

COPY

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: A41-00043
Date Received: 7/23/1999
Receipt No: S022388
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: UDY BROTHERS PARTNERSHIP
Address: 5111 S HWY 37
ROCKLAND ID 83271
208-226-7857
2. Date of Priority: APR 1, 1884
3. Source: LANDING CREEK Trib. to: ROCK CREEK, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	31E	22	SE	SE	NW		POWER

5. Description of diverting works:
CHECK DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.350		

7. Total Quantity Appropriated is:
0.350 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 of	Lot	Use	Acres
11S	31E	21	NE	NE		IRR	12.0
			SE	NE		IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	14.0
		22	NW	NW	IRR	20.0
			SW	NW	IRR	23.5
					Section Acres	43.5
					Total Acres	57.5

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
41-00017 & 41-00044

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

HADLEY ET. AL.

Decree Plaintiff

THORNE, WATERMASTER

vs Decree Defendant

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 Organizations:

I do solemnly swear or affirm that I am partner of
Title
Ydy Bros, that I have signed the foregoing
Organization
document in the space below as partner of
Title
Ydy Bros and that the statements contained in the
Organization
foregoing document are true and correct. M Devine Ydy

Signature of Authorized Agent

Partner Zdy Bros
Title and Organization

July 23 1999
Date

State of Idaho)
County of Tim Falls) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of July 1999 Steve Cella
Notary Public

Notary Public

Seal

Residing at Twin Falls ID

My Commission Expires 12/7/2000

UDY BROTHERS CLAIMS

A41-00017

A41-00043

A41-00044

15

22

21

16

RECEIVED

NOV 27 2001

Department of Water Resources
Southern Region

SNAKE RIVER BASIN ADJUDICATION

CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

OCT 29 2001

Claim Number(s):

See attached list

Department of Water Resources

Previous Mailing Address:

Udy Brothers Partnership5111 S. Hwy 37Rockland, ID 83271

New Mailing Address:

Udy Brothers Partnership455 PierceAmerican Falls, ID 83211

Telephone Number:

(208) 226-7857

Signature of Claimant(s):

Udy Bros by George Udy^{11/2/01}

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

SS
ADDRESS FM
Revised 12/13/1999

IDWR Use Only:
Data Entry: _____

Date: _____

**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

Case No. 39576

Subcase No.: 41-00043

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

Udy Bros. Partnership 8/21/01
for Udy Bros. Partnership Date

Roxanne Brown 2/23/01
IDWR Concurrence Date

Wick Spencer 2-26-01
Approved as to form Date

02/23/2001

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

RIGHT NUMBER: 41-00043

NAME AND ADDRESS: UDY BROTHERS PARTNERSHIP
5111 S HWY 37
ROCKLAND, ID 83271

SOURCE: LANDING CREEK TRIBUTARY: SOUTH FORK ROCK CREEK

QUANTITY: 0.31 CFS

THE QUANTITY LISTED ABOVE SHALL BE MEASURED AT THE POINT OF DIVERSION LISTED FOR THIS RIGHT BY MEANS OF A MEASURING BOX OF THE TYPE AND DIMENSIONS DECREED BY IN RE HOUTZ ET AL (ONEIDA COUNTY, SIXTH JUDICIAL DISTRICT COURT, JUNE 6, 1903). ANY CHANGE IN THE METHOD OF MEASUREMENT SHALL CONSTITUTE A CHANGE IN THE POINT OF DIVERSION REQUIRING APPROVAL BY THE IDAHO DEPARTMENT OF WATER RESOURCES AS A TRANSFER PURSUANT TO I.C. SECTION 42-222.

USE OF THIS RIGHT WITH RIGHT NO. 41-00017 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.31 CFS.

RB 9h
NBS

PRIORITY DATE: 04/01/1884

POINT OF DIVERSION: T11S R31E S22 NENESW Within POWER County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-15 10-31

QUANTITY
0.31 CFS

PLACE OF USE:

IRRIGATION Within POWER County
T11S R31E S22 SWNW 15.3

15.3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 41-00017 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 15.3 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

RB Qh
NBS

CERTIFICATE OF SERVICE

I certify that on Aug. 30, 2001, I caused to be served true and correct copies of the Standard Form 5, to the following persons, in the manner indicated 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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

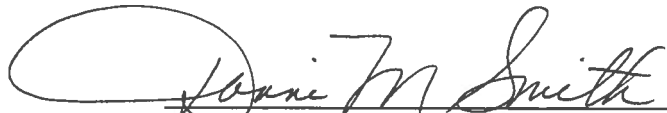
2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Udy Bros. Partnership
5111 South Hwy 37
Rockland, ID 83271

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form

02/23/2001

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

RIGHT NUMBER: 41-00043

NAME AND ADDRESS: UDY BROTHERS PARTNERSHIP
5111 S HWY 37
ROCKLAND, ID 83271

SOURCE: LANDING CREEK TRIBUTARY: SOUTH FORK ROCK CREEK

QUANTITY: 0.31 CFS

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USE OF THIS RIGHT WITH RIGHT NO. 41-00017 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.31 CFS.

PRIORITY DATE: 04/01/1884

POINT OF DIVERSION: T11S R31E S22 NENESW Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-15 10-31	0.31 CFS

PLACE OF USE:

IRRIGATION Within POWER County
T11S R31E S22 SWNW 15.3

15.3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 41-00017 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 15.3 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

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

02/15/2001

RIGHT NUMBER: 41-00043

NAME AND ADDRESS: UDY BROTHERS PARTNERSHIP
5111 S HWY 37
ROCKLAND, ID 83271

SOURCE: LANDING CREEK TRIBUTARY: SOUTH FORK ROCK CREEK

QUANTITY: 0.31 CFS

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PRIORITY DATE: 04/01/1884

POINT OF DIVERSION: T11S R31E S22 NENESW Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-15 10-31	0.31 CFS

PLACE OF USE:

<u>IRRIGATION Within POWER County</u>			
T11S R31E S22	SWNW	14	T11S R31E S22 SENW 0.8
T11S R31E S22	NWSW	0.5	

15.3 ACRES TOTAL

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

Revised 2/23/01
Sen
- Pou to SKAWW
- EOI & Limit
- EII pou Limit

IDAHO DEPT OF WATER RESOURCES

41-00017 & 41-00043



660 0 660 1320 Feet



T11S, R31E, SEC. 22, SWNW

- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4 - 1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: February 15, 2001

DATE: 02/15/01
PAGE: 2

IVERSION RATE	DIVERSION VOLUME
0.350 CFS	
0.350 CFS	

Stage: DECREED

2

SUM

Remarks: GEN RT. ALSO INCLUDES A PROPORTIONAL AMOUNT OF ANY SURPLUS WATER IN LANDING CREEK AT THE P/D.

04/01/1884

Field Exam Fee:

Remember:
C18
N16

41-B

FILE NO. 116

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE
OF IDAHO, WITHIN AND FOR POWER COUNTY.

J. E. Hadley, Samuel Hadley,
and Elizabeth Hadley,

Plaintiffs,

vs.

-vs-

Isaac Thorne, water master,

Defendant.

This cause coming on for hearing before the court on the 26th day of September, 1916, McLaughlin & Jones appearing for the plaintiff and no one appearing for the defendant, and it duly appearing to the court that the defendant in this action has been duly and regularly served with summons and the time for answer having expired and no answer or demurrer having been filed that the default of the defendant for failure to answer or appear has been duly entered according to law.

The court having heard the evidence thereof offered, on the part of the plaintiff, both oral and documentary, from which it appears that all of the material allegations of the complaint are true, and that the plaintiffs are and they and their predecessors have been the owners of and in the peaceable possession since April 1, 1884, of the East half of the Northwest quarter of Section Twenty-one, and the East half of the Northwest quarter of Section Twenty-two, Township Eleven, South Range Thirty-one, East of the Boise Meridian, together with 17 1/2 miners' inches of water from Landing Creek and 17 1/2 inches of water from the south fork of Rock Creek in Power County, Idaho, and a proportional amount of any surplus flowing in said streams, and also a proportional amount of any surplus water which arises and flows in the South fork of Rock Creek over said lands of the plaintiff;

That the said lands of the plaintiff are arid and dry and without the aid of irrigation will not raise an agricultural crop in paying quantities, and that on April, 1, 1884, the plaintiffs predecessors diverted, by means of a ditch, 17 1/2 miners' inches of water from Landing Creek to and upon said land and diverted from the south fork of Rock Creek by means of a tight dam across said south fork of Rock Creek the water therein flowing to the extent of 17 1/2 inches, to and upon the said land, and that the plaintiff and his predecessors in interest have each and every year continuously since said date used the same and a proportional interest of any surplus therefrom for the irrigation of the crops growing on said premises, and that said use has been open, notorious, continuous, and undisputed, except by the acts of this defendant, acting as water master; that the defendant Isaac Thorne, is the duly appointed, qualified, and acting water master for the said south fork of Rock Creek and Landing Creek, operating under a decree of this court under date of June 8, 1902, but in said decree the water rights of this plaintiff were not adjudicated and were not involved in the issues in said case, and the court had no jurisdiction to adjudicate the same; that the said defendant, so acting as water master on the 12th and 22nd days of June, 1916, turned the said water off the lands of the plaintiff and deprived him of the use thereof and threatened to prosecute him if he interfered therewith and gave as his reason therefore that the said decree did not decree water to the plaintiff's land, and it was, therefore, his duty, under the law, to prevent the use of any of the waters not decreed by the court.

That said interference with the plaintiff's right to the use of said water was unjustifiable and unwarranted and the plaintiff is entitled to have his rights to the use of the said water and to a proportional amount of the surplus thereof quieted, and the defendant and his successor in office enjoined from interfering with his right to the use thereof.

Hadley vs Thorne

ROCK, hereafter, by reason of the law and the premises, it is
ORDERED, ADJUDGED AND DECREED:

That the right of the plaintiffs to the use of 50 inches of
water be afforded to from the water of Landing Creek and South Fork of Rock
Creek be, and the same is hereby quieted and that the plaintiffs have
the further right to at all times use his proportion of any surplus water
may be running in said streams at the point of their diversion, and the
defendant and his successor in interest are hereby perpetually enjoined
and restrained from interfering with their use thereof upon the lands
described as follows: E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 21, W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of
Section 22, Tp. 11, S. R. 31, E.B.L., the said water to be diverted 17 $\frac{1}{2}$
inches from Landing Creek at the point where the dam of the plaintiffs
have been for many years last past been located, and 17 $\frac{1}{2}$ inches of the
water of South Fork of Rock Creek diverted by a tight dam where the same
has been and now is located and maintained by the plaintiff.

Done in open court this the 26th day of September, 1916.

J. J. Gaheen
District Judge.

41-00043
←

41-00017

& 41-00043

2/8/01 SCC

FIELD NOTES & REVIEW:

I left w/ George Udy from Rockland to view the uses described under these 2 claims. The Ditches and pasture exist as described. Both sources can be delivered to the pasture. It appears to be a valid set of claims based on the information available to me.

It was pointed out to me by W/M James Robinson that the Landing Division had fallen into disrepair during my field visit of 1994. He gave the impression that the right is not valid. The field observations & letters from user's support a use:

Recommend the right as valid and overturn the Disallowal.

layout: ✓ 41-00017.jpg

levy: (-17)

(-43)

Steve Cullen
2/15/01

UDY

11/2/00

INITIAL
HEARINGS
SCC

#17

EXAMS
NEEDED

Hayes water to 16 Acre field
across road from landing C.

#43

overlaps the same 16 Ac
(different source)

Amended DR. (end 2/01)

RECEIVED

JAN 13 2000

Department of Water Resources
Southern 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 41 - D0043

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Udy Bros Partnership

Address: 5111 So Hwy 37

Rockland Idaho 83271

Daytime Phone: 208-226-7857 221-2277 cell

Name & Address of Attorney, if any:

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

Name: Udy Bros Partnership

Address: 5111 So Hwy 37

Rockland Idaho 83271

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

1. ☐ Name and Address
Should be: _____
2. ☒ Source
Should be: Landing Creek
3. ☒ Quantity
Should be: 0,350
4. ☒ Priority Date
Should be: 4/01/1884
5. ☐ Point(s) of Diversion
Should be: _____
6. ☒ Instream Flow Description
Should be: 0,350
7. ☒ Purpose(s) of Use
Should be: Irrigation
8. ☒ Period of Year
Should be: 4-1 - 10-31
9. ☒ Place of Use
Should be: 115 31E Sec 21 and 22
11. I object because:

☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

Udy Bros purchased this water right and property
in 1998. The previous owners did use this water right
before the year 1976 and after the year 1976.

F.

VERIFICATION (Must be Completed)

State of Idaho)
County of Power)ss.

Udy Bros. by George Udy , 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.

Udy Bros. by George Udy
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 27, 1999



Karen M. Hammond
Notary Public for State of Idaho
Residing at: American Falls, ID
My Commission Expires: 5/29/2003

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.

Water Right Number - R41-00043

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
UDY BROTHERS PARTNERSHIP

1 - 5111 S HWY 37
2 -
3 -
City- ROCKLAND
Phone - 208-226-7857

State- ID Zip- 83271

Priority Date - +
04/01/1884

Region - +
17 SOUTHERN

Stage - +

Status - +
1 - DISALLOWED

Source - +
LANDING CREEK

Tributary - +
ROCK CREEK, SOUTH FORK

Twn Rng Sec Tract Lot Rflg County Point of Diversion - +

11S 31E 22 SE SE NW (77) POWER

Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31

0.350

Total Div. Rate - + Total Div. Volume - +
0.350

Total Consumptive Use - + KW Usage - +
0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
11S	31E	21	NE NE		12.0	01	IRRIGATION	(77) POWER	
11S	31E	21	SE NE		2.0	01	IRRIGATION	(77) POWER	
11S	31E	22	NW NW		20.0	01	IRRIGATION	(77) POWER	
11S	31E	22	SW NW		23.5	01	IRRIGATION	(77) POWER	

Total Acres: 57.5

+ - - - - Diversion Means - CHECK DAM AND DITCH

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use - 41-00017 & 41-00044

GEN FORFEITED/ABANDONED
DUE TO NON-USE FROM 1976 TO 1999.

+ - - - - No Old Water Right Numbers Found

Old Water Right Numbers

+ - Decree Date - +
00/00/0000

Civil case Number	-	35976
Old Case Number	-	
Old Judicial District	-	
Temporary Right	- P	
Water District	- 41	
Federal/State Indicator	- S	
Presumption Flag	- D	
Notice of Error Flag	-	

RECEIVED

DEC 28 1999

Department of Water Resources
Sacramento Region

12/28/99

Pertaining to water right
41-00043; We purchased the
property in 1963 and irrigated
from Landing Ditch with this water
right (when the Senior rights didn't
use the water). We used this
water right on approximately 16 acres
up until 1990.

Tristram Hayes

Subscribed + sworn this 28th day of December
1999

Tristram Blaxter
Notary Public
Twin Falls, ID
Comm. Expires 9-20-2000

41-00043

10/27/99
See

Unable to Confirm Elements of this Right;
late claim.

Observations indicate (in 1995) this right is not
in use. Water master indicates this to be true.

CLAIM NUMBER

~~(A41-02016)~~

DATE

10/27/99

TRANSFER NUMBER

A41-10242

AGENT

SEC

CLAIMED ACRE TOTAL

A41-00043 / 44

GIS ACRE TOTAL

112.5

A41-00017

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	41S	31E	21																
GIS				9.2			0.8									19			
ECOM																			29
CLAIM			22																
GIS								40	26			0.5							66.1
ECOM																			
CLAIM			15											1					
GIS														17					17
ECOM																			

41-POU.SHP
HAPE NOS.

Copy to - 10242
- 0044
- 0043/-17

41-POD.SHP

OS. DESCRIPTION

BF TABLES UPDATED

41-DBPOU.DBF

41-DBPOD.DBF

PEG LAYOUT

10/27/99
see

A41-00043

17.0

16 15

21 22

9.2

21.0

19.0

0.8

8.3

2.8

16.0

19.0

POD



Water Right Number - A41-00043

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

Last Name - First Name - Address -

*** C - CURRENT OWNER ***
UDY BROTHERS PARTNERSHIP

1 - 511 S HWY 37
2 -
3 -
City- ROCKLAND
Phone - 208-548-2636

State- ID Zip- 83271

Priority Date - 04/01/1884 17 SOUTHERN Region - Stage - Status -
N - NOT CLAIMED

Source - LANDING CREEK
NOT CLAIMED Tributary - ROCK CREEK, SOUTH FORK

Twn Rng Sec Tract Lot Rflg County Point of Diversion
11S 31E 22 NE NE SW (77) POWER

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.350

Total Div. Rate - 0.350 Total Div. Volume - Total Consumptive Use - KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
11S	31E	21	SW NE		17.0	01	IRRIGATION	(77) POWER
Total Acres:					17.0			

- Diversion Means - CHECK DAM AND DITCH

- Non-Irrigation Use -

- Other Rights for Same Use - NONE

Remarks - GEN CLAIM INCOMPLETE.

No Old Water Right Numbers Found Old Water Right Numbers

Conditions of Approval - No Conditions of Approval found.

Claim
Re-filed
Correctly
7/23/99
SC

Prefix Translation: ADJUDICATION CLAIM

+ - Decree Date - +
00/00/0000

+ - - - - - Comments- - - - -
No Comments Found

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06/01/99 SCLELLAN

Adjudication Rights Dates and Flags Area	
Court Report Filing	- 00/00/0000
Objection Filed Date	- 00/00/0000
Response Filed Date	- 00/00/0000
Claim Received Date	- 05/06/1998
Field Inspection Made	- 00/00/0000
Field Inspection Flag	-
Verified Date	- 00/00/0000
Last Amended Date	- 00/00/0000
Receipt Number	- X777777
POU Ownership Flag	- Y
Name Connector	-
Civil Case Number	- 39576
Old Case Number	-
Old Judicial District	-
Temporary Right	- P
Water District	- 41
Federal/State Indicator	- S
Presumption Flag	-
Notice of Error Flag	-



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

May 7, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

UDY BROTHERS PARTNERSHIP
RICHARD UDY
511 S HWY 37
ROCKLAND ID 83271

RE: SRBA CLAIM NOS. A41-00017, A41-00043, A41-00044 ET. AL.

DEAR MR. UDY,

Enclosed are the claims and checks I discussed with you by phone earlier this day.

First, the SRBA claim for the 89 acres is being returned along with check no. 1432 for \$189.00. While you can file this in the SRBA as a valid claim, it does appear to be better filed as an Application for Permit, which you have already filed successfully with IDWR. As I explained this claim would most likely be disallowed since it used an increase in diversion rate to accomplish the acreage expansion. If for some reason you choose to file it at a later date you still have that option.

Secondly, the other three claims are prepared based on the information you relayed to Jim Stanton and the existing data of the base rights claimed. Please review the information as printed, if you are satisfied they correctly describe your water rights then simply sign them on page 3 as shown and with a notary verification. If you need to make changes to better describe the rights, strike through the incorrect portions and make the necessary changes, initial the changes and sign as described above.

I have returned your original check no. 1434 for \$317.00. The correct fees for the filing of the three claims is \$357.00.

When you are ready to finish the filing of these claims please return them along with the fees to our office and I will complete the filing process for our records.

If you have any questions at all about this process please call me at our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC: 6/1/99 update:
see claims never filed.