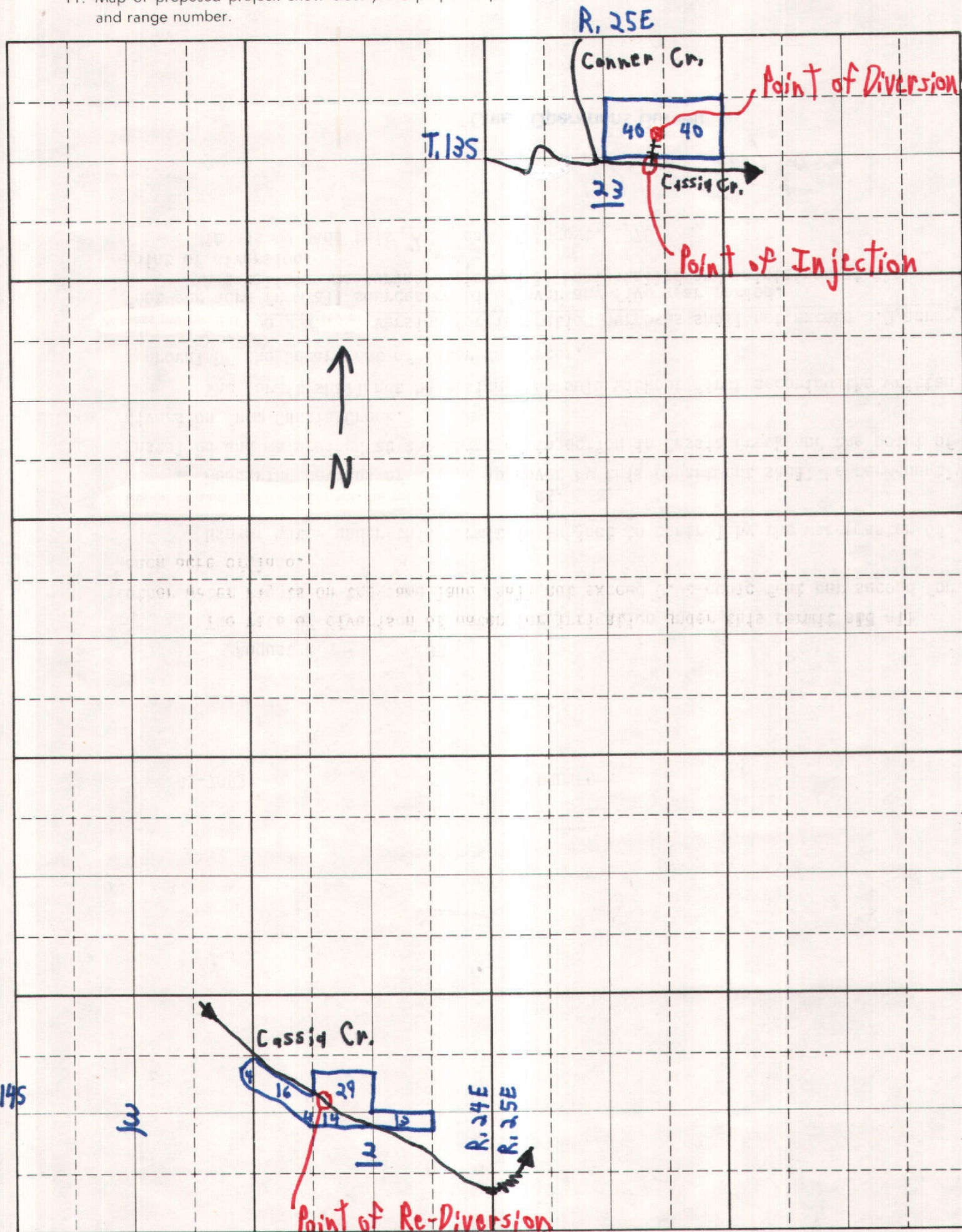


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

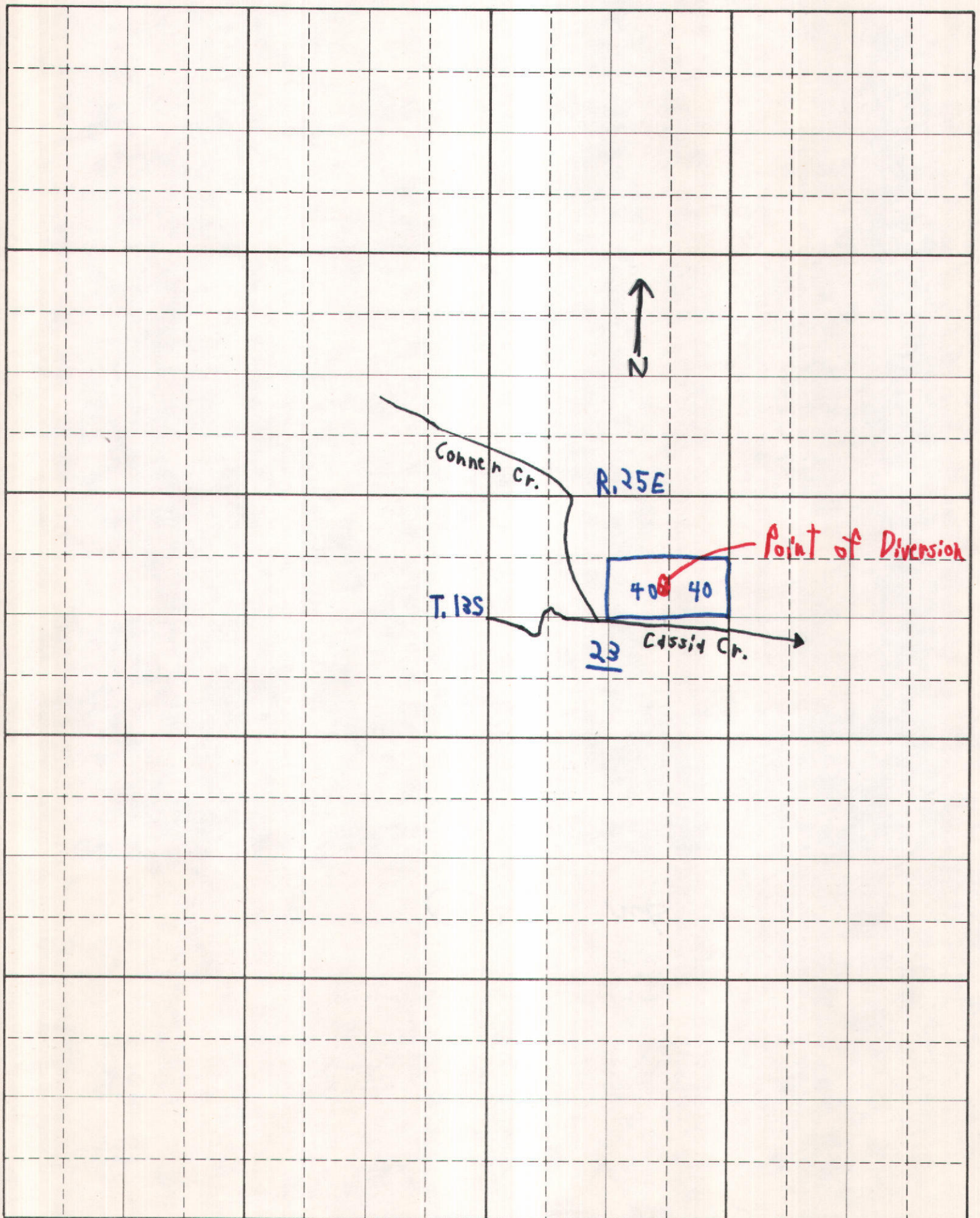


Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Merlin W. Otley
(Applicant)

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Merlin W. Otley
(Applicant)

RECEIVED
DEC 02 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT Department of Water Resources

A. GENERAL INFORMATION

Permit No. 43-7093.D

1. Owner: Lance +/or Kristine Udy
Current Address: Malta, ID 83342

Phone No. 645-2254

2. Accompanied by: Lance Udy
Address: Same

EXAM. DATE: 7/22/89

Phone No. Same

Relationship to Permit Holder: Same

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None

☐ Copies Attached

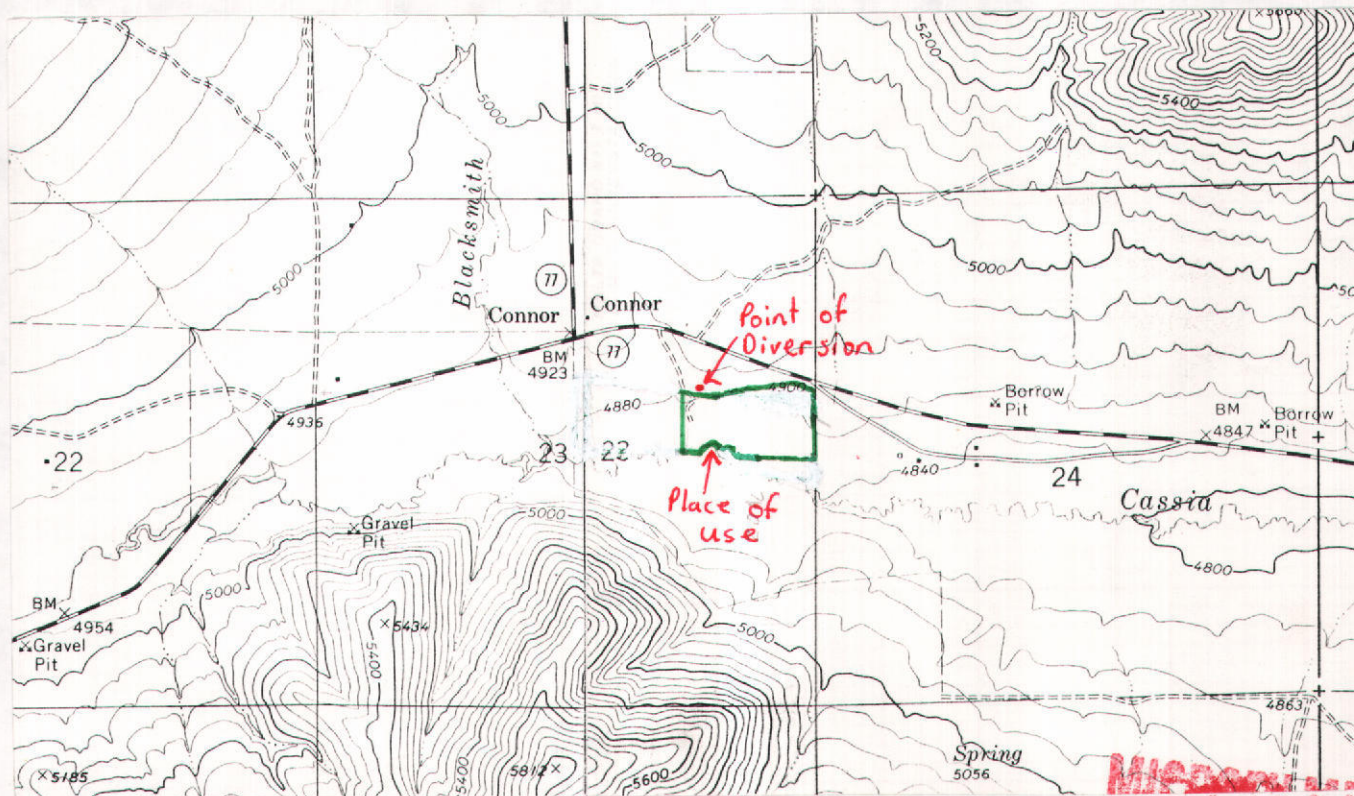
2. Other water rights with same point of diversion: None

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

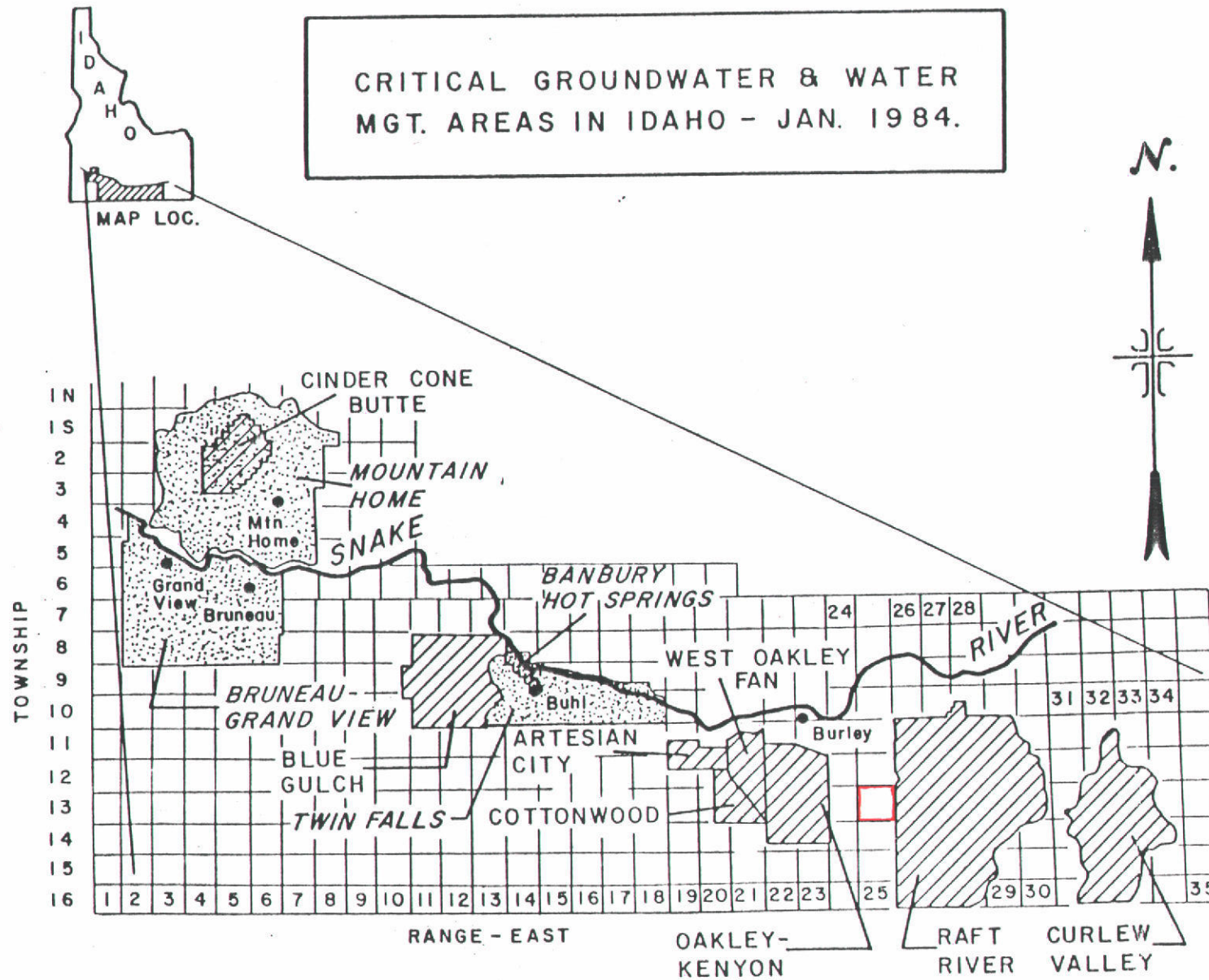
(required for all but single household domestic groundwater, and stockwater.)

☒ Aerial Photo Attached

(required for irrigation of 10 acres or more).

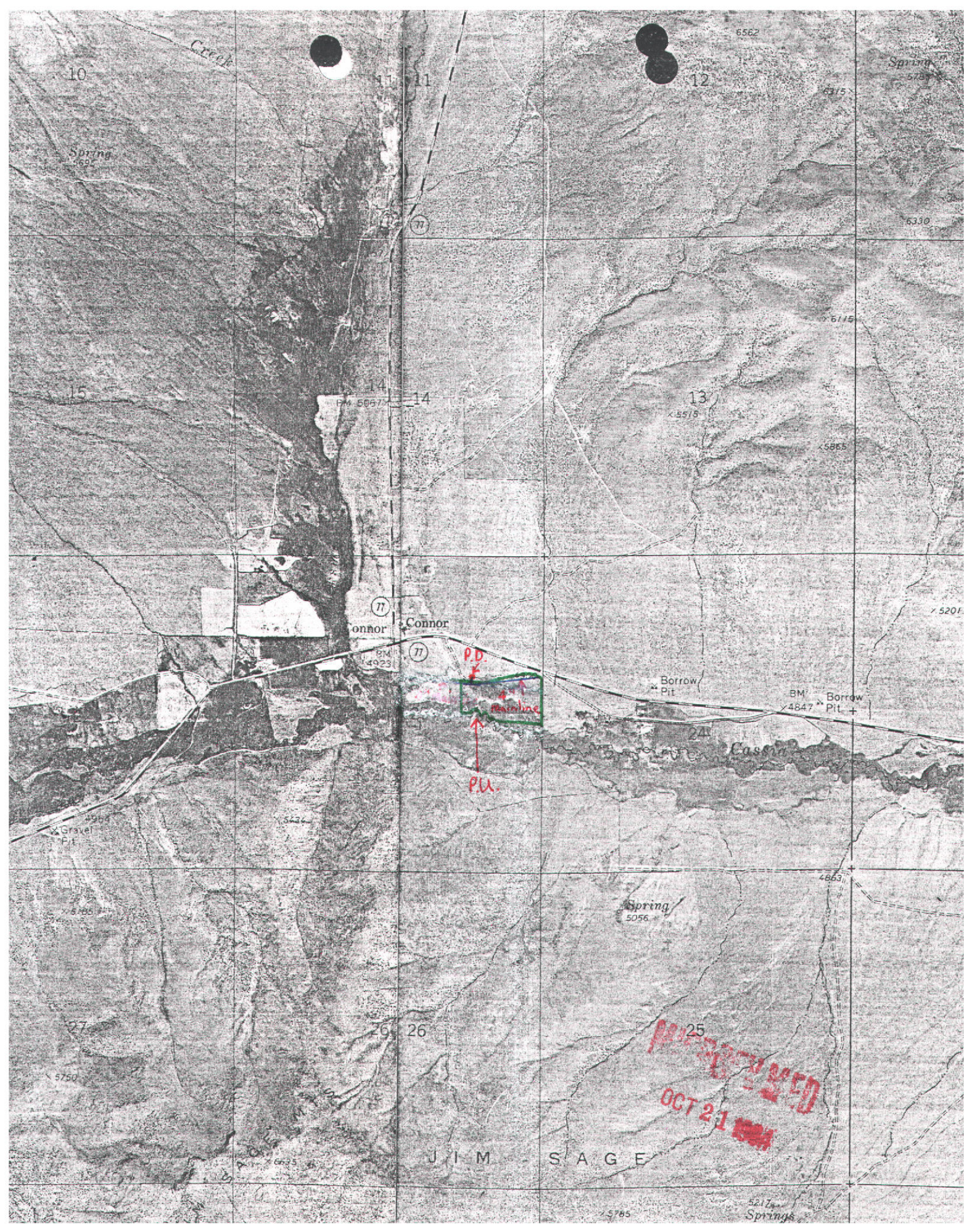
OCT 21 1994

FIGURE NO. 1



OCT 21 1994

1-5

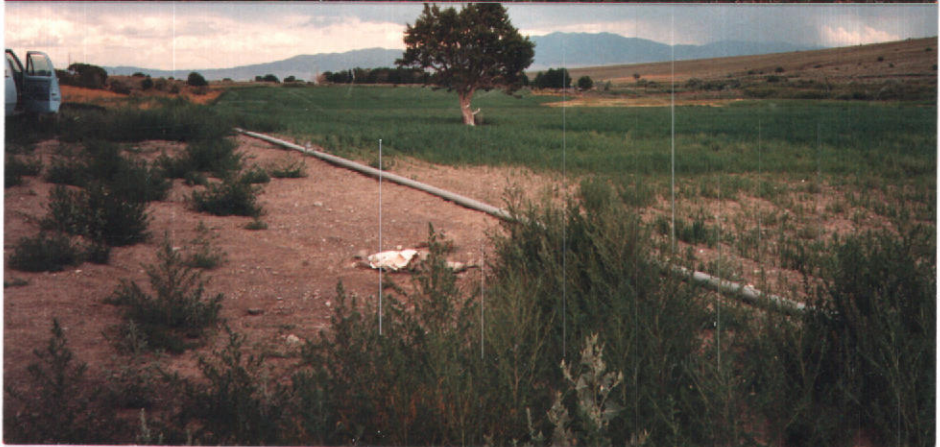




P.D.
10" well



P.V.
Looking East



RECEIVED
OCT 21 1994

P.D.
10" well



P.V.
Looking East



MISSOURI
OCT 21 1994

P.D.
10" well



P.V.
Looking East



MISSOURI
OCT 21 1994

P.O.

10" well

P.V.

Looking East



RECEIVED
OCT 21 1994

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)
..... Marge Barandref being first
duly sworn, deposes and says that ³he is the
Clerk
..... of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of
The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated March 16 1989....., and ending
with the issue dated March 23 1989.....
..... Marge Barandref

89-113

NOTICE OF EXISTING
WATER RIGHT PERMIT
PERMIT No. 43-7093D

Presently recorded as follows:

LANCE and/or KRISTINE UDY

HC 72, BOX 2298

MALTA, ID 83342

Source: GROUNDWATER

Diversion Pt.: SWNE Sec. 23 13S R25E

CASSIA COUNTY

Use: IRRIGATION (0.78 CFS)

STOCKWATER (0.03 CFS)

Priority: 8/17/77

Place of Use: SENE Sec. 23 T 13S R25E

Total Acres: 37.5

The permit was not developed by July 1, 1985,
and is being reprocessed in compliance with
Section 42-203D, Idaho Code. Protests against the
continuance of the permit must be filed with the
Director, Dept. of Water Resources, Statehouse
Mail, Boise, ID 83720 on or before APRIL 3,
1989. A protest must overcome the presumption
of Water Appropriation Rule 5.2.1.

R. Keith Higginson, Director

Published in the South Idaho Press on March
16 and 23, 1989.

STATE OF IDAHO

COUNTY OF

On this 6th day of April in the year of 1989, before me,
a Notary Public, personally appeared Marge Barandref
known or identified to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at Burley IDA

My commission expires: 5/1/93

Department of Water Resources

Cost of Publication 30.51
Notary Fee 50
Total Cost 31.01

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration
WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

RECEIVED

OCT 4 1972

Department of Water Administration

1. WELL OWNER

Name Maria Otley
Address Talpa, Idaho
Owner's Permit No. _____

7. WATER LEVEL

Static water level 10 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature Normel Quality good
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

Discharge G.P.M.	Draw Down	Hours Pumped
<u>45</u>	<u>3 ft</u>	<u>2</u>

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test
☐ Municipal ☐ Industrial ☐ Stock

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 8 inches Total depth 43 feet
Casing schedule: ☒ Steel ☐ Concrete
Thickness Diameter From To
.250 inches 8 x 34 inches F.L. feet 40 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet

Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☒ Torch
Size of perforation 6 inches by 3/16 inches
Number From To
48 perforations 20 feet 38 feet

_____ perforations _____ feet _____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter Slot size Set from _____ feet to _____ feet
Diameter Slot size Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ foot to _____ foot

Surface seal? ☒ Yes ☐ No To what depth 15 feet
Material used in seal ☐ Cement grout ☐ Puddling clay

6. LOCATION OF WELL

See sketch map location marks same as written location.

County Cassia
N.E. S.W. Sec. 23 T. 12 R. 25 E. W.

9. LITHOLOGIC LOG

Hole Diam.	Depth	Material	Water
	From To		Yes No
10	0 18	gray clay soil and about 20% gravel - hard cobbles ✓	
8	18 20	coarse gravel ✓	
8	20 26	gravel & boulders ✓	
8	26 34	gravel & about 25% yellow clay ✓	
8	34 43	cobbles, boulders & about 25% yellow clay ✓	

MICROFILM

DEC 23 1968

No. _____ Work started 7-10-72 finished 7-20-72

DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Ruth Ann King 37
Driller's or Firm's Name Number
Gale Hapner, Inc. Box 35
City State Zip Date
Pocatello Idaho 83450 10-1-72
Signed By Date

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Brenda Eagle, being first

duly sworn, deposes and says that she is the

Book keeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two times

consecutive weeks, commencing with the issue

dated August 30, 1977, and ending

with the issue dated Sept 6, 1977.

Brenda Eagle

Subscribed and sworn to before me

this 9th day of Sept

1977.

Norman M. Peterson Notary Public

Cost of Publication

Notary Fee

Total Cost \$15.40

RECEIVED

SEP 13 1977

Department of Water Resources
Southern District Office

77-388

NOTICE OF AMENDED
APPLICATION FOR
WATER PERMIT

NOTICE IS HEREBY given that Application for Permit No. 43-7093 in the name of Merlin W. &/or Yvonne Ottley, Elba, Idaho has filed for the diversion of 1.63 cubic feet per second of water from a groundwater source in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E., B.M., Cassia County, to be used from April 1 to Nov. 1 for the irrigation of 160 acres and from Jan. 1 to Dec. 31 for livestock purposes within the S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E., B.M.

The applicant now proposes to amend Application for Permit No. 43-7093, requesting 1.63 cubic feet per second of water from a ground water source in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E., Point of Injection: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E; Point of Re-Division: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Twp. 14S, Rge. 24E, B.M., Cassia County, to be used from April 1 to Nov. 1 for irrigation of 160 acres and from Jan. 1 to Dec. 31 for livestock purposes within the S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S; Rge. 25E, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, Twp. 14S, Rge. 24E., B.M.

Any protest against the proposed amending of this application must be filed with the Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before September 16, 1977.

C. Stephen Allred
Director

Published in the South Idaho Press on August 30 & September 6, 1977.

MICROFILMED

77 388

NOTICE OF AMENDMENT APPLICATION FOR WATER PERMIT

NOTICE IS HEREBY given that Application for Permit No. 43-7093 in the name of Merlin W. &/or Yvonne Ottley, Elba, Idaho has filed for the diversion of 1.63 cubic feet per second of water from a groundwater source in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E., B.M., Cassia County, to be used from April 1 to Nov. 1 for the irrigation of 160 acres and from Jan. 1 to Dec. 31 for livestock purposes within the S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E., B.M.

The applicant now proposes to amend Application for Permit No. 43-7093, requesting 1.63 cubic feet per second of water from a ground water source in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E., Point of Injection: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E.; Point of Re-Division: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Twp. 14S, Rge. 24E., B.M., Cassia County, to be used from April 1 to Nov. 1 for irrigation of 160 acres and from Jan. 1 to Dec. 31 for livestock purposes within the S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E., S $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, Twp. 14S, Rge. 24E., B.M.

Any protest against the proposed amending of this application must be filed with the Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before September 16, 1977.

C. Stephen Allred
Director

Published in the South Idaho Press on
August 30 & September 6, 1977.

WATER RIGHT
NUMBER

NAME

CFS

43-07093 OTTLEY , MERLIN W.
OTTLEY , YVONNE

43-07093A

Right 43-07093A was split into Parts C and D.

43-07093B BODEN , DAVID W. — *Lapsed 7/91*
BODEN , COLLEEN A.43-07093C OTTLEY , MERLIN W. — *Relinquished 5/88*
OTTLEY , YVONNE43-07093D UDY , LANCE
UDY , KRISTINE

0.78

OCT 21 1994

PART D

Part D

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07093D

Priority: August 17, 1977

Maximum Diversion Rate:

0.21 CFS

Maximum Diversion Volume:

80.0 AF

This is to certify, that LANCE UDY
KRISTINE UDY

HC 72 BOX 7298

MALTA ID 83342

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 17, 1977; and has submitted Proof of Beneficial Use on July 27, 1988. An examination indicates that the works have a diversion capacity of .210 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.21 CFS	80.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 23, Township 13S, Range 25E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S 25E 23	SENE 20			20

Total number of acres irrigated: 20

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
7. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

State of Idaho
Department of Water Resources

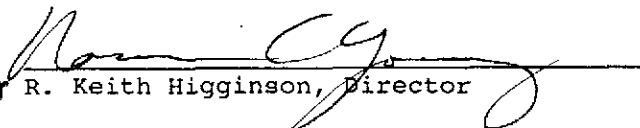
WATER RIGHT LICENSE

WATER RIGHT NO. 43-07093D

CONDITIONS/REMARKS:

8. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 18TH day of OCTOBER, 1994.

Acting for  R. Keith Higginson, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
)
NO. 43-7093D IN THE NAME)
)
OF LANCE &/OR KRISTINE UDY)

CONTINUATION ORDER

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Permit No. 43-7093D (permit) issued to Lance and/or Kristine Udy (permit holder) authorized the diversion of 0.75 cfs of water from a groundwater source for the irrigation of 37.5 acres of land. It also authorized diversion of 0.03 cfs for stockwater use.

2. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, which propose to divert water held in trust by the state of Idaho pursuant to subsection (5) of section 42-203D, Idaho Code, to determine whether they comply with the provisions of Section 42-203C, Idaho Code. The review is not required for permits to the extent beneficial use was complete prior to July 1, 1985.

3. Information submitted by the permit holder shows that 37.5 acres authorized to be irrigated by Permit No. 43-7093D were not irrigated as proposed prior to July 1, 1985.

4. Water diverted and used on or after July 1, 1985 for the irrigation of land under the terms of this permit is trust water.

5. The permit was readvertised in accordance with Water Appropriation Rule 4,2,3,1. and was not protested.

6. Proposed development of water under the permit satisfies the presumption of Water Appropriation Rule 5,2,1. that it will not cause either an individual or cumulative significant reduction.

CONCLUSIONS OF LAW

1. The permit will appropriate trust water.

2. IDWR has reviewed the permit under Section 42-203D, Idaho Code and has determined that the permit complies with Section 42-203C, Idaho Code since the diversion and use of water under the permit will not individually or cumulatively cause a significant reduction.

3. The Director should enter an order reauthorizing development in compliance with the provisions of Section 42-203D, Idaho Code.

ORDER

IT IS, THEREFORE, hereby ORDERED that development under Permit No. 43-7093D is reauthorized and CONTINUED as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review 20 years after the date of this continuation order to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

2. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

3. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

4. All conditions of approval contained on the original permit are incorporated into and made a part of this order.

Dated this 4th day of may, 1989.


L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO SEP 07 1983

Department of Water Resources

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Lance &/or Kristine Udy Phone 645-2254
of (address) Malta, ID 83342, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 43-7093A ^D ~~and~~ and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ NE ¼, Section 23, Township 13S, Range 25E, B.M.,
County of Cassia. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.75cfs for Irrig. purposes from Apr 1 to Nov 1 (both dates inclusive)
(cfs or acre feet per annum)

Amount 0.03cfs for Livestock purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13S	25E	23				S 37.5													37.5

Total number of acres to be irrigated = 37.5

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? "
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

RECEIVED

SEP 10 1983

Show 40-acre subdivisions, townships, ranges and ditches.

A hand-drawn map on a grid. The grid is 10 units wide and 10 units high. A road is drawn starting from the bottom center (row 9, column 5), going up to row 5, then right to column 7, then up to row 3. A small square labeled 'PD' is located at row 3, column 7. A point is labeled 'T. 139' at row 5, column 4. Another point is labeled 'R. 25E' at row 3, column 6.

Signed at Twin Falls, this 12 day of May, 1988.

(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by ADN Fee = \$20.00 Received by JS Date 5-12-88 \$5000/88

Publication prepared by MB Date 7/13/88 Published in So. Ind. Press

Publication dates 7/21 & 7/28/88

I, L. GLEN SAXTON, of the Department of Water Resources hereby
Approve the above Amendment provided the conditions as set forth in Permit
No. 43-7093D are met.

Witness my hand this 4th day of May

19 89
J. Glen Saylor
Chief, Water Allocations Bureau

6030

03/86

RECEIVED

JUL 27 1988

Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
 Fee Received 100.00
 Date 7/27/88
 Receipt # 5001122
 Receipt by M. Baldwin
 Reviewed by JF
 Sent to region S.O.

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 43-7093 D -
 Name(s) of Permit Holder: Jane Ridy
 Post Office Address: HC 72 2298 Malto, Idaho 83342
 Telephone No. 645-2254
 Source of Water: Ground Water

Extent of Use:

Domestic ☒ (number of households) Stockwater ☒ (number and type of stock)
 Irrigation ☒ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.75 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: _____

Measuring Device: Required? ☒ Yes ☐ No Fee enclosed \$ 100.00
 Installed? ☐ Yes ☐ No (See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☐ No
 Installed? ☒ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Jane Ridy 645-2254
 (Name) (Telephone Number)

Malto Idaho HC 72 2298
 (Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

7/27/88 Jane Ridy
 Date Signature of Permit Holder (and title, if appropriate)

MICROFILMED
 DEC 26 1988

RECEIVED
MAY 24 1988

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Merlin W. Ottley, hereby assign to Lance &/or Kristine Udy
of Malta, ID 83342
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____
to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit
No. 43-7093A to appropriate the public waters of the State of Idaho.

43-7093D
kw

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

37.5 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$, 0.75 cfs, well to be drilled on the property.

0.03 cfs for livestock use.

43-7093D

Made this _____ day of _____, 19____.

Merlin W Ottley
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Twin Falls) ss.

On this 12th day of May, 19 88, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Mary G. Baldwin
Notary Public residing at

Gooding, Id

My commission expires:
10/16/1992

MICROFILMED

DEC 26 1988

INTER-DEPARTMENT MEMO — 1

FROM Robyn Carlson

DATE

10/27
81

TO File No. 43-7093

SUBJECT Assignments

In reviewing this file it should be noted that 2 Assignments have been received. The first Assignment was received in January 1980, and the second one in August 1981, both being the same P/D and P/U.

Therefore, the second Assignment superceeds the first Assignment, and has been processed that way.


SIGNATURE

PART C

RECEIVED

MAY 13 1988

MAY 12 1988

Department of Water Resources
Southern Region Office

Department of Water Resources

R E L I N Q U I S H M E N T

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho,
all my right, title and interest in and to Permit to Appropriate
the Public Waters of the State of Idaho, No. 43-7093C (unassigned part of
Permit 43-7093)
Signed at Twin Falls, Id. this 12 day
of May, 19 88.

Merlin W. Ottley
Permit Holder

ATTEST:

J. P. Stanton

MICROFILMED

DEC 20 1988

OK-KW
5/27/88

For Office Use Only	
Fee Received	15.00
Date	7-28-83
Receipt #	30151

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
To provide additional time in which to submit
proof of beneficial use on a water right permit

RECEIVED

JUL 25 1983

Department of Water Resources

OTTLEY, MERLIN W & YVONNE

(Name)

of BOX 434

ELBA

(Address)

State of IDAHO, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 43-7093A

That under the terms and conditions of said permit, work thereunder was required to be completed on or before

AUGUST 1, 19 83.

That he has heretofore performed the following work described under said permit: SPRINKLER

(This must be filled out! If no work has been completed put none.)

SYSTEM PURCHASED, WATER COLLECTING POND CONSTRUCTED, PUMP HAS BEEN PURCHASED AND INSTALLED AND CONNECTED TO THE POWER LINE (BOOSTER PUMP) comm. work

Costing \$ 6,170.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

THIS PERMIT IS WITH DAVID BODEN #43-7093A. IT IS ADVISABLE TO DRILL ONE WELL FOR THIS COMBINED PROPERTY WHICH COVERS 80 ACRES. THE WELL HAS BEEN STARTED, DRILLED ALREADY 150 FEET BUT BECAUSE OF THE LUNG

CANCER OF MR. BODEN, DRILLING HAS BEEN STOPPED MOMENTARILY, BUT WILL BE RESUMED AGAIN. MR. BODEN'S REQUEST FOR A 5 YR. EXTENSION HAS ALREADY BEEN REQUESTED AND GRANTED.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations

under said permit to AUGUST 1, 19 88.

(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Yvonne Ottley
Merlin W. Ottley

(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to August 1, 1988.

Signed this 1 day of August, 19 83.

David R. Tuttle
Acting Chief, Operations Bureau

PART B

PART A

ORIGINAL

PARTIALLY

ASSIGNED TO:

David W. Boden & Colleen A. Bod

P.O. Box 434

Elba, Idaho 83326

01/28/80

Identification No. _____

Application No. 43-7093

Amended 8-17-77

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Merlin W. &/or Yvonne Ottley Phone: 638-5585
post office address Elba, Idaho 83326
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23 Township 13S
Range 25E B.M. Cassia County; additional points of diversion if any: Point of
Injection: NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23 T. 13S R. 25E; Point of Re-Diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 2 T. 14S
R. 24E
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.6cfs for irrigation purpose from Apr 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .03cfs for livestock purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.63 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, sprinklers, stock tanks,
exchange of water with Cassia Creek

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 14 inches; proposed depth of well is 400 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 10,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 23 Township 13S
Range 25E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 100 range cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	25E	23			40	40													80
14S	24E	2							16	29	14	4				13			76
		3				4													4

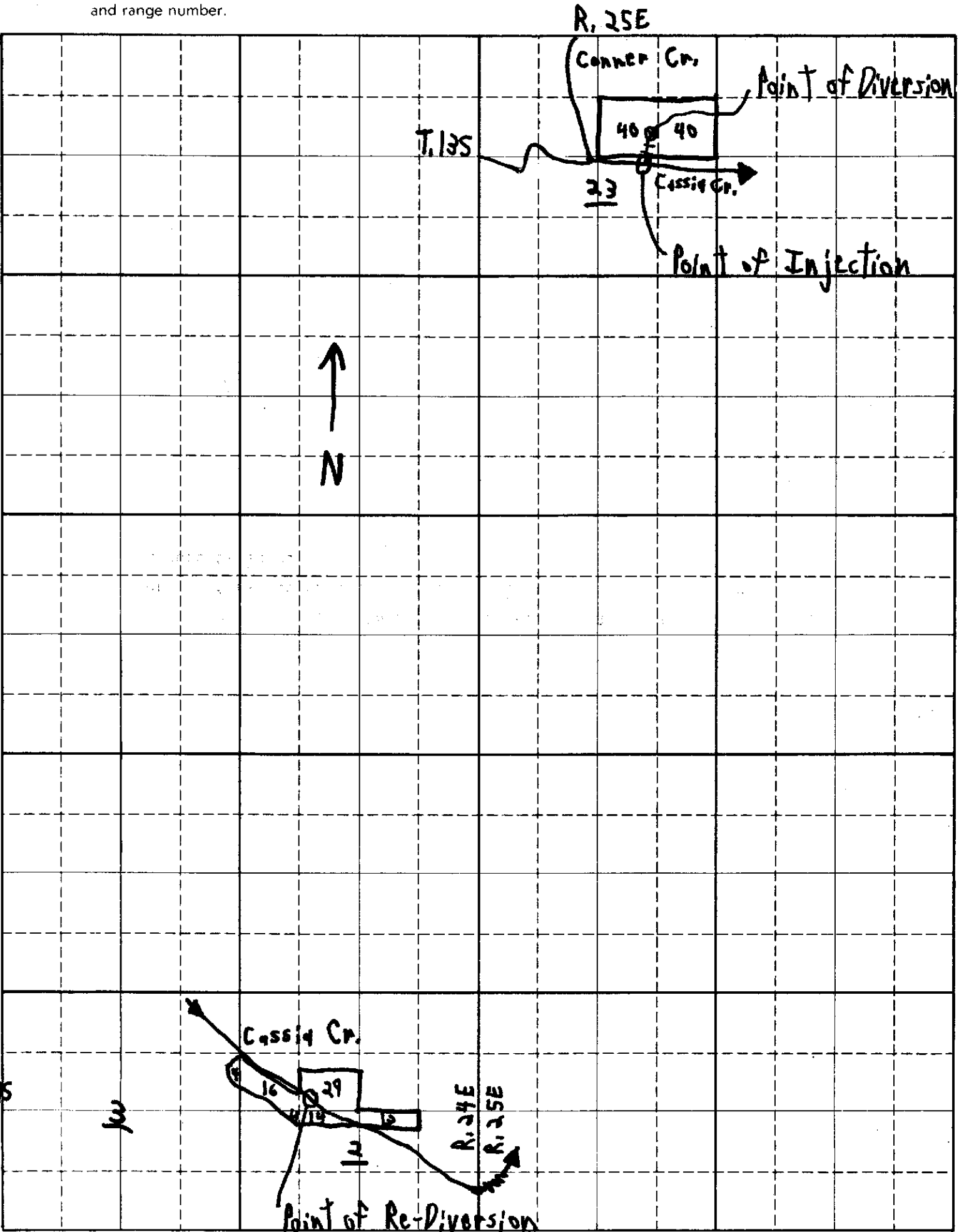
Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above. 1883 Cassia Creek water, Application 43-9092 (Sec. 2 & 3); 9" 1887 Cassia Creek water (Sec. 23).

9. a. Who owns the property at the point of diversion applicants
 b. Who owns the land to be irrigated or place of use applicants
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Water will sometimes be used on 80 acres in Sec. 23 directly from well. At other times, water will be pumped into Cassia Cr. in Sec. 23, and an equal amount taken out upstream for use on 80 acres in Sections 2 & 3.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Merlin W. Otley
(Applicant)

Proposed Priority 8/17/77
Received by JA Date 8-17-77 Time 9 am
Preliminary check by _____ Fee \$ 10.00
Receipted by JA Date 8-17-77 # 8714
Publication prepared by JA Date 7/18/77
Published in South Idaho Press
Publication dates 8/30 & 9/6/77
Publication approved JA Date 9/14/77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JA

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 43-7093, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1983.

03A c. Other: The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

05 Use of water under this permit is subject to control by the watermaster of State Water District No. 43-C, Cassia Creek.

16 Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of injection in Cassia Creek and the point of diversion from Cassia Creek.

07 The permit shall not be assigned or sold without first securing the written approval of the Department of Water Resources.

16 Average yearly diversion for irrigation purposes shall not exceed 3.0 acre feet per acre from all sources combined over any five year period.

R19 A totalizing measuring device shall be installed and maintained at the point of diversion.

Witness my hand this 2nd day of August, 1978.

J. Glen Saxton
Chief, Operations Bureau

Identification No. _____

Application No. 43-7093

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Merlin W. &/or Yvonne Ottley Phone: 638-5585
post office address Elba, Idaho 83326

2. Source of water supply Groundwater which is a tributary of _____

3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23 Township 13S
Range 25E B.M. Cassia County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 1.6cfs for irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .03cfs for livestock purpose from Jan. 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.63 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump, sprinklers, stock
tanks

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 14 inches; proposed depth of well is 400 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 10,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 23 Township 13S
Range 25E B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered 100 range cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13S	25E	23			40	40													80

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above. 9" 1887 Cassia
Creek water

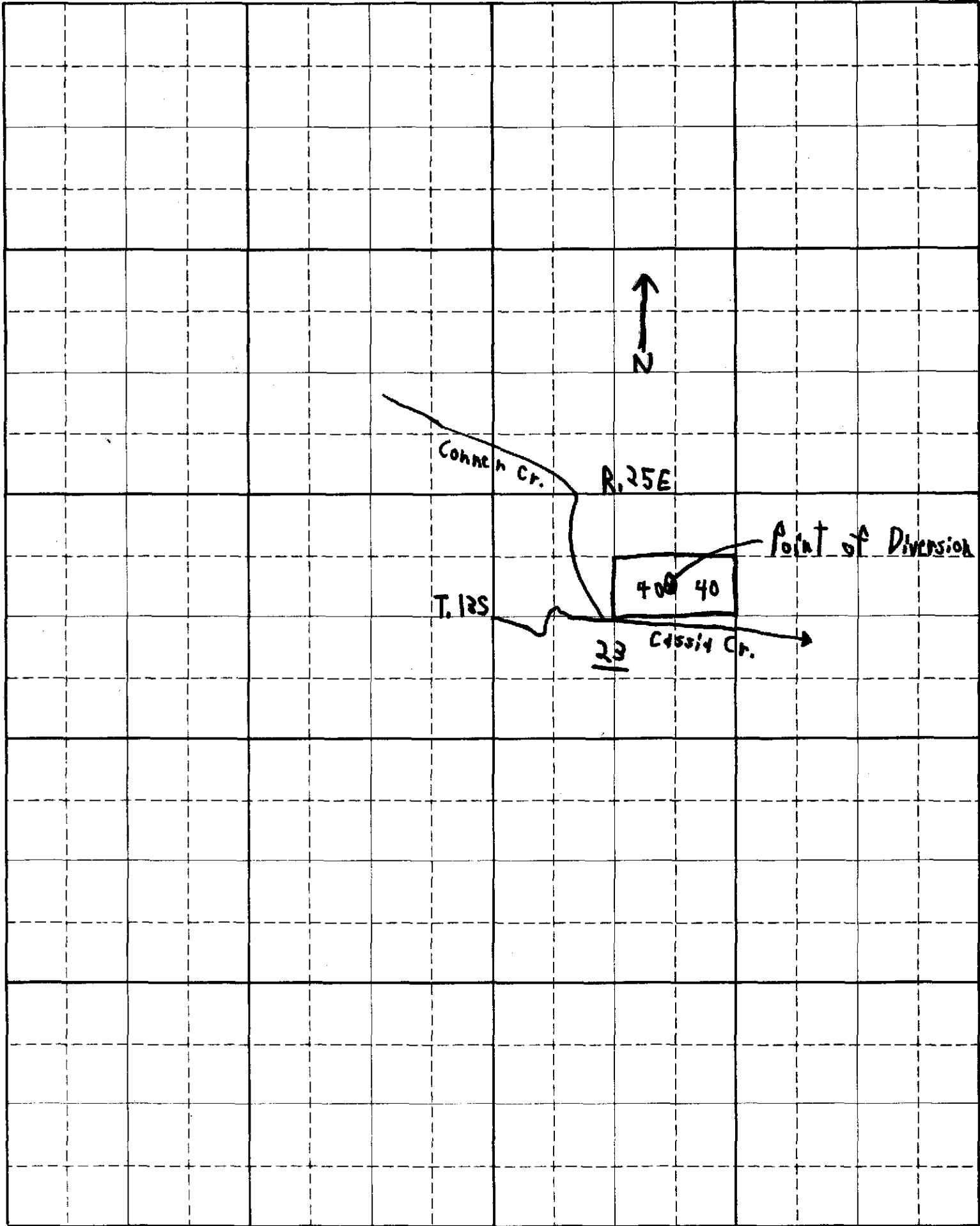
9. a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Merlin W. Otley
(Applicant)

Received by JS Date 7-21-77 Time 9:30 am
Preliminary check by ADM Fee \$ 35.00
Receipted by JS Date 7-21-77 # 8651
Publication prepared by JS Date 7/25/77
Published in South Idaho Press
Publication dates 8/9 + 8/16/77
Publication approved JS Date 9/14/77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by mls

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____ 19____.

Director



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 19, 1994

LANCE UDY
KRISTINE UDY
HC 72 BOX 7298
MALTA ID 83342

RE: WATER RIGHT NO. 43-07093D

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

OCT 21 1994

LICENS REVIEW CHECKLIST

PERMIT NO. 43-7093.1 DATE 9-22-94



	Yes	No	
NAME	☒	☐	Or <u>Address</u> Change? <u>HC 72</u> <u>BOX 7298</u>
PRIORITY DATE	☐	☒	Advance? ☐ Advanced to: ☐ Order to reinstate needed? ☐ Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☐	☒	Changes or just clarification of originally intended source? ☐ Notice of Intent to Void necessary? ☐
POINT OF DIV	☐	☒	Amendment needed? ☐ ☒ Overlaps? ☐
PLACE OF USE	☐	☒	Amendment needed? ☐ ☒ Overlaps? ☐
DIV RATE	☐	☒	Permit/fee limits: <u>.78 CFS</u> <u>annular</u> Meas Q = <u>.15</u> Theo Q = ☐ Recommend: <u>.21 CFS</u> <u>sprinkler</u> Meas Q = <u>.21 CFS</u> <u>20 x .02 = .40</u> Combined rates exceed capacity ☐
ANNUAL VOLUME	☐	☒	Season of use: <u>C/4 (4-1) to 10-31</u> Calculations: <u>20 x 4 = 80</u> Flow limit: <u>.21</u> cfs x <u>214</u> x 1.9835 = <u>84.1</u> Combined volumes exceed capacity/allowable ☐
USES	☐	☒	Change in Nature of Use or additional uses? ☐ Amendment necessary? ☐
REMARKS	☐	☒	Multiple p/d(s) in $\frac{1}{4}$ $\frac{1}{4}$? ☐ ☒ Other ☐
CONDITIONS	☐	☒	Measuring/Locking Devices ☐ ☒ Watermaster control - District ☐ <u>R31</u> ☐ Irrigation Overlap ☐ ☒ Water Quality ☐ <u>PER ORDER -></u> ☒ Other <u>TRUST CONDITIONS</u> Heat/Cool/ Fish verified ☐

COMMENTS: REDUCE acres and rate ; delete livestock use
THERE IS NO INJECTION INTO OR REDIVERSION OUT OF CASSIA CREEK BY THIS PORTION'S
OWNER. CONDITIONS OF ORIGINAL Permit are different because prior to assignment
& amendment of part D. Only this well is used in this system.

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>NO</u>
<u>Irrigation</u>	<u>.21</u>	<u>80</u>	Adjustment Memo Needed (STANDARD)	<u>YES</u>
<u> </u>	<u> </u>	<u> </u>	LICENSE	☒
<u> </u>	<u> </u>	<u> </u>	1ST AMENDMENT LETTER	☐
<u> </u>	<u> </u>	<u> </u>	FINAL AMENDMENT LETTER	☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT Department of Water Resources

RECEIVED
DEC 02 1991

A. GENERAL INFORMATION

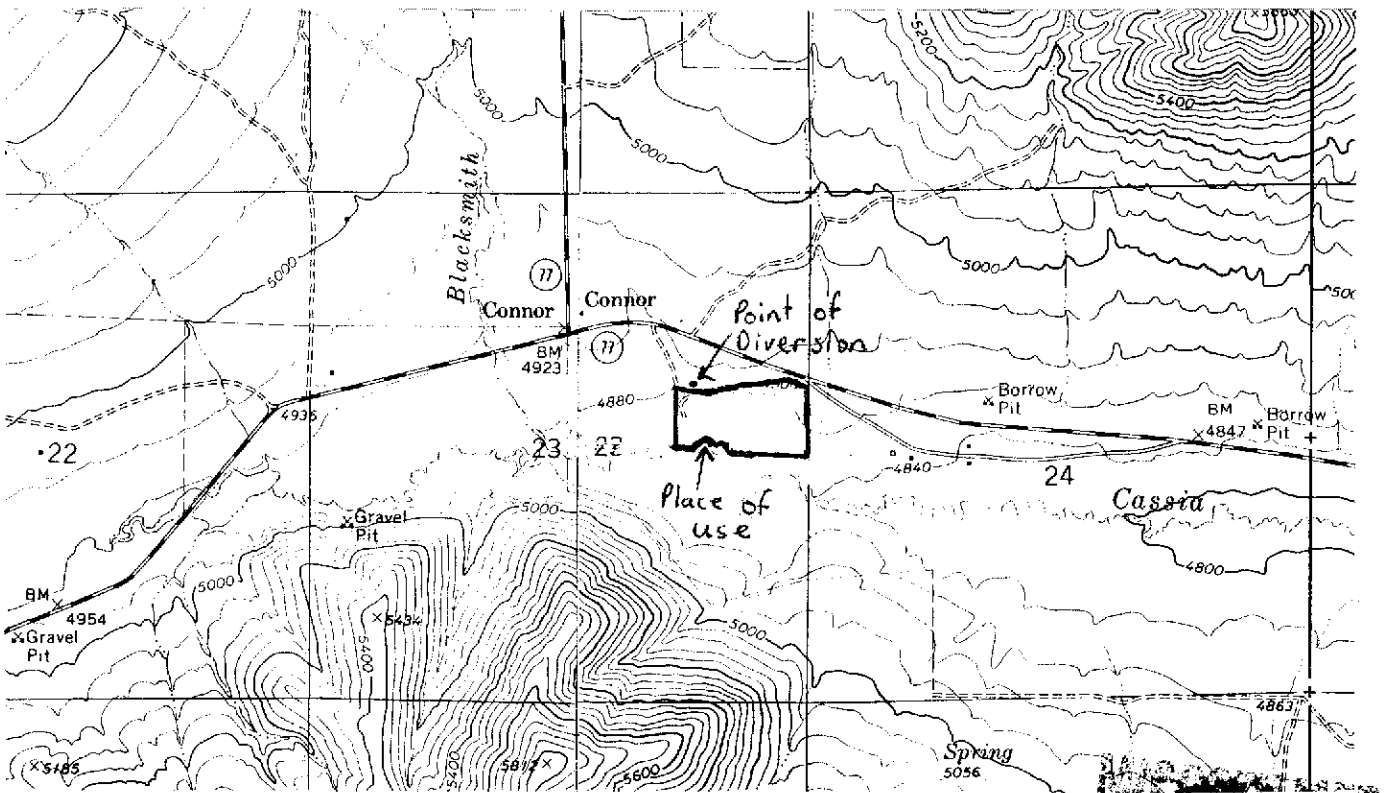
Permit No. 43-7093.D
Phone No. 645-2254
1. Owner: Lance +/or Kristine Udy
Current Address: Malta, ID 83342
2. Accompanied by: Lance Udy EXAM. DATE: 7/22/89
Address: Same Phone No. Same
Relationship to Permit Holder: Same
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).

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System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Water is pumped from well by submersable pump into 4" mainline to 21 sprinkler heads w/ 9/64" nozzles.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		15			4"

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	23	13S	25E	Cassia	Quadrangle / Aerial

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	25E	23				20													37.5 20
																			R/L
																			37.5 20

Do not use this space

OCT 21 1994

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar / Manometer	73	—	—	091482	4.026	—

2. Measurements:

Avg. = 4,435 gpm / sprinkler head ($Q = 29.837 * D^2 * \sqrt{H}$)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$4,435 * 21 = 93,135 \text{ gpm} \Rightarrow 0.21 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

*

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 20 \cancel{30.5} * 3.5 = 70 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.21 * 246 * 1.9835 = 102 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \overset{RL}{402 \text{ afa}} \quad 70 \text{ afa}$$

2. Volume Calculations for Other Uses:

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OCT 21 1994

* See attached memo for adjustment explanation. BC

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Total capacity of the system was 0.15 cfs as measured with the annubar and the total capacity of the system was 0.21 cfs as measured by the sprinkler pressure. Applicant applied for 0.75 cfs, it is my recommendation that we allow 0.21 cfs due to the location of the access port. We should deny the 0.03 cfs for livestock (None present)

When this system was examined it was found that the land is irrigated directly from the well and there is no point of injection into Cassia Creek and no point of re-diversion from Cassia Creek pertaining to the permit. A Totalizer was not installed in the system and when the critical groundwater chart was referenced it showed that the land was not located in a critical groundwater area.

I. RECOMMENDATIONS

1. Recommended Amounts

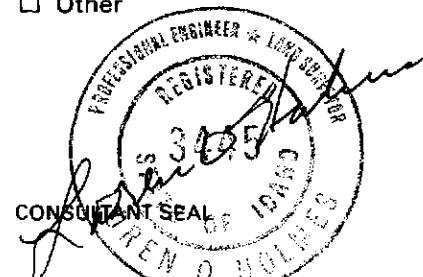
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	Mar 15	Nov 15	0.21	70 *
Totals:			.21	70

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Russ Lewins
Signature Russell Lewins
Certification Date 2/21/99
Field Report Preparation Date 8/3/99



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

* See attached memo for adjustment explanation. EC

OCT 21 1999

MEMORANDUM

TO: File 43-7093 D
FROM: Brenda Chapman
DATE: 9-22-94
RE: Adjustments Made

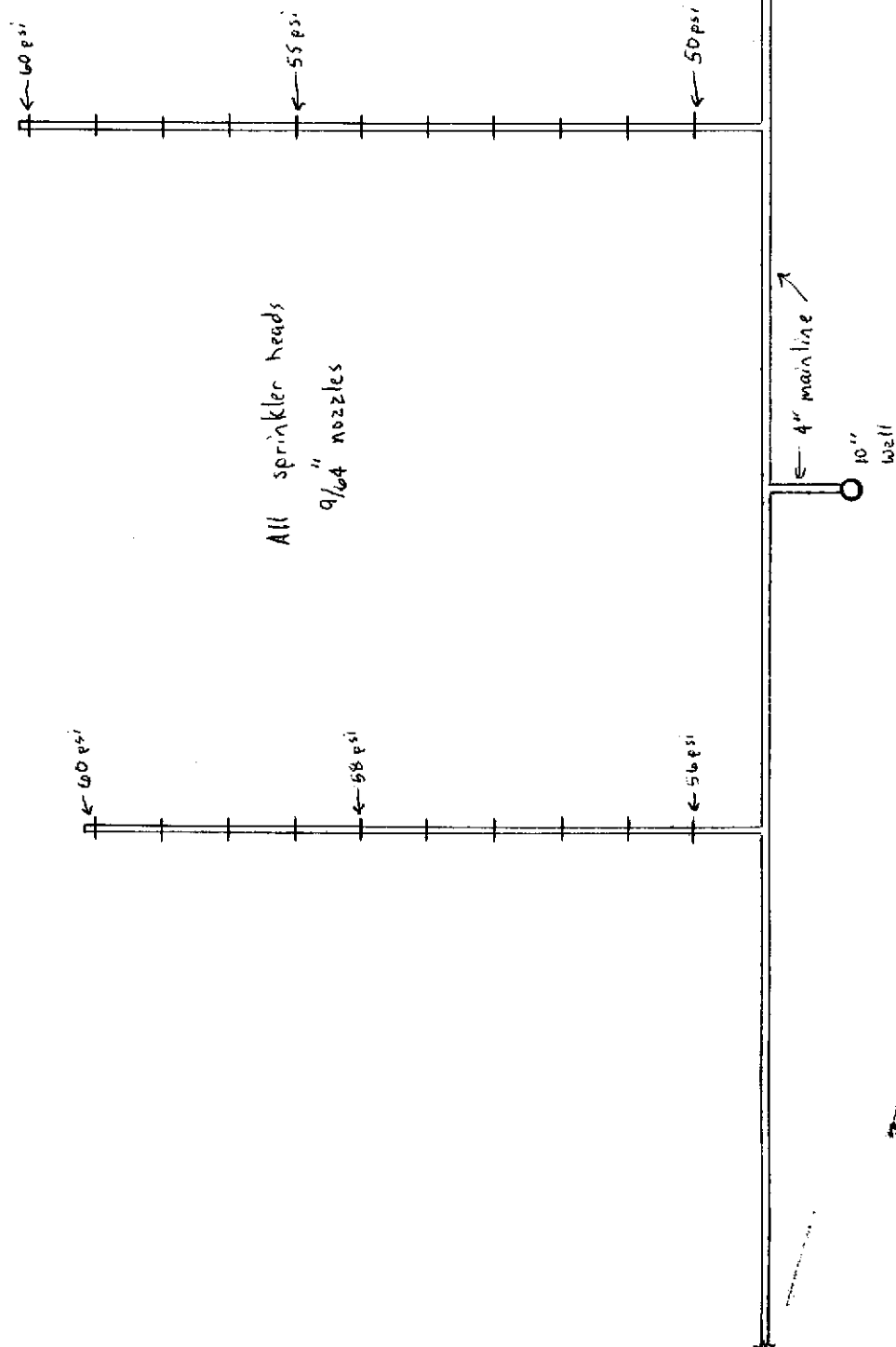
=====

A season of use, diversion rate or annual volume adjustment was recommended based upon the following information:

- ☐ The stockwater rate was adjusted to the currently used Field Examiner's Handbook guideline.
- ☒ The irrigation season dates and/or annual volume diversion were adjusted to the currently used Field Headgate Requirement and Season of Use chart. *

* Per Licensing Administrative Memorandum No. 9, 4/27/92.

OCT 21 1994



OCT 21 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Russ Lewins Date 7/22/89
Owner: Lance &/or Kristine Udy Permit No. 43-7093 D

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Water is pumped from 10" well by submersible pump

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = _____
T = Pipe Thickness in Inches = _____
ID = $2 [(0.1592 \times \text{CIR}) - T] = \dots\dots\dots 3.75$

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 4.026
State ID No. 091482

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14" - 16"	4.01
18" - 24"	4.02
30" or larger	4.03

C selected 4.23

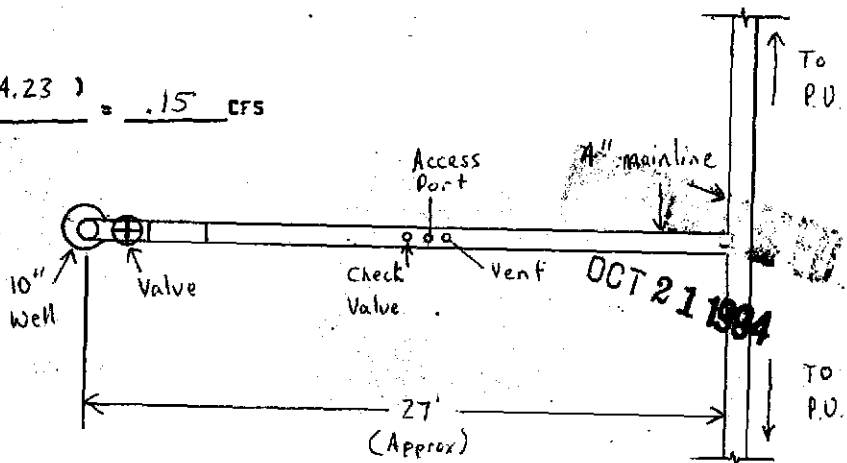
DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 38.1
Low Reading = 36.8
High - Low = H = 1.3

CALCULATION OF DISCHARGE IN CFS (Q)

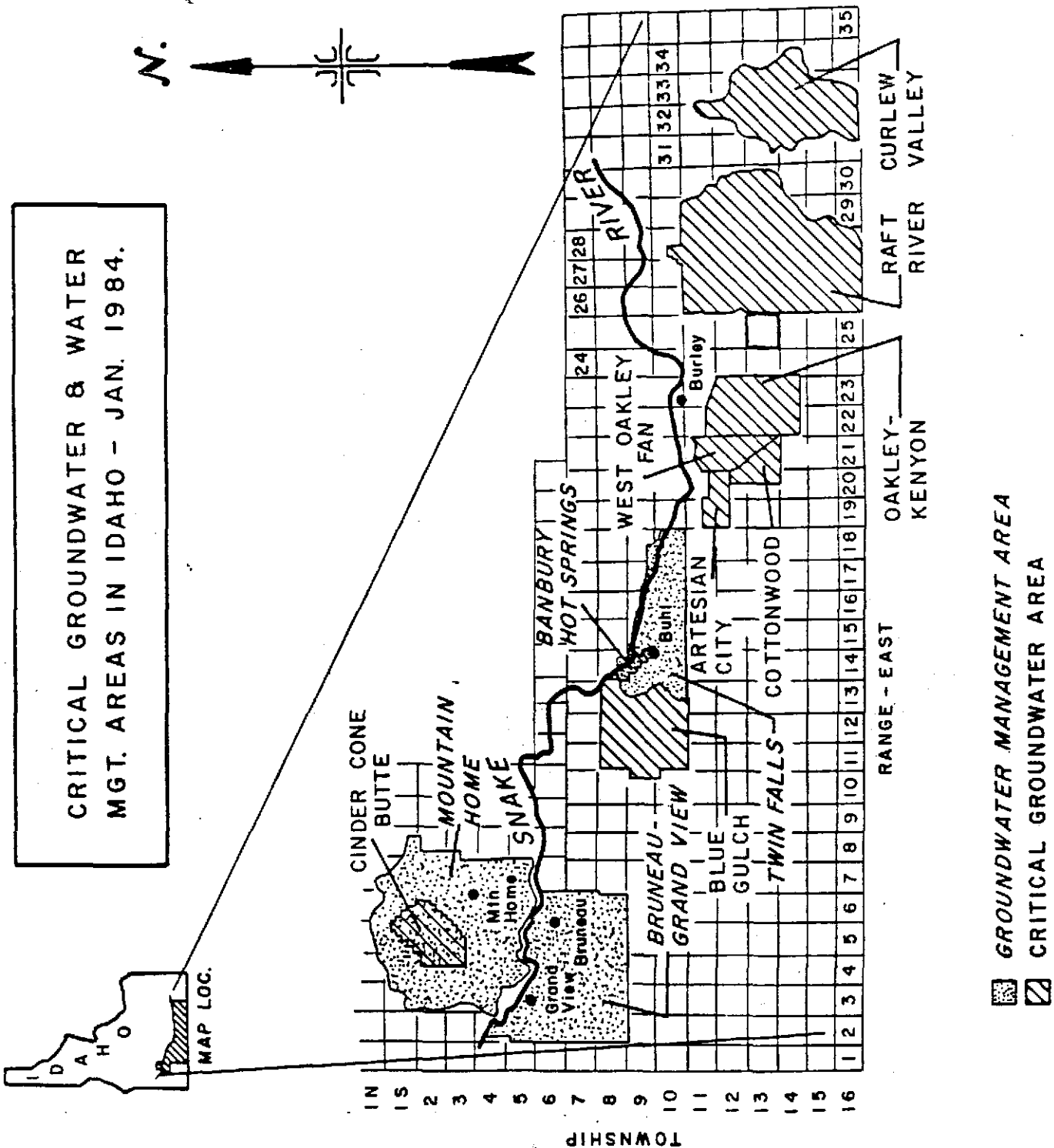
$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$
$$Q = \frac{(3.75)^2 (\sqrt{1.3}) (4.23)}{448.8} = .15 \text{ CFS}$$

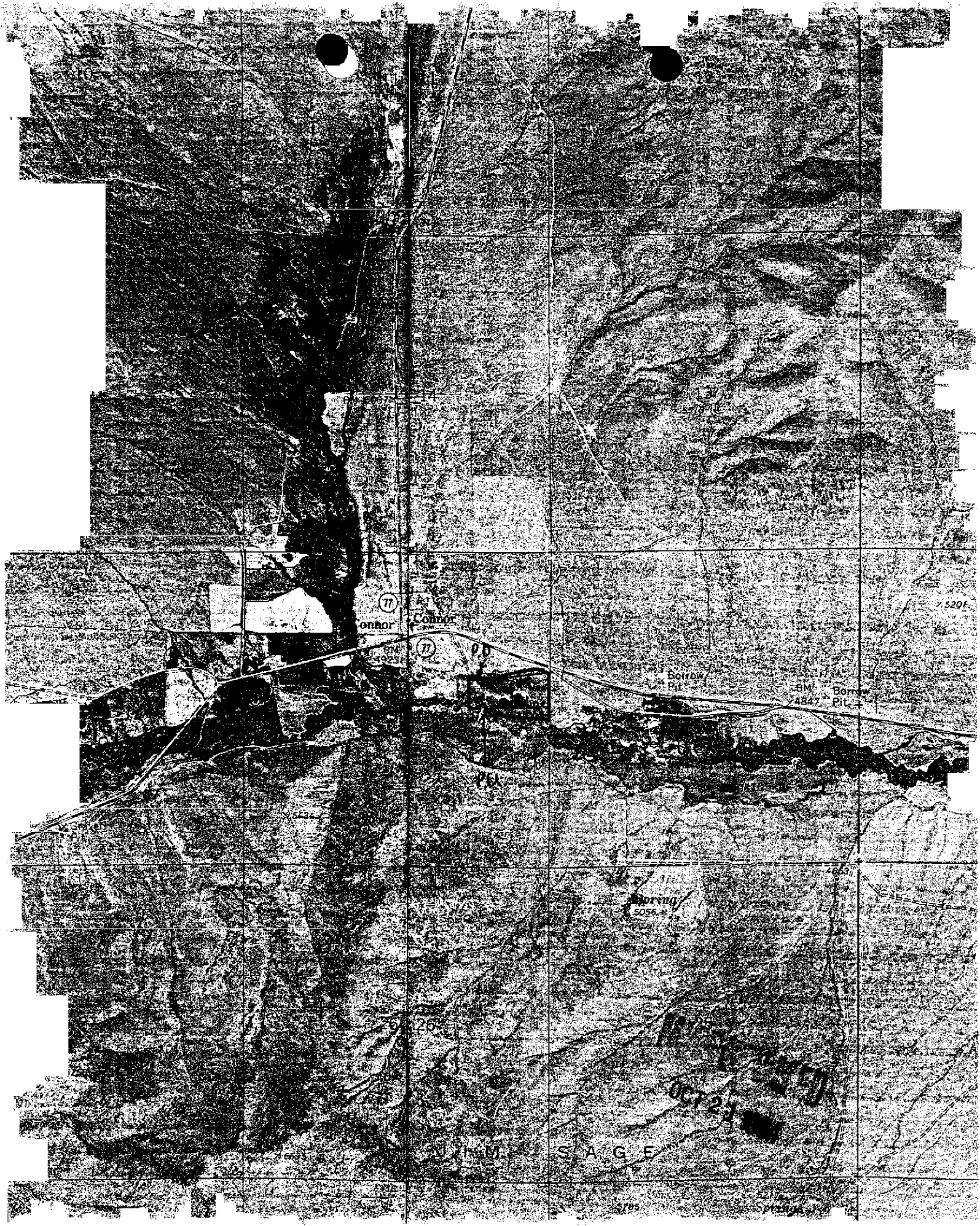
SKETCH (If not shown on Field Report)



OCT 21 1994

FIGURE NO. 1





π
BORROW
π

Borrow
Pit

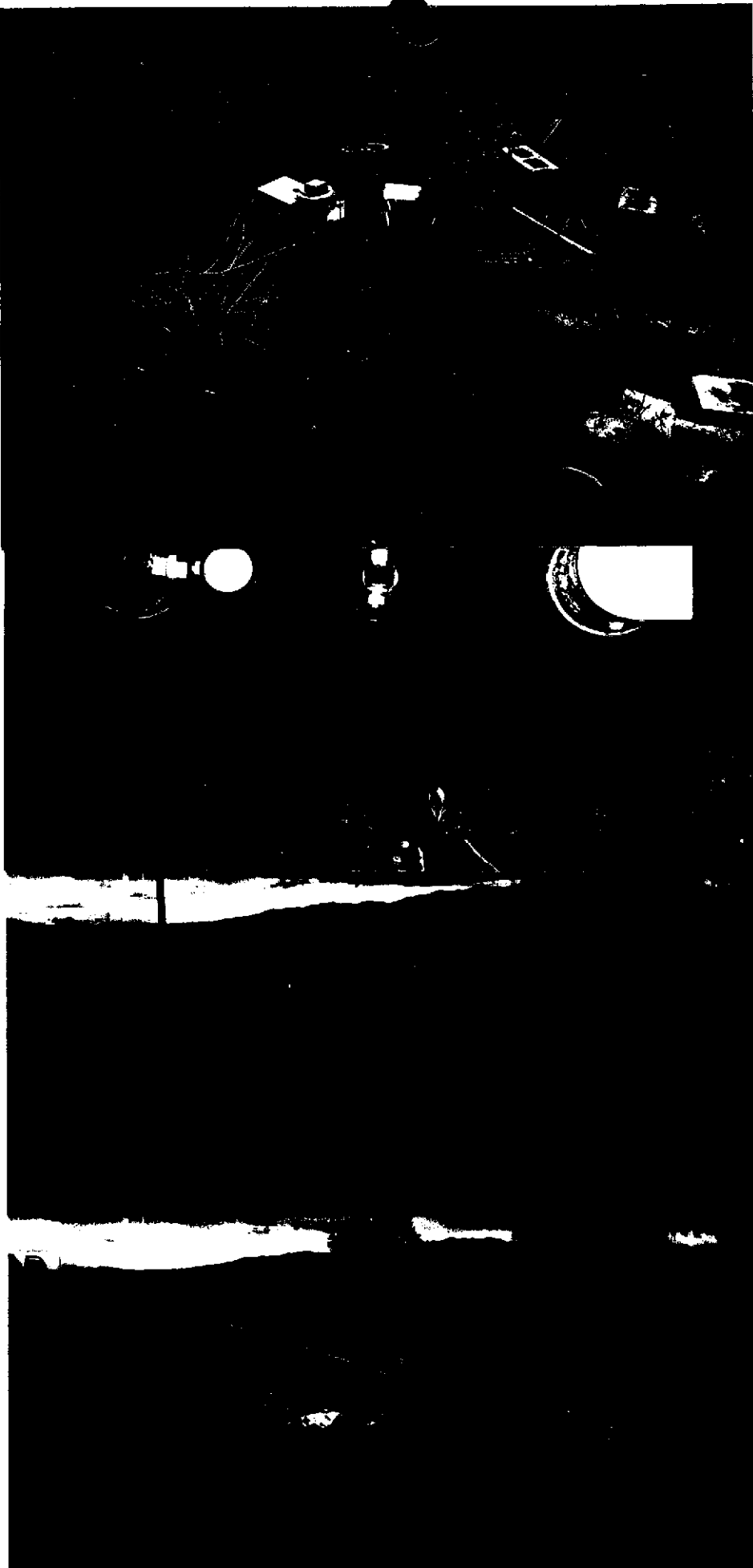
BM
4847
Borrow
Pit

Spring
5056

26

SAGE

10-1-50
OCT 27 1950



P.O.

10" well

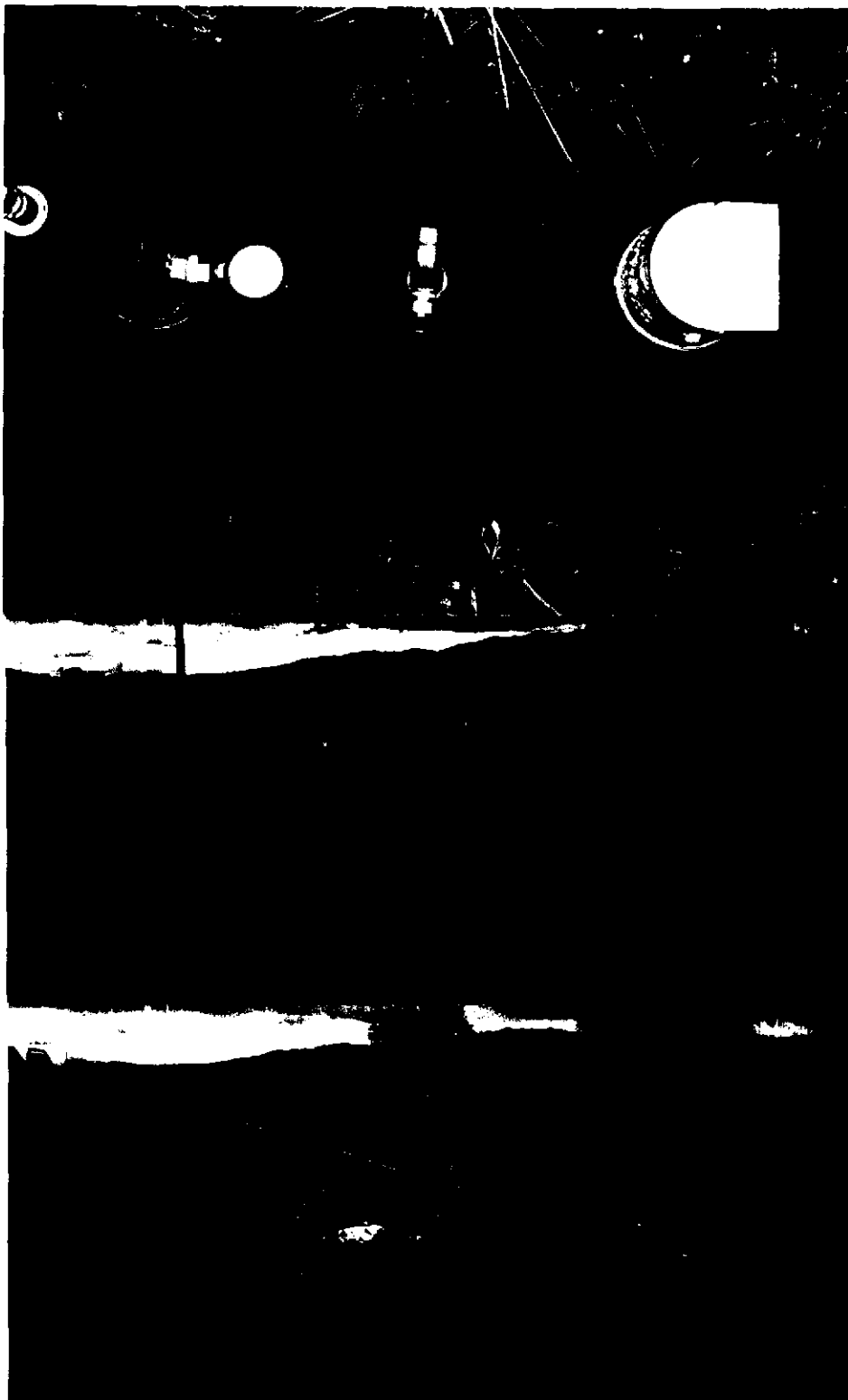
P.V.

Looking East

OCT 21 1994

P.O.

10" well



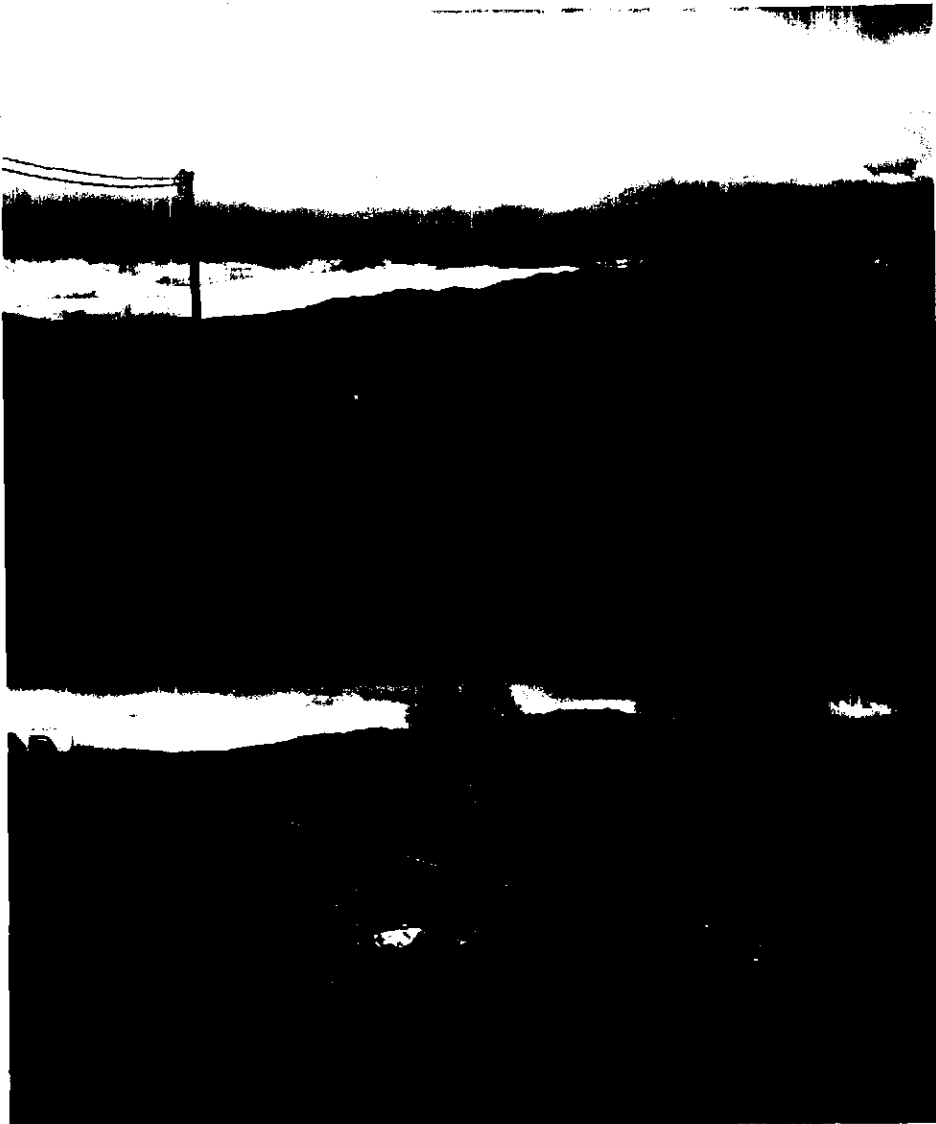
P.O.

Looking East

OCT 21 1994

P.O.

10" well



P.O.

Looking East

OCT 21 1994

P.D.

10" well

P.V.

Looking East



OCT 21 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 11, 1989

RE: Permit No. 43-7093D

Lance &/or Kristine Udy
Malta, ID 83342

Dear Mr. & Mrs. Udy:

Enclosed is an order that authorizes you to proceed with the diversion of trust water under permit to appropriate water no. 43-7093D. Also enclosed is a copy of your approved amendment.

Please note the conditions of approval contained in your permit and the continuation order. You must comply with the conditions to fully complete beneficial use.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tim Luke'.

TIM LUKE
Sr. Water Resource Agent

TL:hm

Enclosures-order & approved amendment

MICROFILMED

MAY 17 1989

Call South Id. Press
& ask for AFFIDAVIT of Prob.
for these 3 files

Phone #

678-0411

Called SIP on 3/5 - Affidavits
will be sent out for 43-7093D,
43-7074 & 46-7471

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

MAR 03 1989

GENERAL INSTRUCTIONS: Please answer all questions thoroughly. A separate questionnaire must be completed for each permit.

1. Permit number 43-7093D.
2. Was the development or a portion of the development complete and water from the source identified under this permit used before July 1, 1985? Yes _____ No ✓
If yes, the Department requests that you submit evidence showing the extent of your development existing on July 1, 1985. Evidence should at least include aerial photos (for developments of five acres or more) which are signed and dated by a local ASCS representative. Other evidence may include power records, irrigation equipment records or receipts, and affidavits from persons who are knowledgeable of your operation and dates of past water use.
3. Are you still interested in developing or completing the development under your water right filing?
Yes ✓ No _____
If no, please complete and return the attached relinquishment form.
If yes, please submit the required \$20.00 readvertisement fee.
4. If you answered yes to question #3, please indicate the number of acres you intend to develop. 37.5 acres
5. Remarks: The well was drilled and the system was sprinkling the ground before Aug. 1st 1988.

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application or cancellation of the permit by the department.

Permit holder James Wiley

Date Feb 28, 1989

Address: Malta Idaho

Phone (208) 645-2254

MAY 17 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 7, 1989

South Idaho Press
Box 190
Burley, ID 83318

Dear Legal Department:

Enclosed you will find legal notices which we wish to have published on March 16 and March 23, 1989 (once a week for two consecutive weekly issues) in your newspaper. If your paper is published weekly, the notices must appear in the issue that is distributed during the weeks of March 13 and March 20. If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and billing to the office below before March 31, 1989.

Idaho Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, ID 83720

Sincerely,

HEIDI M. MIKEL
Secretary

MICROFILMED

MAY 17 1989

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
 STATE OF IDAHO)
Marge Barandreg being first
 duly sworn, deposes and says that he is the
Clerk of the South Idaho
 Press, a daily newspaper published at Bur-
 ley, Idaho, in the county aforesaid and that
 the paper is of general circulation therein.
 Deponent further states that the printed no-
 tice attached hereto was duly published
 according to law in the regular editions of
 The South Idaho Press for two (2)
 consecutive weeks, commencing with the issue
 dated March 16 1989, and ending
 with the issue dated March 23 1989.
Marge Barandreg

89-113

**NOTICE OF EXISTING
 WATER RIGHT PERMIT
 PERMIT No. 43-7693D**

Presently recorded as follows:
 LANCE and/or KRISTINE UDY
 HC 72, BOX 2298
 MALTA, ID 83342
 Source: GROUNDWATER
 Diversion Pt.: SWNE Sec. 23 13S R25E
 CASSIA COUNTY
 Use: IRRIGATION (0.78 CFS)
 STOCKWATER (0.03 CFS)
 Priority: 8/13/77
 Place of Use: SENE Sec. 23 T 13S R25E
 Total Acres: 37.5

The permit was not developed by July 1, 1985,
 and is being reprocessed in compliance with
 Section 42-203D, Idaho Code. Protests against the
 continuance of the permit must be filed with the
 Director, Dept. of Water Resources, Statehouse
 Mail, Boise, ID 83720 on or before APRIL 3,
 1989. A protest must overcome the presumption
 of Water Appropriation Rule 5.2.1.

W. B. H. Hingerson, Director
 Department of Water Resources
 16 and 22, 1988

STATE OF IDAHO

COUNTY OF

On this 6th day of April in the year of 1989, before me,
 a Notary Public, personally appeared Marge Barandreg
 known or identified to me to be the person whose name subscribed to the within instrument,
 and being by me first duly sworn, declared that the statements therein are true, and
 acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at Malta, Idaho

My commission expires: 7-14/92

Cost of Publication 30.51
 Notary Fee 50
 Total Cost 31.01

NOTICE OF EXISTING
WATER RIGHT PERMIT

PERMIT No. 43-7093D
Presently recorded as follows:

LANCE and/or KRISTINE UDY
HC 72, BOX 2298
MALTA, ID 83342
Source: GROUNDWATER
Diversion Pt.: SWNE Sec. 23 13S R25E
CASSIA COUNTY
Use: IRRIGATION (0.78 CFS)
STOCKWATER (0.03 CFS)
Priority: 8/17/77
Place of Use: SENE Sec. 23 T13S R25E
Total Acres: 37.5

The permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before APRIL 3, 1989. A protest must overcome the presumption of Water Appropriation Rule 5,2,1.

R. Keith Higginson, Director

MICROFILMED

MAY 17 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 30, 1989

RE: PERMIT NO. _____

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy enclosed).

RECORDED

MAY 17 1989

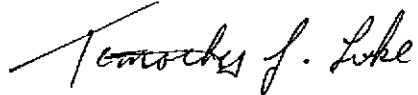
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 334-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke - Water Allocation/Trust Water

Please note that a copy of your permit is enclosed. The permit number is shown on the enclosed questionnaire.

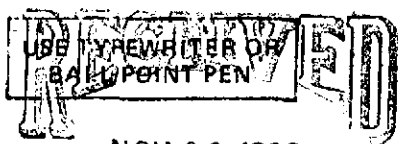
Sincerely,

A handwritten signature in cursive script that reads "Tim Luke".

TIM LUKE
Sr. Water Resource Agent

Enclosures

MAY 17 1989



WELL DRILLER'S REPORT

NOV 09 1988

001

1988

The law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

Department of Water Resources
Southern Region Office

1. WELL OWNER

Department of Water Resources

Name Lance Ndy

Address Melba Idaho 83342

Owner's Permit No. 43-7093 D ^{only} 43-88-5-003

2. NATURE OF WORK

43-7093 A(?)

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☒ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type)

☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 10 inches Total depth 198 feet

Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>0.250</u> inches	<u>10</u> inches	<u>1</u> feet	<u>186</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☒ Yes ☐ No

How perforated? ☒ Factory ☐ Knife ☒ Torch

Size of perforation 5/16 inches by 6 inches

Number	From	To
<u>200</u> perforations	<u>150</u> feet	<u>186</u> feet
<u>150</u> perforations	<u>80</u> feet	<u>150</u> feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 40 Material used in seal ☐ Cement grout

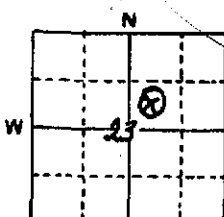
☒ Puddling clay ☐ Well cuttings

Sealing procedure used ☐ Slurry pit ☒ Temporary surface casing

☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location



Subdivision Name _____

Lot No. _____ Block No. _____

County Cassia

SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23 T. 13 N. S. R. 25 E.

7. WATER LEVEL

Static water level 15 feet below land surface

Flowing? ☐ Yes ☒ No G.P.M. flow _____

Temperature 56 ° F. Quality Good

Artesian closed-in pressure _____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped
<u>180</u>	<u>125</u>	<u>10</u>
_____	_____	_____
_____	_____	_____

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
12	0	35	Light Colored Clay + Gravel	X	
12	35	40	Dark Andesitic Lava		X
12	40	60	Brown Sandy Clay	X	
10	60	112	Brown + White Quartzite gravel		
10	112	123	Mixed Some Brown Clay	X	
10	123	135	Brown + Red Gravel + Clay	X	
10	135	143	Hard Cemented gravel with Black sand + Quartzite		X
10	143	154	Brown Sandy Clay	X	
10	154	159	Hard Quartzite Conglomerate	X	
10	159	187	ate Rock with Fractures		
10	187	195	Brown Sandy Clay	X	
10	195	198	Hard Conglomerate Rock with Lava and Quartzite mixed		X
10	198		Lightly Cemented Black Sand + Gravel with Some Brown and white Quartzite mixed	X	
10			Hard Black Andesitic Lava		X

10.

Work started 6-15/88 finished 7/20/88

11. DRILLERS CERTIFICATION

Firm Name Stan Lloyd Drilling Firm No. 294

Address HC-61, Box 1510 Elba Id. Date 10/2/88

Signed by (Firm Official) F. Stanley Lloyd

and
(Operator) Same -

September 12, 1988

Lance Udy
HC 72, Box 2298
Malta, ID 83342

RE: Permit No. 43-7093D

Dear Permit Holder:

The department received your Proof of Beneficial Use form, however, before completing processing, additional information is needed.

If you have a well driller's report, please send a copy to the department. If you do not have one, please let me know who drilled the well and when it was drilled.

Please remit the requested information by October 12, 1988 to keep your permit in good standing.

If you have any questions, feel free to call me.

Sincerely,

RITA FLECK
Secretary/Records Manager

c: S. Region

MICROFILMED

DEC 20 1988

No reply 10/14/88
Continue Reviewing
Proof.

To: File ~~9/9/88~~ 43-7093

From: Groundwater Protection

Date: 9/9/88

Drilling Permit: ☒ Not Applicable
☐ Found and in file
☐ Not Found

Well Drillers Report:

☐ Not found, due to reported age of well
probably not available
☐ Found and is in file
☒ Not found

Follow-up

☒ Request from permit holder the well
drillers report and/or the name of the
well driller.
☐ Ask permit holder when well was drilled
and notify holder of drilling permit
requirement if after July 01, 1987.

One document in file says well
drilled in 82-83. we do
not have the log

MICROFILMED

DEC 23 1988

RECEIVED

AUG 6 1988

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

Department of Water Resources
Sawada Region Office

County of Cassia,)
STATE OF IDAHO) ss.

MARGE BRENDRECHT being first

duly sworn, deposes and says that *she* is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for *two (2)* consecutive weeks, commencing with the issue dated *July 21* 19*88*, and ending with the issue dated *July 28* 19*88*

Marge Brendrecht

Subscribed and sworn to before me

this *3rd* day of *Aug* 19*88*

Dale Mahay Notary Public

Cost of Publication *33.50*

Notary Fee *50*

Total Cost *33.00*

88-385

NOTICE OF AMENDMENT TO
A WATER PERMIT
NO. 43-7093 D

Notice is hereby given that Lance &/or Kristine Udy are the holders of a part of Permit No. 43-7093 authorizing the diversion of 1.63 cfs cubic feet per second of water from groundwater sources in the NW1/4SE1/4, Sec. 23, T13S, R25E and rediversion in SE1/4NW1/4, Sec. 2, T14S, R24E; County of Cassia, to be used for irrigation on 160 acres and stockwater within S1/2NE1/4, Sec. 23, T13S, R25E; S1/2NW1/4, N1/2SW1/4, NW1/4SE1/4, Sec. 2, T14S, R24E; SE1/4NE1/4, Sec. 3, T14S, R24E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to change the Point of Diversion and split of right as follows:

Amount: 0.75 cfs for Irrigation from 04/01 to 11/01 0.03 cfs for stockwater from 01/01 to 12/31

Point of Diversion: SE1/4NE1/4, Sec. 23, T13S, R25E, Cassia County; 3/8 mile SE of Conner Creek Store.

Place of Use: 37.5 acres and stockwater within SE1/4NE1/4, Sec. 23, T13S, R25E.

The portion of the permit held by the applicant will be designated 43-7093 D.

Any protest against approval of the amending of Permit No. 43-7093 D as set forth above must be filed with the Idaho Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before August 8, 1988.

/s/ R. Keith Higginson, Director

Published in the South Idaho Press on July 21 and 28, 1988.

RECEIVED

DEC 20 1988

SEP 07 1988

Department of Water Resources

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 43-7093 D

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R. Keith Higginson, Director

Published in the South Idaho Press on 7/21 & 7/28/88.

MICROFILMED

DEC 23 1988

1301 North Orchard Street

83706-2237

Calum Chack

690528

Plot ☐

MICROFILMED

DEC 23 1988

~~Lance Department of Wildlife Resources
Malta, ID 83342~~

RECEIVED

~~JUN 2 1966~~

RETURNED TO SENDER

Checked
Ref.

Refused

11/4/01/37

Street

Such

1

1

10

•

CERTIFIED MAIL
138008
NO.

6-2-88
6-7-88
6-17-88

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

RECEIVED

JUN 22 1988

Department of Water Resources
CECIL D. ANDRUS

GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 31, 1988

CERTIFIED MAIL

Lance and/or Kristine Udy
Malta, ID 83342

Dear Mr. and Mrs. Udy:

Re: Permit No. 43-7093D

PROOF DUE NOTICE

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1988. (See the last page of your approved permit or your last approved extension request). Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time provided the delay is for reasonable cause as described in Section 42-204, Idaho Code. If you have been prevented from proceeding by a government agency or by litigation, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

May 31, 1988

138008
CERTIFIED MAIL

Lance and/or Kristine Udy
Malta, ID 83342

Dear Mr. and Mrs. Udy:

Re: Permit No. 43-7093D

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Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED
DEC 23 1988

RECEIVED

MAY 12 1988

State of Idaho
Department of Water Resources

DRILLING PERMIT

RECEIVED

MAY 13 1988

kw
5/27/88

Department of Water Resources

Southern Region Office (Authorizing Construction of a Well)*

Department of Water Resources

1. Applicant Lance &/or Kristine Udy
2. Address Malta, ID 83342
- Telephone 645-2254

(X) Well Owner () Well Operator () Other, specify _____

3. Proposed well location SE 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 23, Twp. 13S, Rge. 25E, County Cassia,
Lot, block and subdivision _____

4. Proposed use of well: (Check all that apply)
- (X) Domestic (X) Stockwater () Monitoring
(X) Irrigation () Industrial () Municipal
() Injection () Other, Specify _____

5. Well construction information:
- (X) New well () Deepen () Replace
- Proposed surface diameter 10 Maximum depth 200
Anticipated bottom hole temperature: _____
- (X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)

6. Anticipated construction start date as soon as possible

7. Well Driller (if known) Stanley Lloyd # 297
- Address Elba, ID

8. Applicant's signature Lance Udy

Title _____

Date May 12, 1988

MICROFILMED

DEC 28 1988

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

PARIC

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer
within 30 days after completion or abandonment of the well.

1. WELL OWNER Name <i>Marion M. Hays</i> Address <i>1000 N. 1st St.</i> Owner's Permit No. _____		7. WATER LEVEL Static water level <i>16</i> feet below land surface Flowing? ☒ Yes ☐ No G.P.M. flow _____ Temperature <i>Normal</i> Quality <i>good</i> Artesian closed in pressure ☐ Yes ☒ No Controlled by ☐ Valve ☐ Cap ☒ Plug																																																																	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement Abandonment (describe method of abandonment): _____		8. WELL TEST DATA ☒ Pump ☐ Bailer ☐ Other Discharge G.P.M. <i>45</i> Draw Down <i>3 ft</i> Hours Pumped <i>2</i>																																																																	
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock		9. LITHOLOGIC LOG																																																																	
4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other		<table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>16</td><td>6</td><td>18</td><td>fine gray soil</td><td></td><td></td></tr><tr><td></td><td></td><td></td><td>bedrock 20"</td><td></td><td></td></tr><tr><td></td><td></td><td></td><td>gravel and pebbles</td><td></td><td></td></tr><tr><td>8</td><td>18</td><td>26</td><td>coarse gravel</td><td></td><td></td></tr><tr><td>8</td><td>20</td><td>26</td><td>coarse gravel</td><td></td><td></td></tr><tr><td>8</td><td>26</td><td>34</td><td>gravel & sand</td><td></td><td></td></tr><tr><td></td><td></td><td></td><td>25% yellow clay</td><td></td><td></td></tr><tr><td>8</td><td>34</td><td>43</td><td>bedrock, boulders</td><td></td><td></td></tr><tr><td></td><td></td><td></td><td>about 25% yellow clay</td><td></td><td></td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	16	6	18	fine gray soil						bedrock 20"						gravel and pebbles			8	18	26	coarse gravel			8	20	26	coarse gravel			8	26	34	gravel & sand						25% yellow clay			8	34	43	bedrock, boulders						about 25% yellow clay		
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			about 25% yellow clay																																																																
5. WELL CONSTRUCTION Diameter of hole <i>8</i> inches Total depth <i>43</i> feet Casing schedule ☒ Steel ☐ Concrete Thickness Diameter From To <i>1/2</i> inches <i>8</i> inches <i>0</i> feet <i>20</i> feet inches inches feet feet inches inches feet feet inches inches feet feet inches inches feet feet Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☒ Torch Size of perforation <i>6</i> inches by <i>3/16</i> inches Number From To <i>48</i> perforations <i>20</i> feet <i>38</i> feet perforations feet feet perforations feet feet Well screen ☐ Yes ☒ No																																																																			

PARIB

INTER-DEPARTMENT MEMO — 1

DATE 10/8/81

FROM Jim

TO File

SUBJECT Assignment

Per Mr. OHley's response to my letter of
Sept 9, 1981, THE DEPARTMENT WILL ALLOW THE
ASSIGNMENT

MICROFILMED

SIGNATURE

attention Jim V

Elba Idaho
Oct 4 / 1981

State of Idaho
Department of Water Resources
Boise Idaho

RECEIVED

OCT 6 1981

Department of Water Resources

Dear Mr. Johnson.

In Reply to your letter of September 9 1981 in connection with my permit No. 43.7093. and a portion of it going to Mr. Boden. I sold 29 acres of this ground that the permit was for and I understood at that time your Twin Falls office told me Mr Boden could not get a permit for another well on that ground because my permit was tied to the 30 acres and he would have to have part of it assigned to him. So as far as known we got the papers from them ^{Twin Falls} office that was necessary to make the assignment. I called them out and Mr. Boden took them to Twin Fall personally. He was not charged for his portion of the permit unless it was in the selling contract of the ground and some.

We felt the ~~the~~ price of drilling a well, one well would be sufficient. So that is the reason we went that way.

Now if want to issue him a permit to drill a well I'll keep the one for me, but we felt one well would work for us.

MICROFILMED

we signed several papers that the Twin Falls
office gave us to sign, you should have
had that information by now. I think
maybe you ought to check with them.

If you need more information
let me know

Sincerely yours

Merlin W. Atley

RECORDED

September 9, 1981

Merlin W. Ottley
Elba,
Idaho 83326

Dear Mr. Ottley:

On January 28, 1980, the Department received an assignment of permit ~~from~~ which proposed to assign ownership of a portion of Permit No. 43-7093 to Mr. and Mrs. Boden of Elba, Idaho.

One of the conditions of approval on Permit No. 43-7093 was that the permit shall not be assigned or sold without first securing the written approval of the Department of Water Resources.

Therefore, until the Department can learn more about the circumstances for the assignment, the assignment cannot be considered valid at this time.

There are two items which we would like to have addressed. Namely why the assignment was necessary and was Mr. Boden charged for this portion of the permit he was to receive?

Would you please respond to these two questions within the next 30 days so that we can update our files on this matter? If you have any questions, please contact me.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

INTER-DEPARTMENT MEMO — 1

FROM

Dave T

DATE

8/25/81

TO

Jim

SUBJECT

Roberta found a problem with this one. We approved a partial assignment, apparently ignoring a condition of approval requiring permission by the Dept before an assignment is made.

Let's send a letter to the old permit holder asking about

(1) The nature of the assignment (land sale?)

(2) Was there any value assigned to the permit for purposes of the assignment?
 Let's explain that the assignment is not yet valid due to lack of com. SIGNATURE

PARI A

INTER-DEPARTMENT MEMO — 1

FROM

DATE

TO

SUBJECT

PERMIT NO. 43-7093A

PARTIAL ASSIGNMENT

Merlin W. &/or Yvonne F. Ottley
P. O. Box 434
Elba, ID 83326
PD SW¹/₄NE¹/₄, Sec. 23
PU
Amount

CONFIDENTIAL

SIGNATURE

43-7093A ← Split into
43-7093C & 43-7093D



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

DEC 23 1988

August 4, 1983

Merlin W. & Yvonne Ottley
Box 434
Elba, ID 83326

Dear Mr. and Mrs. Ottley:

Re: Permit No. 43-7093A

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to August 1, 1988.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures: Ext. of Time



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

July 28, 1983

Registered Polled Herefords
Box 434
Elba, ID 83326

PERMIT NO. 43-7093A

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 43-7093A.

Roberta Garrett
Records Supervisor

Enclosure

ON SATURDAY JULY 23, 1983, I FILED MY
REQUEST FOR EXTENSION OF TIME ON MY
WATER PERMIT 43-7093A.

I NEGLECTED TO ENCLOSE THE \$15.00 FEE.

I AM VERY SORRY FOR NOT ENCLOSING THE
CHECK. I AM ENCLOSING IT HERewith.

THANK YOU.

Merlin W. Ottley, Yvonne Ottley
Merlin W. & Yvonne Ottley

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138632

OTTLEY, MERLIN W. & YVONNE
ELBA, ID 83326

PROOF DUE NOTICE

MAY 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 43-7093A WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

ORIGINAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

August 10, 1978

Re: Permit No. 43-7093

Merlin W. &/or Yvonne Ottley
Elba,
Idaho 83326

Dear Mr. and Mrs. Ottley:

Your approved copy of Application for Permit is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power. While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right. If you have any questions, please let us know.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

Average yearly
diversion for
irrigation pur-
poses shall not
exceed 3.0 acre
feet per acre from
all sources com-
bined over any
five year
period.

MICROFILMED

43-7093 - Wtley

STAFF REVIEW - STATE OFFICE

1. ☒ Name vs. Signature
2. ☒ Source
3. ☒ Point of Diversion
4. ☒ Amnt. & Period of Use
5. ☒ Descrip. of Diverting Wrks.
6. ☒ Time req. for Proof of B/U
7. ☐ Place of Use for other than irrig.
8. ☒ Place of Use for irrigation (add acres)
9. ☒ Property Owner at Pt. of Div. & Pl. of Use
10. ☒ Map
11. ☒ Fee & Rec't. No.

Copies Sent To:

☒ Idaho Health Department
☒ Idaho Fish & Game Dept.
☒ Bureau of Land Management

☒ U.S.F.S.
☒ Dept. of Lands
☒ Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area ☒ yes ☐ no

Other rights on same land

Opened 7/22/77
None plattedWithdrawals of all protests received ☐ yes ☐ no

Conditions:

ID Power Co. Letter - Snake R. ☐ID Power Co. Letter - G.W. & Tribs. ☐Snake River Condition ☐Payette River Letter ☐Priority Date 7/22/77Water Quality #16 ☐Water Quality #10 ☐
intrastate ☐ interstate ☐Cond. #8Attached Cond.Meas. Dev. or Sc. Meas. ☐Totalizing ^{meter} ☐Supplemental ☒Right-of-Way Cond. ☐Watermaster Cond. ☒Wtr. Dist No. 18-CMeas. Dev. Cond. for apps within
a Water Dist. ☒at pt. of injection
in Cassia Creek + pt.
of diversion from Cassia
Ck.Jan Grove
Reviewer8/1/78
Date

MICROFILMED

RECEIVED

JUL 25 1978

Department of Water Resources

1. How soon would you proceed to have the well constructed?

Just as soon as I can get the
Money

2. Do you anticipate using the water from the well as the primary source of water for irrigation or as a secondary source for land presently being irrigated from a surface water source? Also show number of new acres to be irrigated.

I plan on using the water from the wells
as a secondary source but with the water
right I have I would need it when the use requires

3. Do you plan to, in fact, irrigate and/or develop all the land shown on the application? If not, how many acres?

Yes I plan on about 80 acres

4. Would you object to the Department issuing your permit for half or a third of the amount applied for?

Yes. I might consider only drilling
one well until we see how the
water holds

5. What manner do you feel would be an equitable way in which to issue the permits if less than applied for?

I believe that the ones with the poorest
primary water right should have the first
chance to have a well.



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

July 11, 1978

Re: Application for Permit No. 43-7093

Merlin W. &/or Yvonne Ottley

Elba,

Idaho 83326

Dear Mr. and Mrs. Ottley:

The Department has received approximately 18 applications for the appropriation of groundwater in the Elba sub-basin. An estimated depletion of the aquifer based on those applications is approximately 4800 acre feet per year. The average annual underflow available in the Elba sub-basin, however, has been estimated at approximately 1400 acre feet per year.

Since we have received applications in excess of water available, it would be most helpful to the Department in the analysis of this matter, if you would provide some additional information. This office has been advised by our Southern Regional office that some wells have been drilled without too much success.

Attached is a sheet with five questions. Please complete the sheet and return to this office by July 21st, 1978.

Your accurate response to these questions will be appreciated by the Department.

Sincerely,

L. GLEN SAXTON

Chief, Operations Bureau

LGS:kw

Attachment

RECEIVED

SEP 10 1977

210K
9/14/77

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Brenda Eagle, being first

duly sworn, deposes and says that he is the

Book keeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two times

consecutive weeks, commencing with the issue

dated August 30 1977, and ending

with the issue dated Sept 6, 1977.

Brenda Eagle

Subscribed and sworn to before me

this 7th day of Sept

1977.

Norma M. Tabor Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost \$15.40

Department of Resources

Third District Office

77-388

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

NOTICE IS HEREBY given that Application for Permit No. 43-7093 in the name of Merlin W. & for Yvonne Ottley Blue, Idaho has filed for the diversion of 1.63 cubic feet per second of water from a groundwater source in the SW 1/4 NE 1/4, Sec. 23, Twp. 13S, Rge. 25E, B.M., Cassia County, to be used from April 1 to Nov. 1 for the irrigation of 160 acres and from Jan. 1 to Dec. 31 for livestock purposes within the SW 1/4 NE 1/4, Sec. 23, Twp. 13S, Rge. 25E, B.M.

The applicant now proposes to amend Application for Permit No. 43-7093, requesting 1.63 cubic feet per second of water from a ground water source in the SW 1/4 NE 1/4, Sec. 23, Twp. 13S, Rge. 25E, Point of Beginning NW 1/4 SE 1/4, Sec. 23, Twp. 13S, Rge. 25E, Point of Re-Location SE 1/4 NW 1/4, Sec. 2, Twp. 14S, Rge. 24E, B.M., Cassia County, to be used from April 1 to Nov. 1 for irrigation of 160 acres and from Jan. 1 to Dec. 31 for livestock purposes within the SW 1/4 NE 1/4, Sec. 23, Twp. 13S, Rge. 25E, B.M., SW 1/4 NE 1/4, NW 1/4 SE 1/4, Sec. 2, SE 1/4 NE 1/4, Sec. 3, Twp. 14S, Rge. 24E, B.M.

Any protest against the proposed amending of this application must be filed with the Department of Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before September 1, 1977.

C. Stephens

Published in the South Idaho Press on August 30 & September 6, 1977

August 18, 1967

South Idaho Press
Box 190
Burley, Idaho 83318

Re; Application for Permit No. 43-7106 - Kent R. and Janis C. Durfee
43-7093 - Merlin W. &/or Yvonne Ottley

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region supervisor

MLS/dj

Bill submitted: _____

MICROFILMED

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that Application for Permit No. 43-7093 in the name of Merlin W. &/or Yvonne Ottley, Elba, Idaho was filed for the diversion of 1.63 cubic feet ^{per} second of water from a groundwater source in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E, B.M., Cassia County, to be used from April 1 to Nov. 1 for the irrigation of 160 acres and from Jan. 1 to Dec. 31 for livestock purposes within the S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E, B.M.

The applicant now proposes to amend Application for Permit No. 43-7093, requesting 1.63 cubic feet per second of water from a ground water source in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E; Point of Injection: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E; Point of Re-Division: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Twp. 14S, Rge. 24E, B. M., Cassia County, to be used from April 1 to Nov. 1 for irrigation of 160 acres and from Jan. 1 to Dec. 31 for livestock purposes within the S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23; Twp. 13S; Rge. 25E, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, Twp. 14S, Rge. 24E, B. M.

Any protest against the proposed amending of this application must be filed with the Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before September 16, 1977.

C. Stephen Allred

Director

Published in the South Idaho Press
on 8/30 and 9/6/77

**NOTICE OF AMENDMENT
APPLICATION FOR
WATER PERMIT**

NOTICE IS HEREBY given that Application for Permit No. 43-7093 in the name of Merlin W. &/or Yvonne Ottley, Elko, Idaho has filed for the diversion of 1.63 cubic feet per second of water from a groundwater source in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E., B.M., Cassia County, to be used from April 1 to Nov. 1 for the irrigation of 160 acres and from Jan. 1 to Dec. 31 for livestock purposes within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E., B.M.

The applicant now proposes to amend Application for Permit No. 43-7093, requesting 1.63 cubic feet per second of water from a ground water source in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E., Point of Injection: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E; Point of Re-Division: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Twp. 14S, Rge. 24E, B.M., Cassia County, to be used from April 1 to Nov. 1 for irrigation of 160 acres and from Jan. 1 to Dec. 31 for livestock purposes within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, Twp. 14S, Rge. 24E, B.M.

Any protest against the proposed amending of this application must be filed with the Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before September 16, 1977.

C. Stephen Allred
Director

Published in the South Idaho Press on
August 30 & September 6, 1977.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

July 25, 1977

South Idaho Press
Box 190
Burley, ID 83318

Re: Claim to a Water Right No. 43-4072 - F. Stanley Lloyd &/or Jeanette
" " " " " 43-4073 - F. Stanley &/or Jeanette Lloyd
Application for Permit No. 43-7098 - Glen &/or Susan Taylor
" " " " 43-7097 - William Jones
" " " " 43-7093 - Merlin W. &/or Yvonne Ottley
" " " " 43-7092 - Merlin W. &/or Yvonne Ottley
" " " " 43-7094 - George O. Ward, Jr.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

Enclosures

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss.

STATE OF IDAHO)

Brenda Eagle being first

duly sworn, deposes and says that she is the

Book keeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for *two times*

consecutive weeks, commencing with the issue

dated *Aug 9* 19*77*, and ending

with the issue dated *Aug 16* 19*77*

Brenda Eagle

Subscribed and sworn to before me

this *18th* day of *August*

19*77*.

Norma M. Peterson Notary Public

Cost of Publication

Notary Fee

Total Cost *\$9.00*

77-332

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Merlin W. &/or Yvonne Ottley, Elba, ID 83326 has on 7/21/77 submitted Application No. 43-7093 for a permit to appropriate 1.63 cubic feet per second of water from groundwater by means of well, pump, sprinklers, stock tanks within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E., B.M., Cassia County to be used from Apr. 1 to Nov. 1 for irrigation purposes of 80 acres and from Jan. 1 to Dec. 31 for livestock purposes within the S $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 13S, Rge. 25E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before August 26, 1977.

C. Stephen Allred
Director

Published in the South Idaho Press on August 9, 16, 1977.

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C. Stephen Allred

Director

Published in the South Idaho Press

on 8/9 and 8/16/77

UNRECORDED

77-332

~~OK~~ 9/8/77

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