

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER*
SHAN B. PERRY
AMELIA A. SHEETS
DeANNE CASPERSON**
ROBERT L. HARRIS

1000 RIVERWALK DRIVE, SUITE 200
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

RECEIVED (2)

OCT 03 2005

Department of Water Resources

Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

*Also Licensed in Utah and Arizona
**Also Licensed in Missouri & Kansas

September 29, 2005

COPY

Clerk of the District Court
Snake River Basin Adjudication
ATTN: Janet Connell
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

RE:

Dear Janet:

Pursuant to our agreement at the initial hearing, we are enclosing the Amended Notices of Claim for Water Rights Nos. 25-7040, 25-7042 and 25-7161. The ones for 25-7042 and 25-7161 are the originals which we apparently sent to the Department of Water Resources, but which were returned to us. We sent the Amended Notice for 25-7040 to IDWR at the same time, but apparently it was kept by the Department because all we have is a photocopy which is enclosed.

If there is anything further we need to do, please let us know.

Yours very truly,



Kent W. Foster

Enclosures

COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 25-7161

Date Received _____

Receipt Number _____

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

1. Name of Claimant(s) Comore Loma Water Co., Inc. Phone (208) 523-2478

Mailing Address 5395 Marbrisa, Idaho Falls, ID Zip 83406

2. Date of Priority (Only (1) per claim) Sept. 29, 1978

3. Source of water supply (a) Groundwater

which is tributary to (b) _____

4.a. Location of existing point of diversion is:

Township 01N Range 38E Section 1, 1/4 of NE 1/4 of NE 1/4, Govt. Lot 1,
County of Bonneville

Additional points of diversion if any: T.01N., R.38E., SEC.01, NESE, NWSE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)

For Domestic purposes from 01/01 to 12/31 amount 0.98 cfs or 31.8 afa

7. Total quantity claimed (a) 0.98 (cfs) and/or (b) 31.8 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic
10. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	38E	12	D			D					D			D	D	D	D		
	39E	6	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	
		7	D				D	D	D	D									

Total number of acres irrigated _____

11. In which county(ies) are lands listed above as place of use located? 25-7040, 25-7042, 25-7161, 25-7578 AND 25-7652

12. Do you own the property listed above as place of use? Yes X No ____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks:

Place of use also known as Comore Loma Subdivision.

15. Basis of Claim (Check one) Beneficial Use ____ Posted Notice ____ Permit ____ Decree ____ License X
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature(s)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date _____

_____ Date _____

Last Name Comore Loma Water Co., Inc. Ident. Number 25-7161

For Organizations: I do solemnly swear or affirm that I am System Operator of
(Title)

Comore Loma Water Co., Inc., that I have signed the foregoing document in the space below as

(Organization)

System Operator

(Title)

of Comore Loma Water Co., Inc.

(Organization)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Dennis Bell

Title and Organization Comore Loma Water Co., Inc.

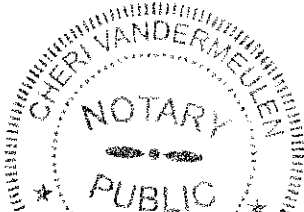
Date 4-20-05

State of Idaho)

) SS.

County of Damocville)

Subscribed and sworn (or affirmed) before me this 20 day of April, 2005.



Cheri Vandermeulen
Notary Public

Residing at Idaho Falls

My Commission Expires 7-1-09

17. Notice of Appearance:

Notice is hereby given that I, KENT M. FOSTER will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Kent M. Foster

Address 1701 Box 50130 Idaho Falls, ID 83405

Date 4/20/05