owner changes.

15. Basis of Claim: License

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: A37-02557N

Date Received: 10/24/1988

Receipt No: X777777

Received By: *CIC F.B. split*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BELLEVUE FARMS LANDOWNERS ASSOC
Address: PO BOX 774
BELLEVUE ID 83313

2. Date of Priority: SEP 25, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	7	NW	SE	SW		BLAINE

5. Description of diverting works:
WELL WITH 60 H.P. PUMP DEL. OPEN DISCHARGE TO PRESSURE PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.810		<i>476.25</i>

7. Total Quantity Appropriated is:
3.810 C.F.S. (and/or) *476.25* A.F.A.

8. Total consumptive use is 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	SW		IRR	37.0
			SE	SW		IRR	35.0
			NW	SE		IRR	5.0
			SW	SE		IRR	27.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	104.0
		18	NW	NE	IRR	9.6
			NE	NW	IRR	38.5
			NW	NW	IRR	36.0
					Section Acres	84.1
					Total Acres	188.1

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

14. Remarks:

CLAIM WAS SPLIT FROM A37-02557J PURSUANT TO APPROVED TRANSFER
4666 12/15/95 TF.

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-02557L. A37-02557N
BELONGS TO BELLEVUE FARMS WITH 3.81 CFS. A37-02557P BELONGS OT MC
CARTHY WITH .95 CFS. 3/18/96 TLB

15. Basis of Claim: LICENSE

Water Right Number: 25187

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

RECEIVED

FEB 15 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

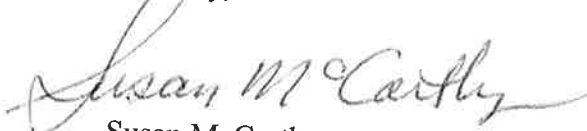
Re: New Property Owner Notice of Change of Water Right Ownership Request

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

RECORDED
NOV 27 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

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

FEB 15 1996

DATE OF CLOSING: JUNE 4, 1989

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
Michael 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: AKB

Claim Numbers, of Split, if any:

437-0235720 119240 119250 119260
119270 119280

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

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

RECORDED

NOV 27 1998

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)

RECORDED
NOV 27 1998

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)	$(46.87 \div \overset{235}{261}) \times 5.3 \text{ cfs} =$	<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>

RECORDED
NOV 27 1998



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

NOV 27 1998

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.

SRBA
JUL 27 1996

MEMORANDUM

TO: Russell &/or Michele Swift-Dion Transfer File (37-02557 Part)
FROM: Corey Skinner *CS*
DATE: September 10, 1996
SUBJECT: Staff Review

The enclosed transfer application, filed by Russell &/or Michele Swift-Dion, seeks to transfer a portion of water right license 37-02557L (SRBA claim A37-02557N). Originally, water right 37-02557 was licensed to divert 5.3 cfs of groundwater for the irrigation of 265.0 acres of farmground a couple of miles southeast of Bellevue (Sections 7 and 18, Township 01 North, Range 19 East).

Since the original license was issued, the place of use for water right 37-02557 has been subdivided into Bellevue Farms Subdivision. In recent years, the department has approved several transfers for individual lot owners within the subdivision to add their own wells to irrigate their own individual lots with their respective portion(s) of 37-02557. This has resulted in several splits of the base right.

The applicants of the enclosed transfer propose to drill a new well to irrigate their lot within the subdivision with their portion of 37-02557. The enclosed transfer application proposes to add a diversion point and split the water right (now 37-02557L & SRBA claim A37-02557N). Since the department has approved, as recently as last year, previous transfers of this nature based on the same water right in the same subdivision, the enclosed transfer should be pretty straightforward. However, there are some issues that complicate the matter.

The subdivision (more specifically Bellevue Farms Landowners Association) has SRBA claims filed on surface water over almost the entire subdivision. The subdivision has the following SRBA claims filed:

A37-11924A	A37-11925A	A37-11926A
A37-11927A	A37-11928A	

These SRBA claims are based on several old decrees, and a total diversion rate of 13.789 cfs has been claimed. The watermaster's 1995 decree book shows Bellevue Farms having portions of the decrees that these SRBA claims are based on. The claimed place of use for all of these claims overlap the place of use involved with the enclosed transfer application.

On August 27th, while in the area, I visited the property

SEP 27 1996
27 1996

involved with the enclosed transfer application. I observed that the well licensed under 37-02557 diverts water into a small pond a few feet north of the well. This pond also collects surface water that is delivered from the north (I assume surface water covered under the subdivision's SRBA claims listed in the proceeding paragraph). Water is then diverted from this pond and used to irrigate lands to the east and to the south. An old ditch, runs from the pond to the west, but it is pretty obvious that the ditch has not been used for quite some time. The plat map copy submitted with the transfer application shows the old ditch as a "10' drainage easement". Mel Schulte's 05/15/95 memo (copy attached) and the enclosed sketch and photographs describe the present system.

The lot involved with the enclosed transfer application is west of the well licensed under 37-02557. From what I observed in the field, the only way for water to reach the lot involved with this transfer is through the old ditch west of the well. As can be seen in the attached photos, and the 1987 NAPP photo (437-187 Y 25 NW) the lot involved with this transfer does not appear to have been irrigated for quite some time.

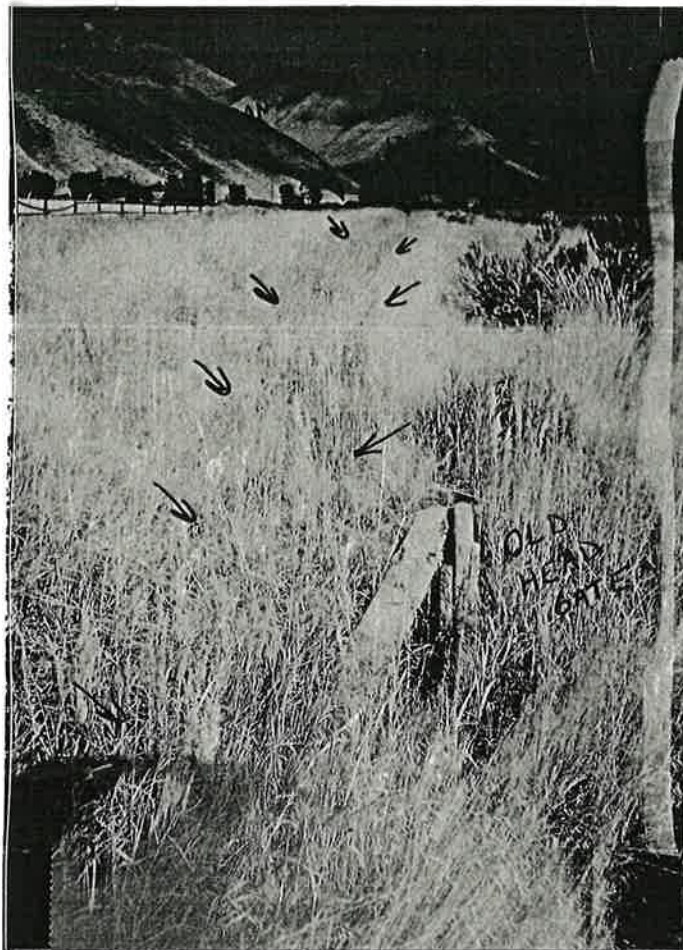
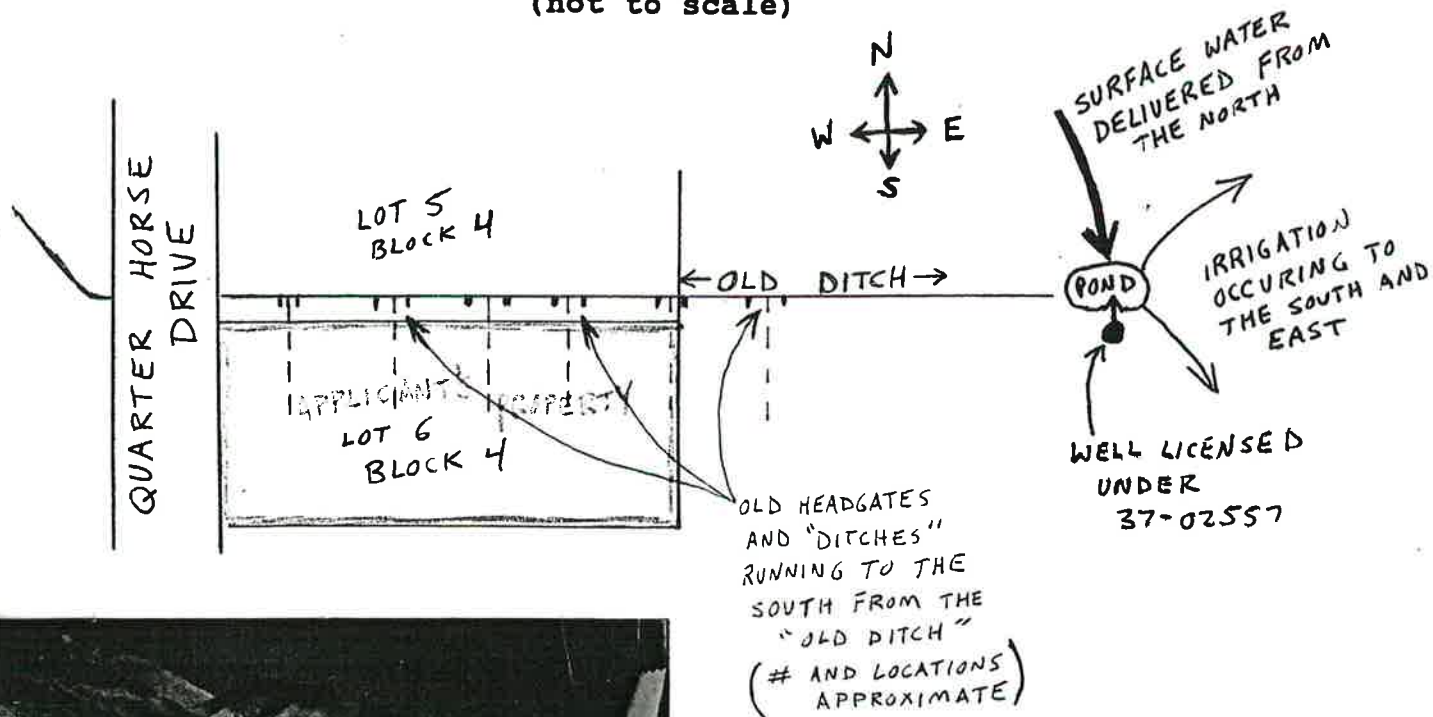
It is obvious that possible partial forfeiture is an issue involved with the enclosed transfer application. My field observations indicate that the lot involved with this transfer has not been irrigated in the recent past with either the groundwater from the well licensed under 37-02577 or with the surface water claimed in the SRBA by the subdivision.

Determining the exact last date that the lot involved with this transfer was actually irrigated would be pretty difficult, and the partial forfeiture issue presently seems to be up in the air. In addition, the department has recently approved (last year) similar transfers in the same subdivision. For these reasons the enclosed transfer could probably be approved.

Previous approved transfers off this base right (37-02577) were approved with supplemental use conditions, probably due to the overlapping SRBA surface water claims filed by the subdivision. If this transfer were approved, the applicants would drill their own well and irrigate their lot. The applicant's lot is covered by the remaining base right (37-02577L and SRBA claim A37-02577N) and the subdivision's SRBA surface water claims. However, it does not appear that the applicant's lot is currently irrigated so if the transfer were approved and the applicants drilled a well to irrigate their lot, their well would more than likely be a primary irrigation source.

APPROVED
DUT 27 1996

SKETCH OF AREA INVOLVED WITH TRANSFER
(not to scale)



View looking up old ditch (indicated by arrows) towards the well licensed under 37-02557 to the east. The old ditch did not appear to have had water ran through it for quite some time. There was some sage growth in a few areas in the bottom of the ditch. In addition, the pond embankment currently prevents the well and surface water from entering the ditch. The concrete and wood structure is an old headgate (appeared abandoned) that delivered water, at one time, from the old ditch to land to the south.



View of one of the headgates that delivered water, at one time, from the old ditch to lands to the south. This photo of this particular headgate was taken to represent a typical sample of the headgates along the south side of the old ditch. A couple of headgates were in slightly worse condition and a couple were in slightly better condition.



View of Lot 6, Block 4, Bellevue Farms Subdivision (the property involved with this transfer application) from Quarter Horse Drive looking towards the east. Note the large sage growth and the general appearance of lack of recent irrigation. The arrow indicates the approximate location of the well licensed under 37-02557, that serves as the current source for the "groundwater use" on Lot 6 (the applicant's property).

08/27/96

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: **A37-02557L**
Date Received: 10/24/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: BELLEVUE FARMS LANDOWNERS ASSOC 206-621-7626
Address: 1950 112TH AVE NE
SUITE 204
BELLEVUE WA 98004

2. Date of Priority: SEP 25, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	7	NW	SE	SW		BLAINE

5. Description of diverting works:
WELL WITH 60 H.P. PUMP DEL. OPEN DISCHARGE TO PRESSURE PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.760		

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

8. Total consumptive use is 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	SW		IRR	37.0
			SE	SW		IRR	35.0
			NW	SE		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	7	SW	SE		IRR	27.0
			SE	SE		IRR	1.0
					Section Acres		105.0
		18	NE	NE		IRR	20.0
			NW	NE		IRR	35.5
			NE	NW		IRR	38.5
			NW	NW		IRR	36.0
					Section Acres		130.0
					Total Acres		235.0

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

14. Remarks:
CLAIM WAS SPLIT FROM A37-02557J PURSUANT TO APPROVED TRANSFER
4666 12/15/95 TF.

15. Basis of Claim: LICENSE

Water Right Number: 25187

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: **A37-02557J**
Date Received: 10/24/1988
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BELLEVUE FARMS LANDOWNERS ASSOC 206-621-7626
Address: 1950 112TH AVE NE
SUITE 204
BELLEVUE WA 98004

2. Date of Priority: SEP 25, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	7	NW	SE	SW		BLAINE

5. Description of diverting works:
WELL WITH 60 H.P. PUMP DEL. OPEN DISCHARGE TO PRESSURE PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.840		

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

8. Total consumptive use is 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	SW		IRR	37.0
			SE	SW		IRR	35.0
			NW	SE		IRR	15.0

NOV 27 1998

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	7	SW	SE		IRR	31.0
			SE	SE		IRR	1.0
					Section Acres		109.0
		18	NE	NE		IRR	20.0
			NW	NE		IRR	35.5
			NE	NW		IRR	38.5
			NW	NW		IRR	36.0
					Section Acres		130.0
					Total Acres		239.0

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

14. Remarks:
CLAIM WAS SPLIT FROM A37-02557G PURSUANT TO APPROVED TRANSFER
4557.

15. Basis of Claim: LICENSE

Water Right Number: 25187

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: A37-02557C

Date Received: 10/24/1988

Receipt No: X777777

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BELLEVUE FARMS LANDOWNERS ASSOC 206-621-7626
Address: 1950 112TH AVE NE
SUITE 204
BELLEVUE WA 98004

2. Date of Priority: SEP 25, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	7	NW	SE	SW		BLAINE

5. Description of diverting works:
WELL WITH 60 H.P. PUMP DEL. OPEN DISCHARGE TO PRESSURE PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	5.100		

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

8. Total consumptive use is 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	SW		IRR	40.0
			SE	SW		IRR	35.0
			NW	SE		IRR	5.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	7	SW	SE		IRR	35.0
			SE	SE		IRR	1.0
					Section Acres		116.0
		18	NE	NE		IRR	20.0
			NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	36.0
					Section Acres		136.0
					Total Acres		252.0

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

14. Remarks:
CLAIM WAS SPLIT FROM A 37-02557A PURSUANT TO APPROVED TRANSFER 4537.

15. Basis of Claim: LICENSE

Water Right Number: 25187

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: **A37-02557A**

Date Received: 10/24/1988

Receipt No: X777777

Received By: _____

AMENDED

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

AMENDED

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

2. Date of Priority: SEP 25, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	7	NW	SE	SW		BLAINE

5. Description of diverting works:
WELL WITH 60 H.P. PUMP DEL. OPEN DISCHARGE TO PRESSURE PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	5.200		

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

8. Total consumptive use is 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	SW		IRR	40.0
			SE	SW		IRR	35.0
			NW	SE		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	7	SW	SE		IRR	35.0
			SE	SE		IRR	1.0
						Section Acres	116.0
		18	NE	NE		IRR	20.0
			NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
						Section Acres	140.0
						Total Acres	256.0

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

14. Remarks:
THIS CLAIM IS A PORTION OF A37-02557 WHICH WAS SPLIT BY APPROVED
TRANSFER NO. 4035.

15. Basis of Claim: LICENSE

Water Right Number: 25187

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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: A37-02557
Date Received: 10/24/1988
Receipt No: 5003174
Received By: AD

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: SEP 25, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	7	NW	SE	SW		BLAINE

5. Description of diverting works:
WELL WITH 60 H.P. PUMP DEL. OPEN DISCHARGE TO PRESSURE PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.300		

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

8. Total consumptive use is 662.5 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	SW		IRR	40.0
			SE	SW		IRR	40.0

A37-02557

Page 1

Date: 10/24/88

COPY COPY

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	19E	7	NW		SE		IRR	5.0
			SW		SE		IRR	35.0
			SE		SE		IRR	1.0
			Section Acres 121.0					
		18	NE		NE		IRR	20.0
			NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			Section Acres 140.0					
			Total Acres 261.0					

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

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 25187

COPY

COPY

MICROFILMED
FEB 23 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: See Claim No. A37-11924

For Organizations:

I do solemnly swear or affirm that I am Agent of Bellevue Farms Landowners' Assn. that I have signed the foregoing document in the space below as Agent of Bellevue Farms Landowners' Assn. and that the statements contained in the 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 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 6/30/92

COPY

COPY

MICROFILMED
FEB 23 1993

State of Idaho License and Certificate of Water Right

Water License No. G-25187

Amount 5.3 c.f.s.

Water District No. _____

Priority September 25, 1954

THIS IS TO CERTIFY that ALLEN E. HENRIK (Jay R. Fowles, Loraine M. Fowles
(Margaret M. Timpson, Assignees
of Bellevue, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 25, 1954; that Permit No. G-25187
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.3 second feet, was issued thereunder on October 21, 1957, showing that said works
were completed on the 18th day of March, 1957; and that on the 18th
day of March, 1957, ALLEN E. HENRIK

of Wendell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho of the right to use the waters of a well

, a tributary of subterranean, for the purpose of Irrigation
under Use Permit No. G-25187 of the Department of Reclamation Assigned to: Jay R. Fowles, Loraine M. Fowles, Margaret M. Timpson
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 61b7, on the 21st day of October, 1957;
The right hereby confirmed dates from September 25, 1954;

The Point of Diversion is located
in the SE 1/4 SW 1/4, Sec. 7, Tp. 1 N., R. 19 E., B. M. County Blaine

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 5.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	19 E.	7	NW 1/4 SE 1/4	10	5 ✓
			SW 1/4 SE 1/4	30	35 ✓
			SE 1/4 SE 1/4	40	40 ✓
			SW 1/4 SW 1/4	40	40 ✓
			NE 1/4 NE 1/4	25	25-20
			NW 1/4 NE 1/4	40	40 ✓
			SE 1/4 NW 1/4	40	40 ✓
			SW 1/4 NW 1/4	40	40 ✓
					5 ✓
			Total number of acres irrigated	- - -	265

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
21st day of October, 1957.

(SEAL)

/s/ Mark R. Kulp
State Reclamation Engineer.

37

12/02/2006

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

RIGHT NUMBER: 37-21976

NAME AND ADDRESS: BELLEVUE FARMS LANDOWNERS ASSN
PO BOX 774
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.590 CFS

PRIORITY DATE: 09/25/1954

POINT OF DIVERSION:

T01N R19E S7 SESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.590 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R19E S07 Lot 4 SWSW	4.20	T01N R19E S07	SESW	2.50	
T01N R19E S07	SWSE	4.40	T01N R19E S18	NWNE	4.80
T01N R19E S18	NENW	3.70	T01N R19E S18 Lot 1 NWNW	5.00	

24.6 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 37-2557.

WR/Claim	Claimant	Lot/Block	WR CFS	WR Ac	AJ CFS	AJ Ac	Comments
2557	Split into A & B		5.3	265	5.3	261	T4035
2557A	Split into C & D		5.2	260	5.2	256	T 4537
2557B	A Taylor	lot 9 blk 4	0.1	3.5	0.1	3.5	
2557C	Split into E & F		5.1	255	5.1	251	T 4540
2557D	Diversified Mgmt	lot 1 blk 2	0.1	4	0.1	4	
2557E	Split into G & H		5.04	252.2	5.04	248.2	T 4545
2557F	Exchange Svcs	lot 4 blk 1	0.06	2.8	0.06	2.8	
2557G	Split into J & K		4.92	246.2	4.92	242.2	T 4557
2557H	Montgomery	lot 8 blk 2	0.12	6	0.12	6	
2557J	Split into L & M		4.84	242.2	4.84	238.2	T 4666
2557K	Goettsch	lot 4 blk 4	0.08	4	0.08	4	
2557L	Split into N & P		4.76	238.2	4.76	234.2	T 4918
2557M	Idaho Polo	lot 12 blk 4	0.08	4	0.08	4	
2557N	Split into Q & R		4.56	228.2	4.56	224.2	T 4927
2557P	Sutton	lot 3 blk 2	0.2	10	0.2	10	
2557Q	Split into S & T		4.48	224.2	4.48	220.2	T 4996
2557R	Dion	lot 6 blk 4	0.08	4	0.08	4	
2557S	Split into U & V		4.38	219.2	4.38	215.2	T 5062
2557T	Luff	lot 1 blk 1	0.1	5	0.1	5	
2557U	Split into W & X		4.18	208.2	4.18	205.2	T 5615
2557V	Depp	lot 7 blk 2	0.2	10	0.2	10	
2557W	Split into Y, -20754, -20755, 20756, 20757, 20758		4.08	204.1	4.08	200.1	owner changes
2557X	Roos	lot 11 blk 4	0.1	5.1	0.1	5.1	
2557Y	Eastfield HOA	lot 9 blk 2			0.95	3.13	46.9 153.2
20754	Bellevue Farms	Split 37-20867 37-20868			2.73	133.2	remaining portion of -2557
20755	Blake	lot 1 blk 3			0.1	3.03	5 148.2
20756	Sewell	lot 4 blk 3			0.1	2.93	5 143.2
20757	Feris	lot 5 blk 3			0.1	2.83	5 138.2
20758	R Taylor	lot 2 blk 3			0.1	2.73	5 133.2



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

RECORDED
NOV 27 1998

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

MEMORANDUM

TO: Russell &/or Michele Swift-Dion Transfer File (37-02557 Part)
FROM: Corey Skinner *CS*
DATE: September 10, 1996
SUBJECT: Staff Review

The enclosed transfer application, filed by Russell &/or Michele Swift-Dion, seeks to transfer a portion of water right license 37-02557L (SRBA claim A37-02557N). Originally, water right 37-02557 was licensed to divert 5.3 cfs of groundwater for the irrigation of 265.0 acres of farmground a couple of miles southeast of Bellevue (Sections 7 and 18, Township 01 North, Range 19 East).

Since the original license was issued, the place of use for water right 37-02557 has been subdivided into Bellevue Farms Subdivision. In recent years, the department has approved several transfers for individual lot owners within the subdivision to add their own wells to irrigate their own individual lots with their respective portion(s) of 37-02557. This has resulted in several splits of the base right.

The applicants of the enclosed transfer propose to drill a new well to irrigate their lot within the subdivision with their portion of 37-02557. The enclosed transfer application proposes to add a diversion point and split the water right (now 37-02557L & SRBA claim A37-02557N). Since the department has approved, as recently as last year, previous transfers of this nature based on the same water right in the same subdivision, the enclosed transfer should be pretty straightforward. However, there are some issues that complicate the matter.

The subdivision (more specifically Bellevue Farms Landowners Association) has SRBA claims filed on surface water over almost the entire subdivision. The subdivision has the following SRBA claims filed:

A37-11924A A37-11925A A37-11926A
A37-11927A A37-11928A

These SRBA claims are based on several old decrees, and a total diversion rate of 13.789 cfs has been claimed. The watermaster's 1995 decree book shows Bellevue Farms having portions of the decrees that these SRBA claims are based on. The claimed place of use for all of these claims overlap the place of use involved with the enclosed transfer application.

On August 27th, while in the area, I visited the property

NOV 27 1996

involved with the enclosed transfer application. I observed that the well licensed under 37-02557 diverts water into a small pond a few feet north of the well. This pond also collects surface water that is delivered from the north (I assume surface water covered under the subdivision's SRBA claims listed in the proceeding paragraph). Water is then diverted from this pond and used to irrigate lands to the east and to the south. An old ditch, runs from the pond to the west, but it is pretty obvious that the ditch has not been used for quite some time. The plat map copy submitted with the transfer application shows the old ditch as a "10' drainage easement". Mel Schulte's 05/15/95 memo (copy attached) and the enclosed sketch and photographs describe the present system.

The lot involved with the enclosed transfer application is west of the well licensed under 37-02557. From what I observed in the field, the only way for water to reach the lot involved with this transfer is through the old ditch west of the well. As can be seen in the attached photos, and the 1987 NAPP photo (437-187 Y 25 NW) the lot involved with this transfer does not appear to have been irrigated for quite some time.

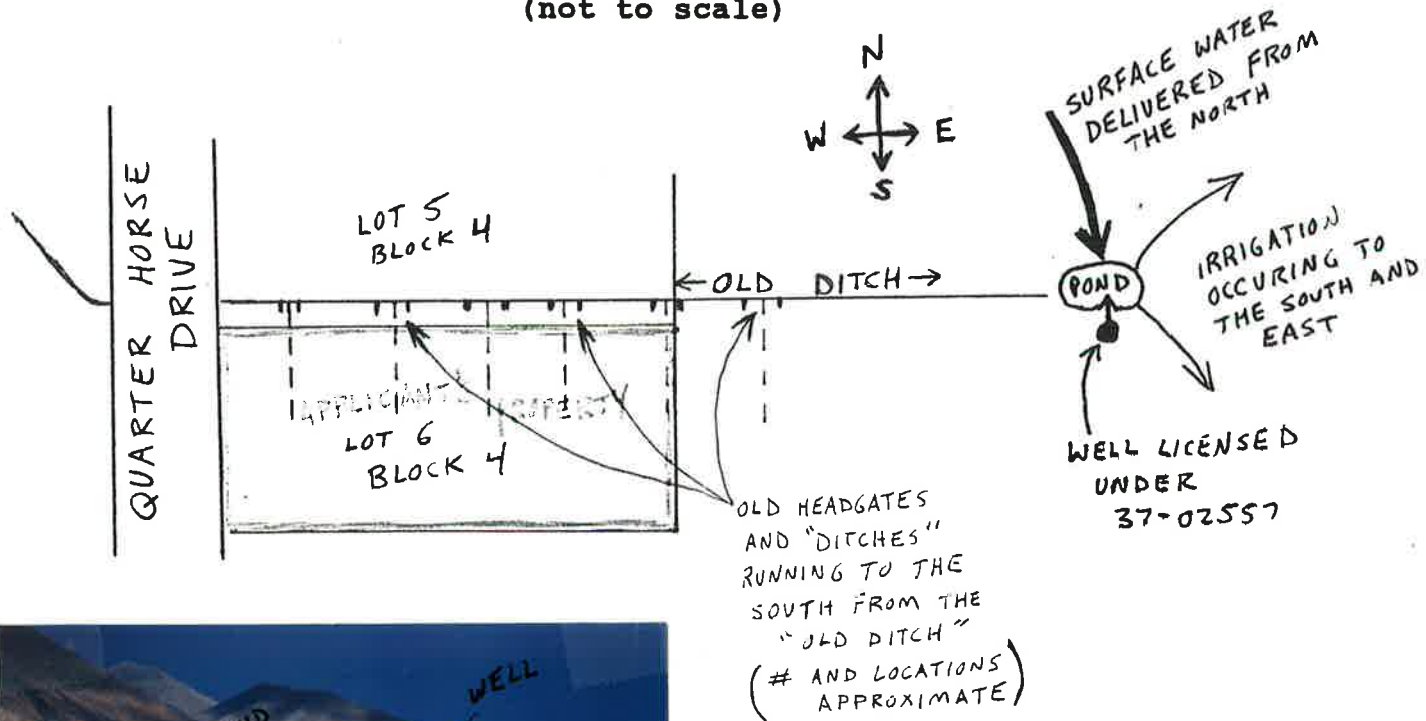
It is obvious that possible partial forfeiture is an issue involved with the enclosed transfer application. My field observations indicate that the lot involved with this transfer has not been irrigated in the recent past with either the groundwater from the well licensed under 37-02577 or with the surface water claimed in the SRBA by the subdivision.

Determining the exact last date that the lot involved with this transfer was actually irrigated would be pretty difficult, and the partial forfeiture issue presently seems to be up in the air. In addition, the department has recently approved (last year) similar transfers in the same subdivision. For these reasons the enclosed transfer could probably be approved.

Previous approved transfers off this base right (37-02577) were approved with supplemental use conditions, probably due to the overlapping SRBA surface water claims filed by the subdivision. If this transfer were approved, the applicants would drill their own well and irrigate their lot. The applicant's lot is covered by the remaining base right (37-02577L and SRBA claim A37-02577N) and the subdivision's SRBA surface water claims. However, it does not appear that the applicant's lot is currently irrigated so if the transfer were approved and the applicants drilled a well to irrigate their lot, their well would more than likely be a primary irrigation source.

MICROFILMED
NOV 27 1996

SKETCH OF AREA INVOLVED WITH TRANSFER
(not to scale)



View looking up old ditch (indicated by arrows) towards the well licensed under 37-02557 to the east. The old ditch did not appear to have had water ran through it for quite some time. There was some sage growth in a few areas in the bottom of the ditch. In addition, the pond embankment currently prevents the well and surface water from entering the ditch. The concrete and wood structure is an old headgate (appeared abandoned) that delivered water, at one time, from the old ditch to land to the south.



View of one of the headgates that delivered water, at one time, from the old ditch to lands to the south. This photo of this particular headgate was taken to represent a typical sample of the headgates along the south side of the old ditch. A couple of headgates were in slightly worse condition and a couple were in slightly better condition.



View of Lot 6, Block 4, Bellevue Farms Subdivision (the property involved with this transfer application) from Quarter Horse Drive looking towards the east. Note the large sage growth and the general appearance of lack of recent irrigation. The arrow indicates the approximate location of the well licensed under 37-02557, that serves as the current source for the "groundwater use" on Lot 6 (the applicant's property).

RECEIVED
 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

October 30, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

BELLEVUE FARMS LANDOWNERS ASSOCIATION
1950 112TH AVE NE STE 204
BELLEVUE WA 98004

RE: Amendment of SRBA Claim A37-02557J

Dear Claimant:

Pursuant to the approval of Transfer Nos. 4035, 4537, 4540, 4545 and 4557, the above referenced Notice(s) of Claim in the Snake River Basin Adjudication have been amended to conform with the transfers. Please find enclosed a printout of the way your claim records have been modified. Please check these modified records over carefully to verify they correctly reflect your intended change. If you have questions please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

ENCLOSURE
NOV 27 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4557
WATER RIGHT NO. 37-02557K

RECEIVED

JUL 07 1995

Department of Water Resources
Southern Region

This is to certify that: HOBSON FAMILY TRUST
C/O PHIL HOBSON
PO BOX 3152
HAILEY ID 83333

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.08 CFS	14.0 AF

SOURCE

GROUNDWATER

Priority: 09/25/1954

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 7, Township 01N, Range 19E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	19E	7	NWSW	4		4
Total number of acres irrigated:						4

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILMED
NOV 27 1998

TRANSFER NO. 4557
WATER RIGHT NO. 37-02557K

CONDITIONS/REMARKS:

6. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. Place of use also known as Lot 4, Block 4, Bellevue Farm Subdivision

Dated this 30th day of June, 1995.

A. Blum Saylor
Chief, Water Alloc. Bureau

MICROFILMED
27 1995

MEMORANDUM

To: Bellevue Farms Subdivision files

From: Mel Schulte
Sr. Water Rights Agent *MTS*
Southern Region Office

Date: May 15, 1995

On May 12, 1995 I met with Susan McCarthy, Bill Carey, Phil Hobson and several other lot owners at the Bellevue Farms Subdivision. These individuals represent to be a subdivision water committee. The primary purpose of our meeting was to examine the irrigation delivery system in place. We also discussed in general the water rights appurtenant to the subdivision and their plans to try to develop an allocation agreement that would provide groundwater to the lots in the NWSW & SWNW, S7 that don't have appurtenant groundwater.

The irrigation system currently in place consists of the following: a small pond that collects surface water from a ditch entering from the North and/or groundwater from an irrigation well contiguous to the pond on the South. A pump in the pond diverts water to the South in a buried mainline to a polo field of about 40 acres located to the center of the subdivision. The polo field is currently irrigated by wheel lines.

From the pond a ditch delivers water to the East. There are pumps in two locations in this ditch to pressurize sprinkler systems to irrigate about 90 acres at the East end of the subdivision.

A second ditch takes water to the West from the pond. There does not appear to be irrigation from this ditch at the present time. There are numerous old headgates in the ditch and evidence of smaller irrigation ditches that have been used to deliver water to both the North and South from this ditch. The subdivision roads and several homes that have been built on some of the lots interfere with delivery of water through some of the smaller ditches. How long it has been since this part of the irrigation system has not been used is unknown.

The issue of forfeiture could be addressed for some of the lots located primarily on the West and South sides of the subdivision. However, there is not clear and convincing evidence that forfeiture could be proven if the issue is contested.

Pending transfer applications as of this date that were being held contingent on an examination of the irrigation system are recommended for approval.

MTS

MICROFILMED
NOV 27 1996

788-60731
RECEIVED

FEB 15 1995

Box

Department of Water Resources
Southern Region

2. Describe the reason for the proposed changes I have sold a portion of my water rights to Andy Phillips for use on lot 4 Block 4 of the Bellevue Farms Sub-division. Mr. Phillips wants to get a well drilled on his property to supply the water. I own 4% of the rights in the subdivision.

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	37-02557 ¹	9-25-1954	0.08 cfs	Irrig.	4-15 to 10-15
					to
					to
					to

2. Total amount of water being transferred 0.08 cubic feet per second and/or 14 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use: * Lot 4 Blk. 4 of Bellevue Farms Subdivision

[illegible]

4 期

PART 1

6. General Information:

- a. Description of diversion system Well & pump, sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Transfer will be filed later to also move the surface water from our 4 acres to the Phillips land. Other surface water will then be transferred to our 4 acres from another part of the subdivision, which will be dried up. Ultimately, no additional acres will be irrigated due to these transfers.
- d. Remarks:
Another transfer of these rights from ^{Block 4} Lot 13B of the subdivision to our property (Lot 4 Block 12) will be filed in what amounts to a water trade.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
 And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

NOTARIZED
 NOV 27 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 37-02557A issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 4035 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date or priority 9-25-1954

5. Water is used for the following purpose:

amount 5.2 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 5.2 cubic feet per second and/or 910 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	7	1N	19E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	19E	7											40	35		5	35		115
													44						
		18	25	40			40	40											145
								41											

Total acres 260

9. Describe any other water rights used for the same purpose as described above Decreed Big Wood River rights

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.08 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: Same as 2.A.7

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: * Lot 12 Blk. 4 Bellevue Farms Sub. (10.47 ac. total)

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>19E</u>	<u>7</u>															<u>4</u>		<u>4 *</u>

Also see pending transfers # 4537, 4540, & 4545

Total acres 4*

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 5.12 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: Same as 2.A.7

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>19E</u>	<u>7</u>											<u>40</u>	<u>35</u>		<u>5</u>	<u>31</u>		<u>111</u>
													<u>14</u>						
		<u>18</u>	<u>25</u>	<u>40</u>			<u>40</u>	<u>40</u>											<u>145</u>
								<u>141</u>											

Total acres 256

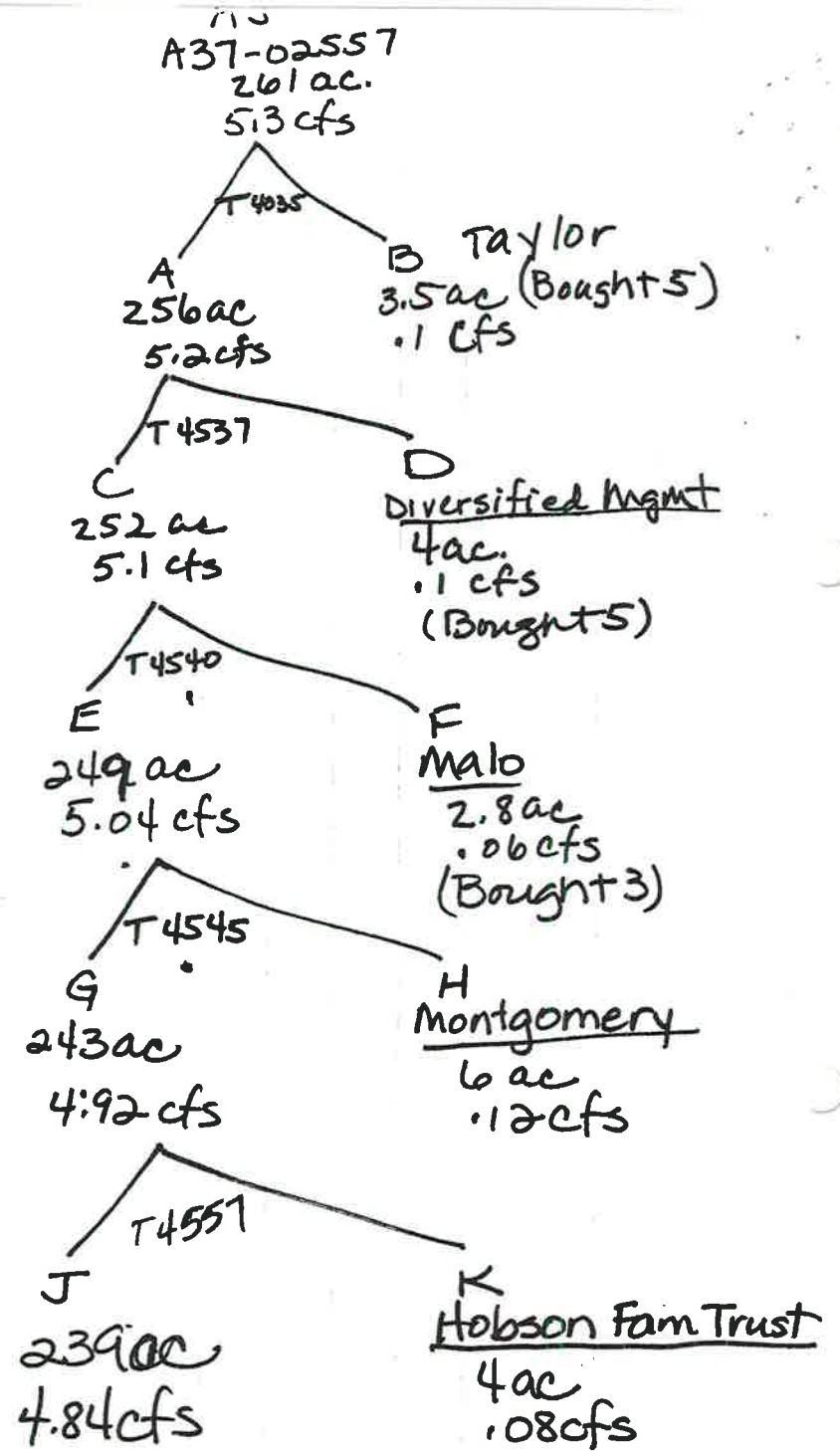
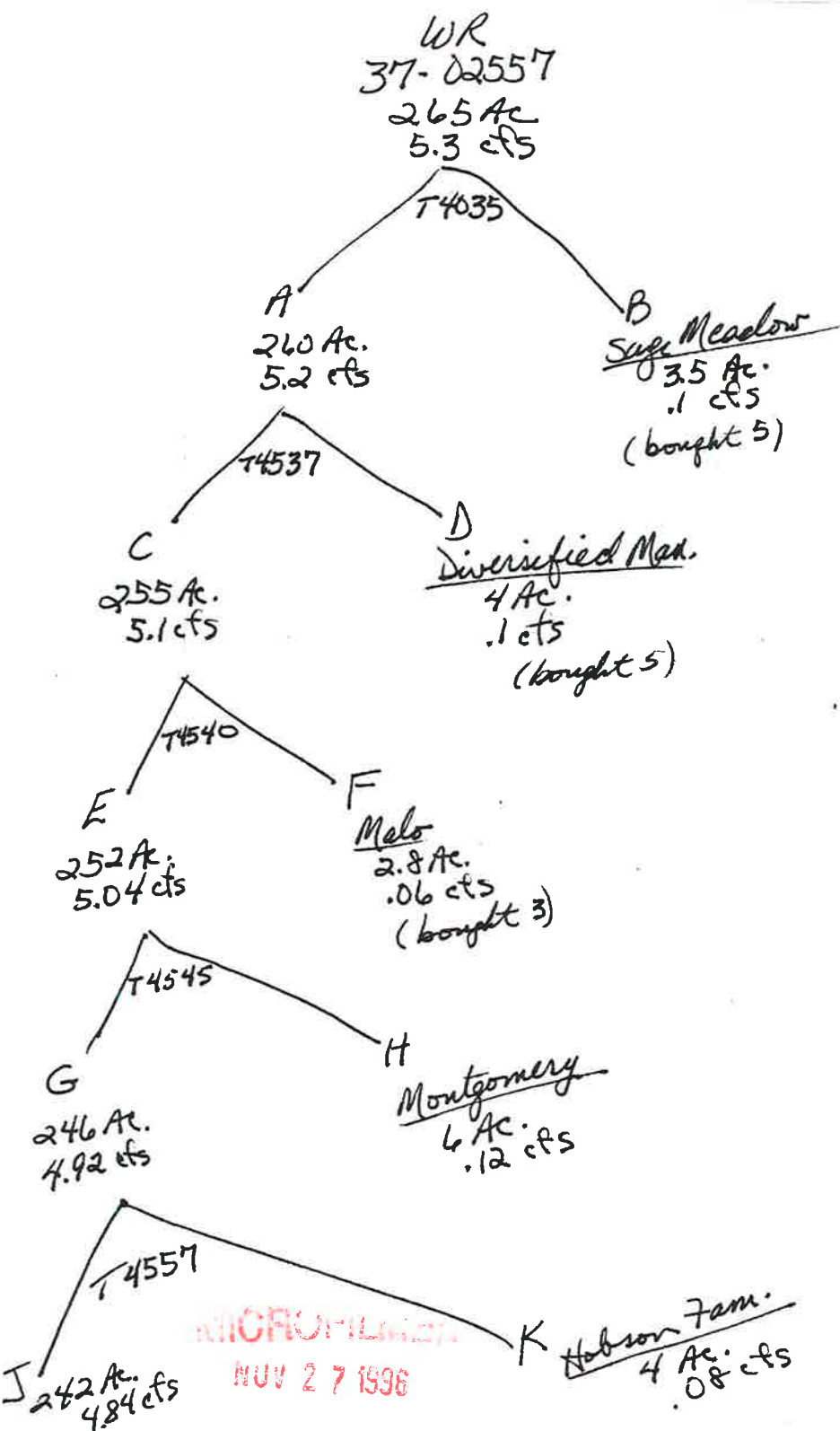
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

R. 19E

~~New PD/PU~~
T. 11N ~~14E~~
New PD/PU 1


Old P/U



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

October 30, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

BELLEVUE FARMS LANDOWNERS ASSOCIATION
1950 112TH AVE NE STE 204
BELLEVUE WA 98004

RE: Amendment of SRBA Claim A37-02557J

Dear Claimant:

Pursuant to the approval of Transfer Nos. 4035, 4537, 4540, 4545 and 4557, the above referenced Notice(s) of Claim in the Snake River Basin Adjudication have been amended to conform with the transfers. Please find enclosed a printout of the way your claim records have been modified. Please check these modified records over carefully to verify they correctly reflect your intended change. If you have questions please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED
NOV 27 1995

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: **A37-02557J**
Date Received: 10/24/1988
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BELLEVUE FARMS LANDOWNERS ASSOC 206-621-7626
Address: 1950 112TH AVE NE
SUITE 204
BELLEVUE WA 98004

2. Date of Priority: SEP 25, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	19E	7	NW	SE	SW		BLAINE

5. Description of diverting works:
WELL WITH 60 H.P. PUMP DEL. OPEN DISCHARGE TO PRESSURE PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.840		

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

8. Total consumptive use is 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	SW	SW		IRR	37.0
			SE	SW		IRR	35.0
			NW	SE		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	7	SW	SE		IRR	31.0
			SE	SE		IRR	1.0
					Section Acres		109.0
		18	NE	NE		IRR	20.0
			NW	NE		IRR	35.5
			NE	NW		IRR	38.5
			NW	NW		IRR	36.0
					Section Acres		130.0
					Total Acres		239.0

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

14. Remarks:
CLAIM WAS SPLIT FROM A37-02557G PURSUANT TO APPROVED TRANSFER
4557.

15. Basis of Claim: LICENSE

Water Right Number: 25187

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4537
WATER RIGHT NO. 37-02557D

RECEIVED

JUL 07 1985

This is to certify that: DIVERSIFIED MANAGEMENT INC
PENSION PLAN & TRUST
1897 S LONDONER
BOISE ID 83706

Department of Water Resources
Southern Region

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.10 CFS	14.0 AF

SOURCE

GROUNDWATER

Priority: 09/25/1954

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 18, Township 01N, Range 19E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	19E	18	Lot 1(NWNW)	4		4
Total number of acres irrigated:						4

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILMED

NOV 27 1986

TRANSFER NO. 4537
WATER RIGHT NO. 37-02557D

CONDITIONS/REMARKS:

6. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. Place of use is located within Lot 1, Block 2 Bellevue Farms Subdivision.

Dated this 30th day of June, 1995.

A. Glen Saxton
Chief, Water Alloc. Bureau

MICROFILMED

NOV 27 1995

MEMORANDUM

To: Bellevue Farms Subdivision files

From: Mel Schulte
Sr. Water Rights Agent
Southern Region Office

MTS

Date: May 15, 1995

On May 12, 1995 I met with Susan McCarthy, Bill Carey, Phil Hobson and several other lot owners at the Bellevue Farms Subdivision. These individuals represent to be a subdivision water committee. The primary purpose of our meeting was to examine the irrigation delivery system in place. We also discussed in general the water rights appurtenant to the subdivision and their plans to try to develop an allocation agreement that would provide groundwater to the lots in the NWSW & SWNW, S7 that don't have appurtenant groundwater.

The irrigation system currently in place consists of the following: a small pond that collects surface water from a ditch entering from the North and/or groundwater from an irrigation well contiguous to the pond on the South. A pump in the pond diverts water to the South in a buried mainline to a polo field of about 40 acres located to the center of the subdivision. The polo field is currently irrigated by wheel lines.

From the pond a ditch delivers water to the East. There are pumps in two locations in this ditch to pressurize sprinkler systems to irrigate about 90 acres at the East end of the subdivision.

A second ditch takes water to the West from the pond. There does not appear to be irrigation from this ditch at the present time. There are numerous old headgates in the ditch and evidence of smaller irrigation ditches that have been used to deliver water to both the North and South from this ditch. The subdivision roads and several homes that have been built on some of the lots interfere with delivery of water through some of the smaller ditches. How long it has been since this part of the irrigation system has not been used is unknown.

The issue of forfeiture could be addressed for some of the lots located primarily on the West and South sides of the subdivision. However, there is not clear and convincing evidence that forfeiture could be proven if the issue is contested.

Pending transfer applications as of this date that were being held contingent on an examination of the irrigation system are recommended for approval.

MTS

Microfilm

NOV 27 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4537

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Diversified Management, Inc. Pension & Trust Phone 344-8141
Post Office address 1897 S. Londoner, Boise, ID 83706

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant purchased a portion of the original farm, and wants to put a well on his own property.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|------------------|--------------------|---------------|-----------------------------|
| <u>37-025570</u> | <u>9-25-1954</u> | <u>0.10 cfs</u> | <u>Irrig.</u> | <u>4-15</u> to <u>10-15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.10 cubic feet per second and/or 14 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	NW	18	1N	19E	Blaine	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	19E	18					4												4
							141												

PART 1

6. General Information:

- a. Description of diversion system Well & pump, sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A
- d. Remarks: Farms Subdivision
Property is lot 1 Block 2 of Bellevue, at 102 Equus Loop.
Of the 5 acres purchased, about 4 will be irrigated. The rest will be
home, driveway, etc. Permit 37-94-S-0146-000 has been obtained for a
domestic well. I understand that an additional fee will be due before well
can be used for irrigation once transfer is approved.

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

MICROFILMED
NOV 27 1996

Page 3 of 6Transfer No. 4537

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 37-02557A issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 4035 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water Groundwater tributary to _____4. Date or priority 9-25-1954

5. Water is used for the following purpose:

amount 5,20 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 5,20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	7	1N	19E	B/line	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	19E	7										40	35			5	35		115
												44							
		18	25	40			40	40											145
							41												

Total acres 2609. Describe any other water rights used for the same purpose as described above several decreed surfacerights claimed in SRBA

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.10 cfs for Irrig. purposes from 4-15 to 10-15
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
2. Point(s) of Diversion: Same as 2.A.7.

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>19E</u>	<u>18</u>						<u>5</u>											<u>5</u>
								<u>141</u>											

Total acres 5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 5.10 cfs for Irrig. purposes from 4-15 to 10-15
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
2. Point(s) of Diversion: Same as 2.A.7.

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>19E</u>	<u>7</u>											<u>40</u>	<u>35</u>		<u>5</u>	<u>35</u>		<u>115</u>
													<u>144</u>						
		<u>18</u>	<u>25</u>	<u>40</u>			<u>40</u>	<u>40</u>											<u>140</u>
								<u>141</u>											
								<u>35</u>											

Total acres 255

NOV 27 1998

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

PLAT SHOWING

LOCATED WITHIN SECTIONS 7 AND 18 T.1N. R.19E., 8M.

BLAINE COUNTY, IDAHO

JULY, 1980

JULY, 1980

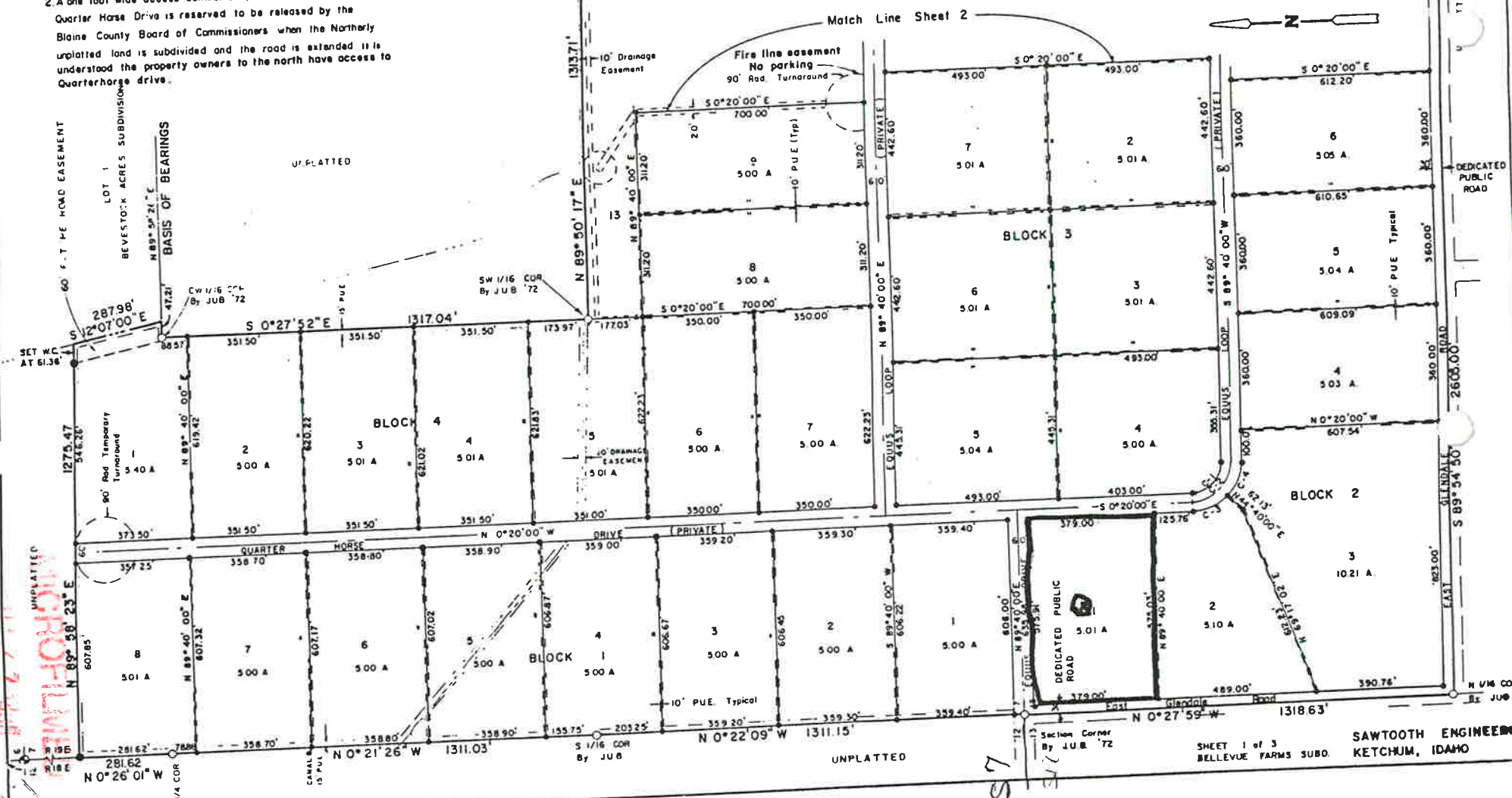
200 100 0 200 400 600

SCALE IN FEET

○ 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)
 Irrigation Easement.

1. West Equus Drive shall be secondary access.
2. A one foot wide access-control strip at the North end of Quarter Horse Drive is reserved to be released by the Blaine County Board of Commissioners when the Northerly unplatted land is subdivided and the road is extended. It is understood the property owners to the north have access to Quarterhorse Drive.

CURVE	R	Δ	T	L	Ch	Ch Bearing
C-1	90.00	90°00'00"	90.00	141.37	127.28	S 45°20'00" E
C-2	120.00	"	120.00	186.50	169.71	"
C-3	150.00	45°00'00"	62.13	117.81	114.81	S 22°30'00" E
C-4	"	"	"	"	"	S 67°30'00" E
C-5	90.00	90°00'00"	90.00	141.37	127.28	N 44°40'00" E
C-6	120.00	90°00'00"	120.00	186.50	169.71	"
C-7	150.00	45°57'07"	63.60	120.30	117.10	N 56°41'27" E
C-8	180.00	44°02'53"	60.68	112.32	112.50	N 61°41'27" E
C-9	90.00	90°00'00"	90.00	141.37	127.28	N 45°20'00" W
C-10	120.00	"	120.00	186.50	189.71	"
C-11	150.00	30°33'28"	40.98	90.00	79.06	S 73°03'16" E
C-12	150.00	59°28'32"	95.63	155.62	148.73	S 30°03'16" E
C-13	420.00	30°50'00"	15.82	222.62	223.50	N 74°15'00" E
C-14	450.00	"	24.09	242.16	239.29	"
C-15	480.00	"	32.36	258.31	255.20	"



SAWTOOTH TITLE CO., INC.
While this is a photographic reproduction of the
recorded plat, the Company assumes no liability
for variations, if any, with a re-survey.

PLAT SHOWING BELLEVUE FARMS SUBDIVISION

LOCATED WITHIN SECTIONS 7 AND 18 T.19N. R.19E., B.M.

BLAINE COUNTY, IDAHO
JULY, 1980

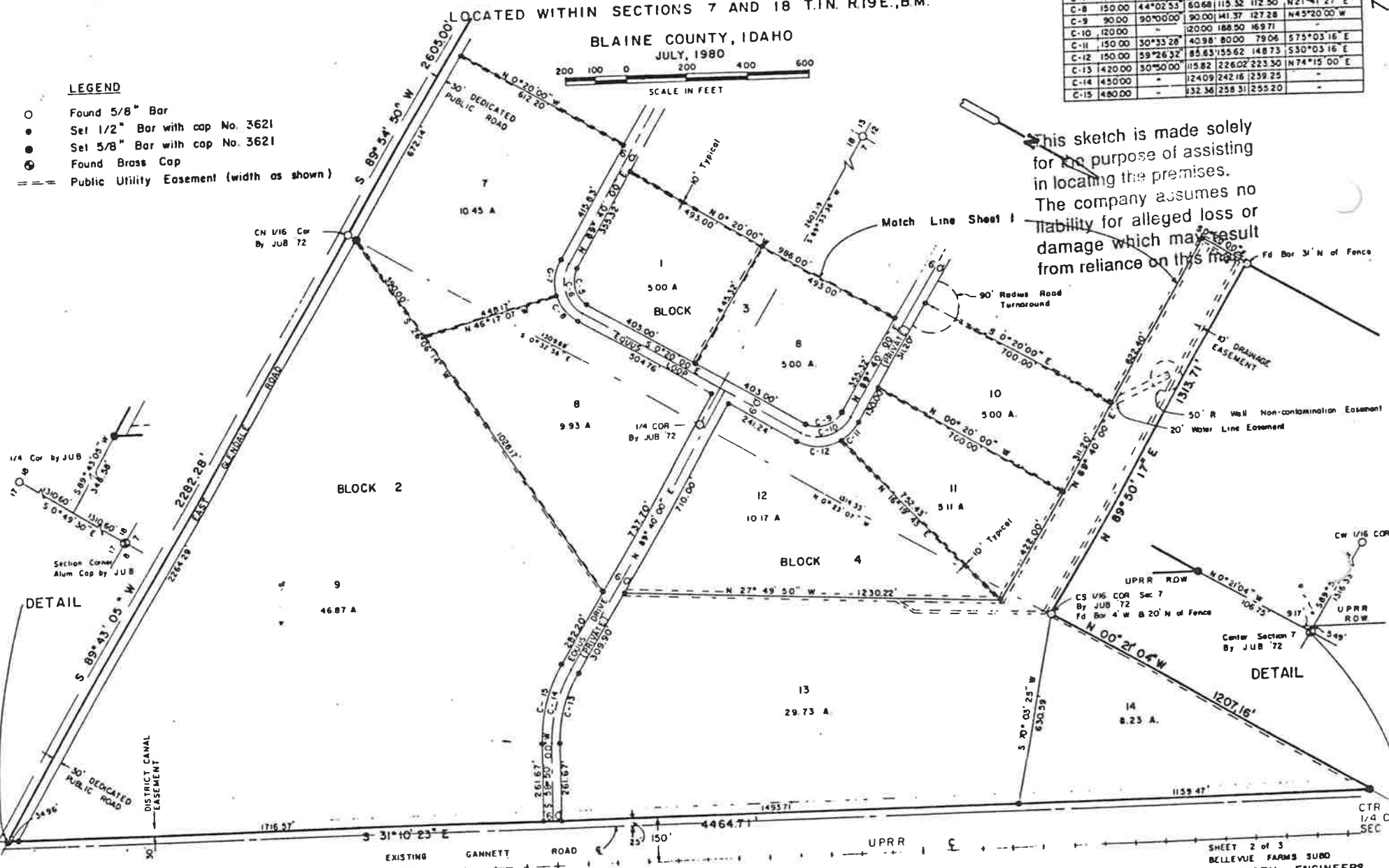


LEGEND

- 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)

CURVE	R	Δ	T	L	CN	CN Bearing
C-1	90.00	90°00'00"	90.00	141.37	127.28	S 45°20'00" E
C-2	120.00	"	120.00	188.50	169.71	"
C-3	150.00	45°00'00"	62.13	117.81	114.81	S 22°50'00" E
C-4	"	"	"	"	"	S 67°50'00" E
C-5	90.00	90°00'00"	90.00	141.37	127.28	N 44°40'00" E
C-6	120.00	90°00'00"	120.00	188.50	169.71	"
C-7	150.00	45°57'07"	63.60	120.30	117.10	N 66°41'27" E
C-8	150.00	44°02'53"	60.68	115.32	112.90	N 21°41'27" E
C-9	90.00	90°00'00"	90.00	141.37	127.28	N 45°20'00" W
C-10	120.00	"	120.00	188.50	169.71	"
C-11	150.00	30°33'28"	40.98	80.00	79.06	S 75°03'16" E
C-12	150.00	59°26'32"	85.63	155.62	148.73	S 30°03'16" E
C-13	420.00	30°50'00"	115.82	226.02	223.30	N 74°15'00" E
C-14	430.00	"	124.09	242.16	239.25	"
C-15	480.00	"	132.36	258.31	255.20	"

This sketch is made solely
for the purpose of assisting
in locating the premises.
The company assumes no
liability for alleged loss or
damage which may result
from reliance on this map.



01N19E

[illegible]

NOV 27 1996

T # 45:



L-1 B1K2. Bellevue Dams

MICROFILMED
NOV 27 1996

T # 4537

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

□
PD, Pu
T. 1 N
R. 19 E
18

PART 3**B. CHANGES IN NATURE OF USE**

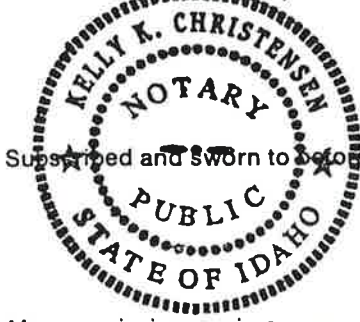
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

29th

day of

Sept, 19 94

(Signature of Applicant)

Kelly K. Christensen
(Notary Public)

My commission expires

3-2-98**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 5 attachmentsReceived by J.F. Stanton Date 9-28-94Protest filed by NonePrelim. check by MTS Fee \$100, 5017424Receipted by JD Date 9-28-94Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 1/25 + 2/1/95

Hearing held by _____ Date _____

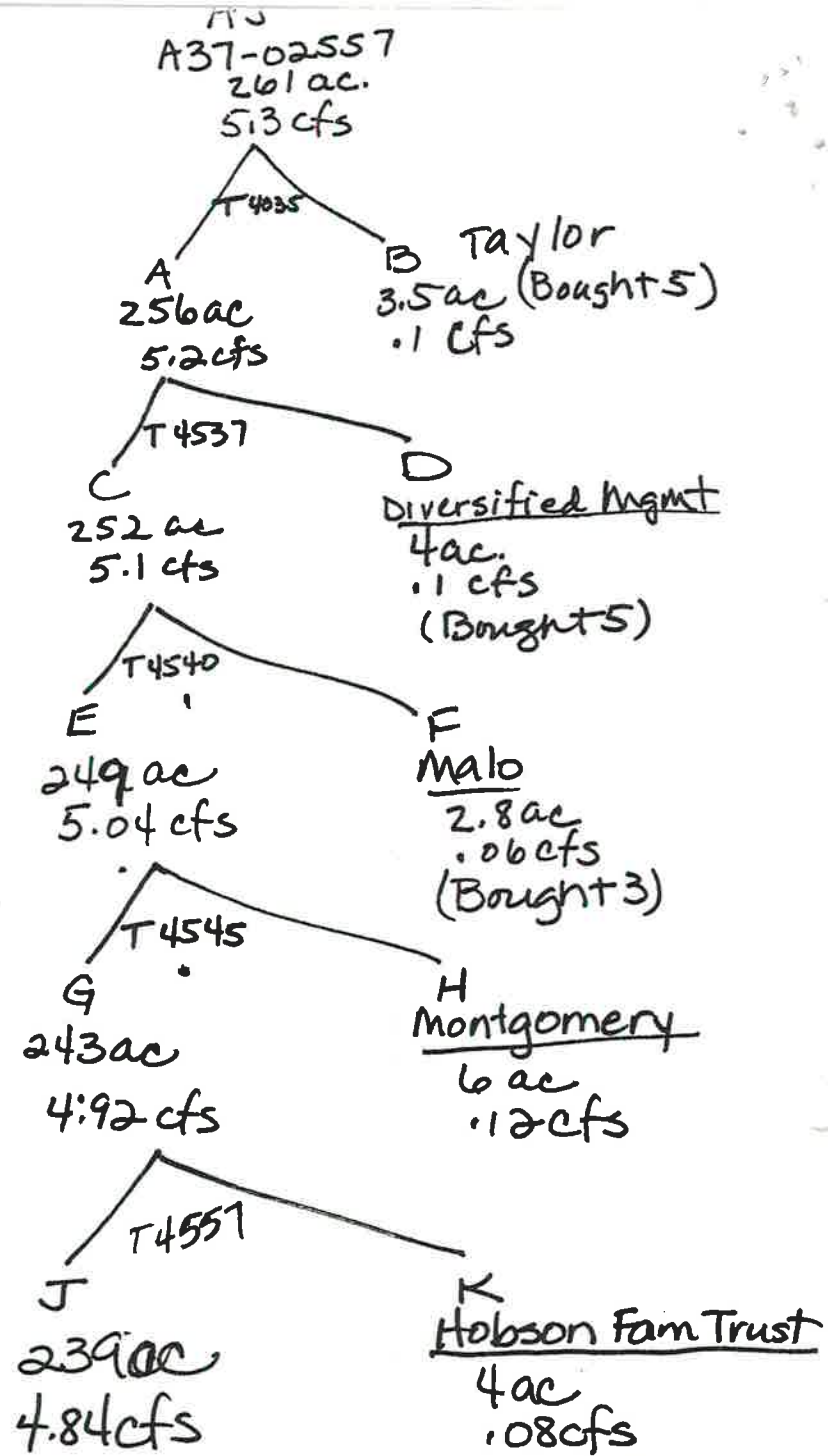
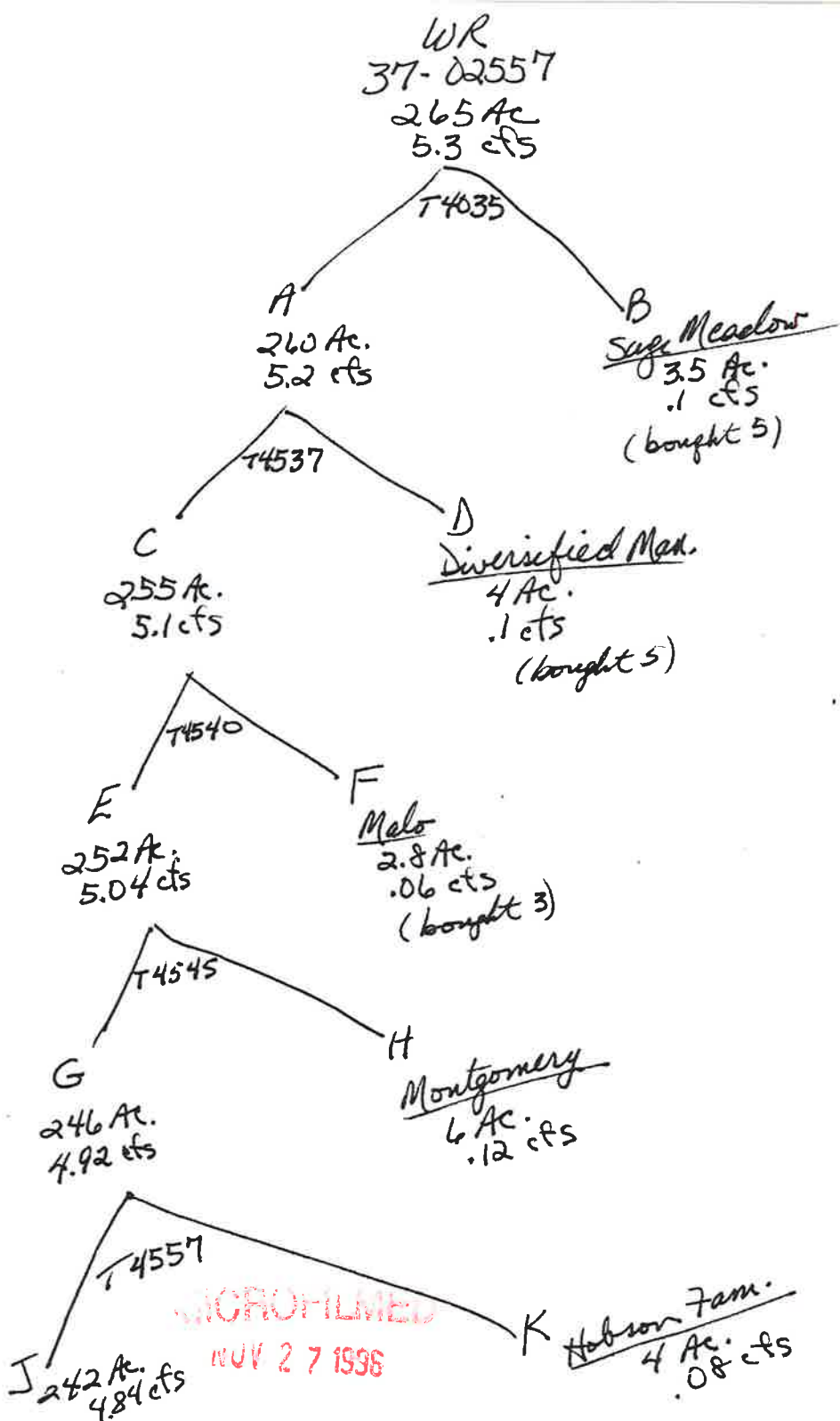
Watermaster recommendation requested on N/ARecommended for ☒ approval ☐ denialby ADM

Copy of transfer sent to lien holder _____

SEP 29 1994

SEP 29 1994
Department of Water Resources
Southern Region Office

RECEIVED
NOV 27 1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 13, 1994

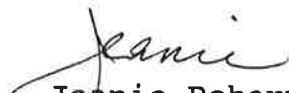
SAGE MEADOW FARM
C/O TONY KEHLE
12420 PLANTATION LANE
NORTH PALM BEACH FL 33408

RE: SRBA CLAIM NO. A37-02557

DEAR CLAIMANT:

Pursuant to the approval of Transfer No. 4035 and notification that you presently own a portion of the property in which the above referenced adjudication claim is appurtenant, the Department has split the claim and changed the records of the original owner (BELLEVUE FARMS LANDOWNERS' ASSOC) to A37-02557A, and the record of the portion that you purchased to A37-02557B. Please find enclosed a copy of the computer generated claim noting the changes. Please review the records and if you have any corrections, notify this office.

Sincerely,



Jeanie Robertson
Water Right Agent

/jr
Enclosures:

cc: Bellevue Farms Landowners' Assoc

MICROFILMED
NOV 27 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4035
WATER RIGHT NO. 37-02557B

✓ Carter
✓ Bob
Southern AJ

This is to certify that: SAGE MEADOW FARM
C/O TONY KEHLE
12420 PLANTATION LANE
NORTH PALM BEACH FL 33408

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.10 CFS	12.3 AF

SOURCE

GROUNDWATER

Priority: 09/25/1954

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 7, Township 01N, Range 19E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	19E	7	SESW	3.5		3.5
Total number of acres irrigated:						3.5

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

MICROFILMED
NOV 27 1995

TRANSFER NO. 4035
WATER RIGHT NO. 37-02557B

CONDITIONS/REMARKS:

Dated this 23rd day of February, 1994.

J. Glen Saxton
Chief, Water Alloc. Bureau

MICROFILMED
NOV 27 1996

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 4035

RECEIVED

AUG 15 1991

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Name of applicant Southern Region Office Meadow Farms (Partnership) Phone _____
 Post Office address c/o Tony Kehle, 12420 Plantation Lane, North Palm Beach, FL 33408

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Reduce acres irrigated
 2. Describe the reason for the proposed changes Put a well on my own property for better control of irrigation water.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 27-025578 Priority 9-25-1954 Amount (cfs/ac-ft) 0.10 cfs Nature of Use Irrig. Period of Use 4-1 to 11-1
 _____ to _____
 _____ to _____
 _____ to _____
 2. Total amount of water being transferred 0.10 cubic feet per second and/or _____ acre-feet per annum.
 3. Source of water Groundwater tributary to _____
 4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SW	7	1N	19E	Blaine	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	19E	7												3.5					3.5

Total acres

NOV 27 1991

T# 4035 37-025578

PART 1

6. General Information:

- a. Description of diversion system Well & pump, sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will no longer be irrigated, It will be covered by a home, driveway, etc.
Of the 5 acres I bought, I will irrigate about 3 1/2 acres of lawn & pasture.
- d. Remarks:
Land is Lot 9 Block 4 Bellevue Farms Subdiv.
Surface water is available but will no longer be used on this property.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

MICROFILMED
NOV 27 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. 37-02557 issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7-25-1954

5. Water is used for the following purpose:

amount 5.3 cfs for Irrig purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	7	1N	19E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	19E	7											LT4 40	40		5	35		120
		18	25	40			40	40											145
								LT1											

Total acres 265

9. Describe any other water rights used for the same purpose as described above

Decreed surface rights

NOV 27 1996

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.10 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>19E</u>	<u>7</u>												<u>5</u>					<u>5</u>

Total acres 5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 5.2 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: Note: About 4 acres of original farm are now in subdivision roads *

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>19E</u>	<u>7</u>											<u>44</u> <u>40</u>	<u>35</u>		<u>5</u>	<u>35</u>		<u>115</u>
		<u>18</u>	<u>25</u>	<u>40</u>			<u>40</u>	<u>40</u>											<u>145</u>

Total acres 260 *MICROFILMED
NOV 27 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-02557 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____4. Date or priority 9-25-1954

5. Water is used for the following purpose:

amount 5.3 cfs for Irrig. purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.3 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SW	7	1N	19E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	19E	7										64	40			5	35	1	121
		18	20	40			40	40											140
							64												

Total acres 2619. Describe any other water rights used for the same purpose as described above decreed surface rights

NOV 27 1998

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.10 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>19E</u>	<u>7</u>												<u>5</u>					<u>5</u>

Total acres 5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 5.2 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

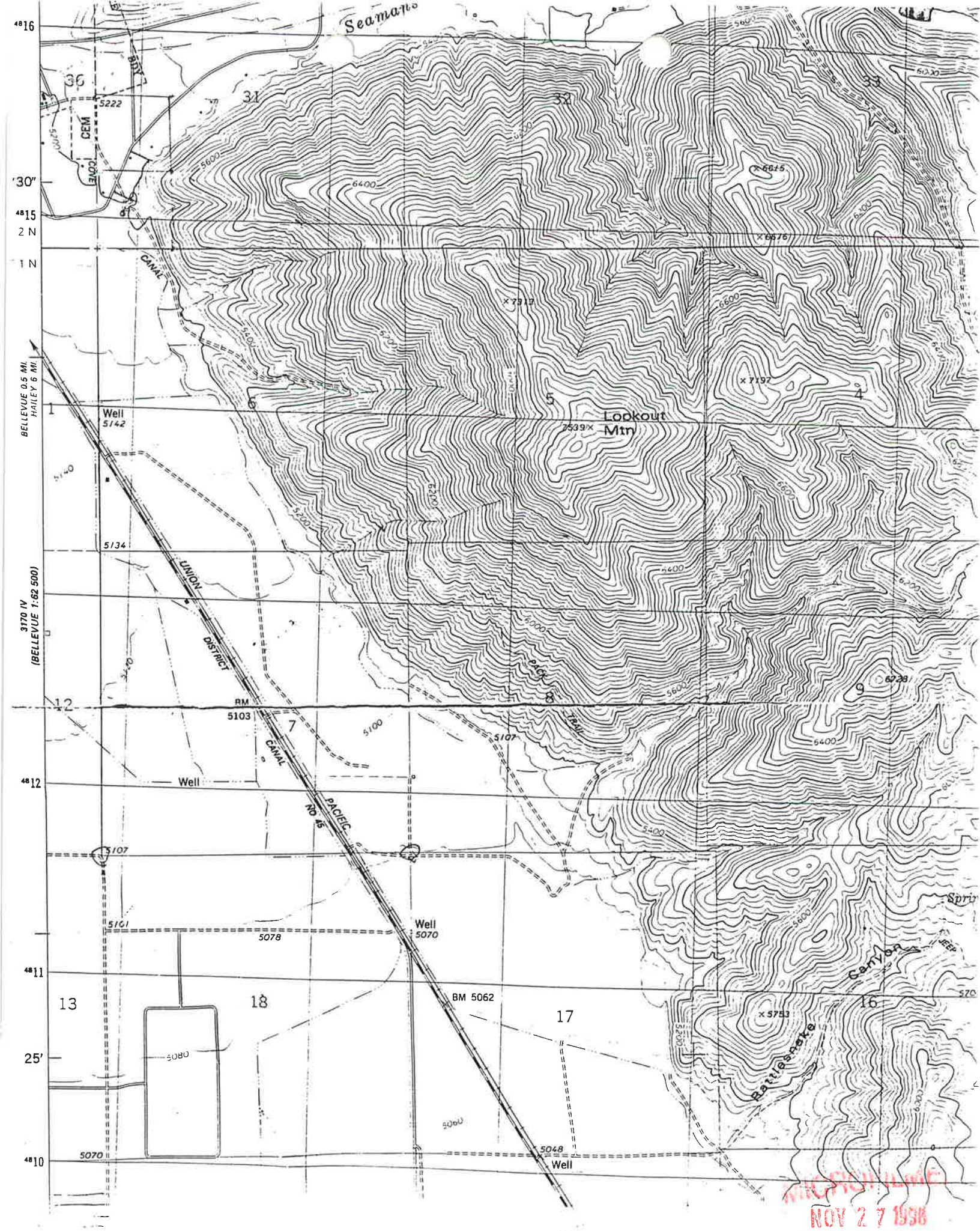
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>19E</u>	<u>7</u>											<u>44</u>	<u>35</u>		<u>5</u>	<u>35</u>	<u>1</u>	<u>116</u>
		<u>18</u>	<u>20</u>	<u>40</u>			<u>40</u>	<u>40</u>											<u>140</u>
				<u>2</u>				<u>44</u>											

Total acres 256

RECORDED
 NOV 27 1979

21
NOV 27 1996
T#4035
37-2557, A37-2557

37- 2557, A 37- 2557



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Page Meadow Farm by Tony Kehe (Partner)
(Signature of Applicant)

Subscribed and sworn to before me this 16th day of August, 19 91.

Steve C. Oll
(Notary Public)

My commission expires Dec 7 1994**FOR DEPARTMENT USE ONLY**Transfer contains 8 pages and 2 attachmentsReceived by J. F. Stanton Date 8-13-91

Protest filed by _____

Prelim. check by DJ Fee \$30.00 5013634Receipted by JS Date 8-16-91Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 2/24 & 3/3/93

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☒ approval ☐ denial

_____ rec'd. _____

by JS

Copy of transfer sent to lien holder _____

MICROFILMED
NOV 27 1998

WR
37-02557
265 AC
5.3 cfs

T4035

"A"
260 Ac
5.2 cfs

"B"
Sage Meadow Farm
3.5 Ac.
.1 cfs

AJ
A37-02557
Bellevue Farms
261 Ac
5.3 cfs

T4035

"A"
Bellevue Farms
256 Ac.
5.2 cfs

"B"
Sage Meadow
3.5 Ac.
.1 cfs

(5 Ac. sold, only
3.5 irrigated)

NOV 27 1958

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4035
WATER RIGHT NO. 37-02557B

MAR 1994

RECEIVED
Snake River Basin

This is to certify that: SAGE MEADOW FARM
C/O TONY KEHLE
12420 PLANTATION LANE
NORTH PALM BEACH FL 33408

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.10 CFS	12.3 AF

SOURCE

GROUNDWATER

Priority: 09/25/1954

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 7, Township 01N, Range 19E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	19E	7	SESW	3.5		3.5
Total number of acres irrigated:						3.5

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

MICROFILMED
AUG 24 1994

Transfer No. 4035

Southern Region Office Meadow Farms (Partnership) Phone _____
Post Office address c/o Tony Kehle, 12420 Plantation Lane, North Palm Beach, FL 33408

Total acres 3,5

PART 1

6. General Information:

- a. Description of diversion system Well & pump, sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will no longer be irrigated. It will be covered by a home, driveway, etc.
Of the 5 acres I bought, I will irrigate about 3 1/2 acres of lawn & pasture.
- d. Remarks:
Land is Lot 9 Block 4 Bellevue Farms Subdiv.
Surface water is available but will no longer be used on this property.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2*(Attach one copy for each right)***A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 39-02557 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☒ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date or priority 9-25-1954

5. Water is used for the following purpose:

amount 5.3 cfs for Irrig. purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	7	1N	19E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	19E	7											40	40		5	35		120
		18	25	40			40	40											145
							40												

MICROFILMEDTotal acres 265

9. Describe any other water rights used for the same purpose as described above

Decreed surface rights

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.10 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>19E</u>	<u>7</u>												<u>5</u>					<u>5</u>

Total acres 5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 5.2 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: Note: About 4 acres of original farm are now in subdivision roads *

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>19E</u>	<u>7</u>											<u>40</u>	<u>35</u>		<u>5</u>	<u>35</u>		<u>115</u>
		<u>18</u>	<u>25</u>	<u>40</u>			<u>40</u>	<u>40</u>											<u>145</u>

Total acres 260 *

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-02557 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 9-25-1954

5. Water is used for the following purpose:

amount 5.3 cfs for Irrig. purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.3 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SW	7	1N	19E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	19E	7											44	40		5	35	1	121
		18	20	40			40	40											140
							41												

Total acres 261

9. Describe any other water rights used for the same purpose as described above decree surface rights

MICROFILMED

AUG 24 1985

PART 2

Transfer No. 4035

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.10 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>19E</u>	<u>7</u>												<u>5</u>					<u>5</u>

Total acres 5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 5.2 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1N</u>	<u>19E</u>	<u>7</u>											<u>40</u>	<u>35</u>		<u>5</u>	<u>35</u>	<u>1</u>	<u>116</u>
		<u>18</u>	<u>20</u>	<u>40</u>			<u>40</u>	<u>40</u>											<u>140</u>
			<u>2</u>				<u>24</u>												

Total acres 256

POU ORIGINAL

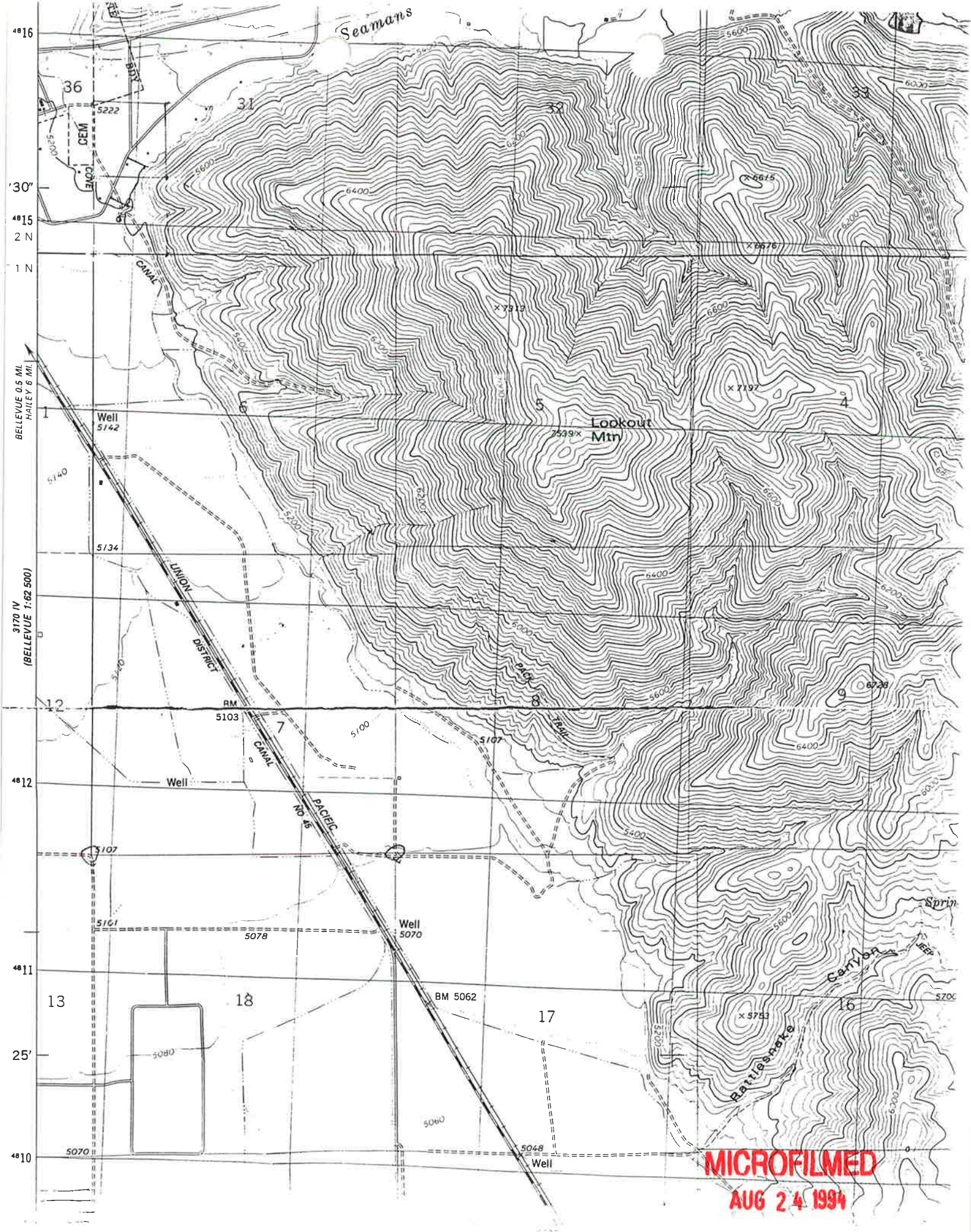
Top 1N
Rge 19E.

MICROFILMED

AUG 24 1994

T#4035

37-2557, A37.2557



MICROFILMED
AUG 24 1994

5-11-35

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Roge Meadow Farm by Tony Kehoe (Partner)
(Signature of Applicant)

Subscribed and sworn to before me this 16th day of August, 19 91.

Steve C. [Signature]
(Notary Public)

My commission expires Dec 7 1994

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments

Received by J. E. Stanton Date 8-13-91

Prelim. check by [Signature] Fee \$30.00 5013634

Received by [Signature] Date 8-16-91

Published in Wood River Journal

Pub. dates 2/24 & 3/3/93

Watermaster recommendation requested on N/A

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial

by [Signature]

Copy of transfer sent to lien holder _____

CONVERSATION MEMORANDUM

NAME OF PARTY Linda Johnston
EMPLOYEE: Jeanie RobertsonDATE 6-10-94
FILE A37-02557RE: Parcel Forfeiture

Linda is a Real Estate Agent in Hailey and had questions on the Bellevue Farms Landowners Assoc. The claim is filed under that name, which consists of a subdivision of 5-acre parcels. She wanted some sort of guarantee that the parcels wouldn't lose their water right of (27%) as long as the Association as a whole was using the water. I told her that the particular parcels could be subject to forfeiture if that land hadn't been ^{irrigated} for a period of five years or more, even though the association itself was using the water on other areas. She also talked to Jim about transferring the portion of water to a particular parcel. Again, he told her the transfer process would involve looking at the land and making sure it had been irrigated during the last 5 years in order for the transfer to be recommended.

MICROFILMED

AUG 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

14-Jun-1994 08:40

Andy Phillips
PO Box 5920
Ketchum, ID 83340

RE: Transfer of Right 37-02557

Dear Andy:

Please find enclosed the transfer application form with instructions which we discussed in our phone conversation yesterday.

Please also find enclosed a proof report for the right as presently claimed in the Snake River Basin Adjudication along with copies of the claim file. Please also find enclosed proof reports for the way the right presently is recorded in the water rights database. Included is a copy of the only transfer for this right for your reference which split the original license into parts A & B as documented in the water rights proofs.

I have looked into seeing if I could find a water right record or transfer in the name of Don Montgomery. I did not find one. It does not appear that Mr. Montgomery developed his well by splitting off a portion of this right as you thought. In fact I have found the drilling permit issued to Mr. Montgomery for development of his well and it appears it was developed as a domestic well with limitations of 13,000 gal/day and limited to irrigation of no more than 1/2 acre of irrigation. (copy of drilling permit enclosed) If Mr. Montgomery is watering more than the 1/2 acre he may be in violation. In my research it appears that the Montgomery well has been questioned by others in the area but the Department has not yet done any field investigation. If his desire is the same as yours to split off a portion of the old water license and move it to his new well he will need to file a transfer similar to the one you propose to become legal.

Sincerely,

Allen D. Merritt, P.E.
Water Rights Supervisor

Encl:

MICROFILMED
AUG 24 1994



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 10, 1997

Robert Askew, President
Bellevue Farms Homeowners Assn.
PO Box 2511
Hailey, ID
83333

RE: Irrigation Rights Of the Association

Dear Mr. Askew;

I have finally completed my review of the water usage that has occurred within the Subdivision since 1991. I looked at the ASCS slides for 1991 through 1996 (1994 was not available), and talked to Phil Hobson and Greg Mann. My conclusions can serve as a basis for action on pending and future water transfers on the subject property.

My findings indicate that 131.4 acres have been irrigated with surface water through the community system since 1993. The water rights on these acres will remain valid at least through the end of 1998. Any of this land that is no longer irrigated will still retain its water rights for five years, and only a small area on the south end of the subdivision appears to fall into this category. Specifically, the place of use includes the polo field (40 acres), Lot 12 Block 4 (9.4 acres), Lot 13 Block 4 (24.5 acres), Lot 14 Block 4 (2.8 acres), and Lots 7, 8 and 9 of Block 4 (54.7 acres).

The large field in the southeast portion of the subdivision covers all of Lot 9, and a portion of Lots 7 & 8. Transfer #4545 requires that surface rights be used to irrigate Lot 8 before groundwater is used there. As long as there is enough surface water available to irrigate Lot 8, Mr. Montgomery cannot use his private well to irrigate the property. Failure to meet this condition can be cause for Transfer #4545 to be rescinded. The 54.7 acres that were irrigated in 1993 includes includes 6 acres of the 9.7 acres in Lot 8.

Lot 13B was last irrigated in 1995, so the surface rights on it are

A37-02557



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

valid through the end of 2000. The groundwater rights were transferred from this parcel to Lot 13 as a replacement for the groundwater previously transferred from Lot 13 to Lot 4 of Block 4. Although the ASCS slides did not clearly show irrigation of Lot 13B during the 1990's, both Mr. Hobson and Mr. Mann have stated that about 3 acres of this parcel were irrigated during that period. I have accepted their statements in reaching my conclusions.

I have not analyzed your actual surface rights to see which ones are valid. Under the Snake River Basin Adjudication procedures, a maximum of 0.02 cfs of water per acre can be recommended unless the need for a higher flow rate can be justified. It is my understanding that subdivision lands are sprinkled instead of gravity irrigated, and the 0.02 cfs rate is normally recommended for sprinklers. As your rights total up to much more than this, your rights will probably be recommended for only this amount starting with your earliest priority dates. Since the only transfers within the subdivision so far have been for groundwater, the question of limiting your surface rights has not come up yet. In reality, your present water system can only carry a certain flow rate; your rights may ultimately be limited to the carrying capacity if it is less than 0.02 cfs/acre.

As of 1993, valid groundwater rights covered 128.6 acres. This is the same land as specified above for surface rights, except that Lot 14 Block 4 is not irrigated from groundwater. Separate re-diversions from the District Canal serve this parcel.

It is my further conclusion that any portions of the subdivision not previously mentioned no longer have valid water rights appurtenant to them, unless rights were established through approved transfers. Several transfers have been approved for the purpose of allowing private wells on several of the lots under portions of License 37-02557. Those transfers for lots on the west side of the subdivision require that surface rights be used first if they are available. However, your system has not carried surface water to these lands since before 1991. So there is a question as to whether this condition of approval is being met. It may not matter, however, until such time as the groundwater in your area comes under watermaster control (if it ever does).

Feel free to contact me with questions or if you have additional information that could cause me to reach other conclusions in this matter.



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Regards,

James E. Stanton
Sr. Water Resource Agent

cc: Phil Hobson
Allen Merritt, IDWR
Jim Johnson, IDWR
Doug Jones, IDWR/SRBA ~
License File, 37-02557

TO: File

DATE: January 17, 1997

FROM: Jim Stanton

SUBJECT: My Letter Dated 1-10-97 to Robert Askew RE:
Bellevue Farms Subdivision

I talked today with Phil Hobson, a property owner in the subdivision. He told me that Lot 12 Block 4 contains 10.2 acres, and that all but the access road (about 0.2 acres) is irrigated. I had shown 9.4 irrigated acres on this parcel, but have increased this to 10.0 acres based on this additional information. I probably missed a small corner of the lot where the subdivision road curves around the polo field. This would increase the overall present p/u to 132.0 acres

Also, my letter stated that water was moved from Lot 13B to Lot 13 to replace water that was moved from Lot 13 to Lot 4. This should have said Lot 12, not Lot 13.