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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: A65-07540  
Date Received: 4/04/1989  
Receipt No: X999999  
Received By:                     

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: USTO E. SCHULZ 208-462-3696  
Address: HC 76 BOX 4048  
GARDEN VALLEY, ID 83622

2. Date of Priority: APR 07, 1975

3. Source: WARM SPRINGS Trib. to: WARM SPRINGS CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10N      | 04E   | 33      | SW     | NW     | SW     |     | BOISE  |
|          |       |         | SW     | NW     | SW     |     | BOISE  |

5. Description of diverting works:  
PUMP, PIPELINE

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S | (or) | A.F.A. |
|----------|-------|-------|-------|------|--------|
| HEATING  | 01/01 | 12/31 | 0.080 |      |        |
| DOMESTIC | 01/01 | 12/31 | 0.040 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
3 D/HOUSEHOLDS

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use    | Acres |
|----------|-------|---------|--------|--------|-----|--------|-------|
| 10N      | 04E   | 33      | NW     | SW     |     | DOMEST |       |

A65-07540

Page 1

Date: 04/04/89

MICROFILMED  
SEP 23 1992

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:  
A65-07562

14. Remarks:  
THESE HOUSEHOLDS HAVE BEEN ON THIS SYSTEM SINCE INITIAL START

15. Basis of Claim: DECREED  
Case Number:  
Court :  
Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

~~MICROFILMED~~

~~SEP 23 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):

*Walter D. Clark*

Date:

4/4/89

Date:

State of Idaho

)

County of

ADA

)

SS.

Subscribed and sworn (or affirmed) before me this 4<sup>th</sup> day

of April 19 89

*Melvin Gene Gibson*  
Notary Public

Seal

Residing at Boise, ID

My Commission Expires 9-2/94

Melvin Gene Gibson, Notary Public  
Residing at Boise, Idaho  
My Commission Expires September 2, 1994

05/16/2001

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

---

RIGHT NUMBER: 65-22440

NAME AND ADDRESS: ERNEST UPDIKE  
6 SNOW SPRINGS LN  
GARDEN VALLEY, ID 83622

SOURCE: WARM SPRINGS      TRIBUTARY: WARM SPRINGS CREEK

QUANTITY: 0.08 CFS

PRIORITY DATE: 04/07/1975

POINT OF DIVERSION: T10N R04E S33      SWNWSW      Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| HEATING               | 01-01 12-31          | 0.05 CFS        |
| DOMESTIC 1 HOMES      | 01-01 12-31          | 0.03 CFS        |

PLACE OF USE:

HEATING Use same as DOMESTIC  
DOMESTIC Within BOISE County  
T10N R04E S33      NWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is the result of a split due to change in ownership for a portion of 65-07540. DB 5/16/2001

In Re SRBA  
Case No. 39576

**IDWR has completed the following administrative proceeding:**

- ☐ Address change
- ☒ Substitution of Party
- ☐ IC § 42-222 transfer
- |                                               |                                              |
|-----------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Point of diversion   | <input type="checkbox"/> Place of use        |
| <input type="checkbox"/> Period of use        | <input type="checkbox"/> Nature of use       |
| <input type="checkbox"/> Split of water right | <input type="checkbox"/> Change in ownership |
| <input type="checkbox"/> Other                |                                              |
- ☐ IC § 42-219 license

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

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

**DATED: May 17, 2001**

Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on May 17, 2001, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

### 1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

### 2. Copies to:

Clive Strong  
Office of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

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

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

### 3. Copies to all parties to the subcase:

Usto E Schulz (*Seller*)  
250 W 50<sup>th</sup> St, Apt 39B  
New York NY 10019

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

Note -  
Schulz NY address  
obtained + used per

Ernest Updike (*Purchaser*)  
6 Snow Springs Ln  
Garden Valley ID 83622

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

Sherl Chapman's  
recent correspondence.

Lon Jarvis (*Purchaser*)  
4 Snow Springs Dr  
Garden Valley ID 83622

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

ERO Resources Corp (*Representative*)  
c/o Sherl Chapman  
1106 N Cole Rd, Suite C  
Boise ID 83704-8661

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

  
Signature of person mailing this document

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

**RECEIVED****APR 05 2001**WATER RESOURCES  
WESTERN 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 (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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 65-07540              | A65-07540                    | Yes   | _____                 | _____                        | _____ |
| 65-07562              | A65-07562                    | No    | _____                 | _____                        | _____ |
| 65-07770C             | A65-07770C                   | Yes   | _____                 | _____                        | _____ |
| _____                 | _____                        | _____ | _____                 | _____                        | _____ |

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) Usto E. Schulz  
250 W. 50<sup>th</sup> St., Apt. 39B, New York, NY 10019
4. New Owner/Claimant(s) Ernest Updike  
 Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
- New Mailing Address #6 Snow Springs Lane
- City, State and ZIP Code Garden Valley, ID 83622
- New Telephone Number (208) 462-6064
5. Date you acquired the property \_\_\_\_\_

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 <u>65-07540 &amp; A65-07540</u>                                            |                                                                            |                                                               |
| 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                                                                                                                | <u>.03</u>                                                                 | <u>Single Family Residence</u>                                |
| Other <u>Heating</u>                                                                                                    | <u>.05</u>                                                                 | <u>Space Heating for Home</u>                                 |
| <b>Total</b>                                                                                                            | <u>.08</u>                                                                 |                                                               |

| 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 <u>65-07770C &amp; A65-07770C</u>                                          |                                                                            |                                                               |
| 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                                                                                                                | <u>.09</u>                                                                 | <u>2 Homes and Office</u>                                     |
| Other <u>Heating</u>                                                                                                    | <u>.08</u>                                                                 | <u>Residential Space Heating</u>                              |
| <b>Total</b>                                                                                                            | <u>.17</u>                                                                 |                                                               |

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 \_\_\_\_\_

Trend values

Homeowner's Exempt

Trend 10-

ASSESSMENT NOTICE

cat 15 - rural  
cat 37 - improve

2000

Tax Code

7-00

LOTS/ACRES

2.170 AC

MARKET VALUE

38,384  
194,318

CATEGORY DESCRIPTION  
15 RUR SUB RES  
37 BLDG RES SUB

Taxes are based on the  
valuation listed on this statement

FOR ANY QUESTIONS  
PLEASE NOTIFY THE  
ASSESSOR'S OFFICE BEFORE

Total:

2.170

232,702

PARCEL #  
RP 08201000003H A

TION R4E WARM SPRINGS SUB 1  
A PORTION OF LOT 3 OR TAX 344  
SEC 33 SW1/4

PROPERTY ADDRESS

6

SNOW SPRINGS DR

VALUE:

136,137

232,702

TAX:

1,400.66

2,311.60

Mail To:

UPDIKE ERNEST A  
UPDIKE DEBORAH J  
6 SNOW SPRING DR  
GARDEN VALLEY ID 83622

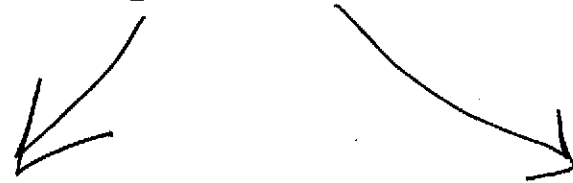
See back for details.

DO NOT PAY ESTIMATE

|||||

65-7340

.12 cfs



65-22440

Uptake

heating .05 cfs  
domestic .03 cfs  
.08 cfs

1 home

65-22441

Jarvis

heating .03 cfs  
domestic .01 cfs  
.04 cfs

1 home

NCAP. Not decreed as of 5-16-01

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

RIGHT NUMBER: 65-12069

NAME AND ADDRESS: VERA YOUNG *new owner Ann Ridenour*  
2019 3RD AVE N *wife of George*  
PAYETTE ID 83661

✓ SUZAN K DAVIS  
2005 3RD AVE N  
PAYETTE ID 83661

✓ GEORGE E HARWOOD } *Husband deceased*  
2019 1/2 3RD AVE N } *9/25/90*  
PAYETTE ID 83661

✓ PHILIP R DAVIS  
2005 3RD AVE N  
PAYETTE ID 83661

LEONARD YOUNG *new owner George Ridenour*  
2019 3RD AVE N  
PAYETTE ID 83661

CLEONE HARWOOD  
2019 1/2 3RD AVE N  
PAYETTE ID 83661

JUANITA BURSTEDS *Property sold to Charles Reberman*  
2019 3RD AVE N *and wife*  
PAYETTE ID 83661

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APR 04 2001

WATER RESOURCES  
WESTERN REGION

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS  
4.50 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 12/28/1977

POINT OF DIVERSION:

T09N R05W S34 NENE Within PAYETTE County

PURPOSE AND  
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

DOMESTIC

1/01 12/31

0.030 CFS

4.50 AFY

PLACE OF USE:

DOMESTIC Within PAYETTE County

T09N R05W S34

NENE

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

|           |            |                                |                |
|-----------|------------|--------------------------------|----------------|
| 65-07519  | 10-09-1998 | WOODALL, JON                   | PD ISSUED      |
| 65-07523  |            | MAKI, JACOB A                  | AT ISSUE       |
| 65-07524  | 10-31-2000 | PINE LAKES RANCH HOMEOWNERS AS | PD ISSUED      |
| 65-07524A |            | PINE LAKES RANCH HOMEOWNERS AS | PD UNDELIVERED |
| 65-07524B |            | PINE LAKES RANCH HOMEOWNERS AS | PD UNDELIVERED |
| 65-07532  | 10-09-1998 | USDI BLM                       | PD ISSUED      |
| 65-07533  | 8-21-1998  | CONWAY, GERALDINE              | PD ISSUED      |
| 65-07535  | 10-31-2000 | L B INDUSTRIES INC             | PD ISSUED      |
| 65-07538  | 10-09-1998 | KING, PAUL A                   | PD ISSUED      |
| 65-07540  |            | SCHULZ, USTO E                 | AT ISSUE       |
| 65-07541  | 10-09-1998 | JOHNSON, HAROLD B              | PD ISSUED      |
| 65-07542  | 3-30-1999  | HETTINGER, LARRY E             | PD ISSUED      |
| 65-07545  | 3-30-1999  | GARDEN VALLEY RANCHETTES       | PD ISSUED      |
| 65-07548  | 10-09-1998 | DEPT OF LANDS                  | PD ISSUED      |
| 65-07555  | 10-09-1998 | FAUSSET, LOUIS R               | PD ISSUED      |
| 65-07557  | 10-09-1998 | RICKEN, DANIEL J               | PD ISSUED      |
| 65-07558  | 10-31-2000 | RIO VISTA PROPERTY OWNERS ASSO | PD ISSUED      |
| 65-07559  | 10-09-1998 | JONES, MICHAEL                 | PD ISSUED      |

65

(NCAP)

ERO Resources Corp.  
1106 N. Cole Rd., Suite C  
Boise, ID 83704-8661  
(208) 373-7983  
Fax: 373-7985

Denver • Boise



RECEIVED

APR 05 2001

WATER RESOURCES  
WESTERN REGION

www.eroresources.com  
eroboise@eroresources.com

March 27, 2001

Gary Spackman  
Western Regional Office  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705-5082

RE: Water Right Nos. 65-07770C, 65-07540, and 65-07562

Dear Mr. Spackman:

Mr. Usto Schulz, owner of the above referenced water rights, is dividing the water rights among three separate owners. In an effort to help clarify the division of these water rights for the file and for future reference, this letter is an effort to provide you with a break down of the water right distribution. The breakdown of the water rights are as follows:

License No. 65-07770C - .21 cfs total diversion

RON'S

Updike -.08 cfs heating .09 cfs domestic

Berger -.02 cfs heating .02 cfs domestic

License No. 65-07540 - .12 cfs total diversion

Updike -.05 cfs heating .03 cfs domestic

Jarvis -.03 cfs heating .01 cfs domestic

License No. 65-07562 - .04 cfs total diversion

D+S.

Updike -.04 cfs domestic

I hope that the above table will assist the Department in completing the Change of Ownership forms submitted at this time. If you have any questions please do not hesitate to give me a call.

Sincerely yours,

A handwritten signature in black ink that reads "Sherl L. Chapman". The signature is written in a cursive, flowing style.

Sherl L. Chapman

SLC:sw

Encl.

COPY

AJ5855NP

IDAHO DEPARTMENT OF WATER RESOURCES  
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT  
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: April 11, 2000

635

PAGE: 1

RIGHT NUMBER: 65-07540

NAME AND ADDRESS: USTO E SCHULZ  
HC 76 BOX 4048  
GARDEN VALLEY ID 83622

SOURCE: WARM SPRINGS TRIBUTARY: WARM SPRINGS CREEK

QUANTITY: 0.12 CFS  
1.2 APY

PRIORITY-DATE: 04/07/1975

POINT OF DIVERSION T10N R04E S33 SWNWSW Within BOISE County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE   | PERIOD OF USE | QUANTITY |
|----------------|------------------|---------------|----------|
|                | HEATING          | 01-01 12-31   | 0.08 CFS |
|                | DOMESTIC 2 HOMES | 01-01 12-31   | 0.04 CFS |
|                |                  |               | 1.2 APY  |

PLACE OF USE: DOMESTIC Within BOISE County  
T10N R04E S33 NWSW

Place of use for HEATING is same as DOMESTIC

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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 - DECREE

RECEIVED

JUN 22 2001

Department of Water Resources

RECEIVED

AUG 06 2001

WATER RESOURCES  
WESTERN REGION

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

In Re SRBA )

A. Subcase 65-22440  
(Insert water right number)

Case No. 39576 )

STANDARD FORM 1  
LATE OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,  
Bureau of Reclamation  
Address: 1150 N. Curtis Rd  
Boise, Idaho 83706-1234  
Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:  
DAVID W. GEHLERT  
Trial Attorney, General Litigation Section  
Environment and Natural Resource Division  
U.S. Department of Justice  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Ernest Updike  
Address: 6 Snow Springs Ln.  
Garden Valley ID 83622

**D.** I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

■ **General Provision Basin 65 Irrigation & Other Part 2 (3) Separate Stream Administration**

1. ☐ **Name and Address**  
Should be:
2. ☐ **Source**  
Should be:
3. ☐ **Quantity**  
Should be:
4. ☐ **Priority Date**  
Should be:
5. ☐ **Point(s) of Diversion**  
Should be:
6. ☐ **Instream Flow Description**  
Should be:
7. ☐ **Purpose(s) of Use**  
Should be:
8. ☐ **Period of Year**  
Should be:
9. ☐ **Place of Use**  
Should be:
11. **I object because:**
  - ☐ This water right should not exist.
  - ☐ This water right was not recommended, but should be recommended with the elements described.

**E. REASONS SUPPORTING EACH OBJECTION(S):**

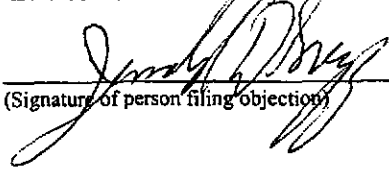
This right is a subcase split from right No. 65-07540. The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part 1 and 2. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

**F. VERIFICATION (Must be Completed)**

State of Idaho )  
 ) ss.  
County of Ada )

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

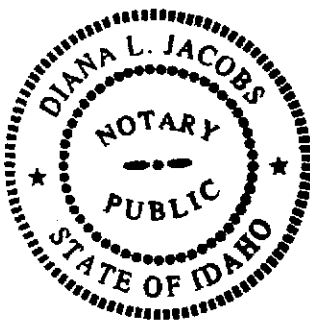
  
(Signature of person filing objection)

\_\_\_\_\_  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 21, 2001

Diana L. Jacobs  
Notary Public for Idaho  
Residing at: Boise  
My Commission Expires: 5-23-01



## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on June 21, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

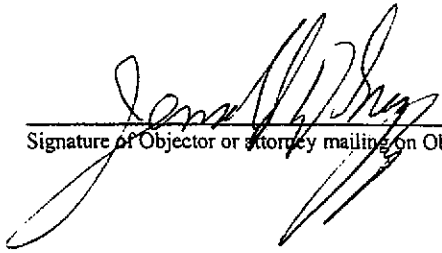
Name: Ernest Updike  
  
Address: 6 Snow Springs Ln.  
Garden Valley ID 83622

3. Copies to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, Idaho 83711-4449

IDWR Document Depository  
P.O. Box 83720  
Boise, Idaho 83720-0098

United States Department of Justice  
Environment and Natural Resource Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

  
\_\_\_\_\_  
Signature of Objector or attorney mailing on Objector's behalf



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

May 17, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

ERNEST UPDIKE  
6 SNOW SPRINGS LN  
GARDEN VALLEY ID 83622

Re: Original Notice of Claim to a Water Right No. 65-07540

Renumbered Notice of Claim to a Water Right No. 65-22440

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim with a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington  
Office Specialist I  
Adjudication Section  
Western Region

DB:db

Enclosure