

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 37-21683  
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)

JUDY CASH Phone: (208)788-6523  
PO BOX 880  
BELLEVUE ID 83313

2. Date of Priority: 07/10/1884

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 | 0.005  |            |

7. Total Quantity Appropriated is:

0.005 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   | 18      | NW         | NW  | 1   | IRRIGATION    |
|          |       |         |            |     |     | 5             |
|          |       |         |            |     |     | Section Acres |
|          |       |         |            |     |     | 5             |
|          |       |         |            |     |     | 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 37-20872.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-20766.

This right is a split from former right 37-21534.

Property is also known as Lot 4, Blk 2, Bellevue Farms Subdivision.

15. Basis of Claim: Decreed

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

RECEIVED

OCT 12 2005

Department of Water Resources  
Southern Region

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, 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<br>Right No(s) | Adjudication<br>Claim No(s) | Split | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------|----------------------|-----------------------------|-------|
|                      | 37-21567                    | ✓     |                      | 37-21567                    | ✓     |
|                      | 37-21523                    | ✓     |                      |                             |       |
|                      | 37-21534                    | ✓     |                      |                             |       |
|                      | 37-21545                    | ✓     |                      |                             |       |
|                      | 37-21556                    | ✓     |                      |                             |       |

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) are 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 Landowners Assn

4. New Owner/Claimant(s)

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

114 Equus Loop P.O. #80  
BelleVue Id. 83313  
(208) 788-6523  
788-2777 fax  
788-5924 or

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

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 \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

ORIGINAL IN RED

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

Fritz X. Haemmerle  
HAEMMERLE & HAEMMERLE, P.L.L.C.  
P.O. Box 1800  
Hailey, ID 83333

Instrument # 514542

HAILEY, BLAINE, IDAHO

2004-12-28

01:17:00 No. of Pages: 1

Recorded for : HAEMMERLE & HAEMMERLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

(space above line for Recorder's use)

QUITCLAIM DEED

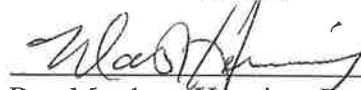
INSTRUMENT No. \_\_\_\_\_

FOR VALUE RECEIVED, Bellevue Farms Landowners Association, Inc. (Grantor), does hereby convey, release, remise and forever quit claim unto Judy Cash, a single woman as her sole and separate property (Grantee), all right, title and interest in and to any water rights appurtenant to the following real property:

Lot 4, Block 2, Bellevue Farms Subdivision, according to the official plat of record of Blaine County, State of Idaho.

DATED this 16<sup>th</sup> day of November, 2004.

BELLEVUE FARMS LANDOWNERS ASSOICATION, INC.



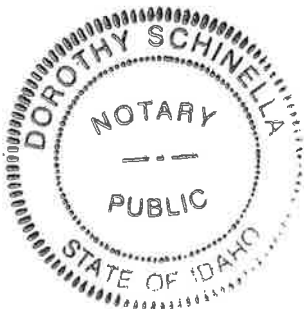
By: Matthew Henning, President

STATE OF IDAHO, )

) ss.

County of Blaine. )

On this 16<sup>th</sup> day of November, 2004, before me, a Notary Public in and for said State, personally appeared Matthew Henning, President, Bellevue Farms Landowners Association, Inc., Grantor, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



NOTARY PUBLIC for Idaho

Residing at Blaine Co

Commission expires 3/26/04

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

January 6, 2005

Bellevue Farms Landowner

*Re: Revised Deed -- Water Rights from  
Bellevue Farms Homeowners' Association*

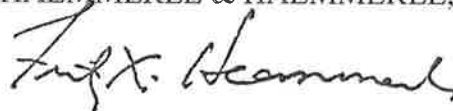
Dear Bellevue Farms Landowner:

Per your request, please find enclosed a revised deed for water rights conveyed by the Bellevue Farms Homeowners' Association. In prior correspondence, I provided information addressing how to file a name change for the water rights that may be appurtenant to your property. I also provided some information on filing an amended claim for the water rights in the Snake River Basin Adjudication. If you have not received these documents, or if you wish that I send another copy, please contact my office.

If you have any questions, please do not hesitate to call. Thank you.

Sincerely,

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



Fritz X. Haemmerle

FXH: fxh  
Encl.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE  
Governor

March 31, 2006

KARL J. DREHER  
Director

JUDY CASH  
PO BOX 880  
BELLEVUE ID 83313

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: 37-21683

NAME AND ADDRESS: JUDY CASH  
PO BOX 880  
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.005 CFS

PRIORITY DATE: 07/10/1884

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          | 0.005 CFS       |

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S18 Lot 1 NWNW 5.00

5 ACRES TOTAL

Right Nos. 37-21666, 37-21674, 37-21683, 37-21692, 37-21701 and 37-21710 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 4, Blk 2, Bellevue Farms Subdivision.

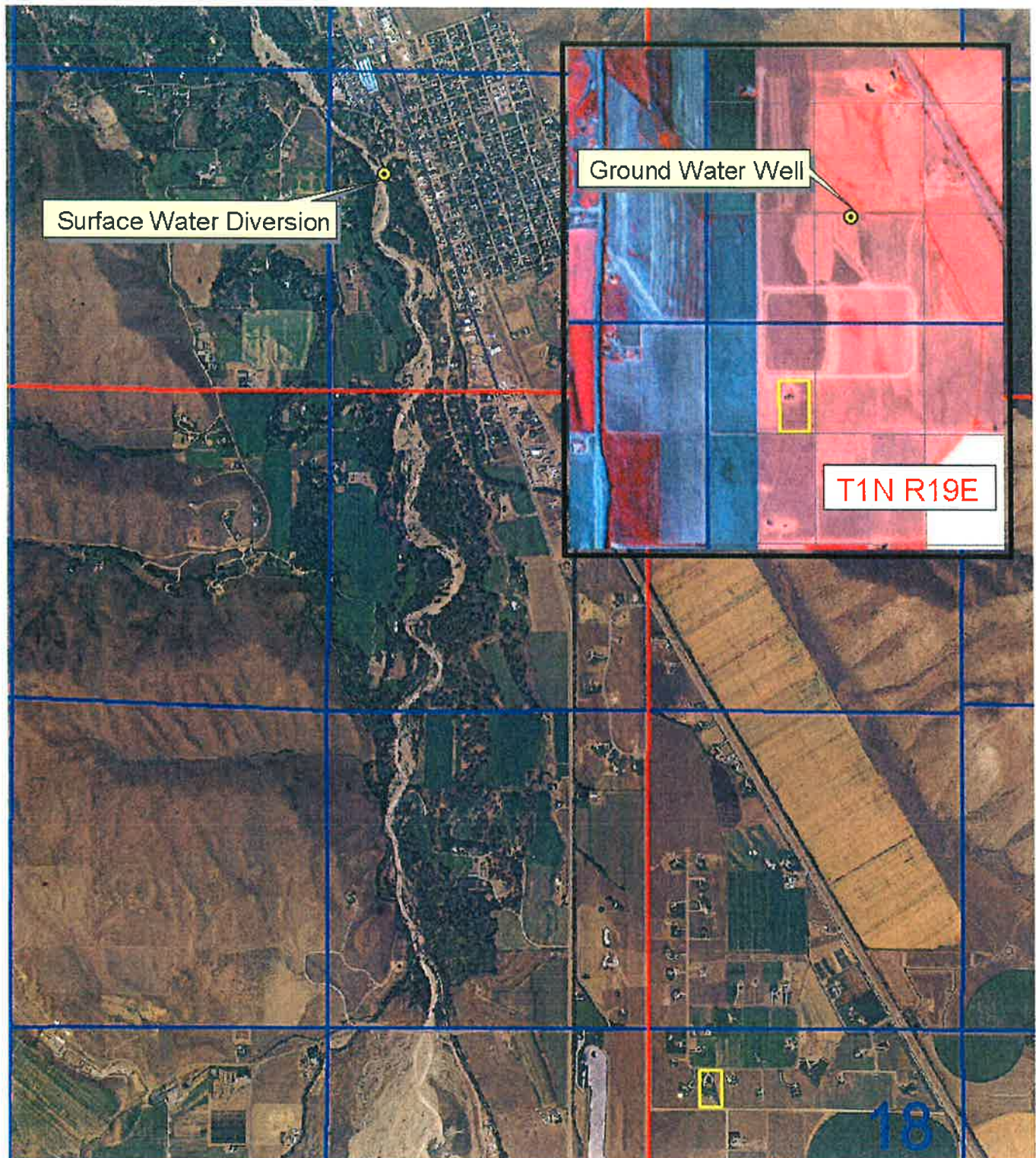
Point of diversion described above is the headgate for District 45 canal.

This right is a split from former right 37-664.

# IDAHO DEPARTMENT OF WATER RESOURCES

Surface Water Rights: 37-21674, 37-21683, 37-21692,  
37-21701, 37-21710

Ground Water Rights: 37-21666



-  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