

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: **A43-00383**
Date Received: 6/21/1989
Receipt No: S008322
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: SYLVIA P KNIGHT
Address: 115 SOUTH MAIN
MANTUA UT

435-734-9909

84324-4381

2. Date of Priority: APR 30, 1879

3. Source: ALMO CREEK

Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	25E	30	SE	NW	SE		CASSIA

5. Description of diverting works:
EARTH DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
15S	25E	29	SW	SW		IRR	40.0
						Section Acres	40.0
		32	NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	25E	32	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
Section Acres							120.0
Total Acres							160.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-00384, -00385

14. Remarks:

SOURCE UNKNOWN; THERE IS NO SOUTH ALMO CR. ON THE USGS MAP.
THIS IS THE SOURCE AS LISTED IN THE DECREE.
P/D IS ACTUALLY ON EDWARDS CREEK, PER CLAIMANT AND WATERMASTER.
AMENDMENT NOTES
CHANGED SOURCE TO ALMO CREEK PER MRS. FLOYD KNIGHT.
TRIBUTARY TO RAFT RIVER PER CLAIMANT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET. AL., AMENDED
vs Decree Defendant

RECEIVED

DEC 05 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right No(s):

A43-00161 - A43-00383, A43-00384 - A43-00385
A43-10543 - A43-10545 A43-10548 A43-10542

Adjudication Claim No(s):

Same as above. ✓ = Modified Records
12-8-97.

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

W. Floyd Knight (deceased)

4. New Owner/Claimant(s)

Sylvia P. Knight (wife)

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

115 South Main

City, State and ZIP Code

Mantua, Utah 84324-4381

New Telephone Number

(435) 734-9909

new area code

(Former
Counselor)

5. Date you acquired the property

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 360

1.2 Root River

Number and type of stock

under lease to
Tyle W. Woodbury

Diversion rate in CFS 2.8

Alma
Creek

Number of homes

one

Other uses

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

Sylvia P. Knight

3 Nov. 1997

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

All other information stays the same as it was for
William Floyd Knight

Access to information on this form is limited under the Utah Statistics Act and Rules.

STATE OF UTAH - DEPARTMENT OF HEALTH
CERTIFICATE OF DEATH

LOCAL FILE NUMBER 02-217

STATE FILE NUMBER

DECEDENT	1. NAME OF DECEDENT FIRST, MIDDLE, LAST William Floyd KNIGHT			2. SEX Male	3a. DATE OF DEATH (Mo, Day, Yr) December 29, 1993	3b. TIME OF DEATH (24 hr. clock) 1600
	4. DATE OF BIRTH (Mo, Day, Yr) Jul 4, 1904		5. AGE, Last Birthday 89 Yrs	6. BIRTHPLACE (City & State or Foreign Country) Slaterville, UT		7. SOCIAL SECURITY NUMBER 528-24-7328
	8a. PLACE OF DEATH (Check only one) HOSPITAL: ☐ Inpatient ☐ ER/Outpatient ☐ DOA ☐ Nursing Home ☒ Residence ☐ Other 115 South Main			8b. NAME OF HOSPITAL NURSING HOME OR OTHER FACILITY (If outside a facility, give street address or location) 115 South Main		
	9. SURVIVING SPOUSE (If wife, give maiden name) Sylvia P. Pulsipher					
PARENTS	10. WAS DECEDENT EVER IN U.S. ARMED FORCES? ☐ Yes ☒ No			11. MARITAL STATUS ☐ Never Married ☒ Married ☐ Divorced ☐ Widowed		
	12a. DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do NOT use retired) Farmer/Rancher			12b. KIND OF BUSINESS OR INDUSTRY Agriculture		
	13a. RESIDENCE - STREET AND NUMBER 115 South Main			13b. CITY, TOWN, OR COMMUNITY Mantua	13c. COUNTY Box Elder	13d. STATE UT
	14. WAS DECEDENT OF HISPANIC ORIGIN? (If yes, specify) ☒ Yes ☐ No			15. RACE - Black, White, Am. Indian (If he may be entered) Japanese, etc. (Specify) White		
INFORMANT	17. FATHER'S NAME (First, Middle, Last) John Hyrum Knight			18. MOTHER'S NAME (First, Middle, Last) Eliza Hannah Bradshaw		
	19. NAME, RELATIONSHIP AND MAILING ADDRESS OF INFORMANT Sylvia P. Knight (Wife) 115 South Main Mantua, UT 84324					
	20. METHOD OF DISPOSITION ☒ Burial ☐ Cremation ☐ Other			21a. PLACE OF DISPOSITION (Name of cemetery, crematory, or other place) Ogden City Cemetery		
	22. SIGNATURE OF FUNERAL SERVICE LICENSEE Eric Myers			23. LICENSE NUMBER 53308064		
DISPOSITION	24. FUNERAL HOME (Name, address and license number) Olson-Myers' Mortuary 205 S. 100 E. Brigham City, UT 84302 5608043			25. DATE DECEDENT WAS LAST ATTENDED BY CERTIFYING PHYSICIAN 12-28-93		
	26. NAME AND ADDRESS OF PERSON WHO CERTIFIED THE CAUSE OF DEATH (Item 31) (Type/print) Dean L. Bunderson, MD, 47 N. 100 E. Brigham City UT 84302			27a. DATE SIGNED (Mo, Day, Yr) 1-6-94		
	27b. SIGNATURE AND TITLE OF CERTIFIER Dean L. Bunderson MD			27c. LICENSE NUMBER 2609		
	28. NAME AND ADDRESS OF PERSON WHO CERTIFIED THE CAUSE OF DEATH (Item 31) (Type/print) Dean L. Bunderson, MD, 47 N. 100 E. Brigham City UT 84302			29. DATE SIGNED (Mo, Day, Yr) 1-6-94		
CERTIFIER	30. DATE FILED (Month, Day, Year) Held: Dec. 30, 1993 Rec: Jan. 11, 1994					
	31. PART I. ENTER THE DISEASE, INJURY, OR COMPLICATIONS THAT CAUSED THE DEATH. DO NOT ENTER THE MODE OF DYING, SUCH AS CARDIAC OR RESPIRATORY ARREST, SHOCK, OR HEART FAILURE. LIST ONLY ONE CAUSE ON EACH LINE. (IMMEDIATE CAUSE (Final disease or condition resulting in death) Cardiac Arrest Due to (or as a consequence of) Hemiparesis from Spinal Cord Due to (or as a consequence of) Vessel Thrombosis Due to (or as a consequence of) 17 yrs					
	PART II. Other Significant Conditions contributing to death but not resulting in the underlying cause given in Part I.					
	32. IN YOUR OPINION, TOBACCO USE BY THE DECEDENT: ☐ Probably contributed to the cause of death ☐ Was the underlying cause of death ☐ Did not contribute to the cause of death ☒ Is unknown in relation to the cause of death					
CAUSE OF DEATH	34. MANNER OF DEATH ☒ Natural ☐ Accident ☐ Suicide ☐ Homicide ☐ Undetermined if injured ☐ Pending investigation			35a. DATE OF INJURY (Month, Day, Year)		
	35b. TIME OF INJURY (24 Hour Clock)			35c. INJURY AT WORK? ☐ Yes ☒ No		
	35d. PLACE OF INJURY - At home, farm, street, factory, office, building, etc. (Specify)			35e. If motor vehicle accident, specify if decedent was driver, passenger or pedestrian.		
	36. DESCRIBE HOW OCCURRED (enter sequence of events which resulted in injury. NATURE OF INJURY SHOULD BE ENTERED IN ITEM 31)					

This is to certify that this is a true copy of the certificate on file in this office. This certified copy is issued under authority of section 26-2-22 of the Utah Code Annotated, 1953 As Amended.

Date Issued:

JAN 12 1994

County

BEAR RIVER HEALTH DEPT.

Registrar

JOHN C. BAILEY, M.D.

John E. Brockert

DIRECTOR OF VITAL STATISTICS
By

Layne Parson



RECEIVED

JAN 20 1998

Department of Water Resources

Sylvia P. Knight

115 South Main

Mazatz, Utah 84324

435-734-9909

State of Idaho Water Resources:

Attn - Sally Sherman:

So appreciated the information you sent to me before the holidays.

I have tried to find "Aerial maps" on these two parcels of ground. No luck on that so far.

I did find the original of the enclosed "Contract of Sale" copies in our "Bank Deposit Box", concerning our "Junction Range" of 85 acres, and our Almo "Green Place" (as we call it). I hope maybe this will help you with our records in your office.

Sorry I am so slow getting back to this project.

Thanks lots.

Most Sincerely,
Sylvia P. Knight
15 January 1998

A43-10548

43-00161
-00383
-00384
-00385
-10542
-10543
-10545
-10548

Notes

Mentaz, Utah
29 Nov 1999



Idaho Dept of Water Resources

Attn: Sally Sherman

I am sending copies of everything I can think of that you might need. I

really appreciated the "Adjudication Claims Listing" you sent to help me.

Thanks millions -

Most Sincerely,
Sylvia P. Knight

43-00161

-00383

-00384

-00385

-10543

-10545

-10542

-10548

TUFT & BYWATER

Attorneys at Law
205 East 15th Street
P.O. Box 1088
Burley, Idaho 83318
Telephone: (208) 678-1164
Facsimile: (208) 678-2924

Petitioner

Attorneys for

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF:)

Case No. SP 95-00196 M

W. FLOYD KNIGHT)

**PETITION FOR ADMINISTRATION OF
ESTATE OF WHICH SURVIVING
SPOUSE IS SOLE BENEFICIARY**

Deceased.)

Petitioner, Sylvia P. Knight, states and represents to the court that:

1. Petitioner's interest in this matter is that of the surviving spouse of the decedent.

2. The decedent, W. Floyd Knight, died December 29, 1993.

3. Venue is proper because at the time of his death, the decedent owned real property in Cassia County and this is an ancillary proceeding, as the decedent was domiciled in Utah.

4. The decedent, W. Floyd Knight, and Sylvia P. Knight, were duly married on the November 14, 1964, at Ogden, Utah, and remained married until the date of decedent's death.

5. After diligent search, petitioner has determined that the decedent died leaving a joint will with the petitioner dated October 17, 1989, a true and correct copy of which is attached, the original having been examined by the presiding magistrate and returned to the petitioner, it being a joint will of a non-domiciliary. The petitioner is the decedent's sole heir at law and by terms of the said will.

6. The schedule of property attached to this Petition, as Exhibit "A", is a full and complete inventory of the property owned by the decedent in this state. The nature of the property on the schedule is all quasi-community property.

7. The surviving spouse of the decedent is the sole heir of the decedent and is,

PETITION FOR SUMMARY ADMINISTRATION OF ESTATE - 1

C:\ESTATE\KNIGHT.PET

228704

JOINT AND MUTUAL WILL

OF

W. FLOYD KNIGHT AND SYLVIA P. KNIGHT, His Wife

KNOW ALL MEN BY THESE PRESENTS:

That we, W. FLOYD KNIGHT and SYLVIA P. KNIGHT, husband and wife, being of the ages of 85 years and 64 years, respectively, and residing at 115 South Main, Mantua, Box Elder County, Utah, and each being of sound and disposing mind and memory, and not acting under duress, menace, fraud or undue influence of any person whomsoever, do hereby make and publish this, our Last Will and Testament jointly, as hereinafter set out, to-wit:

FIRST: We direct that all of our debts, including our funeral expenses, the expenses of last illness and the expenses of the administration of our estates, shall be paid by our Personal Representatives hereinafter named out of the first money coming into their hands and available therefor.

SECOND: It is our will and desire that we both be buried in a decent, Christianlike manner, and in keeping with our station in life, with the said W. Floyd Knight to be buried in the family plot in the Ogden City, Utah Cemetery next to his first wife, Adora M. Knight; and the said Sylvia P. Knight to be buried in the family plot in the Brigham City, Utah Cemetery next to her first

A43-00161
- 00383 -10545
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- 00385
- 10542
- 10543

W. Floyd Knight
W. Floyd Knight, Testator

Sylvia P. Knight
Sylvia P. Knight, Testatrix

husband. Roy N. Ward. We wish it known that there are appropriate grave markers already provided at our burial places.

THIRD: We hereby declare that neither of us have any children or lineal descendants, and that our heirs would consist of our brothers and/or sisters, nieces and nephews.

FOURTH: We hereby bequeath and devise each to the other, all real and personal property owned by either of us at the time of the death of either of us: that is to say, the surviving testator is to become the beneficiary under this Will to all real and personal property of the deceased testator, and is to serve as Personal Representative of this Will without bond.

FIFTH: The survivor of this Will, either W. Floyd Knight or Sylvia P. Knight, hereby bequeaths and devises by this Will, all real and personal property in his or her possession at the time of their death as follows, to-wit:

- (a) All of our personal belongings, any motor vehicle and all of the contents in our home, including all household furniture, furnishings and equipment, and genealogy, we give devise and bequeath to Ruth P. Nelson and Marian P. Hope, sisters of the Testatrix, Sylvia P. Knight, equally, share and share alike. Provided that if either of them shall then be deceased, their share shall go to their surviving issue, by right of representation.

W. Floyd Knight
W. Floyd Knight, Testator

Sylvia P. Knight
Sylvia P. Knight, Testatrix

43-00161
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-00385
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-10543

(b) All of the rest and residue of our estates, of whatever the same may consist, real, personal or mixed, and wherever the same may be located, we give, devise and bequeath to the Church Of Jesus Christ Of Latter-day Saints at Salt Lake City, Utah, *For the General Missionary Fund.* *S.P.K.*

SIXTH: In the event that any person shall contest this, our Joint and Mutual Will, in any manner, then we hereby leave that person who contests our said Joint and Mutual Will, the sum of One Dollar (\$1.00) and no more.

SEVENTH: It is our further will and desire that following the death of both of us, Ruth P. Nelson and Marian P. Hope, sisters of the Testatrix, Sylvia P. Knight, shall act as joint Personal Representatives of this our Joint and Mutual Will. If for any reason both do not act, then the other shall act as sole Personal Representative. Both or either of said individuals shall act as Personal Representative without bond.

LASTLY: We hereby revoke all former Wills and codicils to Wills heretofore by either of us made.

IN WITNESS WHEREOF, we have hereunto set our hands this 17th day of October, 1929, at Mantua, Utah; and for greater security and identification have signed our names to each page of this Will.

43-00161 -10545
-00383 -10548
-00384
-00385
-10542
-10543

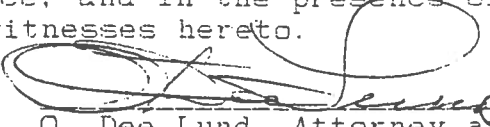
W. Floyd Knight

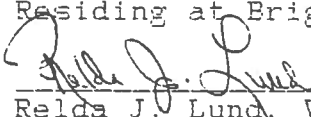
W. Floyd Knight, Testator

Sylvia P. Knight

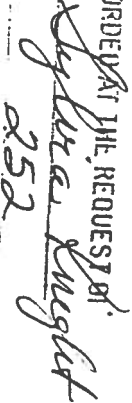
Sylvia P. Knight, Testatrix

The foregoing instrument, consisting of four pages including this page, was on the date hereof by the said W. Floyd Knight and Sylvia P. Knight, his wife, signed, published as, and declared to be their Joint and Mutual Will in the presence of us; who at their request and in their presence, and in the presence of each other, have signed our names as witnesses hereto.


O. Dee Lund, Attorney at Law
Residing at Brigham City, Utah


Relda J. Lund, Witness
Residing at Brigham City, Utah

43-00161
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RECORDED AT THE REQUEST OF
FRM 
252
1946 JAN 14 P 1:08
CLASSIA COURT
FRANK B. KEARNS
RECORDER
FEE 12.00 DEPUTY 
228704

E102
1-3

Marked as to water Filings
in Water Resources office
Twin Falls, Idaho
June 21, 1989
by "Steve Ellettand"

43-00161, -00383, -00384,
-00385, -10542, -10543,
-10545 & -10548.

3 claims on
Almo Creek Water
covers these
4 - 40 acres
of ground
X

30 29

31

32

E102
1-3

1966

Edwards
Creek

X

X

14

C
9.5

D
11.1

Ratt River water
covers these
4 - 40 acres
of ground
X

X

8.4

6.4

X

Ratt River
District Division

E102

228702

43-80161, -00383, -00384, 00385, -10542,
-10543, -10545, ~~2~~10548

WARRANTY DEED

For Value Received, W. FLOYD KNIGHT and SYLVIA P. KNIGHT, husband and wife, of Mantua, Box Elder County, Utah, the Grantors, do hereby grant, bargain, sell and convey unto themselves, W. FLOYD KNIGHT and SYLVIA P. KNIGHT, husband and wife, as joint tenants with right of survivorship and not as tenants in common, the Grantees, the following described real property situated in Cassia County, State of Idaho, to-wit:

The Southeast quarter of the Southeast quarter of Section 27, Township 11 South, Range 24 East, Boise Meridian, consisting of 40 acres.

The Southwest quarter of the Northeast quarter of Section 27, Township 15 South, Range 24 East, Boise Meridian, consisting of 10 acres.

The Northwest quarter, Southwest quarter of the Northeast quarter, Northeast quarter of Southwest quarter, West half of Southwest quarter, and Northwest quarter of Southeast quarter of Section 32, Township 15 South, Range 25 East, Boise Meridian. Consisting of 360 acres.

East half of Southeast quarter of Section 30, Township 15 South, Range 25 East, Boise Meridian. Consisting of 80 acres.

West half of Southwest quarter of Section 29, Township 15 South, Range 25 East, Boise Meridian. Consisting of 80 acres.

10548 → Lots 4, 5, and 6 of Section 31, Township 16 South, Range 23 East, Boise Meridian. Consisting of 85.99 acres.

10542 → T 370 in Section 22, Township 15 South, Range 24 East, Boise Meridian. Consisting of 1.2 acres.

Together with all water rights and grazing rights appurtenant to the
TO HAVE AND TO HOLD, the said premises, with appurtenances, *above*
unto the said Grantees, their heirs and assigns forever. And the *S.D.L.*
said Grantors do hereby covenant to and with the said Grantees,
that they are the owners in fee simple of said premises; that said
premises are free from all encumbrances and that they will warrant
and defend the same from all lawful claims whatsoever.

DATED this 17th day of October, 1989.

W. Floyd Knight
W. Floyd Knight

Sylvia P. Knight
Sylvia P. Knight

STATE OF UTAH)
) ss.
COUNTY OF BOX ELDER)

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: A43-00383
Date Received: 6/21/1989
Receipt No: S008322
Received By: SCC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: W. FLOYD KNIGHT 801-734-9909
Address: 115 SOUTH MAIN
MANTUA, UT 84324

2. Date of Priority: APR 30, 1879

3. Source: ALMO CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	25E	30	SE	NW	SE		CASSIA

5. Description of diverting works:
EARTH DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	25E	29	SW	SW		IRR	40.0
						Section Acres	40.0
		32	NE	NW		IRR	40.0

A43-00383

Page 1

Date: 07/11/89

MICROFILMED

MAR 03 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	25E	32	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
Section Acres							120.0
Total Acres							160.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-00384, -00385

14. Remarks:

SOURCE UNKNOWN; THERE IS NO SOUTH ALMO CR. ON THE USGS MAP.
THIS IS THE SOURCE AS LISTED IN THE DECREE.
P/D IS ACTUALLY ON EDWARDS CREEK, PER CLAIMANT AND WATERMASTER.
AMENDMENT NOTES
CHANGED SOURCE TO ALMO CREEK PER MRS. FLOYD KNIGHT.
TRIBUTARY TO RAFT RIVER PER CLAIMANT.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET. AL., AMENDED
Decree Defendant

MICROFILMED
MAR 03 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): W. Lloyd Knight Date: July 27-89
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of July 19 89 Steve Collins
Notary Public

Seal

Residing at Twin Falls, Idaho
My Commission Expires December 7, 1994

MICROFILMED
MAR 03 1993

FROM Steve Clelland

TO File A 43-00383, 384, 385

SUBJECT

After Reviewing a USGS Topo Map w/ JIMS. +

Bob W. this change to: "Almo Cr. - tributary of Raft River" is incorrect. Almo Creek is a Tributary to Edwards Cr.

Claims are revised to reflect the requests of the Claimant.

MICROFILMED

MAR 03 1993

Steve Clelland
SIGNATURE

DATE 7-11-89

RECEIVED

JUL 11 1989

Department of Water Resources Mantua, Utah
Southern Region Office

Saturday - July 8, 1989

"ello" Dearest "Steve Elland",

We just need these connected water
rights papers. So happy to see our
open right of "Almo Creek" on there.
Thanks so much.

One more thing must be changed before
you can sign these.

Almo Creek is a trib- to Redd River,
to Edwards Creek.

We really do appreciate all your
efforts for us.

Most Sincerely,
Floyd Knight

Sylvia P. Knight

MICROFILMED

MAR 03 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

JULY 6, 1989

W. FLOYD KNIGHT
115 SOUTH MAIN
MANTUA, UT 84324

RE: SOURCE CHANGES

DEAR MR. KNIGHT,

PLEASE FIND ENCLOSED THE AMENDED VERSIONS OF YOUR ADJUDICATION CLAIMS. ONE SET IS FOR YOUR RECORDS AND THE OTHER SET IS OUR FILE COPIES. THE COPIES FOR OUR RECORDS MUST BE SIGNED AND NOTARIZED THEN RETURNED TO OUR OFFICE. PLEASE MARK THE ENVELOPE ATTN. STEVE.

YOUR ORIGINAL FILE COPIES ARE HERE AT OUR OFFICE AND WILL BE SUPERSEDED WHEN YOU RETURN THE AMENDED VERSIONS.

IF YOU NEED FURTHER ASSISTANCE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

STEVE CLELLAND
WATER RESOURCE AGENT

ENCL.

MICROFILMED
MAR 03 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

JULY 6, 1989

July 11, 1989

W. FLOYD KNIGHT
115 SOUTH MAIN
MANTUA, UT 84324

RE: SOURCE CHANGES

DEAR MR. KNIGHT,

PLEASE FIND ENCLOSED THE AMENDED VERSIONS OF YOUR ADJUDICATION CLAIMS. ONE SET IS FOR YOUR RECORDS AND THE OTHER SET IS OUR FILE COPIES. THE COPIES FOR OUR RECORDS MUST BE SIGNED AND NOTARIZED THEN RETURNED TO OUR OFFICE. PLEASE MARK THE ENVELOPE ATTN. STEVE.

YOUR ORIGINAL FILE COPIES ARE HERE AT OUR OFFICE AND WILL BE SUPERSEDED WHEN YOU RETURN THE AMENDED VERSIONS.

IF YOU NEED FURTHER ASSISTANCE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

STEVE CLELLAND
WATER RESOURCE AGENT

ENCL.

P.S. I have made the requested changes.
Steve

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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: A43-00383
Date Received: 6/21/1989
Receipt No: S008322
Received By: *add P/D sec*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. FLOYD KNIGHT 801-734-9909
Address: 115 SOUTH MAIN
MANTUA, UT 84324

2. Date of Priority: APR 30, 1879

3. Source: EDWARDS CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	25E	30		NW	SE		CASSIA

5. Description of diverting works:
EARTH DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	25E	29	SW	SW		IRR	40.0
						Section Acres	40.0
		32	NE	NW		IRR	40.0

A43-00383 Page 1 Date: 07/05/89

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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

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Receipt No: S008322
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. FLOYD KNIGHT 801-734-9909
Address: 115 SOUTH MAIN
MANTUA, UT 84324
2. Date of Priority: APR 30, 1879
3. Source: EDWARDS CREEK Trib. to: RAFT RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|-------------------|-----|--------|
|----------|-------|---------|-------------------|-----|--------|
5. Description of diverting works:
EARTH DAM AND DITCHES
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.000 | | |
7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 480.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15S	25E	29	SW SW		IRR	40.0
					Section Acres	40.0
		32	NE NW		IRR	40.0

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Date: 06/21/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	25E	32	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
Section Acres							120.0
Total Acres							160.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-00384, -00385

14. Remarks:
SOURCE UNKNOWN; THERE IS NO SOUTH ALMO CR. ON THE USGS MAP.
THIS IS THE SOURCE AS LISTED IN THE DECREE.
P/D IS ACTUALLY ON EDWARDS CREEK, PER CLAIMANT AND WATERMASTER.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET. AL., AMENDED
Decree Defendant

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16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *W. Lloyd Knight* Date: June 21 - 89
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of June 19 89 *Steve Cole*
Notary Public
Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

FROM Steve Collins

DATE 7-6-89

TO File = Knight (A43-00383, 384, 385)

11:20 AM

SUBJECT

Edwards Creek vs. Almo Creek

as Source

* Request change to Almo Creek

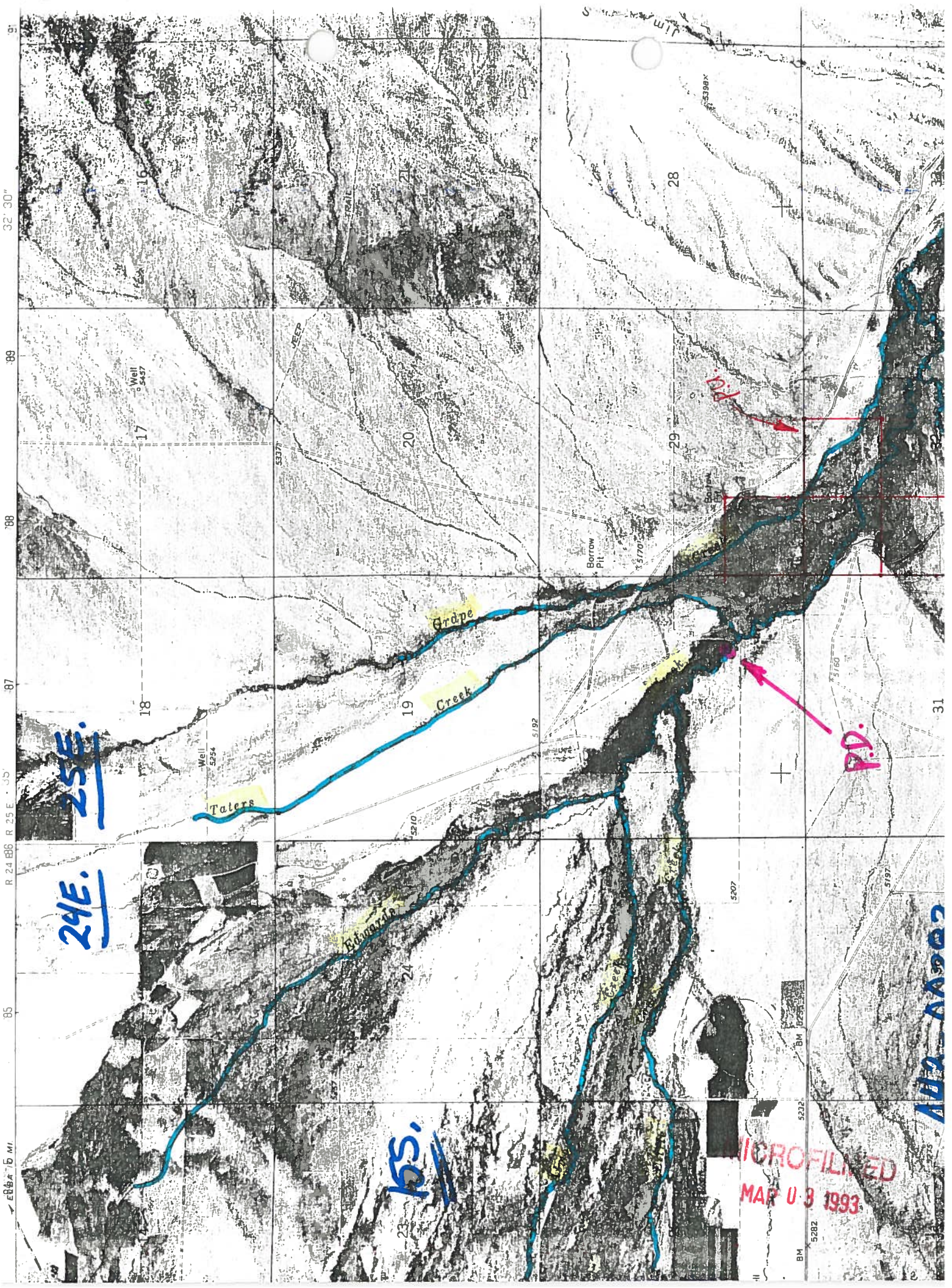
to per phone call w/ Mrs. Knight

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Steve Collins

SIGNATURE



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E 102
1-3

W. Floyd & Sylvia Knight
115 South Main
Mantua, UT 84302

1966

30 29
31 32

E 102
1-3

19.9

B

14.1

C

9.5

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No. 7502

"W. Floyd Knight" Property

Map of the Property Described in the Foregoing Caption

(Scale—40 Chains to the Inch)

Township 15 SOUTH

Range 25 EAST, BOISE MERIDIAN



SHEET NO.

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Water Resources

W. Floyd & Sylvia Knight
115 South Main
Mantua, UT 84302

James Sage,

To

William Shangle,

DEED. # _____

Dated, May 10, 1883.

Filed, Oct. 16, 1883, _____

Recorded: Book 2 Deeds, P. 46-7

Consideration: \$650.00

By these presents does grant, bargain sell, alien, remise, release, convey and confirm all the following described real estate situated in the County of Cassia and Territory of Idaho, to-wit:

The SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. No. 29 and N $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 32, Tp. No. 15 S., Rge. No. 25 E.B.M., containing 160 acres more or less, together with all water rights, ditches, dams, flumes or other means for conducting water upon said land by him owned and pertaining to said land or heretofore acquired and appropriated to the said party of the first part.

Witness:

J. E. Harroun

James Sage

Acknowledged May 10, 1882 by James Sage before J. E. Harroun, a Probate Judge of Cassia County, Territory of Idaho.
(SEAL)

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W. Floyd & Sylvia Knight
115 South Main
Mantua, UT 84302

United States,

To

James Sage,

PATENT. #69737.

Dated, November 17, 1884.

Filed, Jan. 26, 1924, 3:55 P.M.

Recorded: Book 1 Pats., P. 179-80.

Act of Congress of April 24, 1820.

WHEREAS, it appears that full payment has been made by the said James Sage, for the

SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29 and the N $\frac{1}{2}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32 in Twp. 15 S. of Rge. 25 E.B.M. in Idaho territory containing 160 acres, according to the Official Plat of the Survey of the said lands, returned to the General Land Office by the Surveyor-General,

NOW KNOW YE, That there is, therefore, granted by the United States unto the said claimant the tract of land above described;

Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the said premises hereby granted, as provided by law.

(SEAL)

By the President: Chester A. Arthur

By M. McKean, Secretary.

S. W. Clark, Recorder of the
General Land Office.

DEPARTMENT OF THE INTERIOR.

General Land Office.

Washington, D. C. Dec. 29, 1923.

I hereby certify that this photograph is a true copy of the patent record which is in my custody in this office.

1116776.

John O'Connell,
Acting Recorder

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W. Floyd & Sylvia Knight
115 South Main
Mantua, UT 84302

Franklin P. Gwin,

To

Anna J. Gwin,

QUITCLAIM DEED. # _____

Dated, July 10, 1888.

Filed, May 11, 1889, 12 M.

Recorded: Book 3 Deeds, P. 459.

Consideration: \$95.00.

Does by these presents, remise, release, and forever Quit
Claim 160 inches of the waters, of the water appropriated and re-
corded to me from Almo Creek and Raft River on the

S $\frac{1}{2}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32 and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33
Tp. 15 S. of R. 25 E. _____

Witness:
P. M. Niles

Franklin P. Gwin

Acknowledged May 11, 1889 by Franklin P. Gwin before P. M.
Niles, Deputy Clerk of the District Court of Cassia County, Ter-
ritory of Idaho.
(SEAL)

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George W. Emery,

To

Durham Land and Cattle
Company, a corporation,

QUITCLAIM DEED. #__

Dated, Nov. 16, 1889.

Filed, Nov. 16, 1889, 10:30 A.M.

Recorded: Book 3 Deeds, P. 580-1.

Consideration: \$__

Does by these presents, remise, release, and forever Quit
Claim all the following described real estate situated in the County
of Cassia, Territory of Idaho, to-wit:

The S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32 and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33,
Twp. 15 S. of Rge. 25 E.B.M., together with
all dams, ditches, water rights, fences and
all improvements upon, or thereunto belonging.
The same premises conveyed to him from Franklin
Gwin and Anna Gwin on September 21st 1889.

Witness:

S. P. Weatherman

George W. Emery

Acknowledged November 16, 1889 by George W. Emery before
P. M. Niles, Deputy Clerk of the Dist. Court for Cassia County,
Territory of Idaho.

(SEAL)

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Written Resources

W. Floyd & Sylvia Knight
115 South Main
Mantua, UT 84302

Durham Land and Cattle Com-
pany, a corporation,

To

George W. Emery,

DEED. # _____

Dated, May 1, 1894.

Filed, Feb. 9, 1899, 9 A.M.

Recorded: Book 6 Deeds, P. 453-6.

Does by these presents grant, bargain, sell, convey and confirm, all the following described parts, parcels or tracts of land, to wit:

The N $\frac{1}{2}$ SW $\frac{1}{4}$, the SW $\frac{1}{2}$ SW $\frac{1}{4}$, and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32 in Twp. 15 S. of Rge. 25 E.B.M. in Cassia County, State of Idaho, containing 160 acres, with all the water rights, privileges and appurtenances to the same belonging. The above claims are known: 1st, as the Metcalf claim, 2d. the Bull claim, 3d the Willard claim, 4th the William Emory claim, 5th, the William Murray claim 6th the William Gwin claim, 7th the Franklin Gwin claim and 8th the Lee Ousley claim, all lying on Raft River, State of Idaho, and all have legally adjudicated water rights, including the Metcalf and Bull X claims, which are hereby conveyed with all privileges, building and appurtenances to the same belonging.

(Together with other lands)

(SEAL)

Witnesses:

Blanche P. Brackett

Chas. Hall Adams

J. B. Crosby, President
Wm. S. Crosby, Treasurer

On the 5th day of June A. D. 1894, before me, Chas. Hall Adams, a Commissioner of the State of Idaho, resident in the State of Massachusetts personally came and appeared J. B. Crosby, President and William S. Crosby, Treasurer of the Durham Land and Cattle Company, to me personally known to be the individuals whose names are subscribed to the foregoing instrument as the President and Treasurer of the said Durham Land and Cattle Company, and they severally acknowledged to me that they executed the same as such President and Treasurer of said Company, as its free and voluntary act and deed

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W. Floyd & Sylvia Knight
115 South Main
Mantua, UT 84302

Filed: May 9, 1900, 9 A.M.

Recorded: Book 3 W.C., P. 188-9

NOTICE OF WATER RIGHT LOCATION

TO WHOM IT MAY CONCERN

Notice is hereby given that George W. Clark of Almo, County of Cassia, State of Idaho has this 5th day of May 1900 appropriated and hereby claims the use of the waters of these Clark Springs to the extent of 2 cubic feet per second, flowing at the point of intended diversion which said point of intended diversion is particularly described as follows: said springs on the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29, Twp. 15 S. of Rge. 25 E.B.M.

That the special purpose or purposes for which said water is claimed are for purposes of irrigation.

That the place of intended use is on the

SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29 and the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 32 and
on the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 30, Twp. 15 S. of Rge.
25 E.B.M.

That the general course of the proposed canal or conduit is about 80 rods to the said land in a South Easterly direction with necessary laterals.

That the length of the said canal or conduit is about 80 rods.

A copy of this notice was duly posted at or near the point of intended diversion on the 5th day of May 1900.

Witness my hand at Almo, State of Idaho this 7th day of May, 1900.

Appropriator and
Claimant

George W. Clark

State of Idaho)
County of Cassia) ss.

George W. Clark of Almo County of Cassia State of Idaho, being first duly sworn deposes and says that he is of lawful age and the appropriator and claimant of the water right described in the within and foregoing notice and whose name is subscribed thereto.

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George W. Clark and Addie
Boyd Clark, his wife,

To

A. C. Worthington and E. May
Worthington, husband and wife

DEED. #5775.

Dated, February 6, 1907.

Filed, Feb. 19, 1907, 4:30 P.M.

Recorded: Book 10 Deeds, P. 217-18.

Consideration: \$1.00, and other
good and valuable considerations.

By these presents to grant, bargain, sell, convey and confirm all the following described real estate situated in the County of Cassia, State of Idaho, to-wit:

The E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 30; the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 29; and the NW $\frac{1}{4}$ of Sec. 32, all in Twp. 15 S. of Rge. 25 E.B.M., containing 320 acres, together with all water rights and water privileges thereunto belonging or in anywise appertaining, or used upon or in connection with said lands for irrigation, stock and domestic purposes.

Witnesses:
James Bronson
Henry T. Eames

Geo. W. Clark

Addie Boyd Clark

Acknowledged February 7, 1907 by George W. Clark and Addie Boyd Clark, his wife, (wife separate) before A. J. Seger, Justice of the Peace.

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Chris Hansen, Sr., and Ellen K.
Hansen, his wife,

To

Chris Hansen, Jr.,

DEED. #17548.

Dated, September 9, 1913.

Filed, Oct. 12, 1914, 2:15 P.M.

Recorded: Book 17 Deeds, P. 541-2.

Consideration: \$6,000.00

By these presents does grant, bargain, sell, convey and confirm all the following described real estate situated in the County of Cassia, State of Idaho, to-wit:

NW $\frac{1}{4}$ of Sec. 32, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 30, and W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec.
29 Twp. 15 S., Rge. 25 E.B.M. Containing 320
acres together with all water rights and decrees
belonging to said land.

Witness:
Geo. C. Dewey

Chris Hansen, Sr.

Ellen K. Hansen

Acknowledged September 9, 1913 by Chris Hansen, Sr. and
Ellen K. Hansen, his wife, before Geo. C. Dewey, a Notary Public
for the State of Utah.
(SEAL) My commission expires March 28, 1916.

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Christian Hansen, who acquired title to a portion of the property hereinafter described under the name of Chris Hansen, Jr., and Susie E. Hansen, his wife,

To

Daniel Beuse

WARRANTY DEED. #67016

Dated, June 25, 1923.

Filed, July 2, 1923, 2:30 P.M.

Recorded: Book 33 Deeds, P. 336.

Consideration: \$2000.00

By these presents do grant, bargain, sell, convey and confirm all the following described real estate situated in the County of Cassia, State of Idaho, to-wit:

E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 30; the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 29; the NW $\frac{1}{4}$ the SW $\frac{1}{4}$ NE $\frac{1}{4}$; the W $\frac{1}{2}$ SW $\frac{1}{4}$; the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32 all in Twp. 15 S., Rge. 25 E.B.M., together with 60 inches of the flow of the waters of Raft River to the 15th day of June of each year; from the 15th day of June to the 15th day of July, 30 inches; from July 15th to the end of the year, 15 inches, of date of priority of May 1882, as decreed to Lee Ouslea in that certain action wherein Lee Kirk et al were plaintiffs and A. Bartholomew et al, defendants; 50 inches of the flow of the waters of Almo Creek of date of priority of April 30, 1879; 40 inches of the flow of the waters of Almo Creek of date of priority of April 30, 1884; 50 in. of the flow of the waters of Almo Creek of date of priority of April 30, 1885 as decreed to Wm. Shangles in the above entitled action.

\$2.00 Revenue Stamps duly cancelled.

Witness:
S. T. Lowe

Christian Hansen

Susie E. Hansen

Acknowledged June 25, 1923 by Christian Hansen and Susie E. Hansen, his wife, before S. T. Lowe, a Notary Public for the State of Idaho, Residing at Burley, Idaho.

(N. P. SEAL)

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Filed: May 7, 1926, 4:45 P.M.

Recorded: Book 5 Jdgs., P. 576-583,

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF IDAHO,
IN AND FOR THE COUNTY OF CASSIA

LEA KIRK, et al

Plaintiff

vs.

A. BARTHOLOMEW, et al,

Defendants

FINDINGS OF FACT. #81203

This cause came on for hearing at the September Term, 1892 said cause being called for hearing, it was stipulated by agreement of all to submit said cause on the testimony taken at the first trial of said cause and to argue the same at chambers. Said cause was argued at Chambers at Hailey in January 1893, and afterwards said cause was called at the September Term, 1893 at Albion, Court then being in session, and the attention of said Court was called to said testimony and arguments of counsel was had upon the evidence heretofore taken in pursuance of said stipulation.

The Court having heard and considered the evidence and the arguments of counsel and being fully advised in the premises finds the following facts:

That defendant, William Shangles and his grantors and predecessors in interest was and were on the 30th day of April 1879, the owners and in the possession of those certain lands situate in Cassia County, Idaho, and being described as follows: to wit:

the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29 and the N $\frac{1}{2}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32 in Twp. 15 S. R. 25 E.B.M.

That on said day the said defendant appropriated 50 inches of the waters of said Almo Creek for use upon said lands, and did on said day divert said water and conduct it upon said lands.

That upon April 30, 1884, said defendant appropriated 40 inches more of said water for such use, and upon the 30th day of April 1885, appropriated 50 inches more of said waters of said stream for said purpose. That he conducted all of the water so ap-

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W. Floyd & Sylvia Knight
115 South Main
Mantua, UT 84302

propriated as aforesaid at said several times, to and upon said lands, and has since and during the irrigating season of each year used it thereon to cultivate and irrigate the same.

CONCLUSION OF LAW

I find as a Conclusion of Law that each of the persons named in the foregoing Findings of Fact is entitled to a decree for irrigating water and for water for domestic and culinary purposes to the extent and at the time and under the circumstances contained in the foregoing Findings of Fact.

Sept. 22/93.

C. O. Stockslager, Dist. Judge.

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Filed: Jan. 20, 1948

ORDER CONFIRMING SALE OF REAL
ESTATE AND PERSONAL PROPERTY

Caption same as Petition.

This cause came regularly on for Hearing before the Court on the 26th day of December 1947, at the hour of 10 o'clock A.M., Mountain Standard Time, on the Return of Sale of Real Estate and Personal Property and Petition for Confirmation, pursuant to an order of this court duly made and entered on the 15th day of December, 1947. David H. Beus, Administrator of said estate, appeared in person and by S. T. Lowe, his attorney, and no person appearing in opposition thereto, either in person or by an attorney, and it appearing to the court that due and legal notice of the hearing on the Return of Sale and Petition for Confirmation had been given by the Clerk of this court, according to law and the order of this court, the court proceeded to the hearing of said Return and Petition for Confirmation.

Witnesses on behalf of the petitioner were duly sworn and examined, and it appearing to the court that David H. Beus, the duly appointed, qualified and acting Administrator of the estate of Daniel Beus, deceased, did, on the 15th day of December, 1947, file in the above entitled court and cause his Return on Sale of Real Estate and Personal Property and Petition for Confirmation thereon, duly verified, and a hearing on the same having been asked for therein, an order was duly made and entered fixing the 26th day of December, 1947, at the hour of 10 o'clock A.M., as the date and hour for the hearing of such Return and Petition for Confirmation.

It further appearing to the court that the said Administrator, deeming it to be to the advantage and best interests of the said estate, and those interested therein, to sell the real estate and personal property hereinafter described, belonging to the said estate, at private sale to the highest and best bidder for cash, did, on the 13th day of November, 1947, duly advertise for sale, at private sale, to the highest and best bidder for cash, the real estate and personal property hereinafter described, by posting notice of such sale in a public place at or near the Court House door in the County of Cassia, State of Idaho, the county in which the said property is situated, and by publication of such notice in the Burley Herald, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho, at least once a week for 2 successive weeks before the date on or after which the sale was specified in said notice to be made; that the said notices, so posted and published as aforesaid, described both the real and personal property to be sold with common certainty, stating the day on or after which the sale would be made and the place where bids or offers would be received; that the day on or after which

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the sale would be made, as specified in said notice, was at least 15 days after the first publication of the said notice; that thereafter, to-wit; on the 10th day of December, 1947, the date specified in said notice on or after which the sale would be made, the Administrator received 11 bids for all or different parts of the property described in said notice to be sold, and hereinafter described; that the highest bid that was received for all of the property advertised to be sold was the bid of W. R. Cahoon and Owen Jones, who bid for all of the property the sum of \$66,000.00; that Merrill Warr submitted a bid for all of the livestock advertised to be sold and agreed to pay therefore, the sum of \$26,000.00; that Glenn Briggs submitted a bid for all of the real estate advertised to be sold, excepting the real estate in Twp. 15 S., Rge. 25, E.B.M., and bid therefore the sum of \$15,000.00; that W. Floyd Knight bid for all of the real estate in Twp. 15 S., Rge. 25, E.B.M., together with all water rights, water ditches and water privileges thereunto belonging or in anywise appertaining and all Taylor Grazing rights appurtenant thereto, the sum of \$26,000.00, payable 30% on the date of the entry of an order confirming the sale and the remainder in 3 equal annual payments, with interest thereon from the date of the entry of the order confirming the sale until paid, at the rate of 6% per annum, interest payable annually, the deferred payments to be evidenced by a contract of sale entered into between the Administrator of the said estate and W. Floyd Knight, providing for the sale of said real estate on a contract and for the Administrator to execute and deliver to the said W. Floyd Knight an administrator's deed on all of the purchase price, together with the interest thereon, of the said property being paid, in accordance with the terms and conditions of the said contract.

NOW, THEREFORE, By virtue of the law and by reason of the premises aforesaid, it is hereby ordered, adjudged and decreed:

3. That the sale to W. Floyd Knight of the following described real estate in the County of Cassia, State of Idaho, to-wit:

Twp. 15 S., Rge. 25 E.B.M.

Sec. 29 - W $\frac{1}{2}$ SW $\frac{1}{4}$

Sec. 30 - E $\frac{1}{2}$ SE $\frac{1}{4}$

Sec. 32 - SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$

And the following rights to the waters of
Almo Creek: 1 sec. ft. with date of priority
April 30, 1879; .8 sec. ft. with date of
priority April 30, 1884; 1 sec. ft. with date
of priority April 30, 1885,

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NW $\frac{1}{4}$ SE $\frac{1}{4}$ N $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$

And the following water rights: 1.2 sec.
ft. of the waters of Raft River with date
of priority May 30, 1882,

And all improvements upon the above described real
estate, together with all and singular the tenements,
hereditaments and appurtenances thereunto belonging
or in anywise appertaining,

for the sum of \$26,000.00, lawful money of the United States of America,
payable \$7,800.00 cash; the remainder, \$18,200.00, payable \$6,200.00
January 6, 1949, \$6,000.00 January 6, 1950, and \$6,000.00 January 6,
1951, with interest thereon from the 6th day of January, 1948, until
paid, at the rate of 6% per annum, interest to be paid on the 6th day
of January, 1949, and annually thereafter, be and the same is here-
by confirmed and approved, and the said David H. Beus, Administrator,
is hereby authorized, directed and empowered to enter into a contract
with the said W. Floyd Knight for the sale of the said real estate,
in accordance with the terms and conditions of this order, and to
procure and deliver to the said W. Floyd Knight an abstract of title
to the said real estate, showing title thereto to be in the said
estate in fee simple, unconditional, free and clear of all encumbrances,
excepting taxes for the year 1948, the said contract to retain title
to the said real estate and all improvements thereon, tenements,
hereditaments and appurtenances thereunto belonging or in anywise
appertaining, until the total amount of the purchase price shall have
been paid, and upon the said purchase price being paid the said David
H. Beus, Administrator of the estate of Daniel Beus, deceased, is
hereby authorized, directed and empowered to execute and deliver to
the said W. Floyd Knight a deed transferring and conveying all of
the property so sold to W. Floyd Knight, in fee simple, unconditional,
free and clear of all encumbrances, excepting taxes for the year
1948 and all years subsequent thereto and any clouds, liens or en-
cumbrances placed against the said premises by the said W. Floyd
Knight.

DATED This 20th day of January, 1948.

(SEAL)

Henry W. Tucker
Probate Judge

MICROFILMED

MAR 03 1993

David H. Beus, Administrator of
the Estate of Daniel Beus,
deceased

To

W. Floyd Knight (whose wife's
name is Adora M. Knight)

ADMINISTRATOR'S DEED. #167920.

Dated, December 20, 1949.

Filed, January 7, 1950, 11:40 A.M.

Recorded: Book 54 Deeds, P. 99-100

Consideration: \$26,000.00

By these presents does grant, bargain, sell, convey and
confirm all the following described real estate situated in the
County of Cassia, State of Idaho, to-wit:

W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 29; E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 30; SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32, all in Twp. 15 S.,
Rge. 25 E.B.M., and the following rights to the waters
of Almo Creek: 1 sec. ft. with date of priority
April 30, 1879; 8 sec. ft. with date of priority
April 30, 1884; 1 sec. ft. with date of priority
April 30, 1885,

161 NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, Twp. 15 S., Rge.
25 E.B.M., and the following water rights: 1.2 sec.
ft. of the waters of Raft River with date of
priority May 30, 1882.

\$28.60 Revenue Stamps duly cancelled.

Witness:
S. T. Lowe

David H. Beus,
Administrator of the Estate
of Daniel Beus, deceased.

Acknowledged December 24, 1949 by David H. Beus, Adminis-
trator of the Estate of Daniel Beus, deceased, before S. T. Lowe, a
Notary Public for the State of Idaho, Residing at Burley, Idaho.
(N.P. SEAL)

MICROFILMED
MAR 03 1993

W. Floyd & Sylvia Knight
115 South Main
Mantua, UT 84302

W. Floyd Knight and Adora M.
Knight, his wife, parties of
the first part

To

Joe Dale Durfee and Linda Fay
Durfee, his wife, parties of
the second part

QUITCLAIM DEED. #200130.

Dated, January 10, 1957.

Filed, January 27, 1959, 4:55 P.M.

Recorded: Book 62 Deeds, P. 33.

Consideration: \$1200.00

Do by these presents remise, release and forever QUITCLAIM
all the following described real estate, situated in the County of
Cassia, State of Idaho, to-wit:

N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25, Twp. 15 S., Rge. 25 E.B.M.

By this Indenture said parties of the second part, do hereby grant an easement to develop and divert water to be used for irrigation purposes on land in Sections 29, 30, 31 and 32 in Twp. 15 S., Rge. 25, E.B.M. The extent of said easement or Right of Way hereby granted by the parties of the second part to the parties of the first part, shall be determined only and exactly by the parties of the first part and the parties of the second part will not interfere in any manner whatsoever.

However, the afore said easement pertains to Almo Creek drainage waters only.

W. Floyd Knight
Adora M. Knight
Joe Dale Durfee
Linda Fay Durfee

On this 18th day of January in the year 1957, before me,
C. E. Simonsen, a Notary Public in and for said State, personally
appeared W. Floyd Knight and Adora M. Knight, his wife, of Almo,
Cassia County, Idaho, known to me to be the persons whose names
subscribed to the within instrument, and acknowledged to me that
they executed the same.

(N. P. SEAL)

C. E. Simonsen
Notary Public for the State of Idaho,
Residing at Albion, Idaho.
My commission expires 5/14/59.

MICROFILMED

MAR 03 1993

PR



PR

PR

PR

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25E.

W. Floyd & Sylvia Knight
115 South Main
Mantua, UT 84302

P.U.

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UD 13.3 UD 6.2 UE 37
UE 13.3 UE 6.2 UF 37
UF 13.3 UF 6.2 UG 37
UG 13.3 UG 6.2 UH 37
UH 13.3 UH 6.2 UI 37
UI 13.3 UI 6.2 UJ 37
UJ 13.3 UJ 6.2 UK 37
UK 13.3 UK 6.2 UL 37
UL 13.3 UL 6.2 UM 37
UM 13.3 UM 6.2 UN 37
UN 13.3 UN 6.2 UO 37
UO 13.3 UO 6.2 UP 37
UP 13.3 UP 6.2 UQ 37
UQ 13.3 UQ 6.2 UR 37
UR 13.3 UR 6.2 US 37
US 13.3 US 6.2 UT 37
UT 13.3 UT 6.2 UV 37
UV 13.3 UV 6.2 UW 37
UW 13.3 UW 6.2 UX 37
UX 13.3 UX 6.2 UY 37
UY 13.3 UY 6.2 UZ 37
UZ 13.3 UZ 6.2 VA 37
VA 13.3 VA 6.2 VB 37
VB 13.3 VB 6.2 VC 37
VC 13.3 VC 6.2 VD 37
VD 13.3 VD 6.2 VE 37
VE 13.3 VE 6.2 VF 37
VF 13.3 VF 6.2 VG 37
VG 13.3 VG 6.2 VH 37
VH 13.3 VH 6.2 VI 37
VI 13.3 VI 6.2 VJ 37
VJ 13.3 VJ 6.2 VK 37
VK 13.3 VK 6.2 VL 37
VL 13.3 VL 6.2 VM 37
VM 13.3 VM 6.2 VN 37
VN 13.3 VN 6.2 VO 37
VO 13.3 VO 6.2 VP 37
VP 13.3 VP 6.2 VQ 37
VQ 13.3 VQ 6.2 VR 37
VR 13.3 VR 6.2 VS 37
VS 13.3 VS 6.2 VT 37
VT 13.3 VT 6.2 VU 37
VU 13.3 VU 6.2 VV 37
VV 13.3 VV 6.2 VW 37
VW 13.3 VW 6.2 VX 37
VX 13.3 VX 6.2 VY 37
VY 13.3 VY 6.2 VZ 37
VZ 13.3 VZ 6.2 WA 37
WA 13.3 WA 6.2 WB 37
WB 13.3 WB 6.2 WC 37
WC 13.3 WC 6.2 WD 37
WD 13.3 WD 6.2 WE 37
WE 13.3 WE 6.2 WF 37
WF 13.3 WF 6.2 WG 37
WG 13.3 WG 6.2 WH 37
WH 13.3 WH 6.2 WI 37
WI 13.3 WI 6.2 WJ 37
WJ 13.3 WJ 6.2 WK 37
WK 13.3 WK 6.2 WL 37
WL 13.3 WL 6.2 WM 37
WM 13.3 WM 6.2 WN 37
WN 13.3 WN 6.2 WO 37
WO 13.3 WO 6.2 WP 37
WP 13.3 WP 6.2 WQ 37
WQ 13.3 WQ 6.2 WR 37
WR 13.3 WR 6.2 WS 37
WS 13.3 WS 6.2 WT 37
WT 13.3 WT 6.2 WU 37
WU 13.3 WU 6.2 WV 37
WV 13.3 WV 6.2 WW 37
WW 13.3 WW 6.2 WX 37
WX 13.3 WX 6.2 WY 37
WY 13.3 WY 6.2 WZ 37
WZ 13.3 WZ 6.2 XA 37
XA 13.3 XA 6.2 XB 37
XB 13.3 XB 6.2 XC 37
XC 13.3 XC 6.2 XD 37
XD 13.3 XD 6.2 XE 37
XE 13.3 XE 6.2 XF 37
XF 13.3 XF 6.2 XG 37
XG 13.3 XG 6.2 XH 37
XH 13.3 XH 6.2 XI 37
XI 13.3 XI 6.2 XJ 37
XJ 13.3 XJ 6.2 XK 37
XK 13.3 XK 6.2 XL 37
XL 13.3 XL 6.2 XM 37
XM 13.3 XM 6.2 XN 37
XN 13.3 XN 6.2 XO 37
XO 13.3 XO 6.2 XP 37
XP 13.3 XP 6.2 XQ 37
XQ 13.3 XQ 6.2 XR 37
XR 13.3 XR 6.2 XS 37
XS 13.3 XS 6.2 XT 37
XT 13.3 XT 6.2 XU 37
XU 13.3 XU 6.2 XV 37
XV 13.3 XV 6.2 XW 37
XW 13.3 XW 6.2 XX 37
XX 13.3 XX 6.2 XY 37
XY 13.3 XY 6.2 XZ 37
XZ 13.3 XZ 6.2 YA 37
YA 13.3 YA 6.2 YB 37
YB 13.3 YB 6.2 YC 37
YC 13.3 YC 6.2 YD 37
YD 13.3 YD 6.2 YE 37
YE 13.3 YE 6.2 YF 37
YF 13.3 YF 6.2 YG 37
YG 13.3 YG 6.2 YH 37
YH 13.3 YH 6.2 YI 37
YI 13.3 YI 6.2 YJ 37
YJ 13.3 YJ 6.2 YK 37
YK 13.3 YK 6.2 YL 37
YL 13.3 YL 6.2 YM 37
YM 13.3 YM 6.2 YN 37
YN 13.3 YN 6.2 YO 37
YO 13.3 YO 6.2 YP 37
YP 13.3 YP 6.2 YQ 37
YQ 13.3 YQ 6.2 YR 37
YR 13.3 YR 6.2 YS 37
YS 13.3 YS 6.2 YT 37
YT 13.3 YT 6.2 YU 37
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YV 13.3 YV 6.2 YW 37
YW 13.3 YW 6.2 YX 37
YX 13.3 YX 6.2 YY 37
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YZ 13.3 YZ 6.2 ZA 37
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ZB 13.3 ZB 6.2 ZC 37
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ZL 13.3 ZL 6.2 ZM 37
ZM 13.3 ZM 6.2 ZN 37
ZN 13.3 ZN 6.2 ZO 37
ZO 13.3 ZO 6.2 ZP 37
ZP 13.3 ZP 6.2 ZQ 37
ZQ 13.3 ZQ 6.2 ZR 37
ZR 13.3 ZR 6.2 ZS 37
ZS 13.3 ZS 6.2 ZT 37
ZT 13.3 ZT 6.2 ZU 37
ZU 13.3 ZU 6.2 ZV 37
ZV 13.3 ZV 6.2 ZW 37
ZW 13.3 ZW 6.2 ZX 37
ZX 13.3 ZX 6.2 ZY 37
ZY 13.3 ZY 6.2 ZZ 37
ZZ 13.3 ZZ 6.2

PHOTOFILMED
MAR 03 1993
E102

A43-00383

05/10/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-383

SYLVIA P KNIGHT
115 SOUTH MAIN

MANTUA UT 84324

Telephone Number: (435) 734-9909

RECEIVED

JUN 07 2001

Department of Water Resources
Southern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: June 1, 2001 SIGNATURE: Sylvia P. Knight
Please print your name: Sylvia P. Knight

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208) 736-3033

10/26/2000

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

RIGHT NUMBER: 43-383

NAME AND ADDRESS: SYLVIA P KNIGHT
115 SOUTH MAIN
MANTUA, UT 84324

SOURCE: ALMO CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 1 CFS

PRIORITY DATE: 04/30/1879

POINT OF DIVERSION: T15S R25E S30 SENWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	1.00 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T15S R25E S29	SWSW	40	T15S R25E S32	NENW	31
T15S R25E S32	NWNW	33	T15S R25E S32	SWNW	36
140 ACRES TOTAL					

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 140 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-384, 43-385, 43-
10545.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

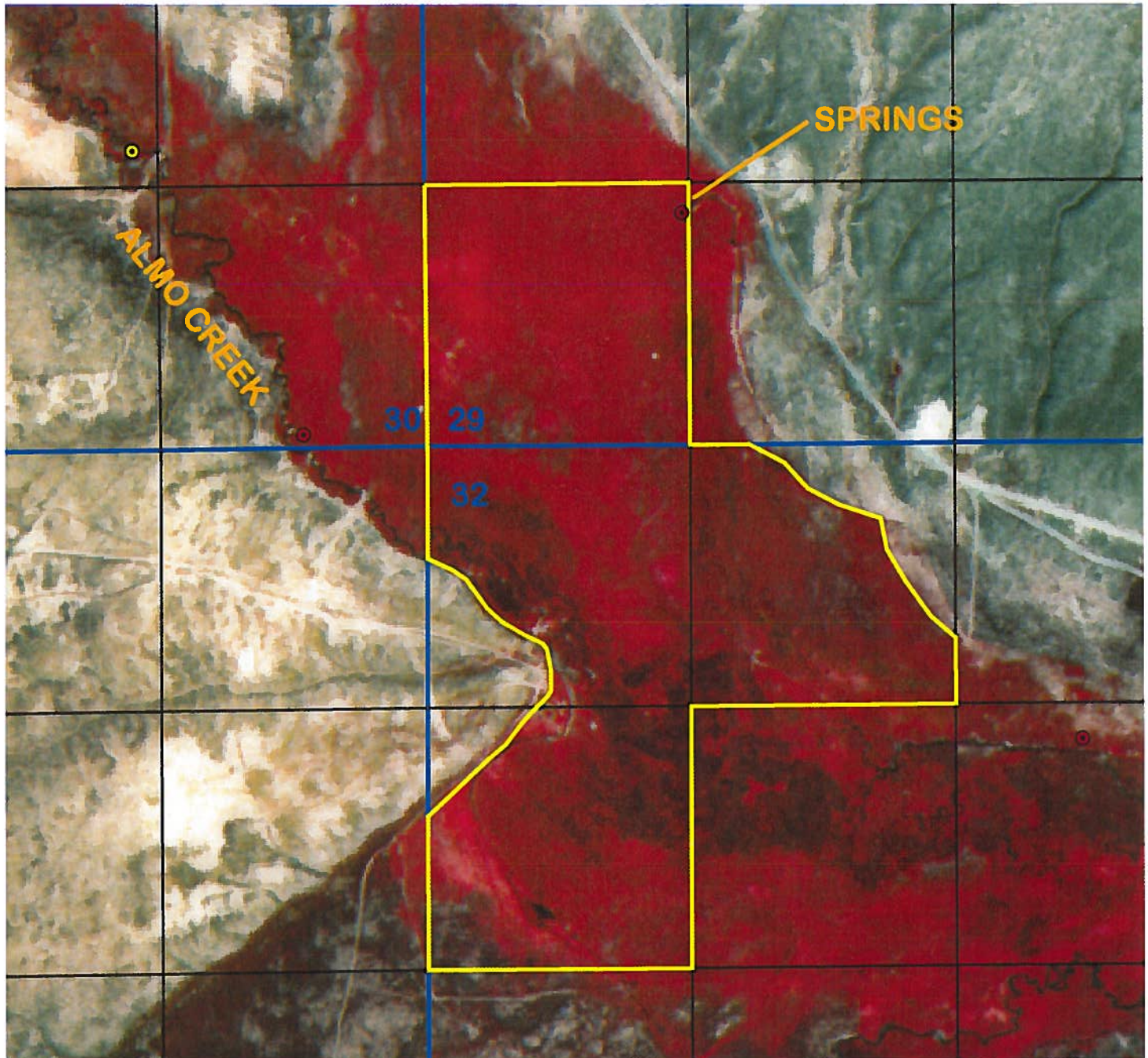
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43D.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

**RIGHT: 43-383, 43-384,
43-385 and 43-10545**

**RECOMMENDED PLACE OF USE
TWP 15S, RNG 25E, Sec 29, 32
Data entry on October 26, 2000**



-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**



**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

CLAIM NUMBER: A43-00383

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	W FLOYD KNIGHT	04/30/1879	IRRIGATION	04-01 11-01	1.00 CFS	

TOTAL DIVERSION: 10.81
CONSUMPTIVE USE: 1.00 CFS
480.00 AFA

Water Source: ALMO CREEK

Tributary to: RAFT RIVER

Stage: DECREED

Point(s) of Diversion:

T15S R25E S30

SENSE

CASSIA County

Place of use Legal Description for: IRRIGATION

NE	NE	SE	NE	SW	SE	SW	SE	SUM
T	R	S	Ac	Ac	Ac	Ac	Ac	Ac
15S	25E	29	:	:	:	:	:	:
40	40	40	:	:	:	:	:	40.0
15S	25E	32	:	:	:	:	:	120.0
TOTAL ACRES								160.0

POU County: CASSIA

Other Rights: A43-00384, -00385

Remarks: SOURCE UNKNOWN; THERE IS NO SOUTH ALMO CR. ON THE USGS MAP. THIS IS THE SOURCE AS LISTED IN THE DECREE. P/D IS ACTUALLY ON EDWARDS CREEK, PER CLAIMANT AND WATERMASTER. ***AMENDMENT NOTES*** CHANGED SOURCE TO ALMO CREEK PER MRS. FLOYD KNIGHT. TRIBUTARY TO RAFT RIVER PER CLAIMANT.

Dates: Exam Made Date:

Verified Date:

05/06/1985

Misc: Water District Number: 43D

Field Inspection Flag: Presumption Flag:

385 } combined to
384 }
383 }
10345 }

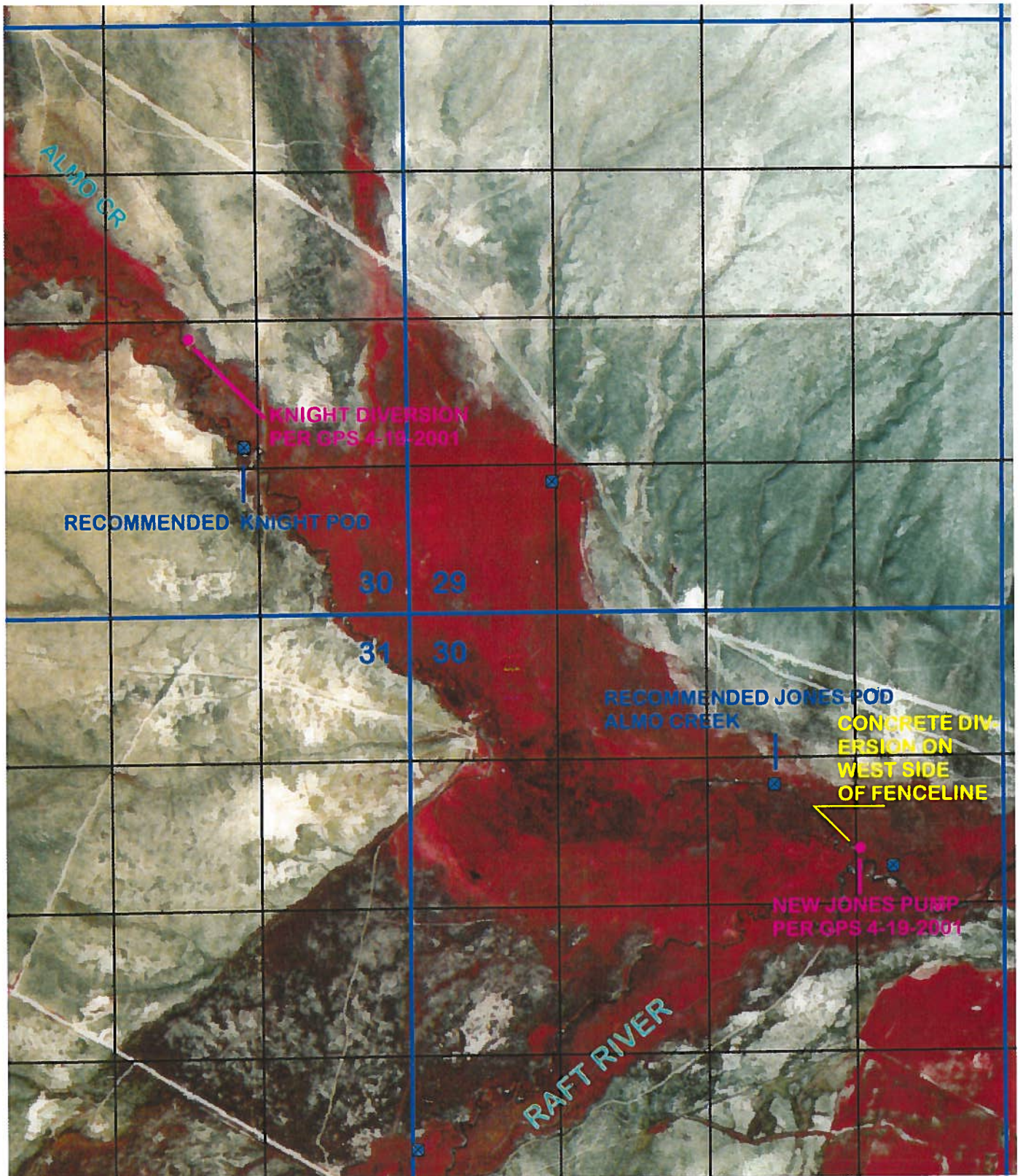
5/8

B09 43D

441115A

See 140 ac

TWP 15S, RNG 25E



GPS Data Collection
April 19, 2001
BY TERRY BLAU

1987 AERIAL PHOTOGRAPHY

RECOMMENDATION NOTES

From: Vikie Hancock

10/26/00

Regarding: Claims 43-383, 43-384, 43-385

The above claims are based upon rights decreed in the 1928 Jobe Adams decree. The decreed place of use is SWSW Sec 29, N½ NW & SWNW Sec 32 T15S, R25E. The total diversion rate for the three rights is 2.8 cfs.

Upon review by GIS it does not appear that there were 160 acres irrigated within the decreed place of use in 1987, however, approximately 140 acres were irrigated, which corresponds with the 2.8 cfs diversion rate awarded in the decree.

My recommendation for the above claims is for a place of use of 140 acres for the combined rights. This place of use is also recommended for beneficial use claim 43-10545.

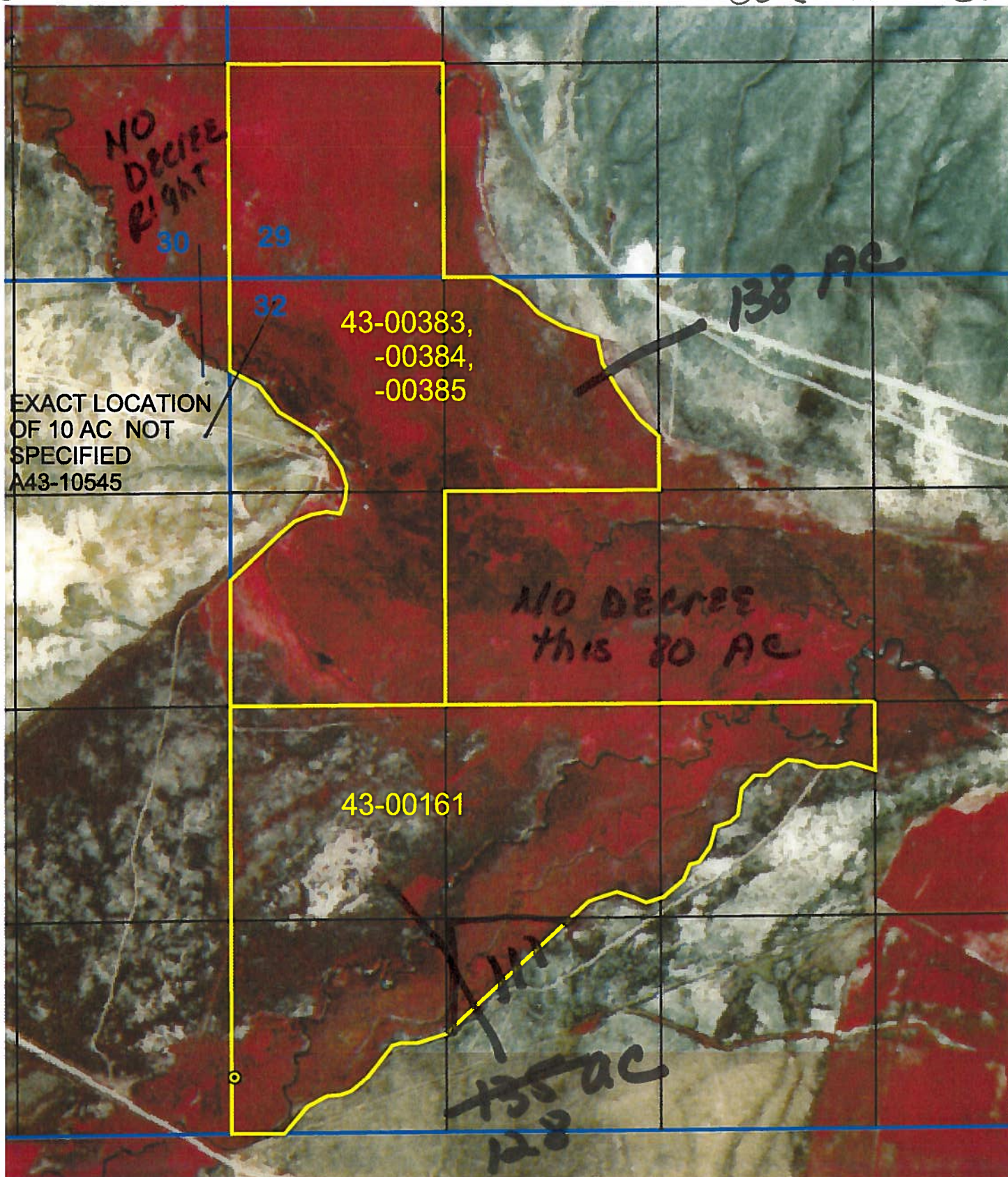
SEE CLAIM FILE 43-383 FOR GIS LAYOUT AND OTHER RELATED DOCUMENTS.

FIELD NOTES

CLAIM NO(S): A43-00383, A-43-00384,
A43-00385, A43-00161, A43-10545

TWP 15S, RNG 25E,
SEC 29, 30, 32

EXTENT OF ORIGINAL PLACE OF USE - JOBE ADAMS DECREE



SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27. Tp. 15 S. R. 26 E.B.M.

360 29. H. W. Wickles
1883-Apr. 30 .8 s.f.

To be diverted from Connor Creek, for the irrigation of SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, Tp. 13 S. R. 25 E.B.M.

364 30. Jos. Udy
1880-Apr. 30 .4 s.f.
362 1883-May 15 .5 s.f.
365 1883-Apr. 30 .3 s.f.
363 1884-Apr. 30 .24 s.f.
367 1894-Apr. 1 3.29 s.f.
366 1880-Apr. 30 .07 s.f.

To be diverted from Connor Creek

To be diverted from Blacksmith Fork for the irrigation of S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 14, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 23 Tp. 13 S. R. 25 E.B.M.

368 31. M. C. Udy.
1882-Apr. 15 1 s.f.
370 1885-Apr. 30 1.2 s.f.
43-00417 1882-Apr. 15 All
369 1894-Apr. 1 3.34 s.f.

To be diverted from Connor Creek " " " " Mahogany Springs, Summit and Blacksmith Fork of springs upon said land, for the irrigation of NW $\frac{1}{4}$ Sec. 14 Tp. 13 S. R. 25 E.B.M.

To be diverted from Cassia Creek for the irrigation of E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 11, Tp. 13 S. R. 25 E.B.M. NW $\frac{1}{4}$ Sec. 14, Tp. 13 S. R. 25 E.B.M.

372 32. F. C. Vosburg
1921-June 18 2.4 s.f.

Provided, that the use of such supplemental water from Raft River will not in any manner interfere with or deprive any other water users of Raft River.

To be diverted from Clear Creek below the McGill ranch, and in the event that the waters of Clear Creek be insufficient then to be diverted from Raft River such amount as shall be necessary to grant said defendant the amount herein specified, the same to be prior and superior to the right of the International Mortgage Bank to the flow of the waters of Clear Creek below the McGill ranch. For the irrigation of S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 23, Tp. 13 S. R. 28 E.B.M.

383 33. Wm. Shangles
1879-Apr. 30 1 s.f.

To be diverted from South Almo Creek

384 1884-Apr. 30 .8 s.f.
385 1885-Apr. 30 1 s.f.

for the irrigation of SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Tp. 15 S. R. 25 E.B.M.

161 34. Chris Hanson
1882-May 30 1.2 s.f.

To be diverted from Raft River for the irrigation of NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, Tp. 15 S. R. 25 E.B.M.

43-00419 35. Orville Ward
1890-Apr. 1 3.2 s.f.

To be diverted from Raft River for the irrigation of SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, Tp. 15 S. R. 25 E.B.M.

223 36. Oregon Mortgage Co.
1883-Apr. 30 1.3 s.f.

(First description and first award) To be diverted from Raft River, for the irrigation of a part of the E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, Twp. 9 S. R. 27 E.B.M.

349 37. Benjamin Willmore
1911-Jan. 17 8.15 s.f.

(Third award on page 39 of said decree) To be diverted from Clear Creek for the irrigation of SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, Tp. 16 S. R. 27 E.B.M.

ALBION-IDAHO LAND COMPANY

-vs-

JOBE ADAMS, et al

DECREE #992

10-18-1928

AS AMENDED

that the proviso contained on page 25 of the International Mortgage Bank, proviso therein contained shall apply



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORN
GOVERNOR

KARL J. DREHER
DIRECTOR

August 30, 2000

Jeffrey Ford
510 Abbs Street
Boise, Idaho 83705

RE: Snake River Basin Adjudication (SRBA)
Request for Correction of Stream Identification

Dear Jeff,

Enclosed please find the completed Domestic Geographic Name Report form, and documents from two individuals with knowledge of the issue.

Mr. Ward was the District 43D Watermaster charged with delivery of Almo and Edwards Creeks for many years prior to 1999, and I believe he has agreed to be Watermaster again in 2001. Mrs. Knight is the current owner of three water rights that were decreed from Almo Creek in both the 1893 Lee Kirk -v- Bartholomew and the 1928 Albion Land -v- Jobe Adams Decrees. Her point of diversion and place of use, as decreed, lie downstream of the confluence of Almo and Edwards Creeks.

You should also be in possession of portions of those two decrees supplied by me in a prior communication to Reston, VA. If, after reviewing the documents I have submitted, you feel there is a deficiency, please let me know. Thank you for your help, I look forward to hearing the outcome of the Board's decision.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent

APPENDIX C.

U.S. Department of the Interior
U.S. Geological Survey

Domestic Geographic Name Report

1. Use this form to recommend a feature name or to suggest a name change.

2. For features on Federal lands, coordinate requests with the agency (U.S. Forest Service, National Park Service, Bureau of Land Management, etc.) for the administrative area in which the feature is located.

3. On the reverse side of this form give information on the local usage and authority for recommended name.

4. For more information about the Geographic Names Information System or the National Gazetteer program, contact the U.S. Board on Geographic Names at 703-648-4544.

5. Return this form to:

Executive Secretary for Domestic Geographic Names
U.S. Geological Survey
523 National Center
Reston, VA 20192

Action Requested:

☐ Proposed New Name

☐ Application Change

☒ Name Change

☐ Other

Recommended Name

ALMO CREEK

State

IDAHO

County or Equivalent

CASSIA

Administrative Area

Specific Area Covered:

Latitude: 42° 04' 34" N

Longitude: 113° 33' 17" W

☐ Mouth ☒ End Center

Latitude: 42° 05' 33" N

Longitude: 113° 35' 05" W

☐ Heading ☒ End

Section(s) 30, 32

Township(s) 15 S

Range(s) 25 E

Meridian Boise

Elevation 5160 ft.

Type of Feature (stream, mountain, populated place, etc.):

Stream Segment

Is the feature identified (including other names) in the Geographic Names Information System (GNIS)?

☒ Yes

☐ No

☐ Unknown

If yes, please indicate how it is listed:

EDWARDS CREEK

Description of Feature (physical shape, length, width, direction of flow, etc.):

Stream segment lying between confluence of Almo & Edwards Creeks and Raft River. Approx 2 miles long, flowing south-easterly.

Maps and Other Sources Using Recommended Name (include scale and date)

Other Names (variants)

Maps and Other Sources Using Other Names or Applications (include scale and date)

1893 Water Right Decree

1928 Water Right Decree

Edwards Creek USGS 7.5' Quad-1967 "Jim SA9

Name Information (such as origin, meaning of the recommended name, historical significance, biographical data (if commemorative), nature of usage or application, or any other pertinent information):

Town of Almo, Idaho, shares name of creek which is considered the primary area creek.

Is the recommended name in local usage?

☒ Yes

☐ No

If yes, for approximately how many years?

Over 120 years.

Is there local opposition to, or conflict, with the recommended name?

Yes

☒

No

(If yes, explain)

For proposed new name, please provide evidence that feature is unnamed:

N/A

Additional information:

This change pertains to a segment of stream, only.
Change requested by a State Agency so that maps
agree with historical water right decrees which
represent the status quo.

Copy Submitted By (name):

Title

Telephone (day)

Date

Vikie Hancock, Sr Water Rts Agent 208-736-3033 8-30-00
Company or Agency State of Idaho Address (City, State, and ZIP Code)

Dept of Water Resources 1341 Fillmore St. Twin Falls, ID 83301
Copy Prepared By (if other than above): Title Phone (day) Date

Company or Agency

Address (City, State, and ZIP Code)

Authority for Recommended Name

Mailing Address and Telephone

Occupation

Years in Area

Vikie Hancock	1341 Fillmore Str	Water	
Sr. Water Rights	Twin Falls, ID 83301	Rights	2
Agent	208-736-3033	Investigator	
Bud Ward	Almo, Idaho 83312	Past district	
		430	55+
		Watermaster	
* Sylvia Knight	115 South Main	decreed	
	Mantua, Utah 84324	Water Right	20
		holder	

* See attached letter from Floyd Knight requesting that
his water right claim identify Almo Creek as the
source. His letter was received by IDWR in
1989. Mr. Knight is now deceased.

Mantua, Utah
28 Aug 2000

DEPARTMENT OF WATER RESOURCES

Attn - Vikie Hancock

Regarding your letter of 22 August 2000.

I am the second wife of W. Floyd Knight . I am now 75 years of age . We resided in Almo, Idaho together from 1964 to 1984. I worked with him on the ranch every day, tending the cattle and changing water. I am well acquainted with Edwards Creek being a tributary to Almo Creek, and also with Raft River that flows through the ranch. I still love the ranch in Almo, Idaho.

Floyd was also the Watermaster for Almo Creek for a time. He was very interested and knowledgeable about all of the Water rights in the Almo area.

I have heard it said

: When a person passes away , A library is gone :
That was my beloved husband , : W. Floyd Knight :
I wish he could have left his Great knowledge with me.

Most Sincerely,

Sylvia P. Knight

RECEIVED

AUG 30 2000

Department of Water Resources
Southern Region

Just to verify who I am.

W. Floyd & Sylvia Knight
115 South Main
Mantua, UT 84324



Sylvia P. Knight
115 South Main
Mantua, Utah 84324

NOTE: BUD WARD
WAS WATERMASTER
ON ALMO CREEK
FROM 1991 TO
1998.

VA

RECEIVED
AUG 28 2000
Department of Water Resources
Southern Region

Almo, Id
Aug 25.

Dear Mike

In reference to your letter about
Edward Creek and Almo Creek, Edward
Creek is a tributary to Almo Creek and
Almo Creek is the one that flows into
Raft River. Actually Edward Creek has
even reached Almo Creek in my life time.
It is all used up on the Jones Ranch
only on good water years and with the
of high water out of Almo does it ever re-
ach Raft River. I hope this will help you
and if I can be of any further help please
let me know.

Sincerely
Bud Ward



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

AUG - 1 1989

Department of Water Resources
Southern Region Office

July 25, 1989

Mr. Floyd Knight
115 South Main
Mantua, UT 84324

Dear Mr. Knight:

Mr. Keith Higginson, Director of the Department of Water Resources, has asked that I respond on his behalf to your inquiry on your water rights in South Almo Creek. In checking our records I find you have filed your claims in the Snake River Basin Adjudication (SRBA) on your decreed water rights in South Almo Creek showing the point of diversion to be Almo Creek.

The United States Geological Survey (USGS) maps are used by the department as a standard guide in identifying surface water rights as to the name and location of a source of water. The current USGS maps show your point of diversion (SE1/4NW1/4-SE1/4, Sec. 30, T. 15S, R. 25E) of your three decreed water rights to be from Edwards Creek, tributary to Raft River.

The Almo Creek Decree states Almo Creek was divided into the North Fork Almo Creek, a man-made channel referred to as Taylor Ditch, and the South Fork Almo Creek which was the main Almo channel below the man-made channel. The decree states Edwards Creek is tributary to Almo Creek which is tributary to Raft River. The decree states your point of diversion is on Almo Creek. The same point of diversion today according to the USGS maps is on Edwards Creek. It appears that over time the name once given to Almo Creek below the confluence of Edwards Creek and Almo Creek has been changed to Edwards Creek on the USGS Quadrangle maps. Edwards Creek is now shown as tributary to Raft River. South Almo Creek is no longer shown on the USGS maps.

Mr. Floyd Knight

2

July 25, 1989

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Sincerely,



DAVID B. SHAW

Adjudication Bureau Chief

DBS:alw

cc: Steve Clelland

State of Idaho, Water resources

Attn Keith D. Higginson

I have been paralyzed from the upper chest down for the last 16 yrs July 20, 92. I may remember me at the Idaho Bank & Trust Co. end room on this same matter of Edwards Creek, likewise at your office in Boise, ID. I responded that I would only accept words creek water as supplemental to waters of Almo Creek decree. However when I prepared to sign my copies at home appears different. When Steve Ekland me Edwards Creek My wife & I both thought meant to bring Almo Creek water thru Edwards Creek as a diversion point, as I didn't fully agree. The pages I signed & tell the whole story & were pressed for time going into the lunch hour.

What I would like to have done is hold it up until we can have a better understanding, & would like your advice how to go about it, please. I thank a lot.

We met another time at the Almo house, when the Co. was conjuring up other causes for not delivering me water, when left that meeting I overheard a man say that they found out that Floyd Knight the best water right in Almo. I feel that this filing isn't postponed I'll have their

Good luck to you & yours.

yours with kind personal regards

Floyd Knight

Mantua, Utah
28 Aug 2000

DEPARTMENT OF WATER RESOURCES

Attn - Vikie Hancock

Regarding your letter of 22 August 2000.

I am the second wife of W. Floyd Knight . I am now 75 years of age . We resided in Almo, Idaho together from 1964 to 1984. I worked with him on the ranch every day, tending the cattle and changing water. I am well acquainted with Edwards Creek being a tributary to Almo Creek, and also with Raft River that flows through the ranch. I still love the ranch in Almo, Idaho.

Floyd was also the Watermaster for Almo Creek for a time. He was very interested and knowledgeable about all of the Water rights in the Almo area.

I have heard it said

: When a person passes away , A library is gone :
That was my beloved husband , : W. Floyd Knight :
I wish he could have left his Great knowledge with me.

Most Sincerely,

Sylvia P. Knight

RECEIVED

AUG 30 2000

Department of Water Resources
Southern Region

Just to verify who I am.

W. Floyd & Sylvia Knight
115 South Main
Mantua, UT 84324



Sylvia P. Knight
115 South Main
Mantua, Utah 84324



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 22, 2000

Mrs. Sylvia Knight
115 South Main
Mantua, Utah 84324

RE: Snake River Basin Adjudication (SRBA)
Correction of Stream Name

Dear Mrs. Knight,

The Department of Water Resources is finally processing the Water Right Claims in the Raft River area, and I am now the agent investigating claims on Almo Creek. In the files, I found letters between your late husband and agent Steve Clelland regarding the error on U. S. Geological Survey maps identifying Almo Creek as Edwards Creek as it flows through your property. It is clear to me that there has been a mistake made by the map makers, and I have contacted USGS about correcting the error.

To document that the stream is, and always has been known as Almo Creek, I have copies of the old decrees. The gentleman I contacted at USGS suggested that I also obtain and submit a letter from a long time resident of the area verifying the name. Since it is your water right that is on that segment of the creek, I wanted to give you the opportunity of writing me a short letter that I could forward to the Geological Survey. It could simply state your age and the years that you lived in the Almo area, and that to your knowledge, Edwards Creek was always tributary to Almo Creek and that Almo Creek flowed into Raft River.

I am gathering other information to support the correction, and it seems very likely that we will finally get this matter straitened out so that there will be no doubt that your

decreed water right is from Almo Creek, and the Government maps will agree with us.

I am enclosing a self-addressed envelope for your convenience in sending me the statement. If I can be of any other assistance to you, please don't hesitate to contact me at this office.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

AUG - 1 1989

Department of Water Resources
Southern Region Office

July 25, 1989

Mr. Floyd Knight
115 South Main
Mantua, UT 84324

Dear Mr. Knight:

Mr. Keith Higginson, Director of the Department of Water Resources, has asked that I respond on his behalf to your inquiry on your water rights in South Almo Creek. In checking our records I find you have filed your claims in the Snake River Basin Adjudication (SRBA) on your decreed water rights in South Almo Creek showing the point of diversion to be Almo Creek.

The United States Geological Survey (USGS) maps are used by the department as a standard guide in identifying surface water rights as to the name and location of a source of water. The current USGS maps show your point of diversion (SE1/4NW1/4-SE1/4, Sec. 30, T. 15S, R. 25E) of your three decreed water rights to be from Edwards Creek, tributary to Raft River.

The Almo Creek Decree states Almo Creek was divided into the North Fork Almo Creek, a man-made channel referred to as Taylor Ditch, and the South Fork Almo Creek which was the main Almo channel below the man-made channel. The decree states Edwards Creek is tributary to Almo Creek which is tributary to Raft River. The decree states your point of diversion is on Almo Creek. The same point of diversion today according to the USGS maps is on Edwards Creek. It appears that over time the name once given to Almo Creek below the confluence of Edwards Creek and Almo Creek has been changed to Edwards Creek on the USGS Quadrangle maps. Edwards Creek is now shown as tributary to Raft River. South Almo Creek is no longer shown on the USGS maps.

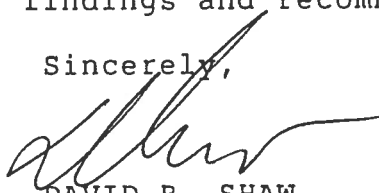
Mr. Floyd Knight

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July 25, 1989

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Adjudication Bureau Chief

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State of Ida^a, Water resours^{ces}

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W. Floyd Knight

telephone #

801-734-9909