



Well is under the stairs, under wooden cover. Located at rear center of building.



Photo shows Domestic entrance above well.



Main Domestic entrance is on East side of building.



Hilltop Café complex, the view is to the West.

Idaho Department of Water Resources

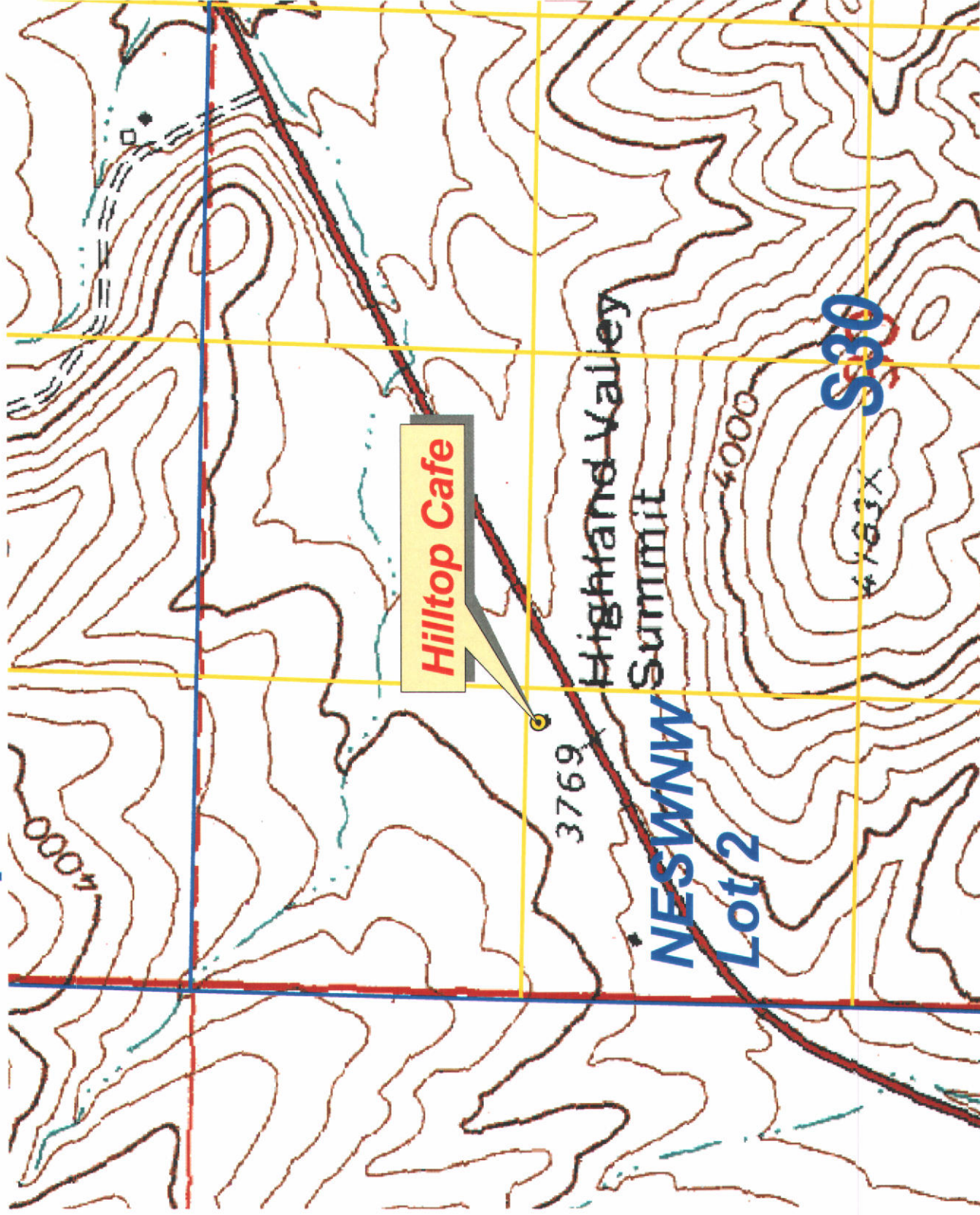
T03N R04E
S30

Claims: 63-15382
Owner : HILLTOP CAFE
Updated: 20 July 01
Map by: Ron Howerton

● POD
SECTION
1/4 1/4



X60 TOPO



Idaho Department of Water Resources

T03N R04E
S30

Claims: 63-15382
Owner : **HILLTOP CAFE**
Updated: 20 July 01
Map by: Ron Howerton



POD



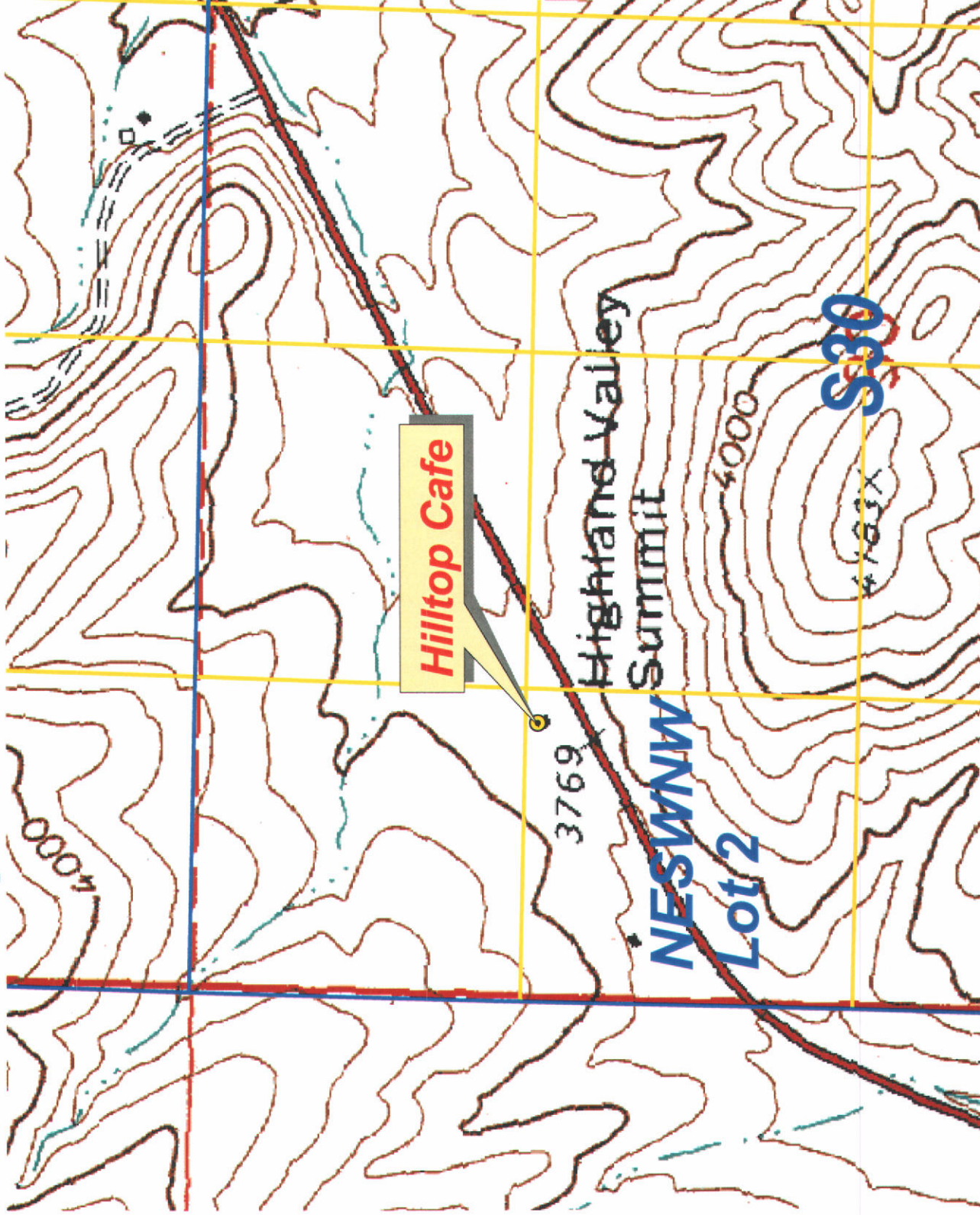
SECTION



1/4 1/4



X60 TOPO



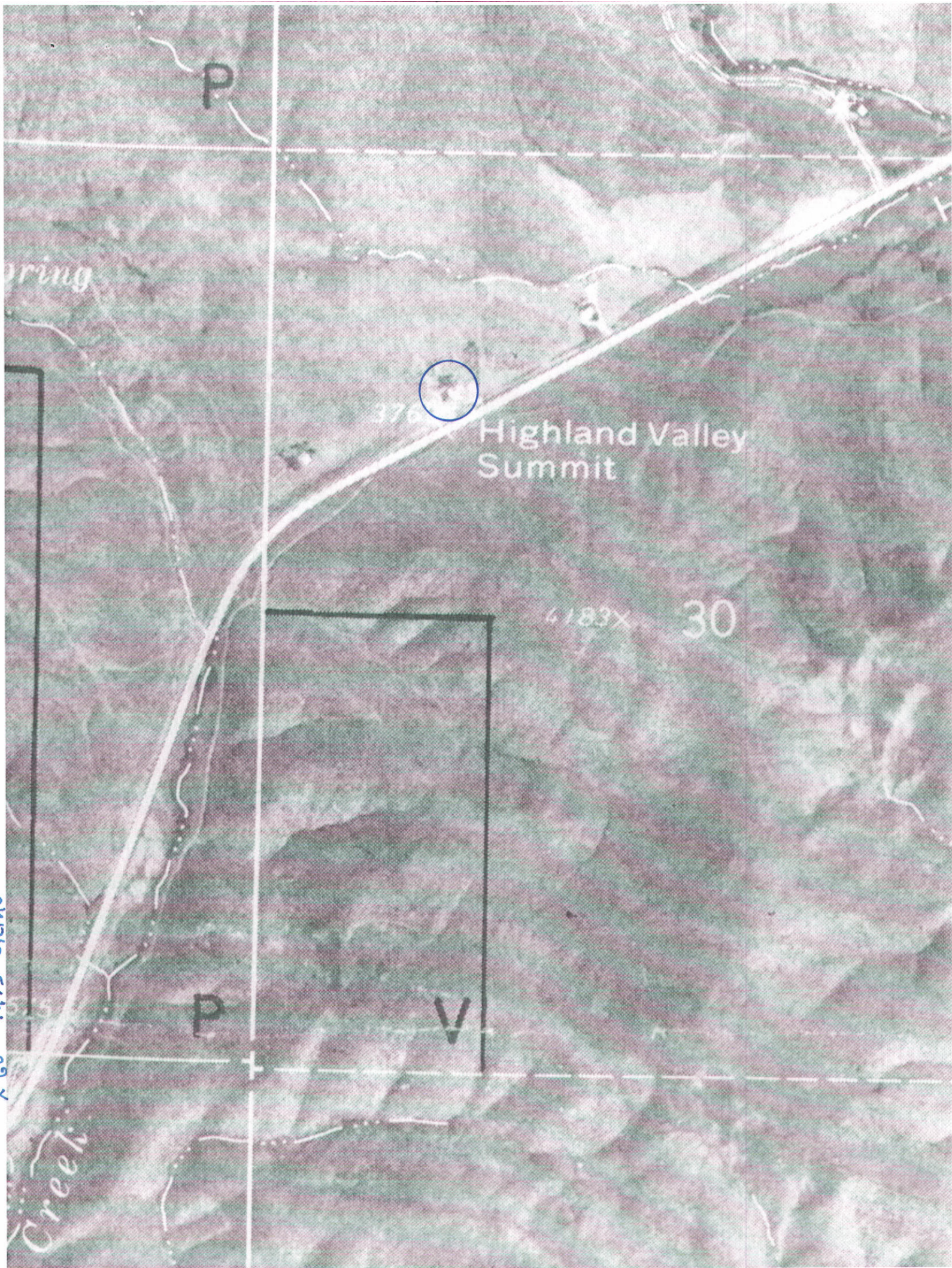
0.75 Miles

0.5

0.25

0

04200 5411 09 X 60 1975 07240





4826
35'

4825

T3N
R4E
S.30

4824

4823

4822

32' 30"

4821

AUG 24 1992

4820

MICROFILMED

A63-15382

T3
T2



AUG 24 1992

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 63-15382
Date Received: 5/17/1989
Receipt No: W002835
Received By:

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

1. Name of Claimant(s)

FRED UDALL Phone: (208)345-6207
12342 HWY 21
BOISE ID USA 83716

PEGGY UDALL Phone: (208)345-6207
12342 HWY 21
BOISE ID USA 83716

2. Date of Priority: 12/31/1956

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
03N	04E	30	NW	NW	1	ADA	
03N	04E	30	SW	NW	2	ADA	

5. Description of diverting works:

8" CASING, 1/2 HP PUMP, 2" PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	1/01	12/31	0.04	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.08 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
03N	04E	30	NW	NW	1	DOMESTIC
			SW	NW	2	DOMESTIC
			NW	NW	1	COMMERCIAL
			SW	NW	2	COMMERCIAL

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

COMMERCIAL USE IS AT HILL TOP CAFE
SINGLE WELL IS WITHIN EITHER OF TWO TRACTS LISTED. USE OCCURS IN BOTH TRACTS

15. Basis of Claim: Beneficial Use

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: A63-15382
Date Received: 5/17/1989
Receipt No: W002835
Received By: 82

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FREDRIC J. UDALL 208-343-7580
Address: HC 33
BOX 1064
BOISE, ID 83706

AND/OR

Name: PEGGY UDALL
Address: BOISE, ID 83706

2. Date of Priority: DEC 31, 1956

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04E	30	NW	NW	NW	1	ADA
			SW	NW		2	ADA

5. Description of diverting works:
8" CASING, 1/2 HP PUMP, 2" PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME INTERNAL & EXTERNAL; COMMERCIAL USE AT CAFE

A63-15382 Page 1 Date: 05/17/89

MICROFILMED

AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	04E	30	NW		NW	1	COMMER	
			NW		NW	1	DOMEST	
			SW		NW	2	COMMER	
			SW		NW	2	DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
COMMERCIAL USE IS AT HILL TOP CAFE.
SINGLE WELL IS WITHIN EITHER OF TWO TRACTS LISTED. USE OCCURS IN
BOTH TRACTS.

15. Basis of Claim: BENEFICIAL USE

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: 2

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): x *Justin J. Hall* Date: 5-17-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of May 19 89

Linda Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994

03/01/2002

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 5, 2002

Water right number: 63-15382

FRED UDALL

12342 HWY 21

BOISE ID 83716

Telephone Number: (208)345-6207

PEGGY UDALL

12342 HWY 21

BOISE ID 83716

Telephone Number: (208)345-6207

RECEIVED

APR 05 2002

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-5-02

SIGNATURE: Fred Udall

Please print your name: Fred Udall

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

03/01/2002

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

RIGHT NUMBER: 63-15382
NAME AND ADDRESS: FRED UDALL
12342 HWY 21
BOISE ID 83716

PEGGY UDALL
12342 HWY 21
BOISE ID 83716

RECEIVED

APR 05 2002

WATER RESOURCES
WESTERN REGION

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.080 CFS
2.40 AFY

PRIORITY DATE: 12/31/1956

POINT OF DIVERSION:

T03N R04E S30 NESWNW Lot 2 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
COMMERCIAL	01/01 12/31	0.040 CFS 1.20 AFY

PLACE OF USE: DOMESTIC Within ADA County
T03N R04E S30 Lot 2 SWNW
COMMERCIAL Within ADA County
T03N R04E S30 Lot 2 SWNW

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

DOMESTIC, 1 HOME.
COMMERCIAL USE IS CAFE.
PROPERTY IS ALSO KNOWN AS HILLTOP CAFE.

02/22/2002

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

RIGHT NUMBER: 63-15382
NAME AND ADDRESS: FRED UDALL
12342 HWY 21
BOISE ID 83716

PEGGY UDALL
12342 HWY 21
BOISE ID 83716

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.08 CFS
2.4 AFY

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

PRIORITY DATE: 12/31/1956

POINT OF DIVERSION:

T03N R04E S30 NESWNW Lot 2 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
COMMERCIAL	01/01 12/31	0.040 CFS 1.20 AFY

PLACE OF USE: DOMESTIC Within ADA County
T03N R04E S30 Lot 2 SWNW
COMMERCIAL Within ADA County
T03N R04E S30 Lot 2 SWNW

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

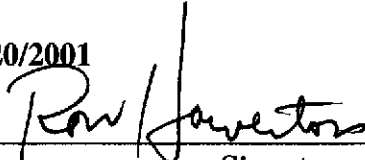
EXPLANATORY MATERIAL: Beneficial Use

DOMESTIC, 1 HOME.
COMMERCIAL USE IS CAFE.
PROPERTY IS ALSO KNOWN AS HILLTOP CAFE.

**Idaho Department of Water Resources
CLAIM VERIFICATION FIELD EXAM SHEET**

Date of Exam: 7/20/2001

Field examiner: _____


Signature

**Ron Howerton
Senior Water Right Agent**

Water Right Nos.: A63-15382

Contacts: Fred & Peggy Udall

Narrative:

Met with Fred Udall owner of Hill Top Café at location about 9:15 AM.

I had Fred fill out an address change form and an affidavit stating that the date of priority claimed was because when the well was first used for the café and domestic use December 31, 1956.

The Domestic use is actually their home and the entry is located on the East end of the combined home and café.

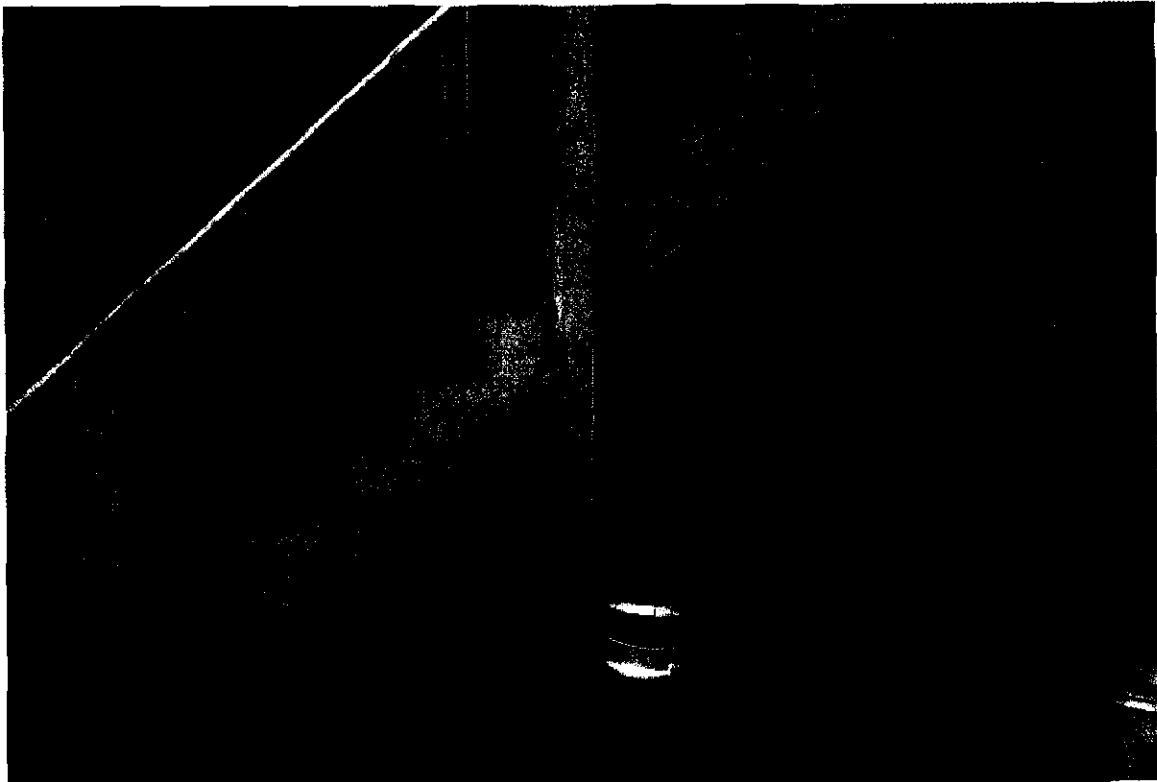
I took a GPS reading at 09:23, the coordinates are: 0336062 and 0276461.

The well is located on the North side of building and has a wooden cover protecting it. I did not attempt to remove since no measurements were required. The ground water well is used internal and external uses including lawn & garden irrigation. Up to ½ acre is included. The well has a 8 inch casing with a ½ HP pump into a 2 inch pipeline.

Photos:

I took photos of the well location, then various photos of the business and domestic home.

See pages 2 & 3.



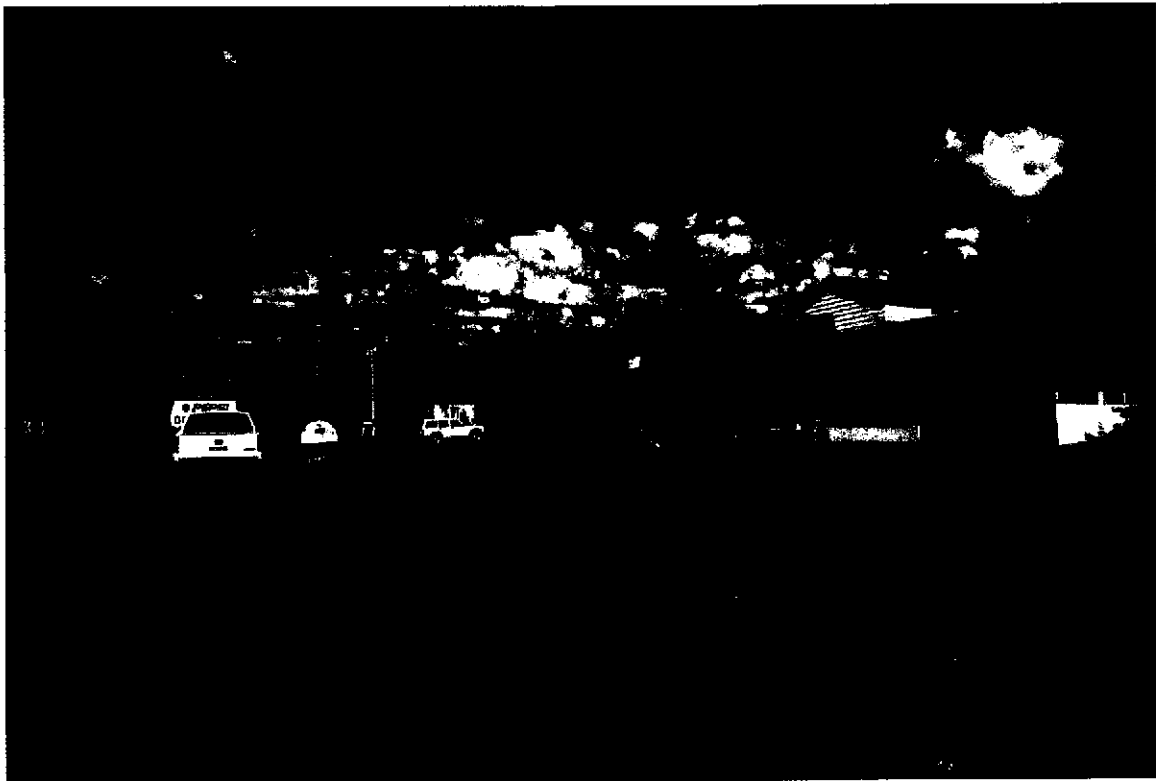
Well is under the stairs, under wooden cover. Located at rear center of building.



Photo shows Domestic entrance above well.



Main Domestic entrance is on East side of building.



Hilltop Café complex, the view is to the West.

Idaho Department of Water Resources

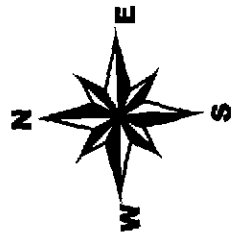
**T03N R04E
S30**

**Claims: 63-15382
Owner : HILLTOP CAFE
Updated: 20 July 01
Map by: Ron Howerton**

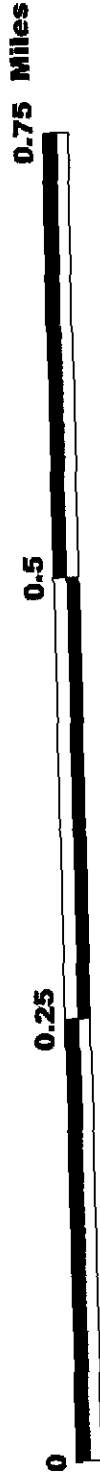
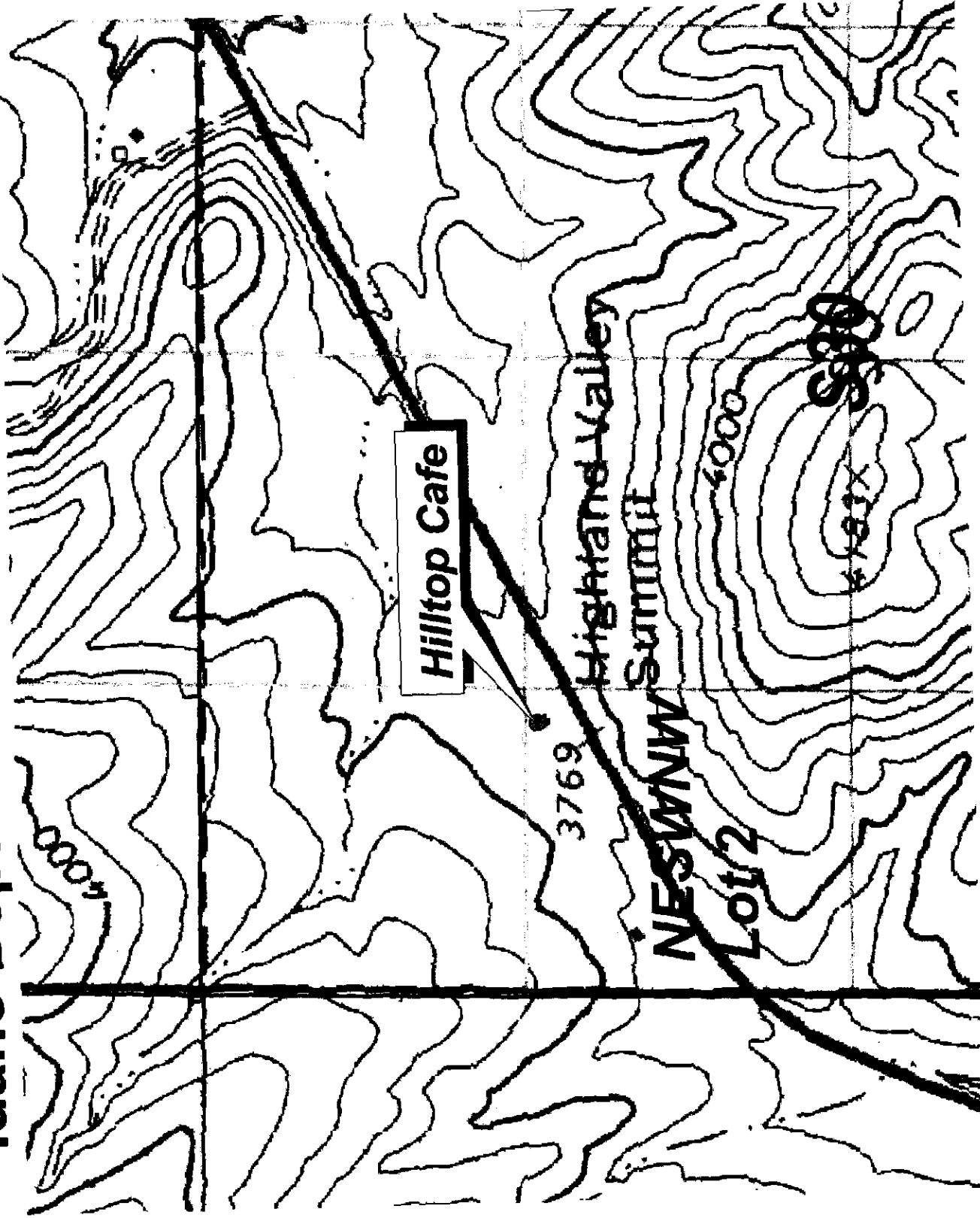
● POD

∧ SECTION

1/4 1/4



X60 TOPO



Idaho Department of Water Resources

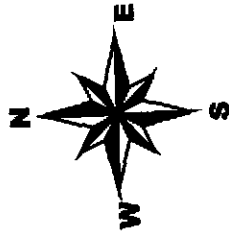
**T03N R04E
S30**

**Claims: 63-15382
Owner : HILLTOP CAFE
Updated: 20 July 01
Map by: Ron Howerton**

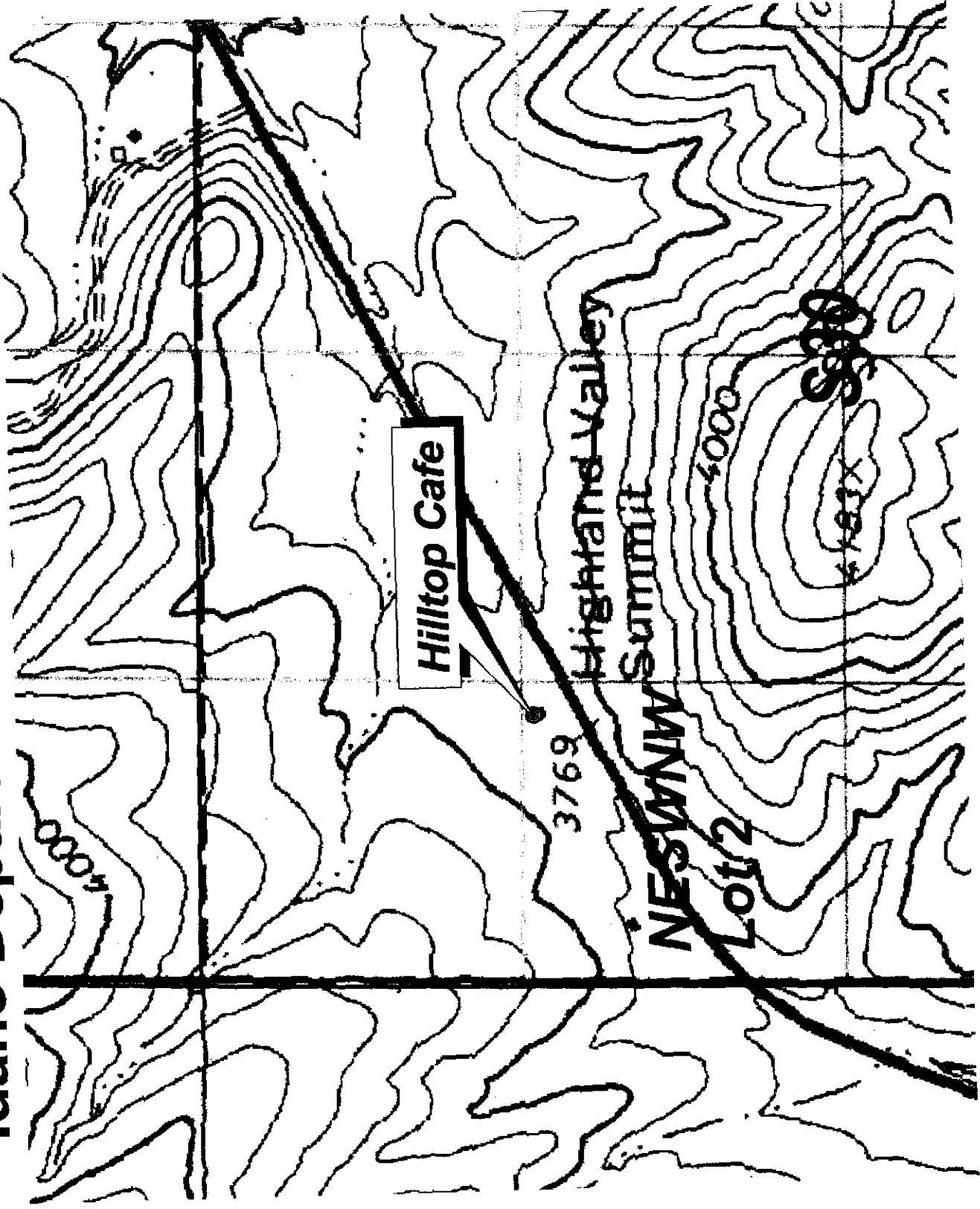
● POD

SECTION

1/4 1/4



X60 TOPO



0.75 Miles

0.5

0.25

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RECEIVED

JUL 20 2001

WATER RESOURCES
WESTERN REGION

AFFIDAVIT

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

A63-15382)

State of Idaho)

County of ADA)

Fred Udell being first duly sworn,

deposes and says: The Hill Top Cafe opened for
business on Dec. 31, 1956. Well was
drilled & water was used & is used
for commercial & domestic purposes.

Fred Udell

(Signature)

Subscribed and sworn to before me this

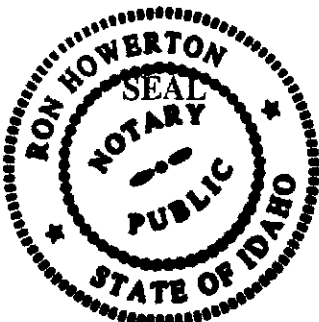
day 20 of July, 20 01.

Ron Howerton
(Notary Public)

Residing at Ron Howerton

Residing at Boise, Idaho

My Commission Expires December 31, 2006



HILLTOP CAFE - VOLUME REQUIREMENTS:

Table 7 - List of Non-Irrigation Requirements (cont'd.)

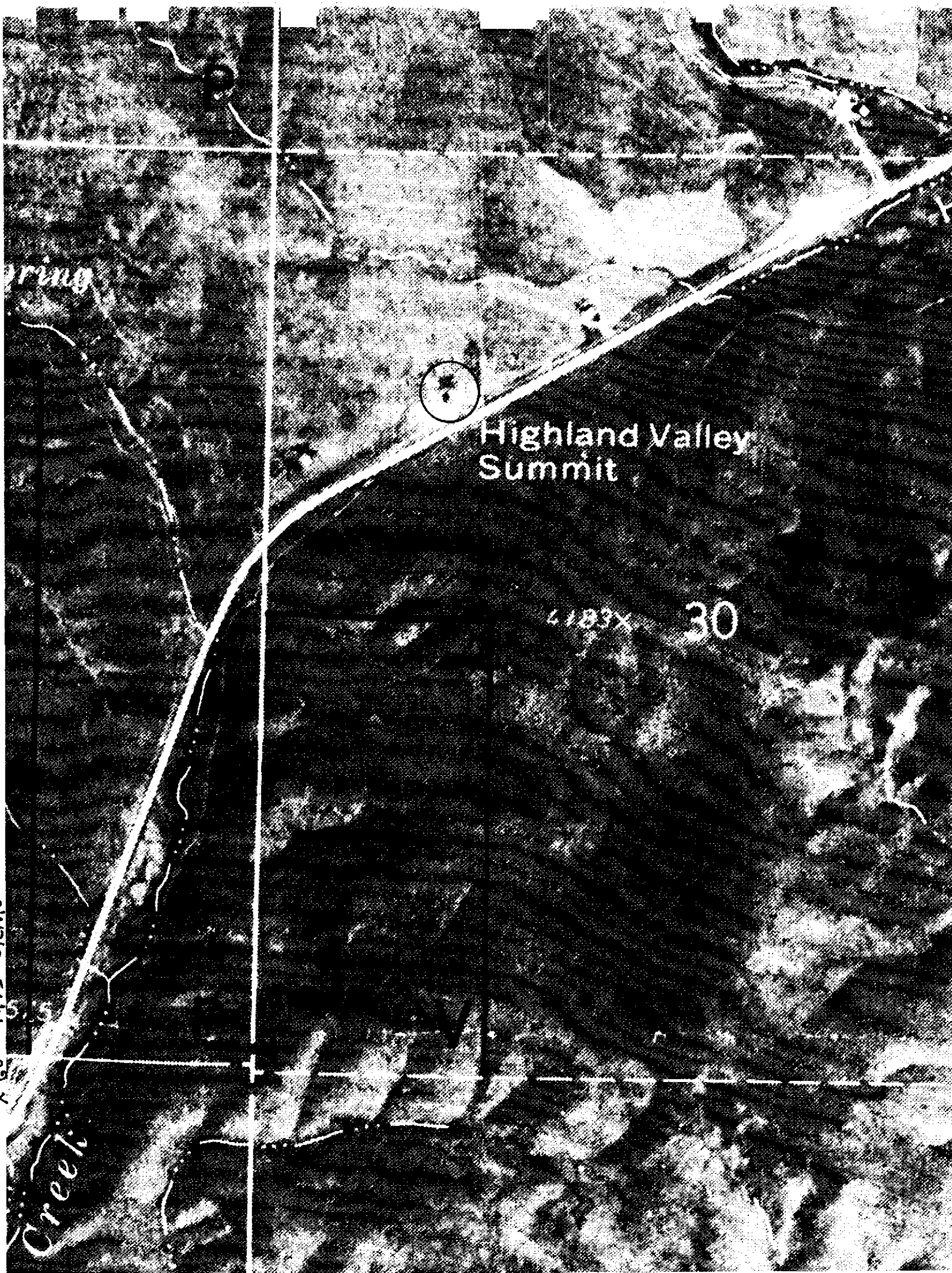
Types of Establishments	Gallons Per Day
Livestock (per animal):	
Dairy (drinking and servicing) -----	35
Goat (drinking) -----	2
Hog (drinking) -----	4
Horse (drinking) -----	12
Mule (drinking) -----	12
Sheep (drinking) -----	2
Steer (drinking) -----	12
Motels with bath, toilet, and kitchen facilities (per bed space)	50
With bed and toilet (per bed space) -----	40
Parks:	
Overnight with flush toilets (per camper) -----	25
Trailers with individual bath units (per camper) -----	50
Picnic:	
With bathhouses, showers, and flush toilets (per picnicker) ---	20
With toilet facilities only (gallons per picnicker) -----	10
Poultry:	
Chickens (per 100) -----	5-10
Turkeys (per 100) -----	10-18
Restaurants with toilet facilities (per patron) -----	7-10
Without toilet facilities (per patron) -----	2 1/2-3
With bars and cocktail lounge (additional quantity per patron)	2
Schools:	
Boarding (per pupil) -----	75-100
Day with cafeteria, gymnasiums, and showers (per pupil) -----	25
Day with cafeteria but no gymnasiums or showers (per pupil) ---	20
Day without cafeteria, gymnasiums, or showers (per pupil) -----	15
Service stations (per vehicle) -----	10
Stores (per toilet room) -----	400
Swimming pools (per swimmer) -----	10
Theaters:	
Drive-in (per car space) -----	5
Movie (per auditorium seat) -----	5
Workers:	
Construction (per person per shift) -----	50
Day (school or offices per person per shift) -----	15

1.2 AFA

They have about 50/DAY ON weekdays AND 250/day = 62 weekends.

NO-BAR SMOKE STORE WIDE
 $50 \times 5 = 250$
 $250 \times 2 = 500$
 $750 / 7 = 107 / \text{day AVE} = (107) (10 \text{ GPD}) = 1070 \text{ GPD}$
 $390550 / 325 = 1198 \text{ AFA} = 1.198 \text{ AFA}$

041520 5411
X 60 1975 00740



ring



Highland Valley
Summit

4183X

30

Creek

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED



NO SUCH
ADDRESS

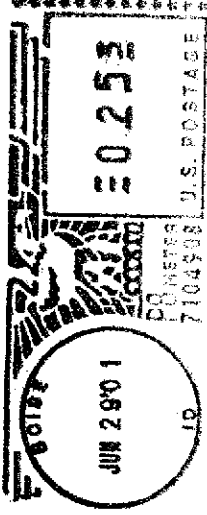
63-15382

Peggy

FREDRIC J UDALL
HC 33
BOX 1064
BOISE, ID 83706

Hwy 21
Boise 83706

O - Boise City Assessor

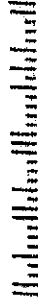


put
HUTCH craft 345-6207

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JUL 09 2001

WATER RESOURCES
WESTERN REGION





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

FREDRIC J UDALL
PEGGY UDALL
12342 HWY 21
BOISE ID 83716

Re: Claim No(s) 63-15382

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. ~~Field exams to verify~~ claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

RECEIVED

JUL 20 2001

WATER RESOURCES
WESTERN REGION

Snake River Basin Adjudication
Change in Address of Notice of Claim

Claim Number(s):

A63-15382

Previous Mailing Address:

HC 33 Box 1064

Boise, 83706

New Mailing Address:

12342 Hwy 21

Boise, Id. 83716

Telephone Number:

() 345-6207

Signature of Claimant(s):

Jud McCall

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177



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32' 30"

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T3N
R4E
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T2

AUG 24 1992

A63-15382



MICROFILMED

AUG 24 1992