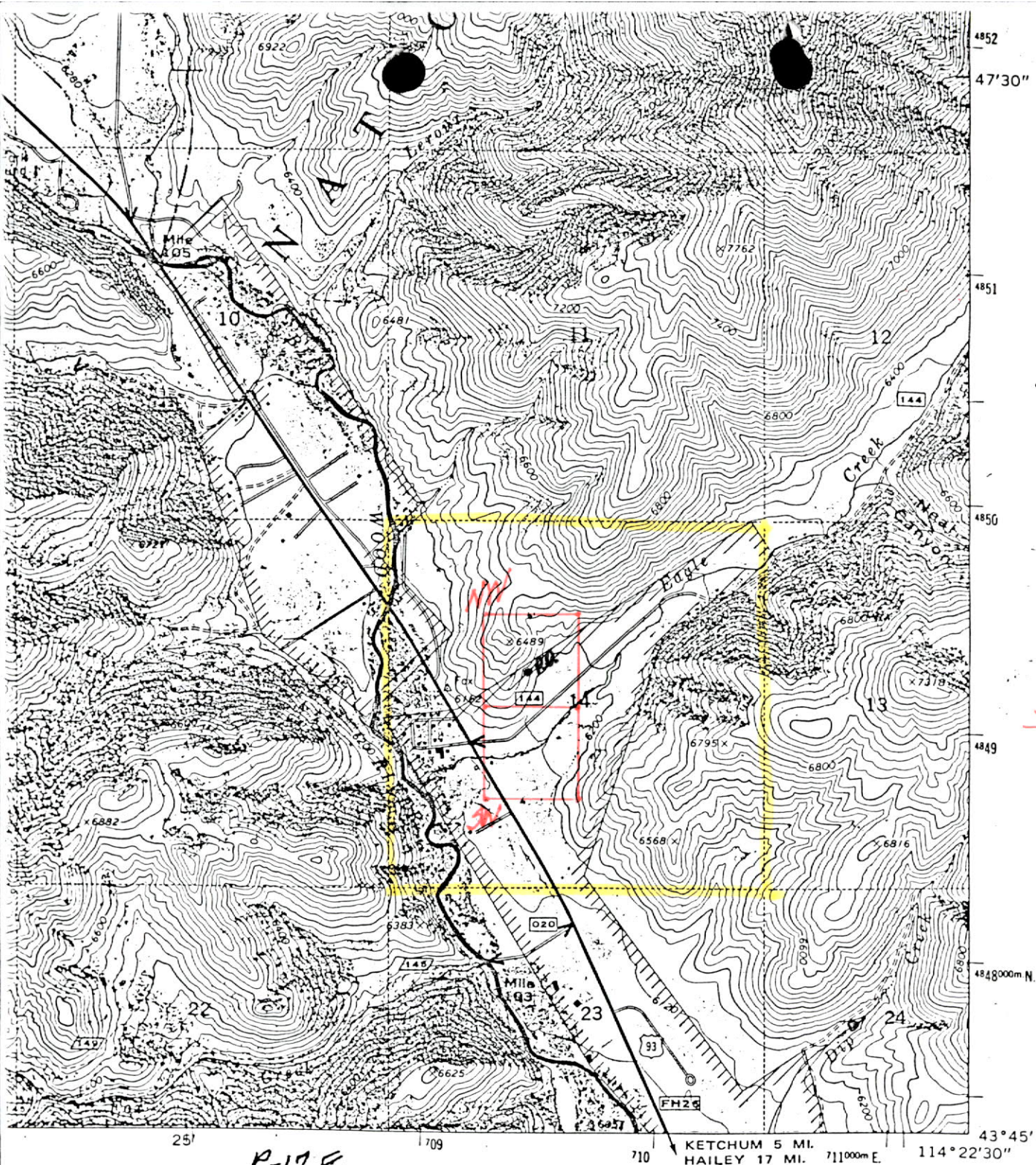




5N

R-17E

1 MILE
7000 FEET
1 KILOMETER



H.E.S. 329
MICROFILMED
MAY 23 1990

AMBER LAKES
SAWTOOTH NATIONAL FOREST
SAWTOOTH NRA
KETCHUM RANGER DISTRICT
(HAILEY 2 SW)

1974

214-3 I

W-73

CTION LINE CLASSIFICATION

veyed, location reliable

veyed, location approximate

urveyed, Bureau of Land
agement protraction

UPDXXE-application

37-08518

Hand-drawn map of a section of the National Forest, showing various land parcels, roads, and survey points. The map is overlaid with a grid. Key features include:

- A road labeled "No. 93" in the upper left.
- A parcel labeled "H.E.S. 124" and "D.M. COONLEY" with a value of "10".
- A parcel labeled "H.E.S. 123" and "A.E. FELTON" with a value of "15".
- A parcel labeled "H.E.S. 125" and "H. A. ..." with a value of "11".
- A parcel labeled "H.E.S. 129" and "BEN DARRAH" with a value of "22".
- A parcel labeled "H.E.S. 129" and "HARRY ..." with a value of "23".
- A "FOREST" area on the right.
- A "NATIONAL MICROFILMED" stamp.
- Handwritten notes: "UPDIKE", "rcld 11-27-84", "T5N R17E", and "6235".

MICROFILMED

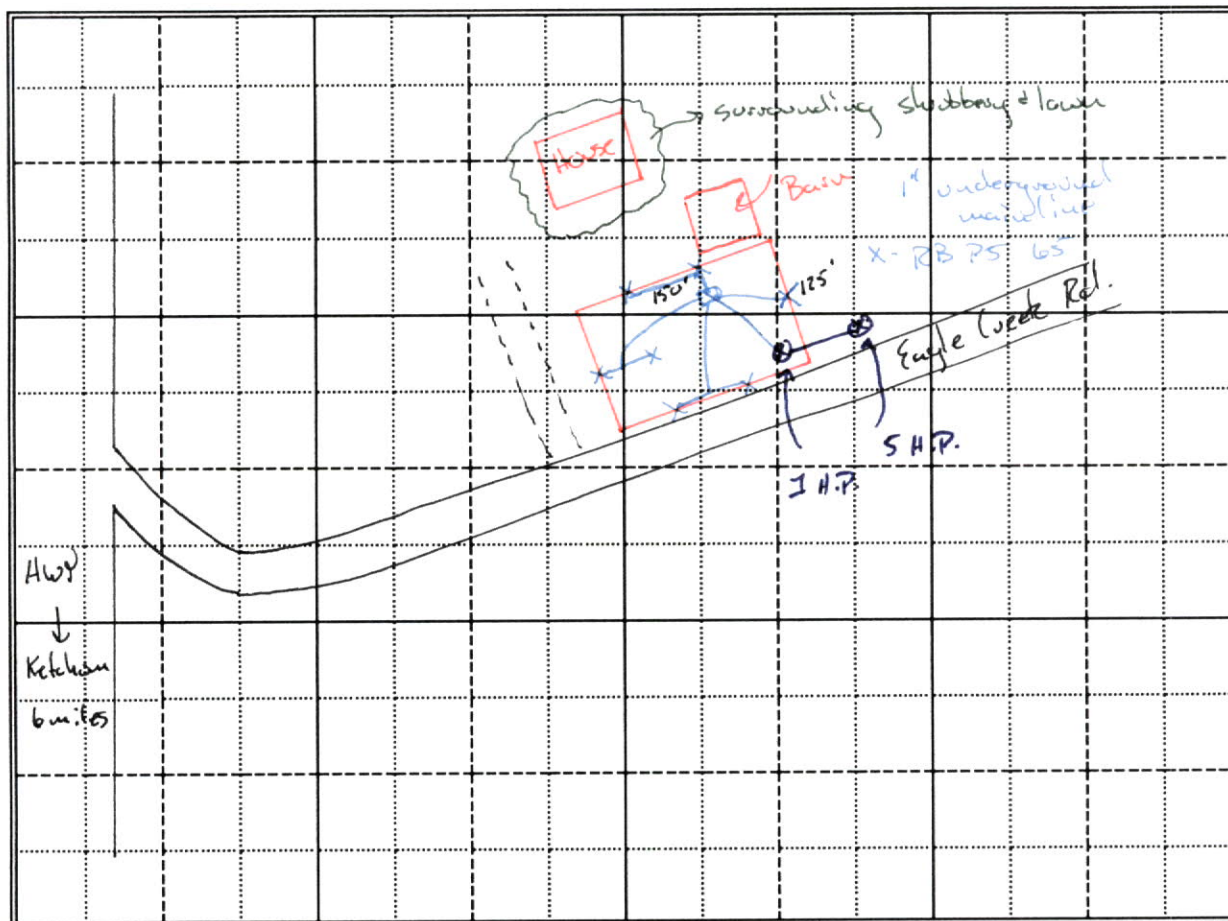
MAY 23 1996

NSURVIVED

22

23

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = Not to Scale

☒ Copy of USGS 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)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	Sta-Rite	1	# ^{model} 226638		
#2	Sta-Rite	5	# 1086 model # CP4 507C-04		

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

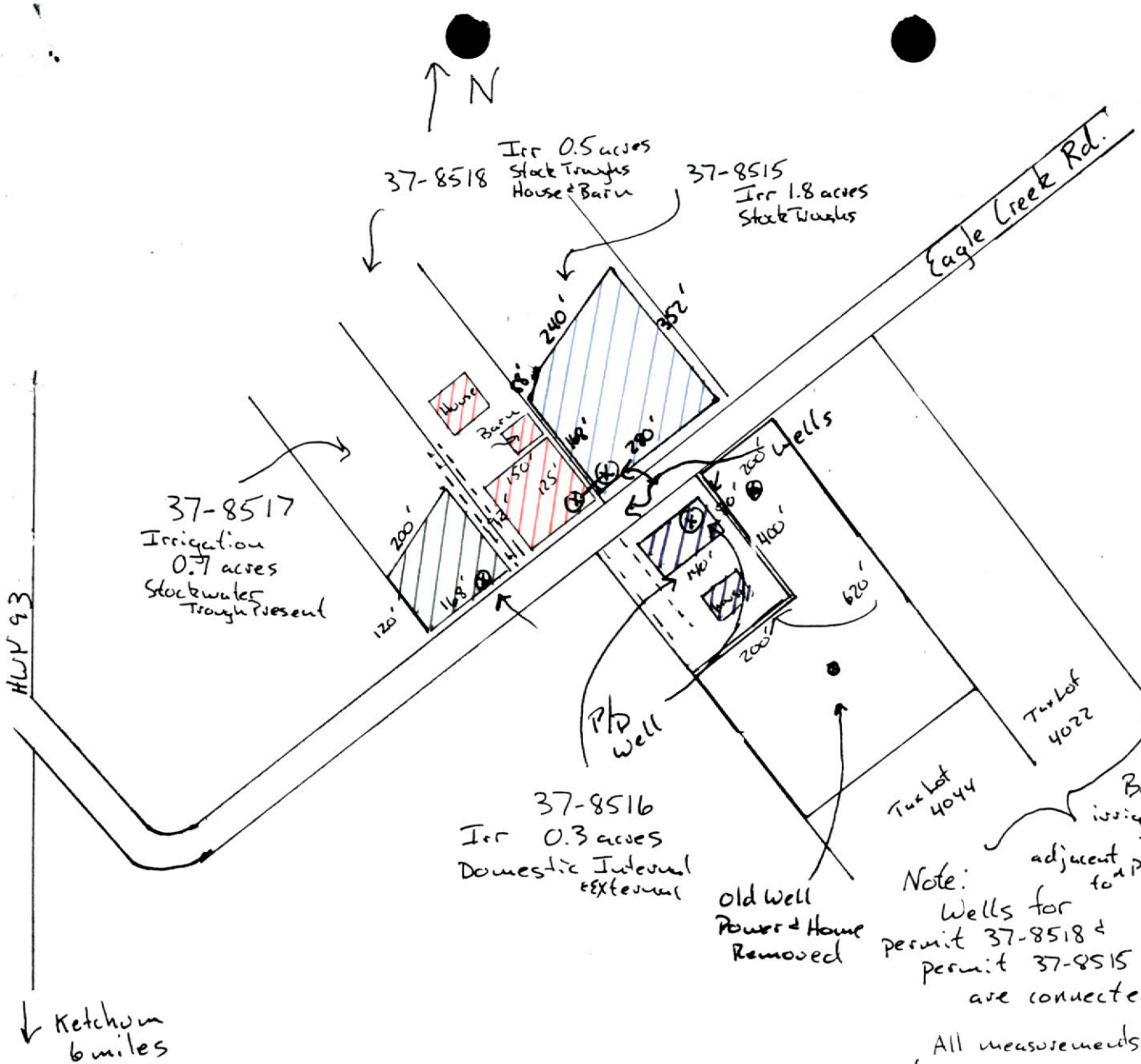
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: NONE (See attached theoretical for both 1 Hp and 5 Hp pumps)

JUN 27 1995



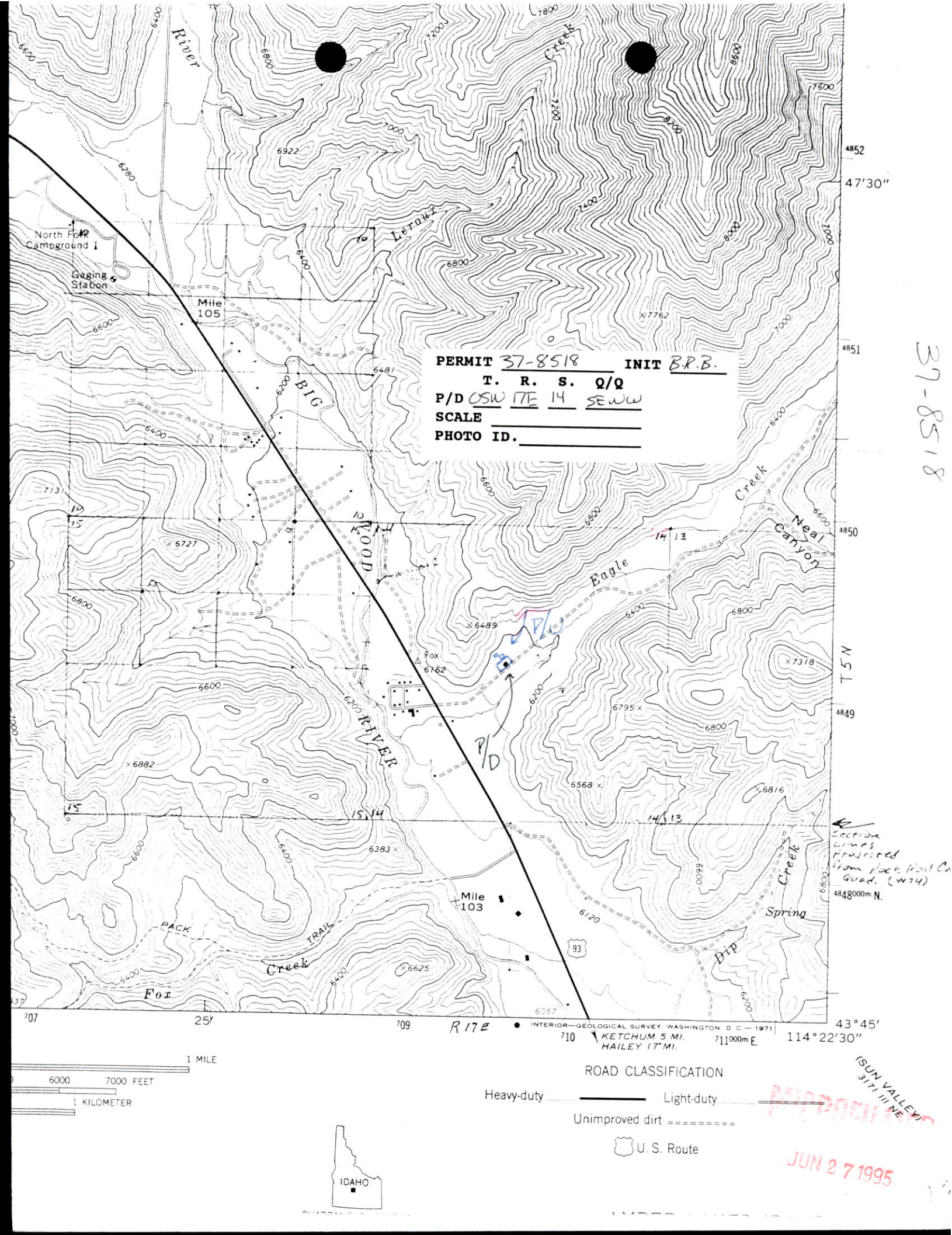
Section 14 / TOSN / RITE

Both Lots are irrigated from well adjacent to permit 37-8516's well

Note: Wells for permit 37-8518 & permit 37-8515 are connected

All measurements of acreage are approximate

RECEIVED
JUN 27 1995



PERMIT 37-8518 INIT B.R.B.

T. R. S. Q/Q

P/D OSW 17E 14 SEWW

SCALE

PHOTO ID.

37-8518

Section
Lines
Projected
from Pack Trail Co
Quad. (W74)
4848000m N.

SUN VALLEY
3717111 NE
JUN 27 1995

ROAD CLASSIFICATION

Heavy-duty

Light-duty

Unimproved dirt

U. S. Route



9064

WEST
PASTURE
9 Horses

HOMIN
HOME
10 Horses

EAST
PASTURE
6 Horses

HOME
CROSSING THE RIVER
AT THE TRAILHEAD
INDICATED

42

DATE 4/3/93
12

1101

14/10/2023

UPOUR

4017
72

3748
72

~~TV 3826
Dante
MILANO~~

4018
TL

JUN 27 1995

TL 4016 Supposedly
Coverspendsto

P37-08518

329
H.E.S.

EXISTING HM
AND DOMESTIC WELLS
BOUGHT BY UPRKE
Nov. 1888 - filing of record

UPDYE SUMMER '87
PURCHASED BY
MAILED FALL '87

16 5518 HOME KEPT STILL
DOMESTIC W/ELL
REPRODUCTION.

DOMESTIC
IN OPERATION.
(power disconnected)
31.48 4763. du

129pm 3/4 HP

4263: Ann. 2
1889. 2

Holt
Irrig.
Stk.

117E

1.5A 1004. 1004.5.
515

3 AC 12218.
51K

200.00

37-28237

NEW DRILLED
10/12/87
DRILLING PERMIT
HOI-2E WITH

3665

74-4c

NO
MAIL

852.69

UPDARE'S

~~11-11-11-11-11~~

5.0 AC

4022
72

TOTAL
84 MRES
500 MILE
121472
ADDSN + INDI
6000 MAN

26.9.92

39-08239

01-26-1938

8 of 10 AC

25

10/23
11 Sit - m animal #5
11 1974

P37-8518



Mr. Updyke's main house
The domestic use for
P37-8518.

MURDER 1107

JUN 27 1995

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

FEB 9 - 1990
Department of Water Resources
Southern Region Office

DANIEL J. GORHAM

being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 17 day of Jan, 19 90, and

the date of the last publication was on the 24 day of Jan, 19 90.

David J. H.
Subscribed and sworn to before me this 24 day of Jan, 19 90.
(SEAL)

Robert M. Knecher
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 31.5
Number of Insertions 2
Lines tabular at 5.5¢/Pica
31.5 Lines straight at 17.33 54.5¢/Pica
31.5 Subsequent lines at 13.86 43.5¢/Pica
TOTAL COST \$31.19

COPY OF NOTICE
(Paste Here)

Application
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of H2O (AK)
BILL TO

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that the following application for permit to appropriate the public waters of the State of Idaho has been amended as follows:

37-08518

J. RANDOLPH UPDYKE
1401 Walnut
Philadelphia, PA 19102

Date Amended: 1/4/90

Source: Groundwater

Diversion Pt: NW1/4SE1/4NW1/4,

S14, T5N, R17E; Blaine County.

Use: Domestic (.053 cfs)

Stockwater (.053 cfs)

Irrigation (.053 cfs)

In: Three acres within SE1/4-NW1/4, S14, T5N, R17E.

The permit (s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East, Twin Falls, ID 83301, on or before February 5, 1990.

R. Keith Higginson, Director

Publish: Wood River Journal-
January 17 & 24, 1990.

PUBLICATION RATES

As of Oct. 1, 1988

(Idaho Code, Reb. Statutes 1984)

7-8 pt. per line straight...4.5/pica

7-8 pt. per line tabular...5.5/pica

7-8 pt. per line successive
insertion...3.5/pica

6894

#5

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

RECEIVED

NOV - 9 2001

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-8515	_____	___	_____	_____	___
37-8517	_____	___	_____	_____	___
37-8518	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

NOV 13 2001

Department of Water Resources

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) J. Randolph Updyke
c/o Gary Slette
Box 1906, Twin Falls, ID 83301
4. New Owner/Claimant(s) Anthony^C and/or Judy^D D'Angelo
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address P.O. Box 3267
- City, State and ZIP Code Ketchum, ID. 83340
- New Telephone Number (208) 726-1415
5. Date you acquired the property June 6, 1995

MICROFILMED

OCT 20 2003

See file 37-8515 for support data

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Judy L. D'Angelo

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by J. L. D'Angelo Date 11/9/01 Fee 75.00
 Received by J. L. D'Angelo Date 11/9/01 Receipt No. 5024422
 Processed by J. L. D'Angelo AJ Date _____ WR _____ Date _____

MILWAUKEE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08518

Priority: May 8, 1989

Maximum Diversion Rate: 0.05 CFS

Maximum Diversion Volume: 3.1 AF

This is to certify, that J RANDOLPH UPDYKE

C/O GARY SLETTE

PO BOX 1906

TWIN FALLS ID 83303-1906

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 8, 1989; and has submitted Proof of Beneficial Use on May 2, 1991. An examination indicates that the works have a diversion capacity of .200 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	04/15 to 10/15	0.01 CFS	1.8 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.05 CFS	3.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 14, Township 05N, Range 17E
BLAINE 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>
05N	17E	14	SENW	0.5		0.5

Total number of acres irrigated: 0.5

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

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.

RECEIVED
JUN 27 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

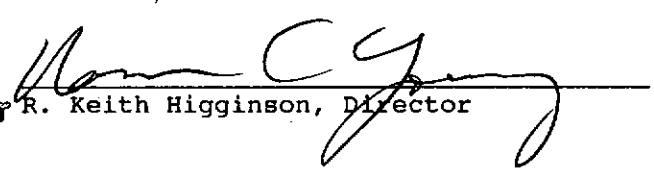
WATER RIGHT NO. 37-08518

CONDITIONS/REMARKS:

5. Irrigation use under this right is authorized only in connection with a domestic use.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
7. Two points of diversion are located within SENW, S14, T05N, R17E.
8. Right 37-08515 is also diverted through the point(s) of diversion described above.
9. Stockwater use is for 10 horses.
10. Domestic use is for 1 home.

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 12TH day of MARCH, 1994.

Acting for


R. Keith Higginson, Director

JUN 27 1995

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 6 1991

MAY 01 1991

PROOF OF BENEFICIAL USE

Department of Water Resources

Department of Water Resources

Southern Region Office

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have 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.

1. Permit No. 37-08518 Telephone No. 734-0700

2. Name(s) of Permit Holder(s): J. RANDOLPH UPDYKE

3. Post Office Address: 1401 WALNUT, PHILADELPHIA PA 19102

4. Source of Water: GROUNDWATER

a. If ground water, well driller's name: _____ Date drilled: EXISTING AS PER phone
conv. 5-7-91 Frank
b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): Hutchcock

5. Extent of Use:

Domestic XX (No. of households) Irrigation XX (No. of acres)

Stockwater XX (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted .05 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes XNo Installed? Yes No
OR
Flow Measurement Port: Required? Yes XNo Installed? Yes No

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

GARY SLETTE, ATTORNEY-IN-FACT

734-0700

Name

Telephone No.

P.O. BOX 1906, TWIN FALLS, IDAHO 83303-1906

Address

10. 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.

Date 3/12/91

Signature (and title if on behalf of a company or organization) J. Randolph Updyke

MAY 31 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08518

Proposed Priority: May 8, 1989 Maximum Diversion Rate: 0.05 CFS
This is to certify, that J. RANDOLPH UPDYKE
1401 WALNUT
PHILADELPHIA, PA 19102
has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.04 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.05 CFS
	Totals	0.05 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSENW Sec. 14, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 17E 14	SENW 3			3
Total number of acres irrigated:				3

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1991.
2. Subject to all prior water rights.
3. Irrigation use under this permit is authorized only in connection with a domestic use.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. The maximum rate of diversion for irrigation purposes under this permit shall not exceed 0.05 cfs.
7. The maximum rate of diversion for stockwater purposes under this permit shall not exceed 0.02 cfs.
8. The maximum rate of diversion for domestic purposes under this permit shall not exceed 0.04 cfs.
9. Stockwater use is for 10 horses and domestic use is for one home.

RECORDED

MAY 23 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08518

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

23 day of April, 1990

for R. Keith Higginson, Director

MICROFILMED

MAY 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Amended

APPLICATION FOR PERMIT

RECEIVED

To appropriate the public waters of the State of Idaho

MAY 8 1989

Department of Water Resources

Southern Region Office

1. Name of applicant J. RANDOLPH UPDYKE

Post office address 1401 WALNUT, PHILADELPHIA, PA 19102

2. Source of water supply GROUNDWATER

which is a tributary of N/A

3. Location of point of diversion is NW 1/4 of SE 1/4 of SW 1/4, Govt. Lot

Sec. 14 Township 5N Range 17E B.M. BLAINE County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Allow 0.04*

Amount .053 for DOMESTIC purposes from 01-01 to 12-31 (both dates inclusive)

Allow 0.02*

Amount .053 for STOCK WATER purposes from 01-01 to 12-31 (both dates inclusive)

Allow 0.05*

Amount .053 for IRRIGATION purposes from 04-01 to 11-01 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Allow 0.05*

5. Total quantity to be appropriated is (a) .053 and/or (b) _____

cubic feet per second

acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and 2 HP pump-24gpm (24 gpm)

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total

reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:

_____ to _____ inclusive.

c. Proposed well diameter is 6 inches; proposed depth of well is 72 feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

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

1 years (minimum 1 year).

MAY 23 1990

*kw - per data entry standards & use requirements.
4/17/90

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 10 horses
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. one
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

01-04-96

TWP	RANGE	SEC.	NE¼				NW¼ ~~3~~				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
05N	17E	14								3	~~1~~								3

Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? APPLICANT

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

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

12. Remarks: #9 -- Homestead entry survey #329

FILED

MAY 26 1990

MICROFILMED

RECEIVED
MAY 23 1990

J. Randolph Cepeda
(Applicant)

Received by LP Date 5/8/89 Time 10:00 am Preliminary check by SL
Fee \$ 30.00 Receipted by SLP # 5007060 Date 5-8-89
Publication prepared by M. Baldwin Date 5/31/89 Published in Wood River Journal
Publication approved Connet Shyl Page M. Baldwin Date 6-22-89 2/12/90

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 _____.

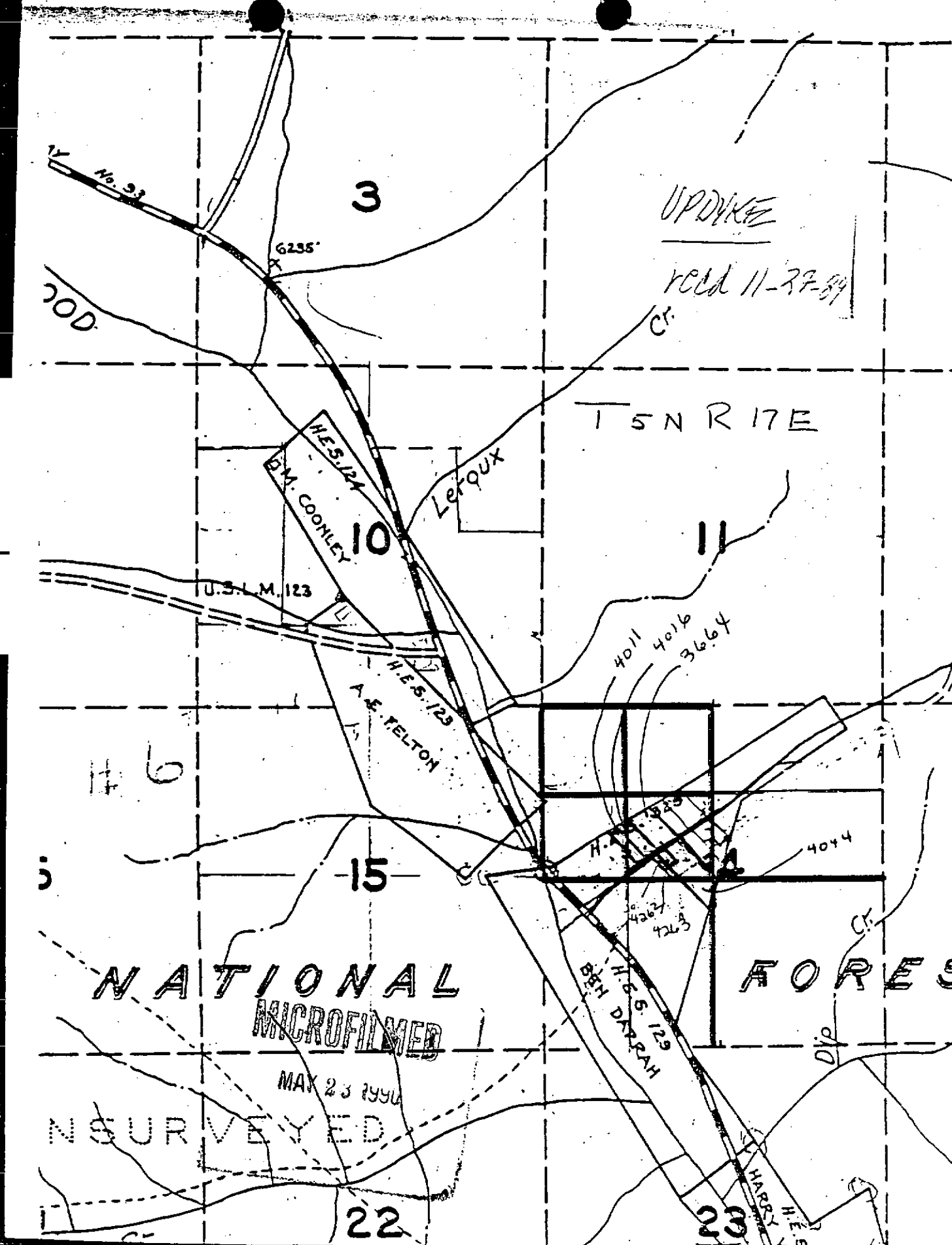
1. Approval of said application is subject to the following limitations and conditions:

- 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. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

RECEIVED

MAY 23 1990

BLAINE COUNTY, IDAHO





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2003

ANTHONY C D ANGELO
JUDY L D ANGELO
PO BOX 3267
KETCHUM ID 83340

RE: Change of Ownership for Water Rights 37-8515, 37-8517 & 37-8518

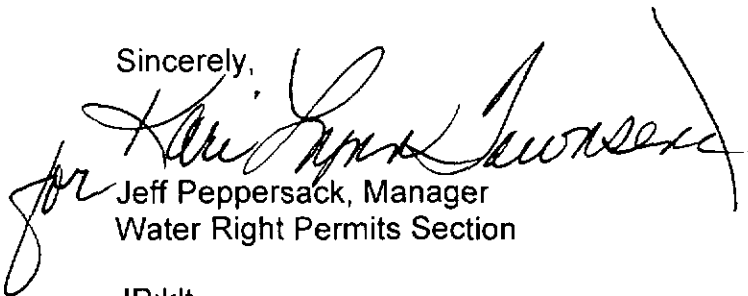
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

OCT 20 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

June 20, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

ANTHONY C AND JUDY L D'ANGELO
2408 THE STRAND
MANHATTAN BEACH CA 90266

RE: CHANGE OF OWNERSHIP

Dear Mr. and Mrs. D'Angelo:

The Department acknowledges receipt of Change of Ownership documents for Water Right License No's. 37-08517, 37-08518 and 37-08515.

The water rights in question having a priority date of 1989 are not subject to proceedings in the Snake River Basin Adjudication (SRBA), therefore; they will be forwarded to our State Office and the documents incorporated in the original water right files as evidence for change of ownership.

The rights, in fact, have not been recorded as adjudication claims nor is it necessary to do so since they were established after the commencement date of the SRBA.

Idaho law provides that water rights normally run with the land unless specifically withheld in a conveyance and our procedure in changes of ownership with a license is to simply file the evidence of ownership change. No other action is necessary by the parties in this case.

If you have any questions regarding this matter, please feel free to give me a call.

Sincerely,

Trish Fawcett
Technical Records Specialist

/TF



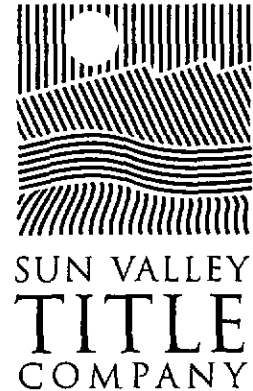
June 15, 1995

Idaho Department of Water Resources
Attn: Adjudication Bureau
Statehouse Mail
Boise, ID 83720-9000

RECEIVED

JUN 16 1995

Department of Water Resources



RE: 22-12953
Joseph R. Updyke
Anthony C. D'Angelo
TSN R17E HES 329

RECEIVED

JUN 20 1995

Department of Water Resources
Southern Region

Dear Ladies:

Regarding the above, I have enclosed the following:

- Notice of Change of Water Right Ownership #37-08517
- Notice of Change of Water Right Ownership #37-08518
- Notice of Change of Water Right Ownership #37-08515

Sincerely,

Cassie Jones
Manager/Escrow Officer

RECEIVED
JUN 27 1995



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUN 16 1995

DATE OF CLOSING: 6/15/95

LEGAL DESCRIPTION OF PROPERTY: Township 05N Range 17 Department of Water Resources
Section 14, 1/4 of 1/4 of 1/4, Govt. Lot , BM. No SRBA claim
Lot , Block , Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

Department of Water Resources
Southern Region

☐ Water Right Number(s)
Assigned by IDWR: 37-08518

☐ Name and Address of Former Owner/Claimant(s)(Seller): Joseph Randolph Updyke and M. Carol Updyke
Rt 2, Box 35, Yemasee, SC 29945

☐ New Owner/Claimant (Purchaser): Anthony C. D'Angelo and Judy L. D'Angelo

☐ New Mailing Address: 2408 The Strand
Manhattan Beach, CA 90266

☐ New Telephone Number: (310) 546-7611 office

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) _____ Date _____

☐ Signature of Former Owner/Claimant(s): [Signature] Date 6-7-95
[Signature] Date 6-7-95

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

RECEIVED

JUN 27 1995

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Form 42-1409(7)



**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type
(see instructions on back of page)

RECEIVED

JUN 16 1995

DATE OF CLOSING: 6/15/95

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 05N Range 17
Section 14, 1/4 of 1/4 of 1/4, Govt. Lot , BM.
Lot , Block, , Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

JUN 20 1995

☐ Water Right Number(s)
Assigned by IDWR: 37-08518

Department of Water Resources
Southern Region

☐ Name and Address of Former Owner/Claimant(s)(Seller): Joseph Randolph Updyke and M. Carol Updyke
Rt 2, Box 35, Yemasee, SC 29945

☐ New Owner/Claimant (Purchaser): Anthony C. D'Angelo and Judy L. D'Angelo

☐ New Mailing Address: 2408 The Strand
Manhattan Beach, CA 90266

☐ New Telephone Number: (310) 546-7611 office

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Judy L. D'Angelo Date 6/15/95

☐ Signature of Former Owner/Claimant(s) _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____

Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

RECEIVED

JUN 27 1995

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 10, 1995

RE: License Nos. 37-08515/08516/08517/08518

Gary D. Slette
Rosholt, Robertson & Tucker
PO Box 1906
Twin Falls, ID 83303-1906

Dear Gary:

In April of 1994, you sent correspondence to the department concerning the number of acres licensed under the above referenced rights. You provided tax notices and a copy of the Blaine County Assessor's map of Mr. Updyke's property. After reviewing the documents you provided and the water right license files, I offer the following.

filed in
37-08515

Right 37-08515 covers Tax Lot #3664
Right 37-08516 covers Tax Lot #4263
Right 37-08517 covers Tax Lot #4011
Right 37-08518 covers Tax Lot #4016

These rights were licensed for a total of 3.5 acres. You stated in your correspondence that Mr. Updyke irrigates a total of approximately 12 acres. There are two remaining lots not included under these rights, Tax Lots 4022 and 4044. Mr. Updyke filed an application for permit to cover eight (8) acres within these two lots, Application for Permit No. 37-08327. This application was caught in the Big Wood River-Silver Creek Ground Water Management Area. On August 30, 1991, the department notified Mr. Updyke of the management area and requested information to show that the proposed use would not reduce flows in the river &/or Silver Creek. If found to impact the surface flows, a plan of mitigation and/or compensation was requested. The opportunity to withdraw the application was also given in this letter, and on September 20, 1991 the application was withdrawn (copy enclosed).

Between the eight acres in Tax Lots 4022 and 4044 and the 3.5 acres licensed under the valid rights, Mr. Updyke's irrigable

Microfilm

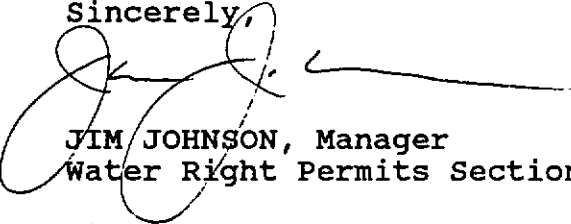
JUN 27 1995

Gary D. Slette
April 7, 1995
Page 2

land is accounted for. However as shown above, the eight acres on the two larger lots are not covered by water rights for use of groundwater.

If you have further concerns or questions regarding this matter, we can discuss them. My phone number is 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:sc

Enclosure

MAILED
JUN 27 1995



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

March 14, 1994

J RANDOLPH UPDYKE
C/O GARY SLETTE
PO BOX 1906
TWIN FALLS ID 833031906

RE: WATER RIGHT NO. 37-08518

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED
JUN 27 1995

WR0749NP
No. L37-08518

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/07/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J RANDOLPH UPDYKE C/O GARY SLETTE PO BOX 1906 TWIN FALLS ID 83303-1906 (208) 734-0700	05/08/1989	IRRIGATION STOCKWATER DOMESTIC	04-15 10-15 01-01 12-31 01-01 12-31	0.01 CFS 0.01 CFS 0.04 CFS	1.80 AFA 0.10 AFA 1.20 AFA
TOTAL DIVERSION:					0.05 CFS	3.10 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.20 CFS

Point(s) of Diversion: T05N R17E S14 SENW BLAINE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
05N	17E	14	:					:				.5	:					:							:	0.5
																							TOTAL ACRES		0.5	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion and Source:
L37-08515

Other Water Rights Listing Overlapping Place(s) of use:
37-00863A 37-08515 37-08516 37-08517 37-08518 L37-08515

Conditions of Approval:

- 041 - Irrigation use under this right is authorized only in connection with a domestic use.
- R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Remarks: Two points of diversion are located within SENW, S14, T05N, R17E.
Right 37-08515 is also diverted through the point(s) of diversion described above.
Stockwater use is for 10 horses.
Domestic use is for 1 home.

Dates:	App. Received:	05/08/1989	Priority Date:	05/08/1989	(Priority Date Advanced.)
	Proof Due Date:	05/01/1991	Proof Made Date:	05/02/1991	(Proof Received Late.)
	Exam Made Date:	06/23/1993	Exam Sent to S.O.:	03/03/1994	
	Licensed Date:				

LICENSE REVIEW CHECKLIST

Permit # 37-8518

Date 3-7-94

Brenda Chapman

NAME	Yes <u> </u> No <u> ✓ </u>	Or Address Change?
PRIORITY DATE	<u> </u> <u> ✓ </u>	Advance? <u> </u> Advanced to: <u> </u>
	<u> </u> <u> ✓ </u>	Order to Reinstate Needed? <u> </u>
	<u> </u> <u> ✓ </u>	Incorrect Fee for rate recommended? <u> </u>
SOURCE	<u> </u> <u> ✓ </u>	Changes? Clarification of Originally Intended source <u> </u>
	<u> </u> <u> ✓ </u>	Notice of Intent to Void - Source change. <u> </u>
P/D	<u> ✓ </u> <u> </u>	Amendment Needed? <u>Add second well</u>
	<u> ✓ </u> <u> </u>	Overlap(s) <u>37-8515</u>
P/U	<u> </u> <u> ✓ </u>	Amendment Needed? <u> </u>
	<u> </u> <u> ✓ </u>	Overlap(s) <u> </u>
TOTAL CFS	<u> </u> <u> ✓ </u>	Measurement <u> </u> Theoretical only <u> ✓ </u>
IRR = .01		<u>2 wells #1 = .16 CFS</u>
STOCK = .01		<u>#2 = .04 CFS</u>
DOM = .04		Allowable Amount: <u>Permit limit @ .05</u>
		Capacity of System: <u>.20</u>
TOTAL VOLUME		Season of Use: <u>B/3.5 4-15 to 10-15</u>
	<u> ✓ </u> <u> </u>	Calculations: <u>DOMESTIC = 1.2</u>
		<u>10 HORSES = .1</u>
		<u>1/2 acre = 1.8</u>
		Flow limit: <u>.01 x 184 x 1.9835 = 3.6</u>
USES	<u> </u> <u> ✓ </u>	Change(s) in Nature of Use? <u> </u>
	<u> </u> <u> ✓ </u>	Amendment Needed? <u> </u>
REMARKS	<u> ✓ </u> <u> </u>	Multiple P/Ds in 1/4 1/4? <u>W32</u>
	<u>W36</u> <u> </u>	Special Overlap <u>37-8515</u>
CONDITIONS	<u> </u> <u> ✓ </u>	Measuring/Locking Devices <u> </u>
	<u> </u> <u> ✓ </u>	W/Master Control - District <u> </u>
	<u>R30</u> <u> ✓ </u>	Irrigation Overlap <u> </u>
	<u> ✓ </u> <u> </u>	Water Quality <u> </u>
	<u> ✓ </u> <u> </u>	Other <u>041</u>

COMMENTS:

RECOMMENDED	CFS	DIV VOL
<u>Irrigation</u>	<u>.01</u>	<u>1.8</u>
<u>STOCKWATER</u>	<u>.01</u>	<u>.1</u>
<u>DOMESTIC</u>	<u>.04</u>	<u>1.2</u>
TOTALS	.05	3.1

LICENSE	<u> ✓ </u>
1ST AMEND LETTER	<u> </u>
2ND AMEND LETTER	<u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAR 04 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-8518

1. Owner: S. Randolph Updyke

Phone No. 734-0700

Current Address: % Gary Stette of Posholt, Robertsau, Tucker P.O. Box 1906

2. Accompanied by: Kevin O'Brien

Twin Falls 83301
EXAM DATE: 6-23-93

Address: Evergreen Landscaping Box 1157 Ketchum Phone No. 726-5267

Relationship to Permit Holder: Landscaper 83340 (Designed Irr. System)

3. Source: groundwater

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: 37-8515

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1			SE	NW	14	05W	17E	Blaine	USGS Topo, Inspection
#2			SE	NW	14	05W	17E	Blaine	USGS Topo, Inspection

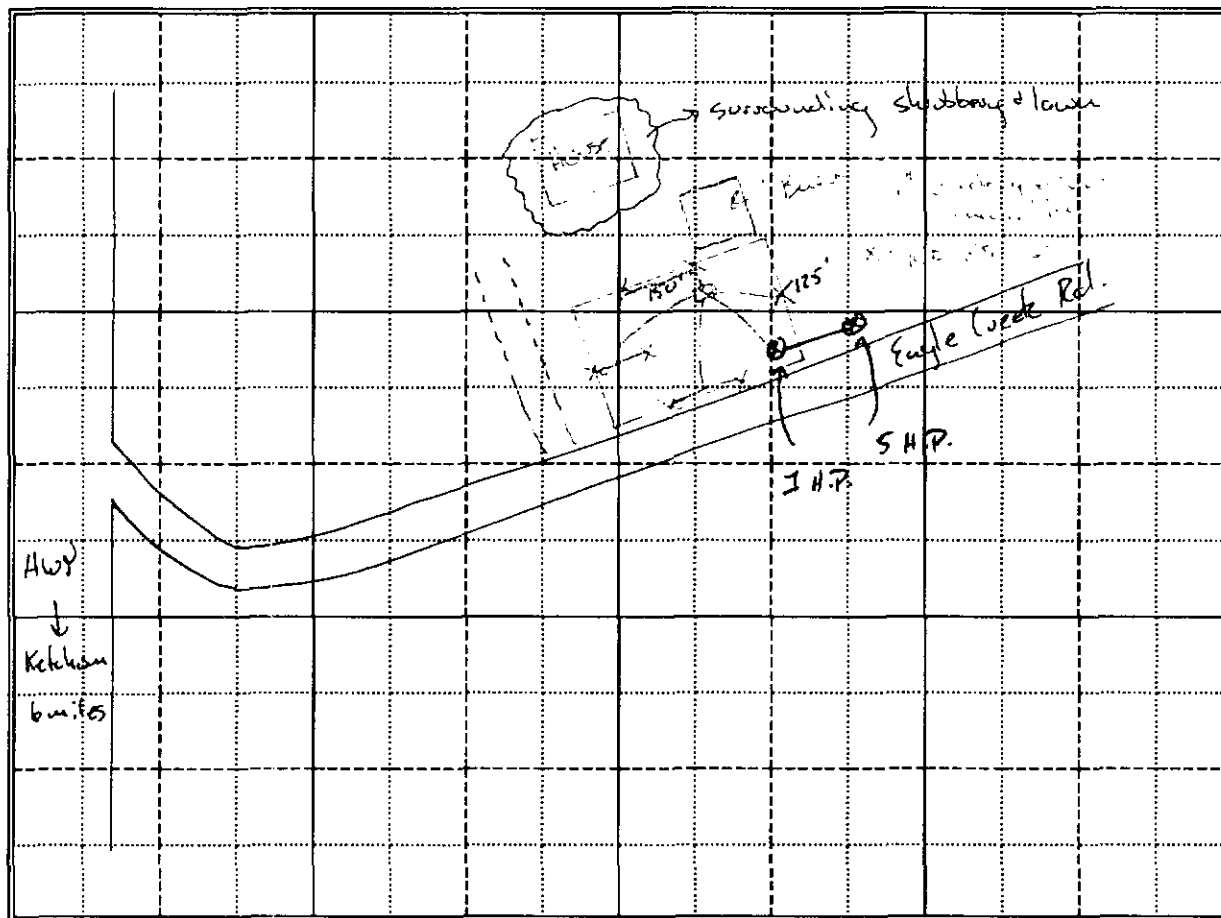
2. Place(s) of Use:

Indicate Method of Determination USGS Topo, Inspection

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05W	17E	14								0.5								0.5	
										D								D	
										S								S	

JUN 27 1993

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: Not to Scale

☒ Copy of USGS 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)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	Sta-Rite	1	# ^{model} 226438		
#2	Sta-Rite	5	# 1086 Model # CP4507C-09		

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: NONE (See attached theoreticals for both 1 Hp and 5 Hp pumps)

E. NARRATIVE/REMARKS/COMMENTS

see attached sheet

Total diversion rate limited to permitted rate of .05 cfs.

Have conditions of permit approval been met? ☒ yes ☐ no

APPROVED
JUN 27 1995

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

A theoretical diversion rate of 0.16 cfs was calculated from the S.H.P. pump on P37-8515.

Stockwater 7 10 horses permit

1/2 acre pasture rate that many horses $\approx$ 0.02 cfs (see Field Examiner's handbook Table 6)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (0.5 \text{ acres}) (3.5 \text{ cfs/acre}) = 1.8 \text{ cfs}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.04 \text{ cfs}) (184 \text{ days}) (1.9835) = 14.6 \text{ cfs}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1.8 \text{ cfs}$$

2. Volume Calculations for Other Uses:

up to 10 horses 0.2 cfs (see Field Examiner's handbook Table 6)

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	4/15	10/15	0.01 cfs	1.8 afa
Stockwater	1/1	12/31	0.02 cfs	0.2 afa
Domestic	1/1	12/31	0.04 cfs	1.2 afa
Totals:			0.05 cfs	3.2 afa

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 Add 2nd well to permit

I. AUTHENTICATION

Field Examiner's Name

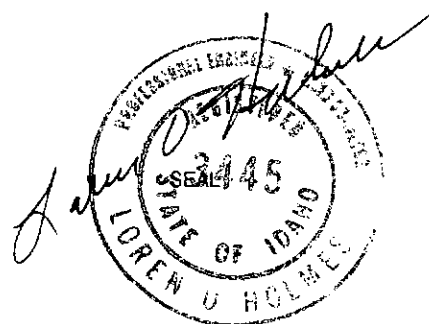
Brett Boney

Date

9-22-93

Reviewer

Date



DATE: September 23, 1993

FROM: Brett Barry

TO: File 37-8518

SUBJECT: Field Exam P37-8518 Narrative/Comments

There are two wells associated with this permit and an overlap point of diversion with P37-8515. A 5 H.P. submersible pump and 1 H.P. submersible pump are in separate wells. Primarily, the 1 H.P. pump supplies water for this permit while the 5 H.P. pump supplies water for P37-8515. The two wells were connected in case of emergencies.

These wells are capable of supplying water for domestic use for Mr. Updyke's main home and a barn(internal and external), stockwater use, and irrigation use for 0.5 acres on this permit. Stockwater use is for up to 10 horses.

A 1 in polyethylene mainline runs from the wells to a tap. 7 Rainbird PJ 65 heads with 1/4 in nozzles are connected to the tap through 1 in laterals(see system diagram).

The well log attached applies to a particular one of Updyke's permits, but it is uncertain to which one because the legal on the well log is certainly incorrect. Because all 4 permits are close in proximity, the static water level for the well log was used to determine the lift in theoretical calculations.

A theoretical diversion rate of 0.04 cfs was calculated from the 1 H.P. while the 5 H.P. produced 0.16 cfs.

RECEIVED
JUN 27 1995

DATE: July 24, 1993
FROM: Brett Barry
TO: FILES 37-8515, 37-8516, 37-8517, 37-8518
SUBJECT: Interpretation of the above water permits

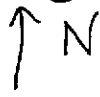
On June 23, 1993, the field examinations for the above water permits were conducted. J. Randolph Updyke from Philadelphia, Pennsylvania is the permit holder for the permits. Kevin O'Brien of Evergreen Landscaping of Sun Valley accompanied myself during these field examinations. Kevin was responsible for the construction and design of the irrigation and lawn systems for Mr. Updyke. Presently, Kevin takes care of the maintenance and upkeep for these systems because Mr. Updyke is rarely in town.

The above permits are very closely associated to each other in use and proximity. The applications for the permits were very ambiguous to the precise point of diversion and place of use.

On July 14, 1993, Gary Slette, Mr. Updyke's lawyer, and I met to discuss the precise locations of the permits. Gary Slette supplied me with information from their file regarding the permits. This information is attached to the files.

The following is a graphical sketch of my interpretation of the point of diversion and place of use for each respective water permit.

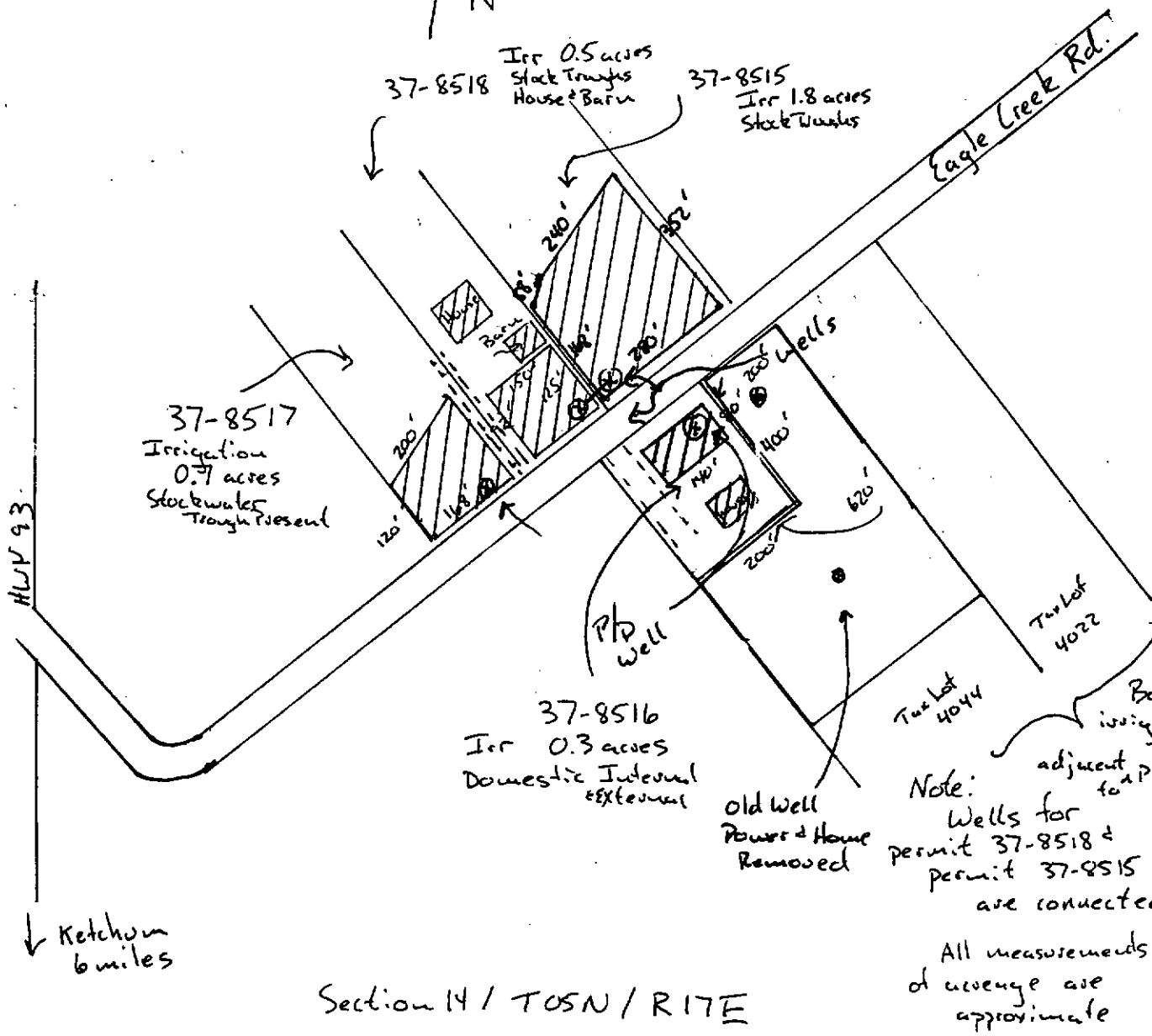
RECORDED
JUN 27 1995



HLV 93

Ketchikan
6 miles

Section 14 / TOSN / RITE



RECEIVED

JUN 27 1995

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-8515 (and 37-8518)
DATE: 7-21-93
BY: Fred Baum

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \dots 5 \text{ H.P.} \dots (0.70)}{[(.60 \dots) + (.60 \text{ psi} \dots \times 2.31)]} = 0.16 \text{ cfs}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	
area estimate (✓)	estimate (✓)	Pump Make, Serial or ID, rating
well logs ()	owner gage ()	
Booster (Y) (N)		

REMARKS: A well log that is not associated with a particular right of Udyke's states the static water level to be around 52'7". The L.H. is based on this static water level. The legal on the well log is incorrect.

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

$$\text{POTENTIAL} = \frac{(184 \text{ days}) \times (1.98) \times (0.16 \text{ cfs})}{(1.8 \text{ acres})}$$

POTENTIAL = 32.3 afu/acre

REQUIRED Acre Feet/Acre/Annum = 3.5 afu/acre
(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

RECORDED
JUN 27 1995

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-8518 (37-8515)
 DATE: 9-22-93
 BY: Bred Bailey

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
 H.P. = Total Brake Horsepower of pumping plant (including booster)
 EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
 TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
 LIFT = depth to water in FEET from land surface to pumping water level
 PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \left(\frac{1 H.P.}{\dots} \right) (0.70)}{[(\dots 60' \dots) + (\dots 40.75' \dots \times 2.31)]} = 0.04 cfs$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	STA. PNE 1 H.P.
area estimate (✓)	estimate (✓)	Pump Make, Serial or ID, rating
well logs ()	owner gage ()	
Booster (Y) (N)		

REMARKS A well log not associated with a particular right at Jodyke's states the static water level to be around 52.7'. The lift is based on this static water level. The legal on the well log is incorrect.

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	POTENTIAL = $\frac{(184 \text{ days}) \times (1.98) \times (0.04 cfs)}{(\dots 0.5 \text{ acre} \dots)}$
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

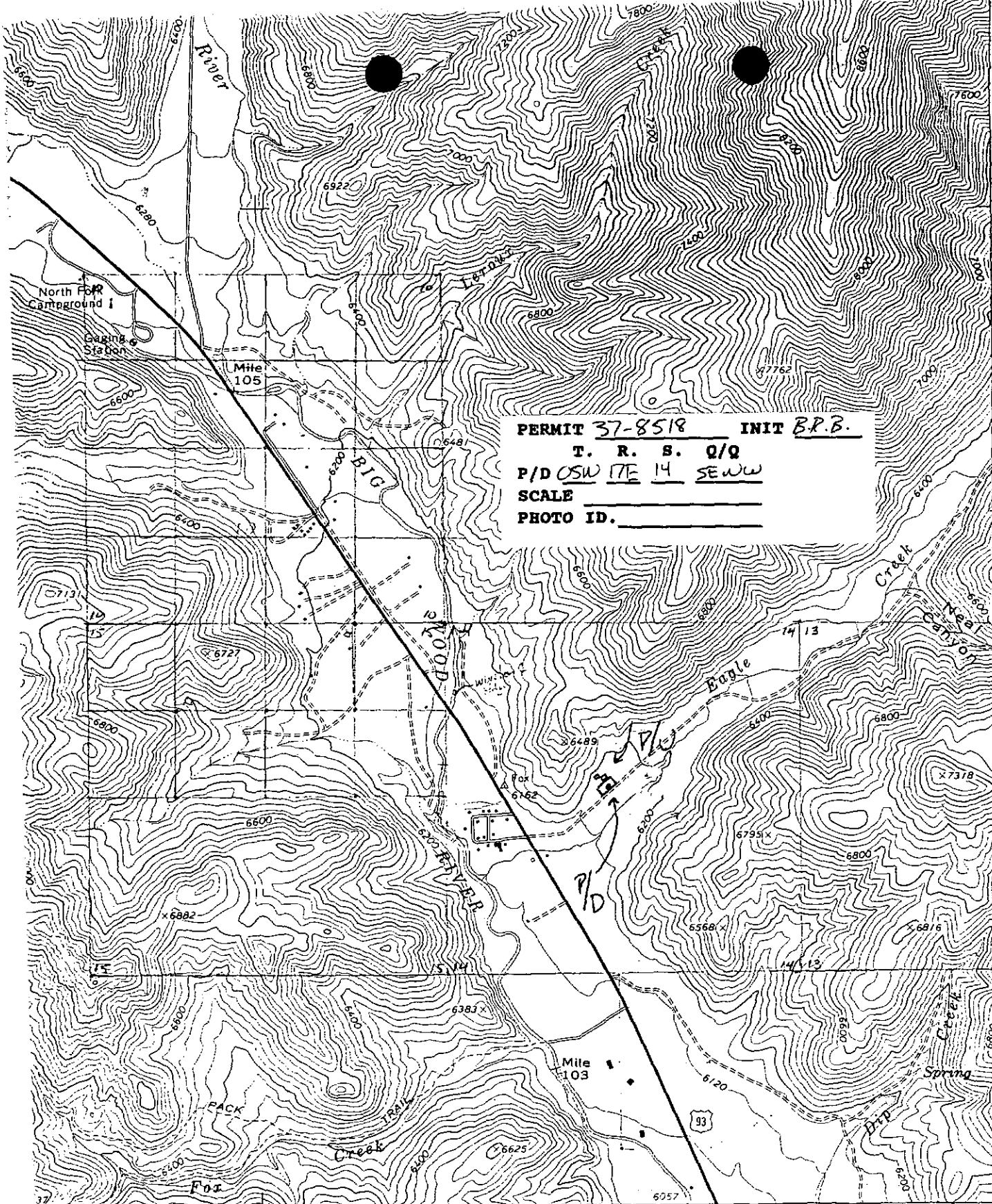
POTENTIAL = 29.1 acft/acre

REQUIRED Acre Feet/Acre/Annum = 3.5 acft/acre
 (AF/Ann/Ac irrigation requirement from chart for area)
 NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

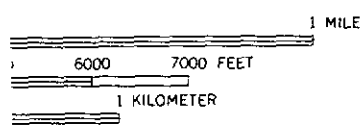
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

JUN 27 1995



PERMIT 37-8518 INIT B.P.B.
T. R. S. Q/Q
P/D CSW TE 14 SEWW
SCALE _____
PHOTO ID. _____

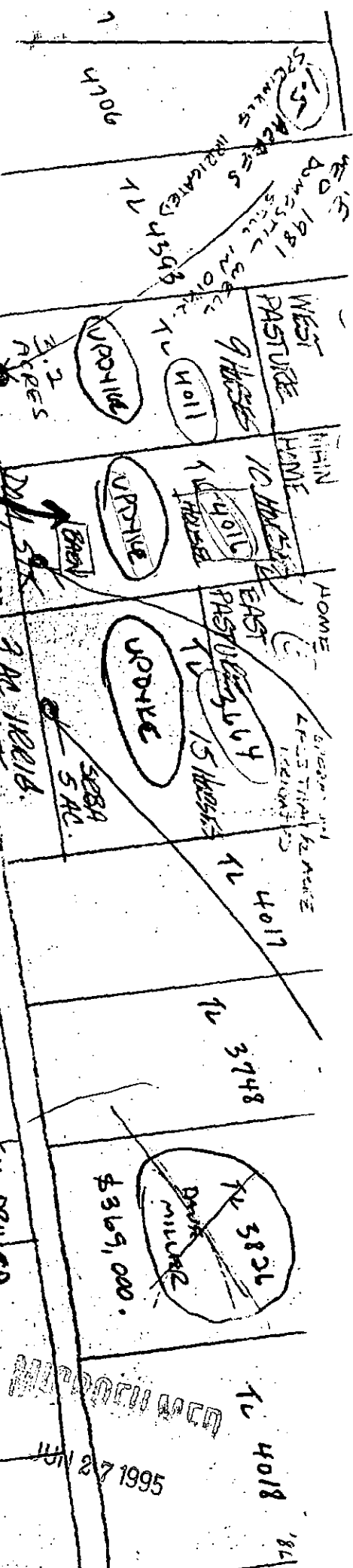
37-8518



ROAD CLASSIFICATION
Heavy-duty _____ Light-duty _____
Unimproved dirt -----
U. S. Route

SUN VALLEY
5171 IN NEA
MADONNIA

JUN 27 1995



TL 4016 Supposedly
Covers up to
P37-08518

H.E.S. 329

EXISTING HM
AND DOMESTIC WELL
BUCKET BY UPDYE
NOV. 188 - filling of pond

PURCHASED BY UPDYE SUMMER '87
HOME REMOVED FALL '87
DOMESTIC WELL STILL
IN OPERATION.

(power disconnected)

12pm 3/4 HP 4263: down? 1719: 7

4044: 1719: 7
5HP

50.608
TOTAL 8+ acres
includes
doesn't include
GOODMAN

37-08239
01-26-1988
8 of 10 AC

11 5th - no animal #5
11 1719

WELL DEPLETED
10/12/87
DEVELOPING PERMIT
HERE WITH

\$369,000.

27 1995

P 57-851

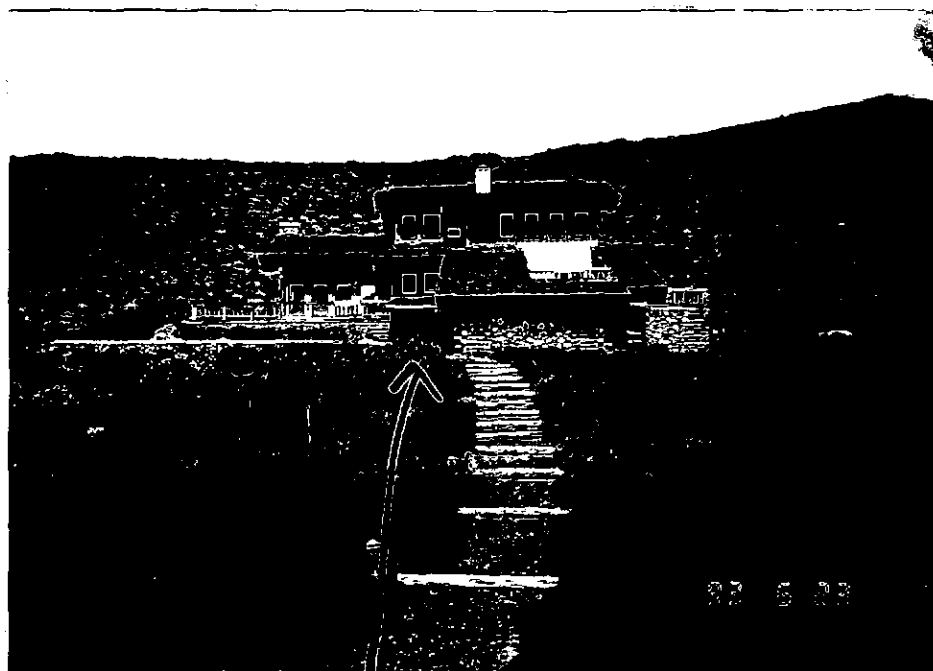
Static water level 52'7" feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 48 of. Quality Good
Describe artesian or temperature zones below.

☐ Pump ☐ Bailer ☒ Air ☐ Other

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
8	0	3	Surface dirt		
	3	11	Gravel		
	11	55	Clay & gravel		
	55	57	Gravel	X	
	57	65	Clay & gravel		
	65	84	Gravel & clay	X	
	84	91	Clay & gravel	?	
	91	99	Gravel & clay	X	
	99	104	Clay & broken black lime- stone		X
	104	105	Black limestone		

~~JUN 27 1995~~

P37-8518



Mr. Updyke's main house
The domestic use for
P37-8518.

MISSOURI

JUN 27 1995

I took these pictures on June 23, 1993. These photos are taken from Mr. Updyke's main house looking east to southeast.

P 37-8518

P/ 37-8515

37-8515
P/O 37-8518
5 H.P.
1 H.P.
P/ 37-8518
(see File 37-8518)
photos



The 1 H.P. pump primarily supplies water for this permit. The mainline between the two wells was connected in case of emergencies.

JUN 27 1995

May 14, 1991

J. RANDOLPH UPDYKE
1401 WALNUT
PHILADELPHIA, PA 19102

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08518

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

MAY 31 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 37-8518

Date 5-7-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source
☒ Ground water source
☒ Drill permit req'd?
☐ Copy in file? Drill permit no. _____
☐ Amt paid for drilling permit? _____ Correct?
☐ Well log in file?

LICENSE EXAMINATION FEE

- ☒ Required?
☒ Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- ☒ Measuring device or access port required?
☐ Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

Date proof received NA
Date proof due _____ - _____
No. of days late _____ = _____
Priority date _____ + _____
NEW PRIORITY DATE _____ = _____

LB

138137
February 28, 1991

J. RANDOLPH UPDYKE
1401 WALNUT
PHILADELPHIA, PA 19102

PROOF DUE NOTICE

RE: PERMIT NO. 37-08518

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 May 1, 1991. (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 complete 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

MAY 31 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
April 24, 1990

J. RANDOLPH UPDYKE
1401 WALNUT
PHILADELPHIA, PA 19102

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 37-08518

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

NOT FILMED

MAY 23 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED
MAY 23 1990

11-Jan-1990

NELSON, ROSHOLT & ASSOCIATES
c/o Francis G. Hitchcock
P.O. Box 1906
TWIN FALLS ID 83303-1906

Re: Amended Applications for Permit Nos. 37-08515, 37-08516,
37-08517, 37-08518

Dear Mr. Hitchcock:

The Department of Water Resources acknowledges receipt of amended applications for permit on behalf of your client, J. Randolph Updyke, as referenced above.

This office will be advertising the applications in the Wood River Journal on 1/17 & 1/24/90. A period of ten days following the second publication will be allowed for the submittal of protests.

If the applications are protested you will be sent a copy of the protests. The protests must be resolved before the applications are approved or denied. If the protests are not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the applications are not protested, they will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

MicroFILMED

MAY 23 1990

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, } ss.
County of Blaine

FEB 9 - 1990

Department of Water Resources
Southern Region Office

DANIEL J. GORHAM

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 17 day of JAN 19 90, and

the date of the last publication was on the 24 day of JAN 19 90.

[Signature]
Subscribed and sworn to before me this 24 day of JAN 19 90.
(SEAL)

[Signature]
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	<u>11</u>	
Number of Lines in Notice	<u>31.5</u>	
Number of Insertions	<u>2</u>	
	Lines tabular at	5.5¢/Pica
<u>31.5</u>	Lines straight at	<u>17.33</u> 64.5¢/Pica
<u>31.5</u>	Subsequent lines at	<u>13.86</u> 43.5¢/Pica
TOTAL COST		<u>\$ 31.19</u>

OK
MB
2/12/90

COPY OF NOTICE
(Paste Here)

Application
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of H2O (TF)
BILL TO

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that the following application for permit to appropriate the public waters of the State of Idaho has been amended as follows:

37-08518

J. RANDOLPH UPDYKE
1401 Walnut
Philadelphia, PA 19102

Date Amended: 1/4/90

Source: Groundwater
Diversion Pt: NW1/4SE1/4NW1/4,
S14, T5N, R17E; Blaine County.

Use: Domestic (.053 cfs)
Stockwater (.053 cfs)
Irrigation (.053 cfs)

In: Three acres within SE1/4-
NW1/4, S14, T5N, R17E.

The permit (s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East, Twin Falls, ID 83301, on or before February 5, 1990.

R. Keith Higginson, Director

Publish: Wood River Journal-
January 17 & 24, 1990.

PUBLICATION RATES

As of Oct. 1, 1988

(Idaho Code, Reb. Statutes 1984)

7-8 pt. per line straight... 4.5/pica

7-8 pt. per line tabular... 5.5/pica

7-8 pt. per line successive
insertion... 3.5/pica

6846

5

11-Jan-1990

Wood River Journal
P.O. Box 988
Hailey, ID 83333

Gentlemen:

Enclosed you will find 4 legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit 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 are correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notices 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.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
MAY 23 1990

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that the following application for permit to appropriate the public waters of the State of Idaho has been amended as follows:

37-08518

J. RANDOLPH UPDYKE
1401 Walnut
Philadelphia, PA 19102

Date Amended: 1/4/90

Source: Groundwater

Diversion Pt: NW1/4SE1/4NW1/4, S14, T5N, R17E; Blaine County.

Use: Domestic (.053 cfs)
Stockwater (.053 cfs)
Irrigation (.053 cfs)

In: Three acres within SE1/4NW1/4, S14, T5N, R17E.

The permit (s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East., Twin Falls, ID 83301 on or before February 5, 1990.

R. Keith Higginson, Director

Published in Wood River Journal on 1/17 & 1/24/90

RECORDED
MAY 23 1990

**NOTICE OF AMENDED
APPLICATION FOR
WATER PERMIT**

Notice is hereby given that the following application for permit to appropriate the public waters of the State of Idaho has been amended as follows:

37-08518

J. RANDOLPH UPDYKE

1401 Walnut

Philadelphia, PA 19102

Date Amended: 1/4/90

Source: Groundwater

Diversion Pt: NW1/4SE1/4NW1/4,

S14, T5N, R17E; Blaine County.

Use: Domestic (.053 cfs)

Stockwater (.053 cfs)

Irrigation (.053 cfs)

In: Three acres within SE1/4-NW1/4, S14, T5N, R17E.

The permit (s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East, Twin Falls, ID 83301, on or before February 5, 1990.

R. Keith Higginson, Director

Publish: Wood River Journal--
January 17 & 24, 1990.

OK
MB
1/16/90

RECORDED

MAY 23 1990

MEMORANDUM

RECEIVED

AUG 24 1989

Department of Water Resources
Southern Region Office

TO: LOREN, SOUTHERN REGION

FROM: KAY WALKER

RE: UPDYKE APPLICATIONS

DATE: 14-AUG-1989

=====

Loren: While reviewing applications I noticed that Mr. Updyke has filed these four applications (37-8515/8516/8517/8518) for the irrigation of 12 acres and what appears to me to be only one home. Prior to further action we need to know exactly how many homes will be on these 12 acres. We should not process the ones that do not include homes if he only intends stock and irrigation use, until his time in priority. It looks to me like he was trying to get water rights for his 12 acres by submitting four separate applications which is not acceptable for the Swan Falls area. We can process one of them for 3 acres and one home but should not let the others slip through.

I am also confused with the maps attached to the applications. The legal description on App. 37-8515 describes the NESW but the attached map clearly shows the point of diversion in SENW. This is also true with Application 37-8516. The description on App. 37-8517 is okay. On App. 37-8518 the legals and map are not consistent, again describing the NESW but map showing the SENW.

Could you also request that the staff analysis sheets in the new application files be placed on the top of the right side of the file instead of the bottom. It sure would make our jobs easier over here. We have to re-arrange the files every time we receive them. Maybe you could explain to Mary that the files are to be in chronological order with oldest correspondence on the bottom of the right side???

THANKS!
MICROFILMED

Capt: 7/2 Contract Amendment on Prescott's office MAY 23 1990
straighten up problems - If they can't produce convincing evidence that these developments meet processing requirements of the 1180 contract they will have to be held -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

MAY 31, 1989

WOOD RIVER JOURNAL
P.O. BOX 988
HAILEY, ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice 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 publication billing to this office before JUNE 26, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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MAY 23 1990

37-08518

UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102

Source: GROUNDWATER

Diversion Pt: NWNESW Sec 14 T 05N R 17E

Use: DOMESTIC	(.053 CFS)
STOCKWATER	(.053 CFS)
IRRIGATION	(.053 CFS)

Date Filed: 5/08/1989

In: T05N R17E S14 NESW

3.0 ACRES TOTAL

MICROFILMED

MAY 23 1990

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-08515

UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversion Pt.: NWNESW Sec 14 T
05N R 17E
Use: IRRIGATION (.090 CFS)
STOCKWATER (.020 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 NESW
3.0 ACRES TOTAL

37-08516

UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversion Pt.: NENESW Sec 14 T
05N R 17E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 NESW
3.0 ACRES TOTAL

37-08517

UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversion Pt.: NWNESW Sec 14 T
05N R 17E
Use: IRRIGATION (.045 CFS)
STOCKWATER (.045 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 SESW
3.0 ACRES TOTAL

37-08518

UPDYKE, J. RANDOLPH
1401 WALNUT
PHILADELPHIA, PA 19102
Source: GROUNDWATER
Diversion Pt.: NWNESW Sec 14 T
05N R 17E
Use: DOMESTIC (.053 CFS)
STOCKWATER (.053 CFS)
IRRIGATION (.053 CFS)
Date Filed: 5/08/1989
In: T05N R17E S14 NESW
3.0 ACRES TOTAL

37-08519

GACHE, PETER DJONALD
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt.: SWSWNE Sec 10 T
05N R 17E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.090 CFS)
Date Filed: 5/24/1989
In: T05N R17E S10 SWNE NWSE
3.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before JUNE 26, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
June 7 & 14, 1989.

OK
mb
6/5/89

RECORDED

MAY 23 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JUNE 26, 1989.

R. Keith Higginson, Director

Published 6/07/1989 & 6/14/1989

MICROFILMED

MAY 23 1990

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

FAX (208) 736-0041

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY T. UHLING
TERRY R. McDANIEL
F. BRUCE COVINGTON
JERRY JENSEN
GARY D. SLETTE
CAROLYN M. MINDER
VICKI L. YRAZABAL
BRUCE M. SMITH
C. RICHARD BEVAN
BRAD M. PURDY
GARY L. QUIGLEY

Boise Office
1020 MAIN ST., SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
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May 8, 1989

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Department of Water Resources
Southern Region Office

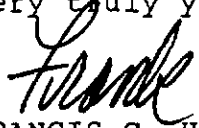
Mr. Loren Holmes, Supervisor
Idaho Department of Water Resources
Twin Falls Office -- Southern Region
2148 Fourth Avenue E.
Twin Falls ID 83301

Dear Loren:

Please find enclosed Applications for Permit for usages in Blaine County by our client, J. Randolph Updyke. As these are applications for usages of less than three acres, I look forward to their being processed at once.

Please advise if you have questions.

Very truly yours,


FRANCIS G. HITCHCOCK
LEGAL ASSISTANT

FGH/dcb
21161

Enclosures

MICROFILMED

MAY 23 1990