

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 37-21688
Date Received: 8/25/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

DOUG BAKER Phone: (208)788-5953
PO BOX 3158
HAILEY ID 83333

DEBBIE J BAKER Phone: (208)788-5953
PO BOX 3158
HAILEY ID 83333

2. Date of Priority: 09/18/1885

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

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

5. Description of diverting works:

VIA DISTRICT CANAL TO DITCHES TO LANDS IRRIGATED.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.05	

7. Total Quantity Appropriated is:
0.05 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	2.2		
			SW	SW		IRRIGATION	1.6		
							Section Acres	3.8	
01N	19E	18	NE	NW	1	IRRIGATION	0.7		
			NW	NW		IRRIGATION	0.5		
							Section Acres	1.2	
							Total Acres	5	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 37-20874.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-20773.

This right is a split from former right 37-21545.

Property is also known as Lot 6, Blk 3, Bellevue Farms Subdivision.

15. Basis of Claim: Decreed

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

RECEIVED
NOV 14 2005

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-2557W	No. 37-20867	✓	0.1 cfs		
37-11924A	No. 37-20870	✓	0.101 cfs		
37-11925A	No. 37-20872	✓	0.006 cfs		
37-11926A	No. 37-20874	✓	0.06 cfs		
37-11927A	No. 37-20876	✓	0.006 cfs		
37-11928A	No. 37-20878	✓	0.152 cfs		

2. The following REQUIRED information must be submitted with this form:
- A. The appropriate FILING FEE. See instructions for fee amounts.
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Bellevue Farms Home Owners Association
4. New Owner/Claimant(s) Doug and Debbie Baker
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 3158
- City, State and ZIP Code Hailey ID 83333
- New Telephone Number 800 799 5953
5. Date you acquired the property April 14, 2003

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

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

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

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

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

Attorneys & Counselors at Law

Fritz X. Haemmerle
Jennifer L. K. Haemmerle

P. O. Box 1800
Hailey, ID 83333

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

August 10, 2004

Bellevue Farms Homeowner
Douglas J. Baker & Debbie J. Foster
P.O. Box 3158
Hailey, ID 83333

Re: Recorded Water Quitclaim Deed

Dear Bellevue Farms Homeowner:

Please find enclosed a recorded Quitclaim Deed from the Bellevue Farms Landowners Association to you. As previously indicated, you will need this deed to file a claim for any water rights you determine are appurtenant (located on) to your property. Once again, if there are any substantive corrections that need to be made to the Deed, please advise and I will have a correction deed recorded.

Thank you for your assistance in these matters.

Sincerely,

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

Fritz X. Haemmerle

FXH: fxh

WARRANTY DEED

For Value Received **Douglas J. Baker and Debbie J. Baker, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Douglas J. Baker a married man as his sole and separate property

whose address is: **P.O. Box 3158, Hailey, ID 83333**

Hereinafter called the Grantee, the following described premises situated in **Blaine** County, Idaho, to-wit:

Lot 6 in Block 3 of BELLEVUE FARMS SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 206106, records of Blaine County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor ~~does~~ hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: April ¹⁴ 11, 2003

DJ Baker *Debbie J. Baker*
Douglas J. Baker

Debbie J. Baker
Debbie J. Baker

STATE OF IDAHO)

)ss.

COUNTY OF Blaine)

Instrument # 482285

HAILEY, BLAINE, IDAHO

2003-04-18 11:43:00 No. of Pages: 1

Recorded for : FIRST AMERICAN TITLE

MARSHA RIEMANN Fee: 3.00

Ex-Officio Recorder Deputy

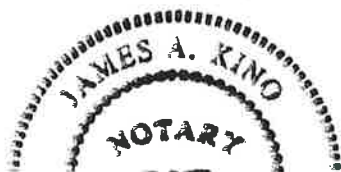
Index to: WTY/QC/CORP DEED

On this 14 day of April, in the year of 2003, before me, the undersigned, personally appeared Douglas J. Baker and Debbie J. Baker, known or identified to me (or proved to me), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

James A. Kino
Notary Public of Idaho

Residing at: *Hailey, ID*

Commission Expires: *11-20-06*





**CLAIMS MADE BY BELLEVUE FARMS HOMEOWNERS
ASSOCIATION**

CLAIMED FOR EASTFIELD AT BELLEVUE FARMS

1. **No. 37-2557Y:** quantity = 0.95 cfs; priority date = 9/25/1954; purpose = irrigation of 46.9 acres
2. **No. 37-11924B:** quantity = 0.767 cfs; priority date = 3/24/1883; purpose = irrigation of 46.9 acres
3. **No. 37-11925B:** quantity = 0.046 cfs; priority date = 7/10/1884; purpose = irrigation of 46.9 acres
4. **No. 37-11926B:** quantity = 0.455 cfs; priority date = 9/18/1885; purpose = irrigation of 46.9 acres
5. **No. 37-11927B:** quantity = 0.046 cfs; priority date = 6/12/1886; purpose = irrigation of 46.9 acres
6. **No. 37-11928B:** quantity = 1.153 cfs; priority date = 6/15/1891; purpose = irrigation of 46.9 acres

CLAIMED FOR BELLEVUE FARMS

1. **No. 37-20867:** quantity = 2.63 cfs; priority = 9/25/1954; purpose = irrigation of 128.2 acres
2. **No. 37-20870:** quantity = 3.593 cfs; priority = 3/24/1883; purpose = irrigation of 227.1 acres
3. **No. 37-20872:** quantity = 0.231 cfs; priority = 7/10/1884; purpose = irrigation of 227.1 acres
4. **No. 37-20874:** quantity = 2.137 cfs; priority = 9/18/1885; purpose = irrigation of 227.1 acres
5. **No. 37-20876:** quantity = 0.213 cfs; priority = 6/12/1886; purpose = irrigation of 227.1 acres
6. **No. 37-20878:** quantity = 5.412 cfs; priority = 6/15/1891; purpose = irrigation of 227.1 acres

Note: The Bellevue Farms Homeowner's Association ("BFHOA") does not warrant that the list is all inclusive of water rights that may be appurtenant to individual lots in the Bellevue Farms Subdivision or that the list is all inclusive of rights claimed by the Association. Each lot owners is encouraged to perform their own investigation. Information regarding claims made by the Association or predecessors in interest, if any, may be accessed by going to the website for the Idaho Department of Water Resources ("IDWR") (www.idwr.state.id.us/):

- Click "Adjudication and Water Rights Search (text based);
- Mark box "All SRBA and Water Rights";
- Click "who";
- Enter name of: (1) prior owners or (2) association to discover what water rights may have been claimed for your lot; and
- Click "search"

PLAT SHOWING
BELLEVUE FARMS SUBDIVISION

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

BLAINE COUNTY, IDAHO

JULY, 1980

200 100 0 200 400 600

SCALE IN FEET

Turnaround

10' P.U.E. (Typ)

311.20'

311.20'

(PRIVATE)

442.60'

7
5.01 A.

493.00'

2
5.01 A.

493.00'

442.60'

360.00'

360.00'

360.00'

100.0'

N

BLOC

N 44° 40' 00" E
62.13'

N 69° 17' 20" E
612.23'

1318.63'

N 0° 27' 59" W

Section Corner
By J.U.B. '72

1311.15'

(PRIVATE)

S 89° 40' 00" W

EQUUS LOOP

355.31'

4
5.00 A.

493.00'

445.31'

5
5.04 A.

493.00'

EQUUS LOOP

445.31'

442.60'

6
5.01 A.

Doug & Debbie Baker

BLOCK

3

3
5.01 A.

2
5.00 A.

1
5.00 A.

606.00'

N 89° 40' 00" E

635.98'

575.91'

DEDICATED PUBLIC ROAD

1
5.01 A.

575.03'

N 89° 40' 00" E

2
5.10 A.

359.30'

359.40'

379.00'

439.00'

350.00'

622.23'

7
5.00 A.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 31, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DOUG BAKER
DEBBIE BAKER
PO BOX 3158
HAILEY ID 83333

RE: Bellevue Farms Subdivision water rights

Dear Claimants:

Pursuant to the notification that you own a lot in Bellevue Farms Subdivision, the department has split the Subdivision's claims. Computer-generated copies of your portion of these claims are enclosed. Please review these documents and should you have any questions or corrections, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

11/29/2006

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

RIGHT NUMBER: 37-21688
NAME AND ADDRESS: DOUG BAKER
PO BOX 3158
HAILEY ID 83333

DEBBIE J BAKER
PO BOX 3158
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.050 CFS
PRIORITY DATE: 09/18/1885
POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.050 CFS

PLACE OF USE:

<u>IRRIGATION in BLAINE County</u>					
T01N R19E S07 Lot 4 SWSW	1.60	T01N R19E S07	SESW	2.20	
T01N R19E S18	NENW 0.70	T01N R19E S18 Lot 1 NWNW	0.50		

5 ACRES TOTAL

Right Nos. 37-21664, 37-21670, 37-21679, 37-21688, 37-21697 and 37-21706 are limited to the irrigation of a combined total of 5.0 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property is also known as Lot 6, Blk 3, Bellevue Farms Subdivision.

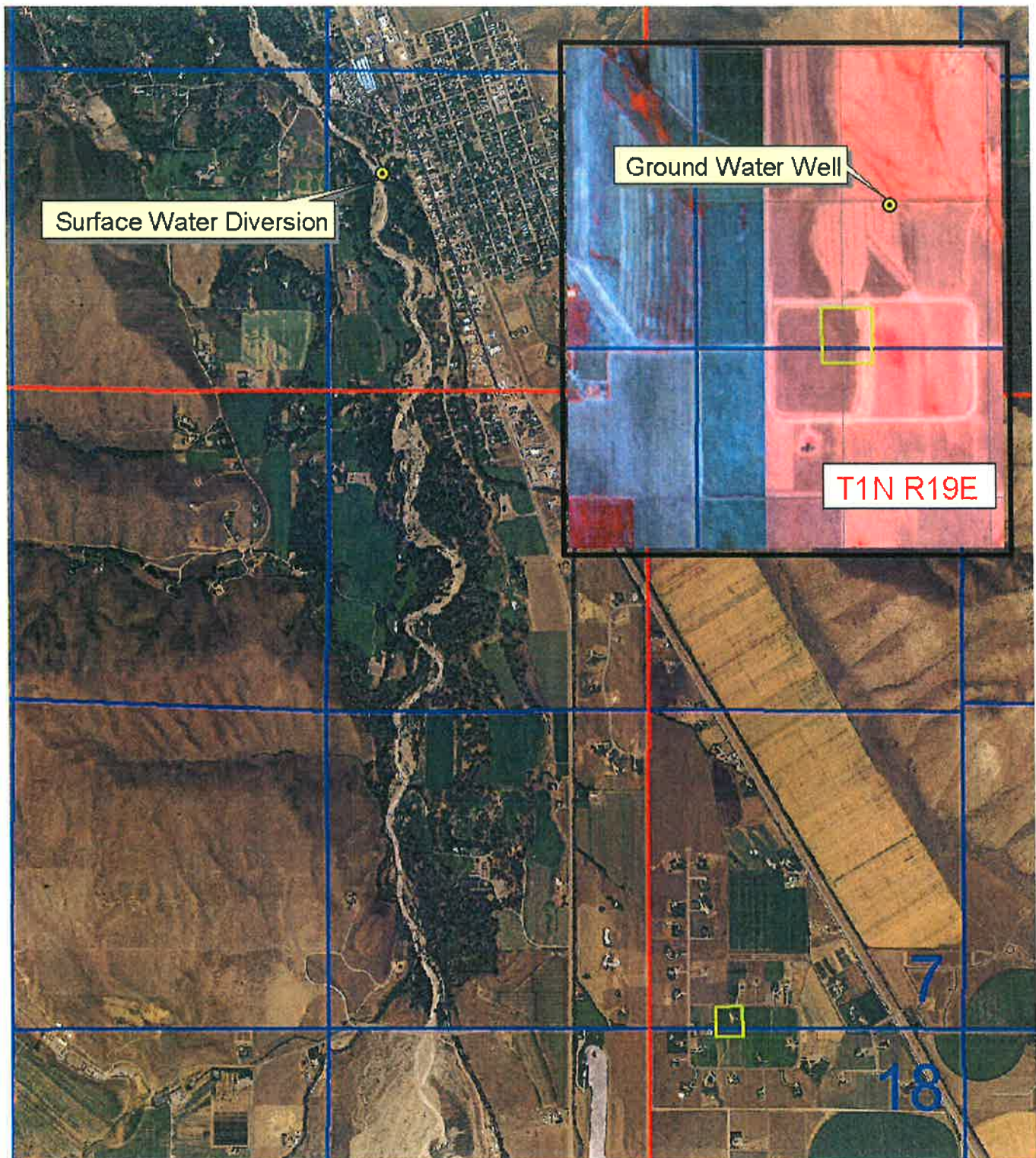
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-298.

Point of diversion described above is the headgate for District 45 canal.

IDAHO DEPARTMENT OF WATER RESOURCES

Surface Water Rights: 37-21670, 37-21679, 37-21688,
37-21697, 37-21706

Ground Water Right: 37-21664



- Section Lines
- Quarter/Quarter Lines
- Place of Use
- Point(s) of Diversion

1320 0 1320 Feet



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 1987 NAPP
DATA ENTRY: 11/28/2008
TARA D BAKER