

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: 74-01016  
DATE RECEIVED: 5-8-90  
RECEIPT NO: X999999  
RECEIVED BY: CA DE/gp

RECEIVED  
MAY 8 1990

Department of Water Resources OFFICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. NAME: GEORGE CARL UDY  
ADDRESS: P.O. BOX 184  
LEADORE, ID 83464

2. DATE OF PRIORITY: APR 01, 1926

3. SOURCE: SPRINGS TRIB. TO: BIG EIGHTMILE CREEK

4. POINT OF DIVERSION:

| TOWNSHIP | RANGE | SECTION | 1/4 OF | 1/4 OF | 1/4 | LOT | COUNTY |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 15N      | 25E   | 5       | NE     | NE     |     | 1   | LEMHI  |

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

| PURPOSE    | FROM  | TO    | C.F.S. | (OR) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.780  |      |        |

7. TOTAL QUANTITY APPROPRIATED IS:  
0.780 C.F.S. (AND/OR) A.F.A.

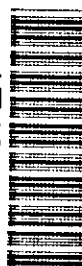
8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

| TOWNSHIP      | RANGE | SECTION | 1/4 OF | 1/4 | LOT | USE | ACRES |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 15N           | 25E   | 4       | NW     | NW  | 4   | IRR | 1.0   |
| SECTION ACRES |       |         |        |     |     |     | 1.0   |
|               |       | 5       | NE     | NE  | 1   | IRR | 1.0   |
| SECTION ACRES |       |         |        |     |     |     | 1.0   |

A7401016



UNPROFILMED

DEC 14 1992

## 10. PLACE OF USE: CONTINUED

| TOWNSHIP      | RANGE | SECTION | 1/4 | OF | 1/4 | LOT | USE | ACRES |
|---------------|-------|---------|-----|----|-----|-----|-----|-------|
| 16N           | 25E   | 33      | NW  |    | SW  |     | IRR | 14.0  |
|               |       |         | SW  |    | SW  |     | IRR | 23.0  |
| SECTION ACRES |       |         |     |    |     |     |     | 37.0  |
| TOTAL ACRES   |       |         |     |    |     |     |     | 39.0  |

## 11. PLACE OF USE IN COUNTIES: LEMHI, LEMHI

## 12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

## 13. OTHER WATER RIGHTS USED:

## 14. REMARKS:

AC. IRR.=39.2.

P/U T15N, R25E, S5, LOT 1 NOW H.E.S. 146.

## 15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE:

DECREE PLAINTIFF

VS

DECREE DEFENDANT

MICROFILMED

DEC 14 1992

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): David V. Udy DATE: 5/8/90  
Wanda L. Udy DATE: 5/8/90

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM \_\_\_\_\_ OF  
\_\_\_\_\_, TITLE  
\_\_\_\_\_, THAT I HAVE SIGNED THE FOREGOING  
ORGANIZATION  
DOCUMENT IN THE SPACE BELOW AS \_\_\_\_\_ OF  
\_\_\_\_\_, TITLE  
\_\_\_\_\_, AND THAT THE STATEMENTS CONTAINED IN THE  
ORGANIZATION  
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

\_\_\_\_\_  
SIGNATURE OF AUTHORIZED AGENT  
\_\_\_\_\_  
TITLE AND ORGANIZATION  
\_\_\_\_\_  
DATE

STATE OF IDAHO )  
COUNTY OF Lemhi ) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 8<sup>th</sup> DAY  
OF May 19 90

Carter Fritschle  
NOTARY PUBLIC

SEAL

Carter Fritschle, Notary Public  
RESIDING AT Residing at Eagle, Idaho  
My commission Expires March 21, 1994  
MY COMMISSION EXPIRES

74-01016

PAGE 3

DATE: 02/08/90 MICROFILMED 1794

DEC 14 1992

AJ0749NP  
No. A74-01016

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 02/23/99  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS   | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | THOMAS C UDY     | 04/01/1936       | IRRIGATION | 03-15 11-15           | 0.78 CFS          |                     |
| C             | SANDRA F UDY     |                  |            |                       |                   |                     |
|               | PO BOX 215       |                  |            |                       |                   |                     |
|               | LEADORE ID 83464 |                  |            | TOTAL DIVERSION:      | 0.78 CFS          |                     |
|               | (208) 768-2603   |                  |            |                       |                   |                     |

Water Source: SPRINGS

Tributary to: BIG EIGHTMILE CREEK

Stage: DECREED

Point(s) of Diversion: T15N R25E S05 Lot01( NENE)

LEMHI County

Place of use Legal Description for: IRRIGATION

|     |     |     |   | NE    |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |      |             |      |
|-----|-----|-----|---|-------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|-------------|------|
| T   | R   | S   | : | NENE  | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | :           | SUM  |
| --- | --- | --- | : | Lt    | Ac   | Lt   | Ac   | :  | Lt   | Ac   | Lt   | Ac   | : | Lt   | Ac   | Lt   | Ac   | : | Lt   | Ac   | Lt   | Ac   | :           | ---  |
| 15N | 25E | 4   | : |       |      |      |      | :  |      |      |      |      | : |      |      |      |      | : |      |      |      |      | :           | 1.0  |
| 15N | 25E | 5   | : | 01-01 |      |      |      | :  |      |      |      |      | : |      |      |      |      | : |      |      |      |      | :           | 1.0  |
| 16N | 25E | 33  | : |       |      |      |      | :  |      |      |      |      | : | 14   |      | 23   |      | : |      |      |      |      | :           | 37.0 |
|     |     |     |   |       |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      | TOTAL ACRES | 39.0 |

POU County: LEMHI

Remarks: GEN AC. IRR.=39.2.  
P/U T15N, R25E, S5, LOT 1 NOW H.E.S. 146.  
\*CHANGED OWNERSHIP PER REQUEST/JH/2-23-99\*

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:  
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREIER  
DIRECTOR

February 23, 1999

THOMAS & SANDRA UDY  
PO BOX 215  
LEADORE ID 83464

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP  
ADJUDICATION CLAIMS A74-00338A, A74-01007, A74-01015,  
A74-01016, A74-01628A AND WATER RIGHT 74-07283

Dear Mr. & Mrs. Udy:

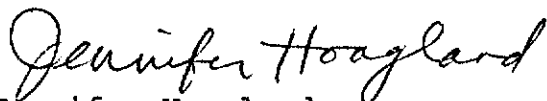
The request for Change of Water Right Ownership concerning the above-referenced Adjudication Claims has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep these reports for your records.

Regarding water right 74-07283, our office cannot process the requested change but our state office in Boise can. Accordingly, I have forwarded your request to them. If you would like to follow up on this water right, contact the Allocations Bureau at (208) 327-7900.

Respectfully yours,

  
Jennifer Hoagland  
Technical Records Specialist

Enclosure

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

DELOG SOH 2-10-97  
 OK RECEIVED

FEB 10 1997

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
 Incomplete forms will be returned.

Department of Water Resources  
 Eastern Region

1. Water Right or Adjudication Claim No(s): 74-072B3, 74-00338A, 74-01015, 74-01007, 74-01016

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant David V. and Wanda L. UDY

4. New Owner/Claimant(s) PO Box 184 LEADORE ID 83464  
Eliza Beta B. UDY ESTATE for  
THOMAS C. for Sandra F. UDY

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

New Mailing Address PO Box 215

City, State and ZIP Code LEADORE ID 83464

New Telephone Number (208) 768-2603

5. Date you acquired the property 3-29-96

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate \_\_\_\_\_ Number and type of stock \_\_\_\_\_

Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Thomas C. Udy  
Sandra F. Udy

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

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

## WARRANTY DEED

GRANTOR, Wanda L. Udy of Boise, County of Ada, State of Idaho, for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain and sell and convey unto Thomas C. Udy and Sandra Udy, as husband and wife, whose current address is Leadore, County of Lemhi, State of Idaho as GRANTEE, and to Grantee's heirs and assigns forever, all of Wanda L. Udy's interest individually, or as the widow of David V. Udy, deceased, to the following described real property in Lemhi County, State of Idaho:

## PARCEL II:

The NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 32, Township 16 North, Range 25 East, Boise Meridian, Lemhi County, Idaho.

## PARCEL III:

The E $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 32, Township 16 North, Range 25 East, Boise Meridian, Lemhi County, Idaho.

## PARCEL IV:

The NE $\frac{1}{4}$ SE $\frac{1}{4}$ , the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , and the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 32, Township 16 North, Range 25 East, Boise Meridian, Lemhi County, Idaho.

Lot 9 and the S $\frac{1}{4}$ SE $\frac{1}{4}$ , and the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 5, Township 15 North, Range 25 East, Boise Meridian, Lemhi County, Idaho.

The W $\frac{1}{4}$ SW $\frac{1}{4}$ , the S $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 33, Township 16 North, Range 25 East, Boise Meridian, Lemhi County, Idaho.

Also H.E. Survey No. 146, embracing a portion of Section 5, Township 15 North, Range 25 East of Boise Meridian, Lemhi County, Idaho, as follows, to-wit:

Beginning at Corner No. 1, identical with the North Corner to Sections 4 and 5, in the said Township 15 North; thence South 0 degrees 48' West 13.82 chains to Corner No. 2; thence South 33 degrees 6' West 38.55 chains to Corner No. 3; thence North 56 degrees 8' West 18.03 chains to Corner No. 4; thence North 33 degrees 06' East 26.9 chains to Corner No. 5; thence North 4 degrees 54' West 13.73 chains to Corner No. 6; thence North 89 degrees 57' East 22.6 chains to Corner No. 1; the PLACE OF BEGINNING.

EXCEPTING THEREFROM:

A parcel of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 33, Township 16 North, Range 25 East, Boise Meridian, Lemhi County, Idaho described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 33, in Township 16 North, Range 25 East, B.M.; thence West 208' to the TRUE POINT OF BEGINNING; thence West 208'; thence South 208'; thence East 208'; thence North 208'; to the POINT OF BEGINNING.

SUBJECT TO: All easements and liens of record; all rights of the United States reserved pursuant to patents in the chain of title; all declarations of homestead if not otherwise extinguished.

Grantor, for herself, her heirs and assigns does hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantees, their heirs and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument this 10 day of February, 1996.

Wanda L. Udy  
Wanda L. Udy

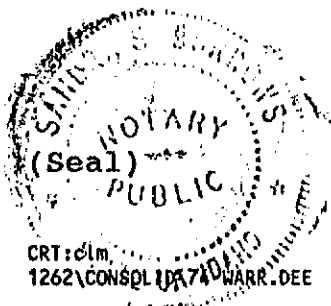
229505

State of Idaho )  
County of Lemhi ) SS No. \_\_\_\_\_  
This instrument was filed for record at the request  
of Alancee  
at 5:30 o'clock Pm March 29 1996  
and duly filmed and indexed in the records of Lemhi  
County  
Alberta Wiederrick  
Ex-Officio Recorder  
By Cara L. Udy Deputy  
Fee 9.00  
Return to Alancee

STATE OF IDAHO )  
County of Ada ) ss.

On this 10<sup>th</sup> day of February, 1996, before me the undersigned, a Notary Public in and for the State of Idaho, personally appeared Wanda L. Udy, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Sandra V. Burns  
Notary Public for Idaho

Residing at: Fruitland, ID

My Commission Expires: 6-6-96

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by Robert L. Crowley, Jr., as personal representative of the Estate of David Vernon Udy, deceased, Grantor, to Thomas C. Udy and Sandra Udy, husband and wife, Grantee, whose address is P.O. Box 184, Leadore, Idaho 83464.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number PS-92-90, in Lemhi County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee an undivided 1/2 interest in and to the following described real property in Lemhi County, Idaho:

The E1/2SW1/4SE1/4 of Section 32, Township 16 North, Range 25 East, Boise Meridian, Lemhi County, Idaho.

AND

The NE1/4SE1/4, the SE1/4SE1/4, and the SE1/4NE1/4 of Section 32, Township 16 North, Range 25 East, Boise Meridian, Lemhi County, Idaho.

AND

The W1/2SW1/4, the S1/2NW1/4 of Section 33, Township 16 North, Range 25 East, Boise Meridian, Lemhi County, Idaho.

AND

Lot 9 and the S1/2SE1/4, and the SE1/4SW1/4 of Section 5, Township 15 North, Range 25 East, Boise Meridian, Lemhi County, Idaho.

AND

Also H.E. Survey No. 146, embracing a portion of Section 5, Township 15 North, Range 25 East of Boise Meridian, Lemhi County, Idaho, as follows, to-wit:

Beginning at Corner No. 1, identical with the North Corner to Sections 4 and 5, in the said Township 15 North; thence South 0 Degrees 48' West 13.82 Chains to Corner No. 2; thence

South 33 Degrees 6' West 38.55 Chains to Corner No. 3; thence North 56 Degrees 8' West 18.03 Chains to Corner No. 4; thence North 33 Degrees 06' East 26.9 Chains to Corner No. 5; thence North 4 Degrees 54' West 13.73 Chains to Corner No. 6; thence North 89 Degrees 57' East 22.6 Chains to Corner No. 1; the place of beginning.

EXCEPTING THEREFROM:

A parcel of land located in the SW1/4NW1/4 of said Section 33 described as follows:

Beginning at the Northeast corner of the SW1/4 of the NW1/4 of said Section 33, in Township 16 North, Range 25 East, B.M.; thence West 208' to the true point of beginning; thence West 208'; thence South 208'; thence East 208'; thence North 208'; to the point of beginning.

SUBJECT TO:

Accruing general taxes and assessments.

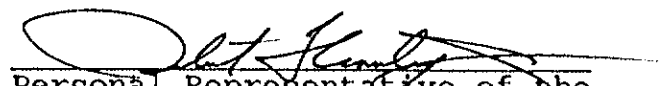
Easements and Rights of Way for highways, roads, ditches, canals, pole, power and transmission lines as they exist.

Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims, or title to water.

All patent reservations and all protective covenants, zoning ordinances, building codes, laws and regulations which affect the described premises.

with all appurtenances.

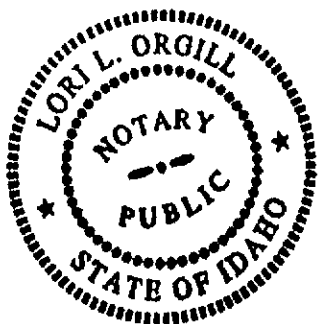
EXECUTED this 14<sup>th</sup> day of February, 1996.

  
Personal Representative of the  
Estate of David Vernon Udy,  
deceased.

STATE OF IDAHO )  
 : SS.  
County of Jefferson )

On this 14<sup>th</sup> day of February, 1996, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared ROBERT L. CROWLEY, JR., known to me to be the person whose name is subscribed to the within instrument, as personal representative of the Estate of David Vernon Udy, deceased, and acknowledged to me that he executed the same as such personal representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written.



Lori L. Orgill  
Notary Public for Idaho  
Residing at: Idaho Falls, ID  
My Commission Expires: 04-17-2001

State of Idaho )  
County of Latah ) SS No. 229506  
This instrument was filed for record at the request  
of Alance  
at 3:31 o'clock P m March 29 19 96  
and duly filed and indexed in the records of Latah  
County

Alberta W. Warrick  
Ex-Officio Recorder  
By Jana L. Adams Deputy  
Fee 9.00  
Return to Alance

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by Robert L. Crowley, Jr., as personal representative of the Estate of David Vernon Udy, deceased, Grantor, to Thomas C. Udy and Sandra Udy, husband and wife, Grantee, whose address is P.O. Box 184, Leadore, Idaho 83464.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number PS-92-90, in Lemhi County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee the following described real property in Lemhi County, Idaho:

The NW1/4SE1/4 of Section 32, Township 16 North, Range 25 East, Boise Meridian, Lemhi County, Idaho.

SUBJECT TO:

Accruing general taxes and assessments.

Easements and Rights of Way for highways, roads, ditches, canals, pole, power and transmission lines as they exist.

Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims, or title to water.

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with all appurtenances.

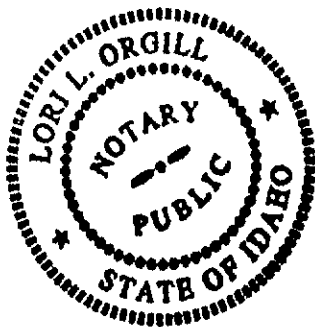
EXECUTED this 14<sup>th</sup> day of February, 1996.

  
Personal Representative of the  
Estate of David Vernon Udy,  
deceased.

STATE OF IDAHO )  
 : ss.  
County of Jefferson )

On this 14th day of February, 1996, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared ROBERT L. CROWLEY, JR., known to me to be the person whose name is subscribed to the within instrument, as personal representative of the Estate of David Vernon Udy, deceased, and acknowledged to me that he executed the same as such personal representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written.



Lori L. Orgill  
Notary Public for Idaho  
Residing at: Idaho Falls, ID  
My Commission Expires: 04-17-2001

State of Idaho )  
County of Lemhi )  
SS No. 229507  
This instrument was filed for record at the request  
of Alance Title  
at 3:32 o'clock P.m. March 29 1996  
and duly filmed and indexed in the records of Lemhi  
County

Alberta W. Wierick  
Ex-Officio Recorder  
By Jana L. Adams Deputy  
Fee 16.00  
Return to Alance Title

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: 3956  
Ident. No.

RECEIVED  
MAY 8 1990

ATTACHMENT TO  
NOTICE OF CLAIM TO A WATER RIGHT Department of Water Resources  
ACQUIRED UNDER STATE LAW

Please type or print clearly:

Name of claimant(s) Elizabeth B. Udy or  
David V. Udy or  
Wanda L. Udy

Mailing Address  
(including zip code) Box 184  
Leadore, Idaho 83464

Phone Number (208) 768-2483 DE/90

MICROFILMED  
DEC 14 1992