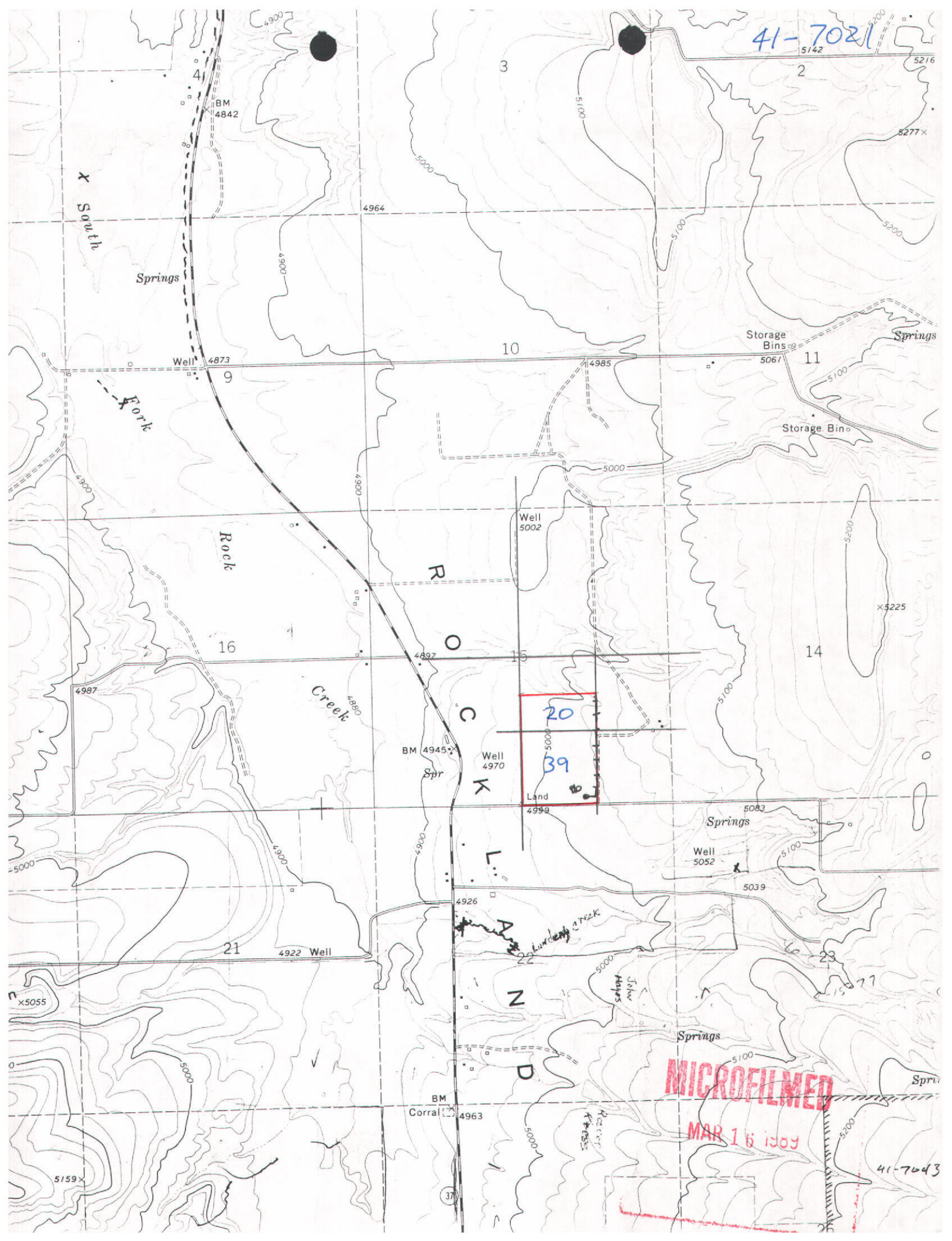


41-7021



MICROFILMED
MAR 16 1959

41-7043

41-7021

A
20.1

John H. H.

T600 35.12
Bly

Wheat
26.1

A
82.8

C 37.9

D 47.8

F
33.8

K
33.8

J
50.2

I
118.6

J
7.6

L
55.3

1949
FILMED
MAR 16 1989

1" = 660'

19.1

14.2

41-7021



Point of diversion



Point where flow was measured

RECORDED
MAY 16 1989

41-7021



Place of use

MICROFILMED

MAR 16 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 41-07021

Priority: January 27, 1976 Amount: 0.42 CFS 205.0 AFA

This is to certify, that GRANT UDY & SONS

5111 S. HWY. 37

ROCKLAND, ID 832710000

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated January 27, 1977, and has submitted proof to the Department of Water Resources on July 28, 1987, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .520 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.42 CFS	205.0 AFA

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 15, Township 11S, Range 31E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	31E	15	NWSE 20	SWSE 39		59
Total number of acres irrigated:						59

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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 10TH day of MARCH, 1987.

Acting for the Director

Norma C. Young
MICROFILMED

MAR 16 1989

Form 204
3/81
RECEIVED

APR 16 1982
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received 15.00
Date 4-22-82
Receipt # 22754

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

MAR 29 1982

Department of Water Resources

Grant Udy + Sons of Rockland
(Name) (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. 41-7021.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before April 1, 19 82.

That he has heretofore performed the following work described under said permit: _____
(This must be filled out! If no work has been completed put none.)

Costing \$ _____

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

We purchased additional property and haven't had the available person to complete this well.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to April 2, 19 87.
(1 yr. minimum, 5 yrs. maximum)

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

Grant Udy + Sons
By Richard Udy
(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 April 1, 1987.

Signed this 21st day of April, 19 82.

J. Glen Saxton
Chief, Operations Bureau

RECEIVED

Identification No. _____

Application No. 41-7021

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 Grant Udy, & Sons Phone: 548-2831
post office address Rockland, Idaho 83271
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 11S
Range 31 E. B.M. Power 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 1.6 for Irrigation purpose from Mar. 15 to Nov. 15' (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (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. 1.6 cubic feet per second and/or
b. 280 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump, Motor, and Sprinkler System

- 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 10-12 inches; proposed depth of well is 100 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____

(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: _____

APPROVED
MICROFILMED

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			
			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
11S	31E	15														40	40	
TOTALS																	80	

Total number of acres to be irrigated

80

c. Describe any other water rights used for the same purposes as described above. none

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

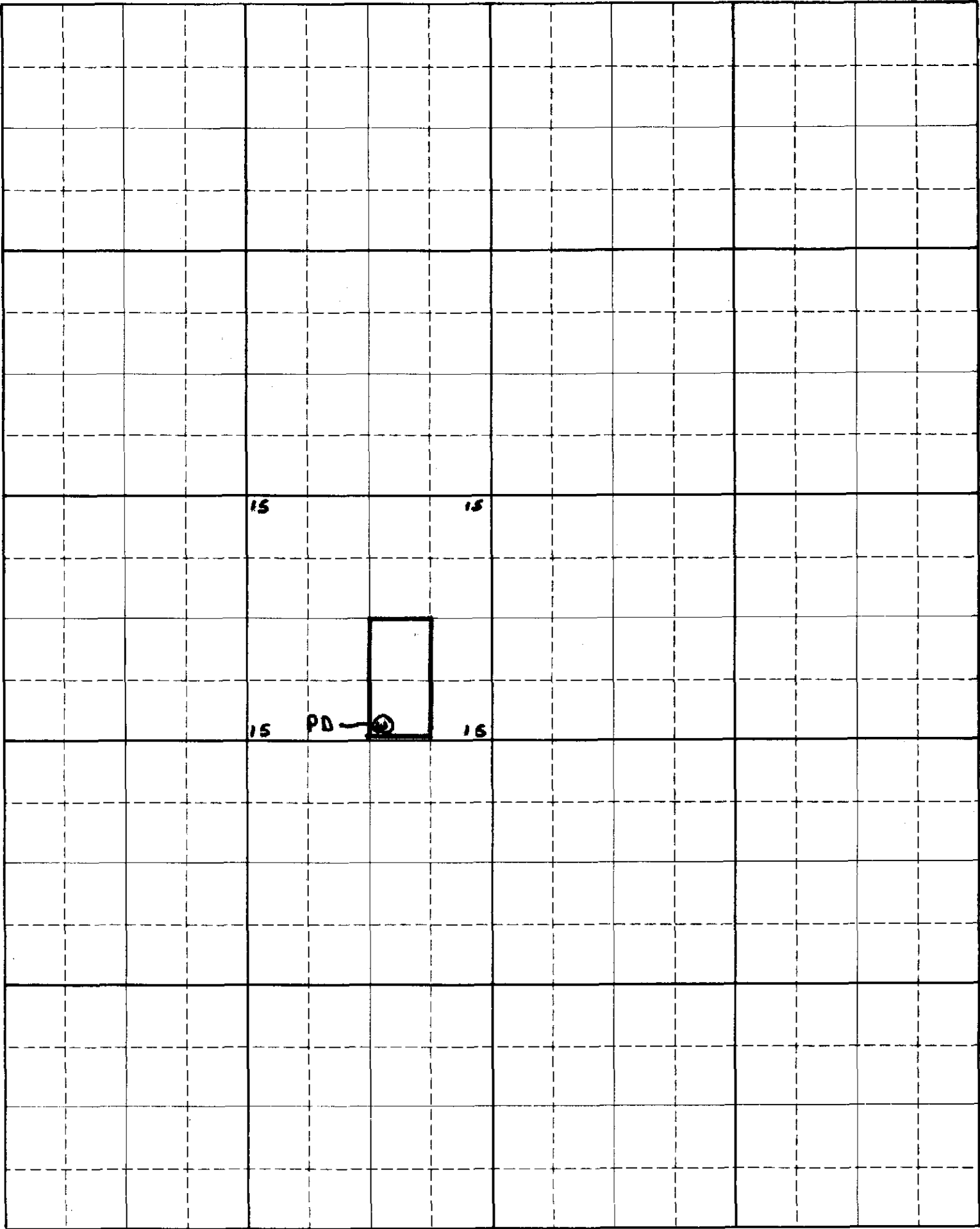
b. Who owns the land to be irrigated or place of use. Applicant

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.

Grant Udy & Sons by Richard Udy
(Applicant)

Proposed Priority 1/27/77

Received by ASB Date 1-27-76 Time 3:00pm
Preliminary check by ASB Fee \$ 35.00 # 2002
Received by ASN Date 1-27-76
Publication prepared by ASB Date 1/27/76
Published in Power County Press
Publication dates 2.5 & 2.12
Publication approved CC Date 2.18.76
Priority reduced to _____ Reason _____
Protests filed by: Waterman of N. & S. Fork of the South Fork of Rock Creek in Rockland Valley
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by ASB 8/31/76

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. 41-7021, 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 April 1, 19 82.

c. Other: The well casing be unperforated through the first water bearing zone and sealed into the first confining layer below. This must be performed in compliance with the Idaho Minimum Well Construction Standards.

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

Witness my hand this 15 day of April 19 77.

Director

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF POWER } S.S.

RECEIVED

FEB 17 1976

Department of Water Resources
Southern District Office

Phyllis Ringe being first duly sworn

on oath, states:

That she is the principal clerk of the printer of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said County; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 5th day of Feb., 1976

the date of last publication being the

12th day of Feb., 1976

(Signed)

Subscribed and sworn to before me this

6th day of Feb., 1976

Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL)

day of , 19

Notary Public

Residing at Am. Falls, Idaho

My Commission Expires

July 15, 1977

Legal Notice

Published in the Power County Press on Feb. 5 and Feb. 12, 1976.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Grant Udy & Sons Rockland, Idaho 83271 has on 1-27-1976 submitted Application No. 41-7021 for a permit to appropriate 1.6 cubic feet per second of water from groundwater by means of Pump, Motor, and Sprinkler System within the SW 1/4 SE 1/4, Sec. 15, Twp. 11S, Rge. 31E. B.M. Power County to be used from Mar. 15 to Nov. 15 for Irrigation of 80 acres within the W 1/2, SE 1/4, Sec. 15, Twp. 11S, Rge. 31E. B.M. Power County.

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 Feb. 23.

R. KEITH HIGGINSON
Director

O.K.C.C.
2/18/76

March 15, 1989

GRANT UDY & SONS
5111 S. HWY. 37
ROCKLAND, ID 832710000

RE: PERMIT NO. 41-07021

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED
MARCH 16 1989
10314389

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 41-07021

RECEIVED
FEB 06 1989

Date of Priority: January 27, 1977

Department of Water Resources

Comes now GRANT UDY & SONS
STAR RT. BOX 26
ROCKLAND, ID 832710000

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. 41-07021, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.42 CFS	205.0 AFA

LOCATION OF POINT OF DIVERSION(S): SWSE , Sec. 15, Township 11S, Range 31E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	31E	15	NWSE 20	SWSE 39		59
Total number of acres irrigated:						59

Not
Reg'd -
kw

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at _____, this 30 day of January, 1989.

RECEIVED

Richard Udy
(Signature)

MAR 16 1989

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 41-07021

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 Received by _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 41-07021 with the following;

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this _____ day of _____, 19____.

(Director)

RECEIVED
MAY 1 1999

MEMORANDUM

TO: FILE 41-7021
FROM: KAY WALKER
RE: PRIORITY DATE
DATE: 21-FEB-1989

The priority date of this permit should be shown as January 27, 1976, instead of January 27, 1977. Please note that this application was received and receipted in 1976. The license should reflect the above correction.

MICROFILMED

MAR 16 1989

Udely Bros

5111 S Hwy 37

Rocklawn, Idaho

83271

NOTE
← ADDRESS
Correction-

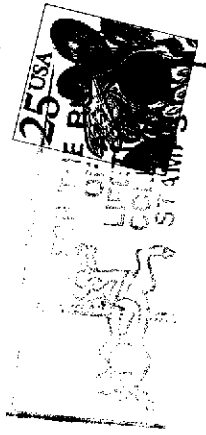
EW 2/21

Department of Water Resources

Statehouse

Borise, Idaho

83720



January 10, 1989

GRANT UDY & SONS
STAR RT. BOX 26
ROCKLAND, ID 832710000

RE: PERMIT NO. 41-07021

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAR 16 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

41-7021
Permit No.

RECEIVED
SEP 16 1987

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
☒ Copy of Permit
☒ Copies of any Amendments/Orders with conditions of approval
☒ Computer Data Proof Report
☒ Copy of U.S.G.S. Quad
☒ Check for Government Lots. If so, make a copy of Government Plat

Department of Water Resources

Check of P/D index LG 8/14/87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other:

Check of P/U index LG 8/14/87 (Initial and date)

Overlap? ☒ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: 41-7042

Aerial Photo

Required? ☒ yes ☐ no If yes: ☒ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
☒ Photographs of Point of Diversion and Place of Use
☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed DK- 8-17-87 (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent APM 9/11/87 (Initial and date)
Exam Reviewed by Manager of Regional Office APM 9/11/87 (Initial and date)
Exam Date Entered in Computer _____ (Initial and date)
Exam sent to State Office _____ (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

← No
overlap
per review
of file—

kw
2/21/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

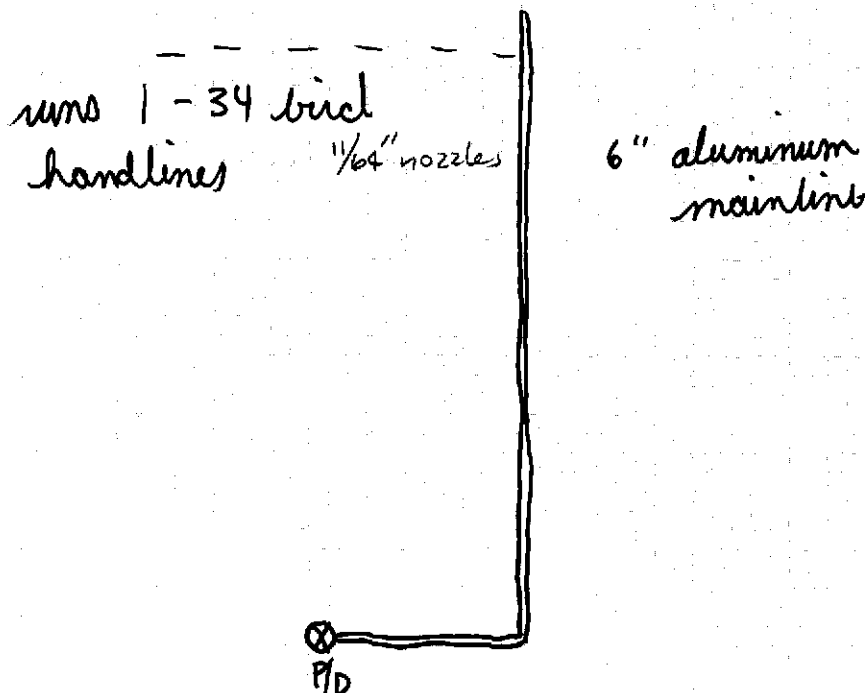
1. Owner: Grant Udy + Sons Permit No. 41-7021
Current Address: Rural Rt Box 26 Rockland Idaho 83271 Phone No. 548-2831
2. Accompanied by: Richard Udy EXAM. DATE: 8-17-87
Address: 5111 So Highway 37 Rockland Idaho Phone No. 548-2636
Relationship to Permit Holder: part owner
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 41-7042 ☐ Copies Attached
2. Other water rights with same point of diversion: no overlap ☐ 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). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

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

System consists of well, pump motor, 6" mainline, 34 steel handlines. Handlines have 1/2" nozzles

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	G.E.	25	VN51214282	Budely	80-100/m 9 stage

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

5. Point(s) of Diversion:

Ident. Gov't.	Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
					50SE 15	11S	31E	Power	General Photo / Aerial

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	Totals
11S	31E	15																59

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annular					6"	
Pressure Gauge						
HP						

2. Measurements:

Annular gives $Q = 0.42$ cfs

$\bar{P} = 56 \text{ psi} \Rightarrow Q = 0.48$ cfs

$(.7 \times 25 \times 8.8) / (68 \times 2.31) + 140 = 0.52$ cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$Q = 0.42$ cfs

2. Alternate Method for Checking Purposes:

$Q \approx 0.50$ cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 68 psi $\times 2.31 = 157.1$ ft (1); Dynamic pumping level: 140 ft (2)

Total Head: (1) + (2) = 297.1 (3) ; Flow rate: 0.42 cfs (4)

Water HP: (3) $\times$ (4) $\div 8.8 = 14.2$ (5)

Meter Input KW: 3.6×28.8 KH $\times$ _____ CTR or _____ MULT $\times$ _____ PTR $\times$ 5 N / 10.8 T = _____ (6)

Meter Input HP: (6) $\times 1.34 =$ _____ (7)

Panel Input KW: _____ Ave PF $\times$ _____ Ave Volts $\times$ _____ Ave Amps $\times .001732 =$ _____ (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (59 \times 3.5) = 207 \text{ Afa}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.42 \times 246 \times 1.9835) = 205 \text{ Afa}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 205 \text{ Afa}$

2. Volume Calculations for Other Uses:

Idaho Power # 59 497 634

RECEIVED

MAR 16 1969

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
irrigation	4-1	11-1	0.42	205 Afa

Totals:

0.42 afa 205 Afa

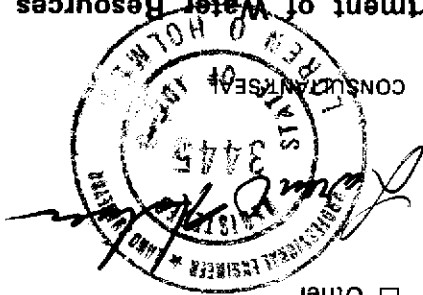
2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name: Darren Knuteson
 Signature: Darren Knuteson
 Certification Date: 5/15/87
 Field Report Preparation Date: 9/11/87

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



11/18/88
 Knuteson 11/15/88

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

Measured by: Danen Knutson Date 8-17-87
Owner: David Udy & Sons Permit No. 41-7021

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

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = $\frac{1.58'}{3/32''} = 18.96''$

T = Pipe Thickness in Inches = $\frac{3}{32}''$

ID = $2 [(0.1592 \times \text{CIR}) - T] = 5.85$

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 6.085

State ID No. _____

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 3.75

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 34.6

Low Reading = 32.4

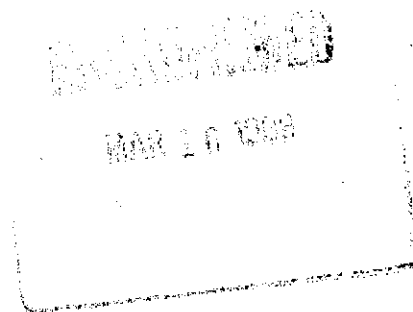
High - Low = H = 2.2

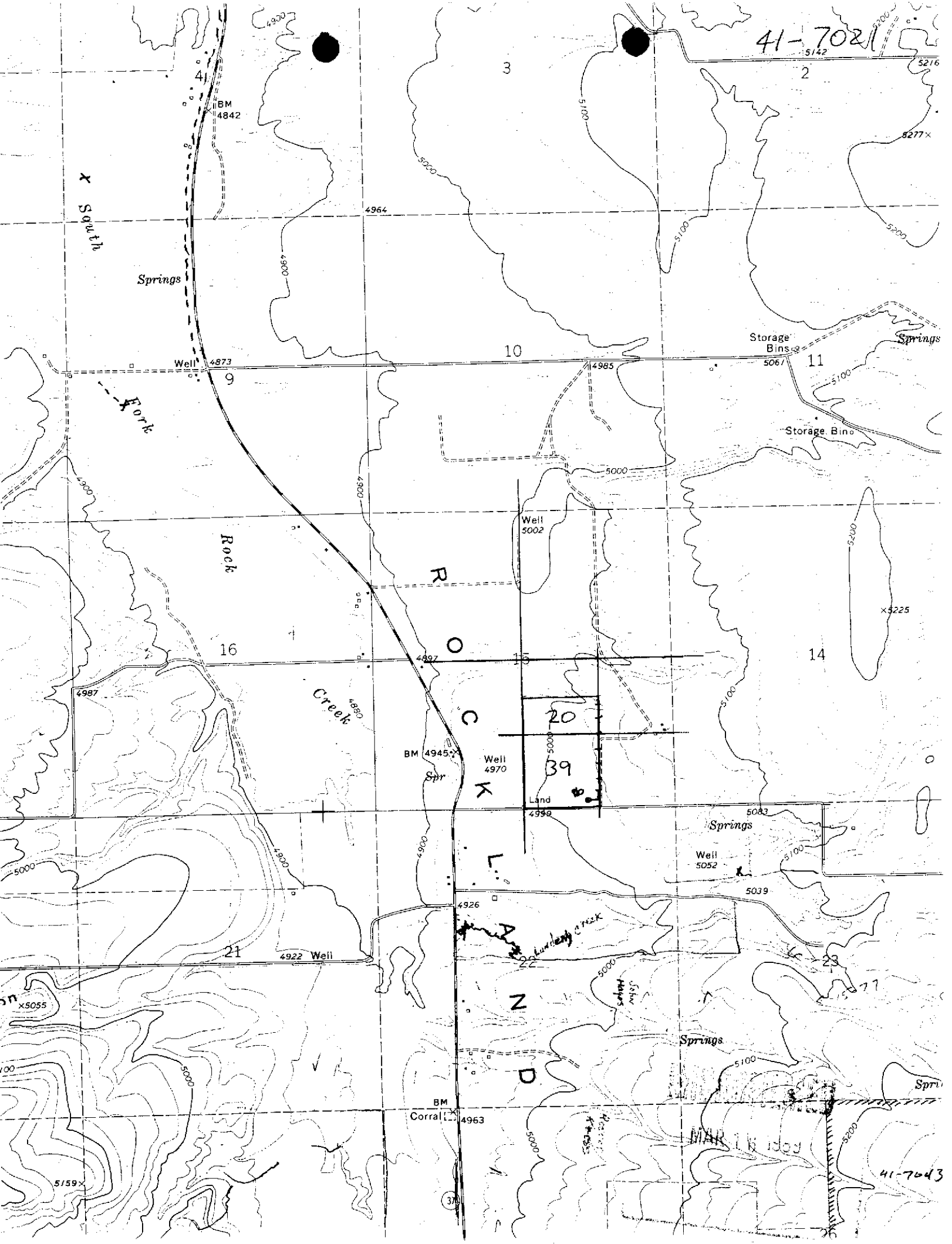
CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(5.85)^2 \cdot (\sqrt{2.2}) \cdot (3.75)}{448.8} = 0.42 \text{ CFS}$$

SKETCH (If not shown on Field Report)





41-7021

A
20.1

John H. S.

T600 35.2
B14

53.3
Wheat

B14

Wheat
26.1
A
82.8

1949

C 37.9

P

F
33.8

D 47.8

K
33.8

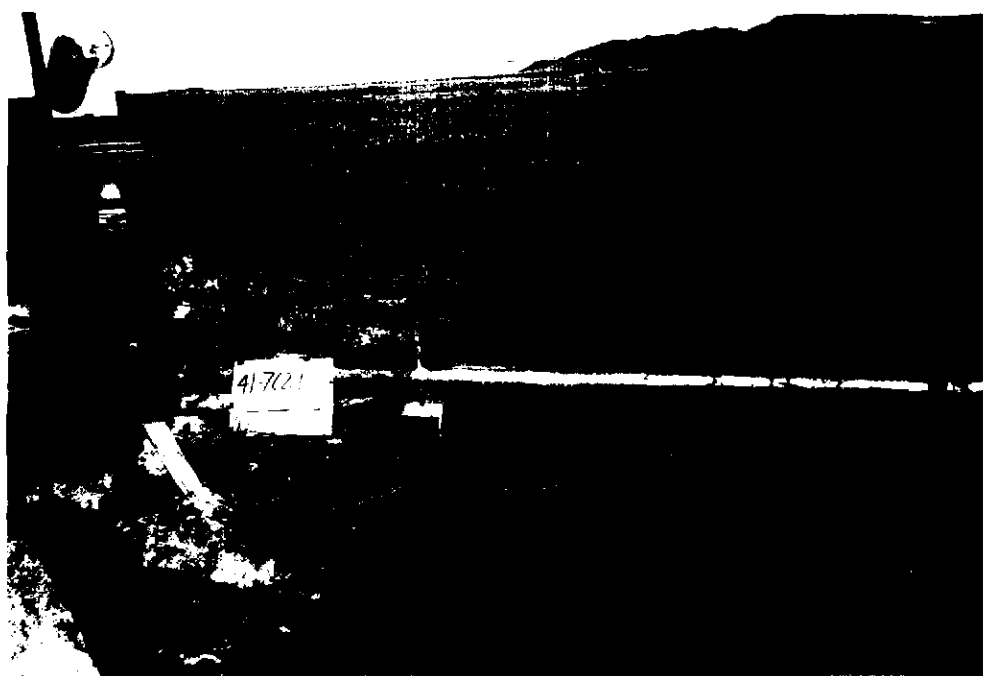
J
50.2

55.3

19.1



Point of diversion



Point where flow was measured

41-7021
Point of diversion



Place of use

RECEIVED
MAR 16 1989

MAR 16 1989

ROUTING SLIP

DATE

TO:

Ken

REF. No. (if any)

FROM: (show title)

FOR YOUR:

- ☐ Information
☐ Approval
☐ Signature

REVIEW AND:

- ☐ Call Me ☐ See Me
☐ Comment & Return
☐ Take Proper Action
☐ Draft a Reply for Me

PER:

- ☐ Our Conversation
☐ Your Request
☐ Boss's Request

*letter was
copy of this was
sent to John Hugler
on 6/26*

MICROFILMED

y



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

*copy sent to all
petitioners 3/21/78*

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

MICROFILMED

The Department of Water Resources has received your petition requesting a study of the groundwater resources of Rockland Valley and a moratorium on the issuance of new permits for groundwater appropriations in the valley.

There currently is not sufficient information available to determine the extent of the groundwater resource of the Rockland Valley and its interface with the surface waters. The time required to gather the necessary data would be at least two years. This time frame assumes that the Department receives sufficient funds to collect the necessary data.

Based upon your petition and request, the Department will begin a data collection program for the Rockland Valley as soon as time and personnel will allow. We hope to be able to initiate data collection July 1 of this year. The project will not have study status until after July 1, 1979. This data collection program will include both information to identify the amount of groundwater available and the amount of groundwater presently used in the valley.

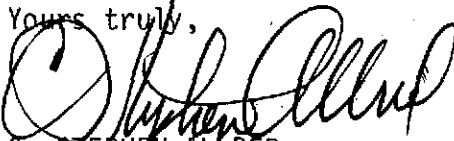
Under present law, the Department of Water Resources cannot declare a moratorium on the issuance of permits for groundwater appropriations. Section 42-233a, Idaho Code, specifically states that, unless an area is designated a critical groundwater area, the Department must issue permits in a timely manner in accordance with Sections 42-203 and 42-204, Idaho Code. The study which you have requested will be necessary before the area could be determined to be a critical groundwater area.

While the Department is not able to satisfy all of the requests of your petition, I hope the general plan outlined above will be acceptable to you.

MICROFILMED

If I can answer any additional questions for you, please feel free to contact me. Members of the Department staff will be making local contacts in the Rockland Valley prior to beginning a data collection program.

Yours truly,



C. STEPHEN ALLRED
Director

CSA:LGS:jfr

MICROFILMED

1978

Water Resources
Divisional Office

February 9, 1978

MEMORANDUM

TO: Dave Shaw

FROM: Paul Castelfin

SUBJECT: Proposed Water Resources Study,
Rock Creek Basin

I've done a rapid but thorough, literature search, talked with U.S.G.S. and University of Idaho staff, and reviewed I.S.U.'s list of published and unpublished theses with regard to the geology/hydrology of Rock Creek basin. A moderate amount of information is available (very recently published) on the geology of the Rockland quadrangle, but only one "marginal" quality U. of I. thesis addresses the ground-water hydrology.

To even begin to analyze the water resources of this basin will require the department to obligate staff and capital to an extent they haven't done in the past ten years, or contract the work to another entity using whatever Federal or private funds that can be scratched up. To respond to only staff requests which I have received, far less outside requests, will keep me busy for the next five years. Either additional staff or money has to be obtained or work such as is anticipated cannot be done in a reasonable time frame.

PMC:cs

File:

RECEIVED

PETITION FOR WATER MORATORIUM

JAN 24 1978

Department of Water Resources

WHEREAS, water rights in Rockland Valley, Power County Idaho, have been decreed and, whereas, numerous wells have been drilled with or without permit compliance with the regulations of the Department of Water Resources and the laws of the State of Idaho, and

WHEREAS, underground water utilization appears to be affecting ground water availability;

WE, the undersigned being residents and or land owners of property situate within Rockland Valley, Power County, Idaho, do hereby petition and request the Department of Water Resources, State of Idaho, to declare a moratorium on the issuance of additional permits for wells or underground water appropriation until such time as a complete and detailed study can be completed which will insure the water users of Rockland Valley that such underground utilization will not affect existing water rights or water availability.

DATE	NAME	ADDRESS
Jan 7 1978	Milton Paulson	Rockland
Jan 7, 1978	Richard & Mary	Rockland
Jan 7, 1978	Dorothy May	Rockland
Jan. 7 1978	R.R. Spillet	Rockland
Jan 7 1978	William J. Morris	Rockland
Jan 10, 1978	David J. Morris	Rockland, Ida.
Jan 11, 1978	V.C. Ralph	Rockland, Ida.
Jan 11 1978	Paul H. Hines	Rockland, Idaho
Jan 11, 1978	James L. Coruth	Rockland, Idaho
Jan 11 1978	Harold Taylor	Rockland Idaho
Jan 11 1978	Terry Anderson	Rockland
Jan 11 1978	Marian M. Zen	Rockland
JAN. 11/78	Wanda J. Jean	Rockland
Jan. 12/78	Elise Barnard	Rockland

This petition was carried by the undersigned and all persons who have subscribed above subscribed their names to the petition in the presence of the undersigned.

Burton Anderson - Rockland
Emma Jean Anderson - Rockland
Orval Nelson

MICROFILMED

PETITION FOR WATER MORATORIUM Department of Water Resources

WHEREAS, water rights in Rockland Valley, Power County Idaho, have been decreed and, whereas, numerous wells have been drilled with or without permit compliance with the regulations of the Department of Water Resources and the laws of the State of Idaho, and

WHEREAS, underground water utilization appears to be affecting ground water availability;

WE, the undersigned being residents and or land owners of property situate within Rockland Valley, Power County, Idaho, do hereby petition and request the Department of Water Resources, State of Idaho, to declare a moratorium on the issuance of additional permits for wells or underground water appropriation until such time as a complete and detailed study can be completed which will insure the water users of Rockland Valley that such underground utilization will not affect existing water rights or water availability.

DATE	NAME	ADDRESS
1/6/78	Blaine Mitchell	Rockland, Idaho
1/6/78	Stan Loom	Rockland
1/6/78	Garner Hartley	Rockland
1-6-78	Terrence L. Coy	Rockland
1-6-78	Harold Hartley	Rockland
1-6-78	Loan Charles	Rockland
1-7-78	Grace Spruitt	Rockland
1-7-78	Louise Johnson	Rockland
1-9-78	Frank Hartley	Rockland
1-9-78	Neal Hartley	Rockland
1-9-78	Roscoe Kress	Rockland
1-12-78	Gene Nelson	Rockland, Idaho

This petition was carried by the undersigned and all persons who have subscribed above subscribed their names to the petition in the presence of the undersigned.

Gene Nelson

MICROFILMED

RE

JAN 24 1978

PETITION FOR WATER MORATORIUM

Department of Water Resources

WHEREAS, water rights in Rockland Valley, Power County Idaho, have been decreed and, whereas, numerous wells have been drilled with or without permit compliance with the regulations of the Department of Water Resources and the laws of the State of Idaho, and

WHEREAS, underground water utilization appears to be affecting ground water availability;

WE, the undersigned being residents and or land owners of property situate within Rockland Valley, Power County, Idaho, do hereby petition and request the Department of Water Resources, State of Idaho, to declare a moratorium on the issuance of additional permits for wells or underground water appropriation until such time as a complete and detailed study can be completed which will insure the water users of Rockland Valley that such underground utilization will not affect existing water rights or water availability.

DATE	NAME	ADDRESS
1978		
Jan 5	Harold J. Nelson	Rockland, Idaho
Jan 5	Edgar Nelson	Rockland, Idaho
Jan 5	Evelyn R. Roper	Bx 246, Am. Falls, Idaho
Jan 5	Ernest Nelson	B 342 Rockland, Idaho
Jan 5	William P. Nelson	Rockland, Idaho
Jan 6	Edward Macneil	Rockland, Idaho
Jan 5	Gordon Robinson	Rockland, Idaho
Jan 5	Charles Barnard	Rockland, Idaho
Jan 5	Linda Barnard	Rockland, Idaho
Jan 5	Orval Nelson	Rockland, Idaho
Jan 5	Wayne Cox	Rockland, Idaho
Jan 6	Frederick McLeary	Rockland, Idaho
Jan 7	John Rildew	Rockland, Idaho
Jan 7	James A. Ralph	Rockland, Idaho

Jan. 7 This petition was carried by the undersigned and all persons who have subscribed above subscribed their names to the petition in the presence of the undersigned.

Ronald L. Nelson Bx. 2071 Rockland

Harold J. Nelson

RECEIVED

September 14, 1987

Grant Udy & Sons
Star Route Box 26
Rockland, ID 83271

Gentlemen:

Re: Permit No. 41-7021

This office acknowledges receipt of the proof of beneficial use form submitted to the department on July 28, 1987.

As you may know, the next step is for the department to conduct a field inspection to determine the extent of use and rate of diversion. I cannot tell you just when the regional office will schedule this inspection, but I have notified the office to add it to the inventory.

Returned is the request for extension of time submitted April 6, 1987. The department had been holding this request until the permit could be reviewed under Sec. 42-203D, Idaho Code. No action will be taken on this request since the proof has been submitted.

I have notified our Accounting Section to prepare the paperwork to refund the \$15 filing fee submitted on the request for extension of time. Please allow several weeks for this refund to come to you.

If you have any questions concerning your permit, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

c: Accounting Section
Region

RECEIVED

RECEIVED

AUG 06 1987

JUL 28 1987

Department of Water Resources
Southern Region Office

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received \$125,
Date 7-28-87
Receipt # 45116
Receipt by [Signature]
Reviewed by [Signature]
Sent to region 9/30/87

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. 41-7021

Name(s) of Permit Holder: Grant Udy & Sons

Post Office Address: Star Route Box 26, Rockland, ID 83271

Telephone No. 548-2636

Source of Water: Groundwater

Extent of Use:

Domestic (number of households) Stockwater (number and type of stock)

Irrigation 80 (acres) Other/Remark

Total rate and/or volume for which proof is submitted 1.6 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: May 25, 1987

Measuring Device: Required? Yes No Installed? Yes No Fee enclosed \$ 125. (See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes No Installed? Yes No Will be installed

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

Richard Udy Same as above
(Name) (Telephone Number)

(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.

July 28, 1987
Date

Grant Udy & Sons by George Udy
Signature of Permit Holder (and title, if appropriate)
* Proof Replaced pending ext. Request

MEMORANDUM

TO: ACCOUNTING SECTION
FROM: RITA I. FLECK
RE: REFUND - PERMIT NO. 41-7021

Attached are two copies of receipt No. 44639 in the amount of \$15.

Please prepare the paperwork to refund the \$15 filing fee for an extension of time. The permit holder has submitted the proof of beneficial use form prior to the department taking the action on the request for extension of time. Consequently, the extension of time is no longer needed to keep the permit in good standing.

Note the attached copy of my letter returning the extension form for the permit holders' address.

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 41-7021Reviewed by [signature]Date 4-15-1987

BASIC INFORMATION

Y Date stamp received
Y Extension received timely - Ext. rpt. reg. received 2-20-1987
(not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit
N Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

 Has adequate work been completed to demonstrate due diligence?
 Has the cost incurred been adequate to demonstrate an intent to complete the project?
Y Has the permit been involved in litigation?
a. Swan Falls Y Dismissed from Swan Falls No
Other Identify
b. Is supporting documentation needed to complete the file?
Requested
c. Calculate the period of delay

Date litigation completed Date litigation began -Total period of delay = Present proof due date +NEW PROOF DUE DATE = Is delay by a government agency?Is supporting documentation needed to complete the file?
Requested?

ACTION TAKEN

Recommend holding until review of permit under 42-208 D. See attached letter.
Note - Ext. was withdrawn fee refunded

Special conditions or remarks:

 Reinstatement Date extension received = Proof due date = No. of days late = Priority date = +ADJUSTED PRIORITY DATE = Prepare coding sheet
 Change rolodex cardf

April 23, 1987

Grant Udy and Sons
Rockland, ID 83271

Gentlemen:

Re: Permit No. 41-7021

A review of department files shows that the above referenced permit is in the area affected by the Swan Falls litigation and is still included as a party to that suit.

The department will hold the request for extension of time without action until the permit is reprocessed in compliance with the provisions of Sec. 42-203D, Idaho Code. Upon completion of reprocessing, an appropriate development period will be granted if the permit is to be continued.

Please feel free to contact this office if you have any questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

cc: Region



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

EXTENSION OF TIME

April 13, 1987

Grant Uday & Son
Rockland, ID 83271

PERMIT NO. 41-7021

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. 44639.

Roberta Garrett
Records Supervisor

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

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

March 10, 1987

Grant Udy & Sons
Rockland, ID 83271

Dear Permit Holder:

RE: 41-7021

Returned is your request for extension of time for the above referenced permit received February 20, 1987 along with your \$15 check, No. 1649, 92-6/1241.

The Idaho Code allows the Director of the Department to approve requests for extension of time if the permit holder can show that he has made reasonable diligence toward permit development. Section 42-204, Idaho Code, limits the Director to approval of only one extension request, unless, upon proper evidence, the permit holder can show that he has been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question. Your first request for an extension of time was approved in April 1982.

If you have additional information and wish us to act officially on your extension request, please return the check and extension form on or before April 1, 1987.

Sincerely,

Roberta Garrett
Records Supervisor

Enclosures: Check & Extension Request

● T A T E O F I D A H O ●

DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
JANUARY 31, 1987

13869/

GRANT UDY & SONS
ROCKLAND, ID 83271

PROOF DUE NOTICE

RE: PERMIT NO. 41-7021

DEAR PERMIT HOLDER:

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 APRIL 1, 1987. (SEE 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 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 WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, 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 OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

FORM B

Please answer all questions fully if you believe that actual use or a substantial investment existed as of November 19, 1982, (\$15,000 or 25% of the estimated cost of the project):

SEE ACCOMPANYING LETTER:

41-7047 # 41-7021

41-7028 # 41-7027

Permit or Application Number: # 41-7015 # 41-7057

Name(s) of Permit Holder: Udy Bros + Grant Udy + Sons

Post Office Address: R.F.D. Box 26

Telephone No. 548-2636

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

1. As of November 19, 1982, had the sum of at least \$15,000 been spent on the purchase or construction of wells or on equipment primarily used for irrigation purposes to be used to develop the above listed application or permit?

YES _____ NO X

If the answer is "yes", attach copies of cancelled checks or receipts showing the expenditure.

2. As of November 19, 1982, did there exist actual expenditures or written commitments for expenditures totaling at least \$15,000 for the purchase or construction of wells or of equipment primarily used for irrigation purposes to be used to develop the above listed application or permit?

YES _____ NO X

If the answer is "yes", attach copies of cancelled checks or receipts showing the expenditure, or of written commitments for such purchase or construction.

3. Describe the irrigation project contemplated. For example, number of acres, number of wells or headgates, type of application system (gravity, handlines, center pivots, length and size of canals, laterals, mainlines, etc.), number and size of pumps.

All of these projects will be Pump and sprinkler irrigation

Three of these Permit Haves got the well dug and just need to be developed. # 7028. These wells were dug in 1962. We already have a license on them. This permit is for additional water. on Permit # 41-7057 it was approved in Twin Falls ^{Department of Water Resources} and sent on to Boise but Boise misplaced it and a permit was never issued to us.

4. Describe how much of the project was completed on or before November 19, 1982.

#41-7057 - 300 ft well has been dug - no development
#41-7021 - NO Development #41-7015 ^{210'} well dug - will begin irrigation 1985
#41-7027 - 150' well dug - no development #41-7028 2 wells dug ^{15 H.P.} began irrigation in 1962 with flow - Put Pump on in 1968 - applied for additional water 8-15-77. #41-7047 Application Protested in 1980. Because of Swan Falls Conflict a hearing was never held. no development

5. What is the total estimated cost of the irrigation project necessary to use water under the above permit or application? (In figuring project cost, do not include cost of land or engineering and feasibility studies).

6. Did the total of the actual expenditures and written commitments exceed 25% of the total projected cost as of November 19, 1982?

	#41-7057
	#41-7051
YES #41-7027	NO #41-7047
#41-7028	

I swear (or affirm) that the information stated above is true and correct, to the best of my knowledge.

SUBSCRIBED and SWORN to before me this _____ day of _____, 1985.

NOTARY PUBLIC FOR _____
Residing at: _____

JUDY FARM
GRANT, RICHARD OR GEORGE UDY
ROCKLAND, IDAHO 83271

97-63
1243

DATE Feb 13 1976 NO.

PAY TO THE
ORDER OF

Southwest of Pipe

\$13360

One hundred thirty three + 60

DOLLARS

DAVIS COUNTY BANK
FARMINGTON, UTAH

Richard Udy

12124300063101 11379 1411

000000193601



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

April 23, 1982

Grant Udy & Sons
Rockland, ID 83271

Dear Sir

Re: Permit No. 41-7021

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 April 1, 1987.

Also enclosed is receipt No. 22754 in the amount of \$15.00.

Sincerely

Rita Fleck
Sr. Secretary

RF/ps

Enclosures

RECEIVED
MAY 1 1982

INTER-DEPARTMENT MEMO — 1

FROM

Glen

DATE

4-21-82

TO

?

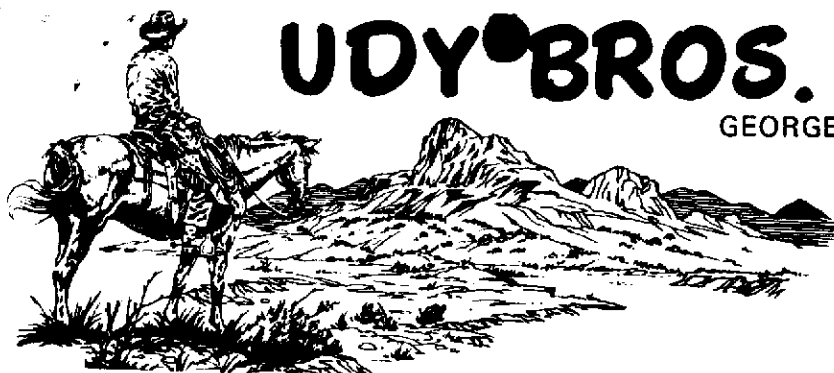
SUBJECT

- In cover letter transmitting extension, lets specifically call the permit holders atten to the condition of approval on the permit. (We have had problems in the past w/ some of the Udy wells).

ZYL

SIGNATURE

MICROFILMED



UDY BROS. HEREFORDS

GEORGE • RICHARD • BLAINE • GRANT

PHONE (208) 548-2277 or (208) 548-2636

STAR ROUTE BOX 28

ROCKLAND, IDAHO 83271

April 14, 1982

RE: Permit No. 41-7021

Dear Sirs:

At this time we would like to make known to you that we have made reasonable diligence toward permit development on this well.

The well site has been chosen and the power company and ourselves have put in larger power lines going by this site so we can go with a larger well and pump. Some \$3,000.00 worth of sprinkler equipment was purchased last year and a Detroit Diesel 371 pump is being sold so we can further the development of this permit. Contact has been made with well drillers to cost bids of digging this well.

At this time we would appreciate an extension on this permit No.- 41-7021.

Thank You,

George Udy

Grant Udy & Sons

MICROFILMED

RECEIVED

APR 16 1982

Department of Water Resources

April 5, 1982

RE: Permit No. 41-7021

Grant Udy & Sons
Rockland,
ID 33271

Dear Sirs:

Thank you for responding to our letter of January 31, 1982 by submitting a request for an extension of time in which to submit proof to beneficial use of water under Permit No. 41-7021.

However, Idaho Code allows the Director to approve requests for extension of time if the permit holder can show that he has made reasonable diligence toward permit development; you indicated on your request form that no work had been done. Therefore, based upon this information rather than officially acting on your request we are returning the form and Check No. 463, 92-291/1241 in the amount of \$15.00 with the suggestion if you still plan to develop the water as intended you refile for a new permit.

If you have additional information concerning the permit or wish us to act officially on your extension request, please return the form with the fee on or before April 15, 1982.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

Enclosures: Extension Form
Check

RECEIVED
APR 15 1982

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138162

GRANT UDY & SONS
ROCKLAND, ID 83271

JANUARY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 41-7021 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED

April 21, 1977

Re: Permit No. 41-7021

Grant Udy & Sons
Rockland, ID 83271

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 41-7021 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

MICROFILMED

RECOMMENDED

CONDITIONS OF APPROVAL

- ☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed _____ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.
- ☐ The proposed well shall not be drilled within _____ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
- ☒ Other: The well casing be unperforated through the first water bearing zone and sealed into the first confining layer below. This must be performed in compliance with the Idaho Minimum WELL Construction Standards.

2025 RELEASE UNDER E.O. 14176

INTER-DEPARTMENT MEMO — 1

DATE 3/30/77

FROM Mike Steele, Southern Region Supervisor

TO File #41-7021 - Grant Udy & Sons

SUBJECT

On January 27, 1976, Grant Udy & Sons, filed with the Department of Water Resources, an Application For Permit #41-7021. On February 17, 1976, the Department received a protest against the approval of the application from John B. Kugler, Attorney of Record, representing the water users of the U.S. Ditch and the South Fork of Rock Creek in Rockland Valley. The matter was set for conference and/or hearing on Tuesday, August 31, 1976, at 10:30 a.m. at the Power County Courthouse, American Falls, Idaho. It was agreed upon, at the conference, that the permit be issued with the condition that the well casing be unperforated through the first water bearing zone and sealed into the first confining layer below, by the applicant Richard Udy. It was also agreed that if this condition was met, the protest against application #41-7021 could be removed by the Attorney of Record, John B. Kugler.

MICROFILMED

Mike

SIGNATURE

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 41-7021 Wdy, Grant & Sons

- ☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) gh 1/27/76

In form to receipt

(2) _____

Send Copies to:

- _____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

- _____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant

(4) HB 1-27-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) mls 3-30-77

Critical groundwater area: yes _____ no ☒

(8) mls 3-30-77

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) cc 2/18/76

Affidavit of Publication received(date) 2-17-76

(12) _____

Final date for protests 2-23-76
Protests received: yes _____ no _____

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) mls 3-30-77

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

☒ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District Southern By Michael Steele Date 3-30-77

COPY Sent to Boise Application gh 1/28/76

MICROFILMED

LAW OFFICES

JOHN B. KUGLER

1156 East Center, Box 1478
POCATELLO, IDAHO 83201
208/233-6234

216 Idaho Street
AMERICAN FALLS, IDAHO 83211
208/226-5241

RECEIVED

JAN 24 1977

Department of Water Resources
Southern District Office January 20, 1977

41-7021

-7015

-7016

Answered by Southern Region
contact with Mr. Kugler
BDF

Mr. Michael L. Steele
Southern Region Supervisor
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Re: Grant Udy and Sons

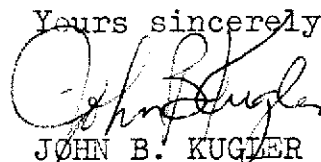
Dear Mr. Steele:

Thank you for the Well Driller's Reports in the matter of the Grant Udy and Sons applications. I note a receiving date on the copy of the reports showing the same to have been received on January 5 while the well drilling was accomplished in the winter of 1975 through February 1976, which is in one instance more than one year ago and in another almost one full year. If these reports had been filed earlier, something might have been done since the drilling of the first well and before the second well.

You will note from the driller's logs that the Udys have not complied with the requirements which were to have been placed on the water appropriation permits. In each case the Udys had agreed and the protests were withdrawn with the understanding that the permit would require solid casing through the first water strata. You will note in the first well that the well driller drilled only through a single water strata and then perforated almost the entire length of the strata. This is totally contrary to what should have been the order of the Department of Water Resources. With respect to the second well, the driller did reach two different water strata. However, again there was no solid casing in the upper layer.

In view of the violation of the requirements, it is respectfully requested that the Department of Water Resources give notice to the applicants that the permits are suspended for failure to comply with drilling requirements and they be prohibited from utilizing the wells until such time as they are cased solid through the upper water strata.

Yours sincerely


JOHN B. KUGLER

JBK:cs

MICROFILMED

In the matter of Permit No.
41-7021 in the name of Grant Udy
& Sons

I hereby agree that the permit be issued with the
condition ~~and~~ that the well casing be unperforated through
the first water bearing zone into the confining layer below.

Applicant Richard Udy

I hereby withdraw the protest against permit no 41-7021
if it is issued with the above condition.

Protestant John B. Kugel
Attorney for Protestants.

MICROFILMED

41-7021 - Grant Udy & Sons

Power County Courthouse
American Falls, Idaho

August 31, 1976 - 10:30 a.m.

ROSTER OF ATTENDANCE

Name

Address

Representing

Richard Udy

Rockland

John B. Higley

Box 1478, Pocatello, Idaho

~~Representing~~
Rockland Water
User's Group

MICROFILMED

Cased through the surface water source —

Conditions

MICROFILMED

Doug Cushman. — well drilled 5 yr. ago.
perfected casing —

Send Kuyper logs of wells drilled
early for Udy.

Send order from early margin

Shuman Couch.

MICROFILMED

August 17, 1976

Helen Hall, Clerk
Power County Courthouse
American Falls, Idaho 83211

Dear Ms. Hall:

This is to confirm the use of the courtroom for conference and/or hearing
to be held on Tuesday, August 31, 1976, at 10:30 a.m.

Thank you for your cooperation in this matter.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:pj

RECEIVED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST
APPROVAL OF APPLICATION FOR PERMIT
NO. 41-7021 IN THE NAME OF GRANT
UDY & SONS

NOTICE OF CONFERENCE AND/OR HEARING

On January 27, 1976, Grant Udy and Sons filed with the Department of Water Resources an Application for Permit. On February 17, 1976, the Department received a protest against approval of said application from John B. Kugler, attorney for the Water Users of the U. S. Ditch and the South Fork of Rock Creek in Rockland Valley.

The Department has set the matter of protest for conference and/or hearing for Tuesday, August 31, 1976, at 10:30 a.m. at the Power County Courthouse, American Falls, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party desiring the taking of stenographic notes by a qualified court reporter must request such in writing at least five (5) days before the date set for hearing and must submit to the director the name of a qualified reporter who is available on the date set for hearing. The party requesting the reporter shall bear the expense of the reporter's attendance fees. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 13th day of August, 1976.


MICHAEL L. STEELE
Southern Region Supervisor

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM

Mike

DATE

2-23-76

TO

Bob Fleenor

SUBJECT

Application for Permit # 41-7021 Grant Udy and Sons

The reason for protest from surface and downstream water users is that these people feel that the well will effect streamflows and also lower the ground water tables

Mike

MICROFILMED

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM Bob Fleenor

DATE 2-19-1976

TO Mike

SUBJECT Permit Application No. 41-7021

I just received the protest from John Kugler on Application No. 41-7021 and do not understand why the downstream users are protesting Mr. Udy's application for groundwater permit.

BDF

SIGNATURE

February 18, 1976

Re: Application For Permit No. 41-7021 - Grant Udy & Sons

Grant Udy & Sons
Rockland, Idaho 83271

Gentlemen:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 41-7021. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of .02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code)

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Sincerely,

MICHAEL L. STEELE
Southern Region Supervisor

MLS:cc
enclosure

bc: Boise office

REPROFILMED

February 18, 1976

Re: Application No. 41-7021 - Grant Udy & Sons

Law Offices
John B. Kugler
1156 E. Center
P. O. Box 1392
Pocatello, Idaho 83201

Dear Mr. Kugler:

This is to acknowledge receipt of the protest submitted in behalf of the Water Users of the U. S. Ditch and the South Fork of Rock Creek in Rockland Valley to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Sincerely,

MICHAEL L. STEELE
Southern Region Supervisor

MLS:cc

bc: Boise

RECEIVED
FEB 22 1976
SOUTHERN REGION

RECEIVED

FEB 17 1976

Department of Water Resources
Southern District Office

BEFORE THE IDAHO DEPARTMENT OF WATER ADMINISTRATION

Application of

PROTEST

GRANT UDY & SONS

Application No. 41-7021

COMES NOW The Water Users of the U.S. Ditch and the South Fork of Rock Creek in Rockland Valley, by and through their attorney, John B. Kugler, and Protest the application of Grant Udy and Sons as follows:

I.

The water users or their predecessors in interest have water rights to the flow of streams in which applicants Grant Udy and Sons seek to obtain appropriation and the same has been continuous through said users or their predecessors in interest for more than 20 years.

II.

The proposed use will reduce the quantity of water under existing water rights of the users in the U.S. Ditch and the South Fork of Rock Creek in Rockland Valley and the proposed water supply is insufficient for the purposes intended.

III.

Applicants have detained and diverted the flow heretofore in violation of the laws of the State of Idaho and are not a fit party to be granted the applications.

IV.

The diversion of water as sought in the above applications is now in part being made and has or will result in reductions of stream flow.

WHEREFORE, Protestants pray that the applications be denied and that an immediate cease and desist order issue against the applicants requiring the applicants to refrain from diverting waters until such time as a full hearing and determination of rights has been held.

LAW OFFICES

JOHN B. KUGLER

1156 E. CENTER
P. O. BOX 1392
POCATELLO, IDAHO 83201
TEL. 233-6234

216 IDAHO STREET
AMERICAN FALLS, IDAHO
83211
TEL. 226-5241

~~XXXXXX~~
~~XXXXXX~~

MICROFILMED

RECEIVED

FEB 17 1976

Department of Water Resources
Southern District Office

Dated this 16th day of February, 1976.

John B. Kugler
JOHN B. KUGLER
Attorney for Protestants
216 Idaho Street
American Falls, Idaho 83211
(208) 226-5241

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Protest was served upon Grant Udy and Sons, Rockland, Idaho, by U. S. Mail, with sufficient postage prepaid, this 16th day of February, 1976.

John B. Kugler
JOHN B. KUGLER

LAW OFFICES

JOHN B. KUGLER

1156 E. CENTER
P. O. BOX 1392
POCATELLO, IDAHO 83201
TEL. 233-6234

216 IDAHO STREET
AMERICAN FALLS, IDAHO
83211
TEL. 226-5241

XEROX
ASSOCIATES

MICROFILMED

January 27, 1976

RE: Application for Permit No. 41-7021 Grant Udy & Sons.

Power County Press
174 Idaho Street
American Falls, Idaho 83211

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:rjn

11/18/76

Bill submitted: 2-18-76

*Gallery
Proby*

Published in the Power
County Press on Feb. 5 and
Feb. 12, 1976.

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
Grant Udy & Sons Rockland,
Idaho 83271 has on 1-27-1976
submitted Application No.
41-7021 for a permit to appro-
priate 1.6 cubic feet per
second of water from ground-
water by means of Pump,
Motor, and Sprinkler System
within the SW 1/4 SE 1/4, Sec. 15,
Twp. 11S, Rge. 31E, B.M.
Power County to be used from
Mar. 15 to Nov. 15 for
irrigation of 80 acres within
the W 1/2 SE 1/4, Sec. 15, Twp.
11S, Rge. 31E, B.M. Power
County.

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 Depart-
ment of Water Resources,
1041 Blue Lakes Blvd., North,
Twin Falls, Idaho, 83301 on or
before Feb. 23.

R. KEITH HIGGINSON
Director

*OK
2/3/76*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Grant Udy & Sons

Rockland, Idaho 83271

has on 1-27-1976 submitted Application No. 41-7021

for a permit to appropriate 1.6 cubic feet per second ~~per second~~

of water from groundwater

by means of Pump, Motor, and Sprinkler System

within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, Twp. 11S, Rge. 31E, B.M. Power County

to be used from Mar. 15 to Nov. 15

for Irrigation of 80 acres.

within the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15, Twp. 11S, Rgw. 31E, B.M. Power County

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 Feb. 23.

R. KEITH HIGGINSON

Director

Published in the Power County Press

on Feb. 5 and Feb. 12

MICROFILMED