

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: A43-02232A
Date Received: 8/01/1989
Receipt No: S008726
Received By: SCC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ALMO WATER COMPANY 208-824-5738
Address: ATTN: PRESIDENT
DOUGLAS WARD
P.O. BOX 102
ALMO, ID 83312

2. Date of Priority: MAY 15, 1918

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	24E	5	SW	NE	NE		CASSIA
		16	NE	NE	SE		CASSIA

5. Description of diverting works:
HEADGATES, CANALS, PIPELINES, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	48.900		

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

8. Total consumptive use is 12846.0 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	24E	3	NE	NW		IRR	40.0
			NW	NW		IRR	40.0

A43-02232A

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Date: 10/12/90

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	24E	3	SE		NW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	240.0
		4	NE		SE		IRR	20.0
			SE		SE		IRR	40.0
							Section Acres	60.0
		9	NE		NE		IRR	40.0
			SE		NE		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	400.0
		10	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	600.0
		14	NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0

R.O. Jones

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	120.0
		15	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	20.0
			SW	NW	IRR	20.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
					Section Acres	480.0
		16	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	320.0
		21	NE	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	80.0
		22	SW	NE	IRR	10.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			SW	SE	IRR	12.0
			SE	SE	IRR	10.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	352.0
		23	NW	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
					Section Acres	440.0
		25	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
					Section Acres	320.0
		26	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
					Section Acres	480.0
		27	NE	NE	IRR	10.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	20.0
			NE	NW	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	24E	27	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0

Section Acres 510.0

Total Acres 4402.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A43-00391, A43-00386, A43-04228A, A43-00387

14. Remarks:

ALMO WATER COMPANY IS AN IDAHO WATER COMPANY THAT IS INCORPORATED
AND WAS ORGANIZED BY LANDOWNERS FOR IRRIGATION PURPOSES.
AT THE P/D IN SEC. 16 THE CREEK BECOMES THE CONVEYANCE FOR THE
CANAL CO.

|

AMENDMENT NOTES

ADDED 120 ACRES AND CHANGED LEGALS ON ANOTHER 120 ACRES.

TWO RECEIPTS: S008726 AND S012748.

NOTICE OF APPEARANCE IS REMOVED.

15. Basis of Claim: LICENSE

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 Organizations:

I do solemnly swear or affirm that I am President of
Title

Alma Water Co., that I have signed the foregoing
Organization

document in the space below as President of
Title

Alma Water Co. and that the statements contained in the
Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

President of Alma Water Co.
Title and Organization

10/12/90
Date

State of Idaho)

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 12th day

of October 19 90

[Signature]
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

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: A43-02232A
Date Received: 6/27/1989
Receipt No: S008726
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALMO WATER COMPANY
Address: ALMO, ID 83312

2. Date of Priority: MAY 15, 1918

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	24E	5	SW	NE	NE		CASSIA
		16	NE	NE	SE		CASSIA

5. Description of diverting works:
HEADGATES, CANALS, PIPELINES, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	48.900		

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

8. Total consumptive use is 12846.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	24E	3	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SE	NW		IRR	40.0

A43-02232A

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Date: 08/02/89

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	24E	3	SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	40.0
			Section Acres					240.0
		9	SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					320.0
		10	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					600.0
		14	NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			Section Acres					120.0
		15	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	24E	15	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	20.0
			SE		NW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	500.0
		16	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	320.0
		21	NE		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	80.0
		22	SW		NE		IRR	10.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	12.0
			SE		SE		IRR	10.0
							Section Acres	352.0
		23	NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	24E	23	SW		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	440.0
		25	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
							Section Acres	320.0
		26	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
							Section Acres	480.0
		27	NE		NE		IRR	10.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	20.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	24E	27	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0

Section Acres 510.0

Total Acres 4282.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
A43-00391, A43-00386, A43-04228A, A43-00387

14. Remarks:
ALMO WATER COMPANY IS AN IDAHO WATER COMPANY THAT IS INCORPORATED
AND WAS ORGANIZED BY LANDOWNERS FOR IRRIGATION PURPOSES.
AT THE P/D IN SEC. 16 THE CREEK BECOMES THE CONVEYANCE FOR THE
CANAL CO.

15. Basis of Claim: LICENSE

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, Organization
document in the space below as _____ of
_____, Title
and that the statements contained in the
_____, Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 443-02232 A
Date Received _____
Receipt Number 5008726 *see*

RECEIVED

RECEIVED

JUN 28 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

JUL 28 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Almo Water Company Phone () _____

Mailing Address Almo, Idaho Zip 833120

2. Date of Priority (Only one (1) per claim) 5/15/1918

3. Source of water supply (a) Almo Creek
which is tributary to (b) Raft River

4. a. Location of existing point of diversion is: Township 15S Range 24E Section 5,
NW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, 2 B.M., County of Cassia

Additional points of diversion if any: Section 16 NE 1/4 of SE 1/4, thence after from creek

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,

_____ 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. Head gates, Canals, Pipelines,

Ditches

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3-15 to 11-15 amount 48.9 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 48.9 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 12846 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
			See Attached Page																

Total number of acres irrigated 4282

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes _____ No X
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: Almo Water Company is an Idaho Water Company that is incorporated and was organized by landowners for Irrigation purposes.

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Last Name Almo Water Comp. Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile See Attached Map

Scale: 2 inches equals 1 mile See Attached Map

[illegible]

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MAR 03 1993

Last Name Alma Under Company Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number 43-02232A

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of Almo Water Company _____ Title _____, that I have signed the foregoing

document in the space below as President _____ Title _____ of Almo Water Company _____ Organization _____

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

Signature of Authorized Agent Douglas R. Whipple _____

Title and Organization President _____ Date _____

State of Idaho/or _____)
County of CASSIA) SS.

Subscribed and sworn (or affirmed) before me this 26 day of July 19 89

SEAL

Notary Public Douglas R. Whipple _____

Residing at Barley, Idaho _____

My Commission Expires Aug. 1992 _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Douglas R. Whipple 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 Douglas R. Whipple _____

Address P.O. Box 249, Barley Id. 83318

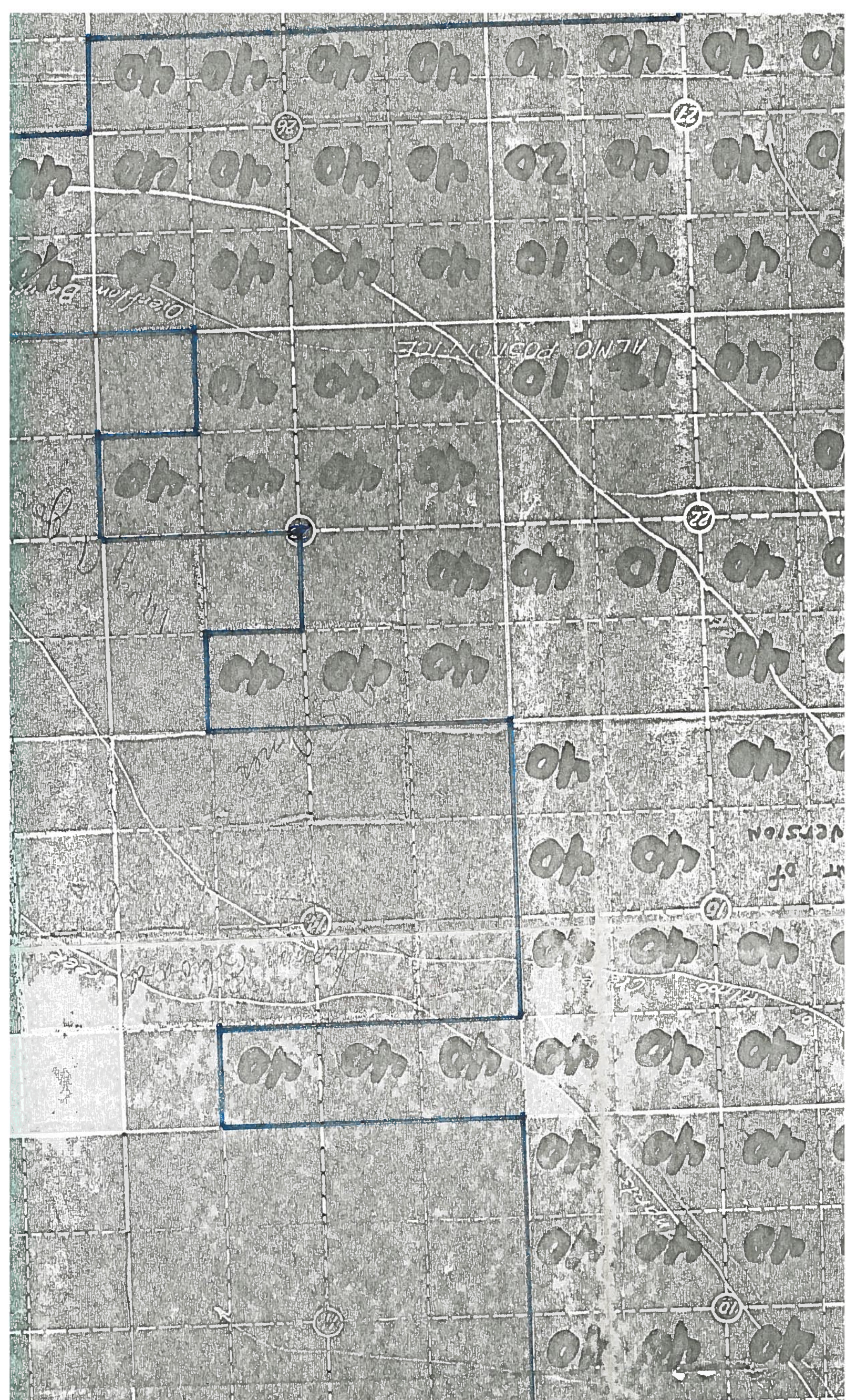
Date July 26, 1982

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MAR 03 1993

Last Name Almo Water Comp Ident. Number _____

Copies White-State, Yellow-Claimant



Whipple's Law Offices, Chartered

111 WEST 15TH STREET
POST OFFICE BOX 249
BURLEY, IDAHO 83318
(208) 678-5574

ATTORNEYS AT LAW
DOUGLAS R. WHIPPLE
~~VAL SIEGEL~~

July 27, 1989

RECEIVED

JUL 28 1989

Idaho Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

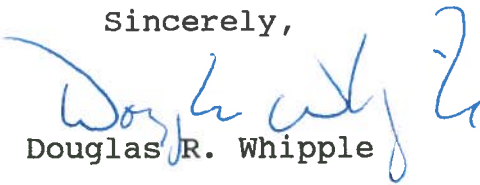
RE: Revised Water Rights Claims of the Almo Water Company

To Whom It May Concern:

Enclosed, please find the revised water right claims of the Almo Water Company, along with checks totaling \$2,741.27. These checks represent over half of the total amount owed to the Department of \$4,582.00.

If you have any questions or there is a problem with the claims, please let me know.

Sincerely,


Douglas R. Whipple

DRW: mmw
pc: file

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

Doug Whipple
P.O. Box 249
Burley, ID 83318

RECEIVED

JUL 28 1989

Department of Water Resources
Southern Region Office

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check # Attached LIST for \$ 3221.27 which you submitted to our office. I am returning these pursuant to rule 10,4 of the Department's Adjudication Rules and Regulations. In checking your claim it appears that the following items need clarification:

- () Item #2 Priority date (day/month/year)
- (✓) Item #4 Point of Diversion Legal Description 1/4-1/4 Descriptions
- () Item #6 Uses descriptions
- () Item #9 Description of Non-irrigation uses
- (✓) Item #10 Place of Use Legal Description
- () Item #16 Signature & Notarization
- () Improper fee (THE CORRECT FEE IS \$ _____)
- (✓) Other or Remarks

* Keep envelope w/ file to show filing by 6-27-89 Deadline.

If you will make the necessary corrections and return your claim with the correct fee and a copy of this letter within 30 DAYS of the date of this letter, your filing will be considered timely and will not be assessed and additional late fee of \$ 50.00.

Sincerely,


Steve Clelland
Water Right's Agent

enc:

MICROFILMED

MAR 03 1993

Form 42-1409(10)-1

5/88

Date Received

JUN 01 1989

RECEIVED

JUL 28 1989

State of Idaho
Department of Water Resources

Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

Southern Region Office

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Cassia County Joint School District No. 151, Almo Water Company & Douglas Ward
Name of Claimant

Post Office Box 249

Post Office Address

Burley, Idaho 83318

City, State, Zip Code

RECEIVED

JUN 28 1989

Cassia

County(s) where Place of Use is located

Department of Water Resources
Southern Region OfficeJune 8, 1989

Date Claim Originally Due

All Water Rights for the above claimants.Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

This attorney waited to examine the claims until the Dept. set up its office in Cassia County. I have attempted to stop in to work on claims, but have been unable to find a free assistant. I have also attempted to schedule an appointment for help but now discover that there is no free time available. I have set up an all day meeting at the Department's Twin Falls office on June 20, 1989 to review the above claims.

Claimant requests an extension to June 27, 1989.

Douglas R. Whipple
Signature

Attorney for the above claimants.
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted denied,
and the filing deadline extended to 6/27, 1989.

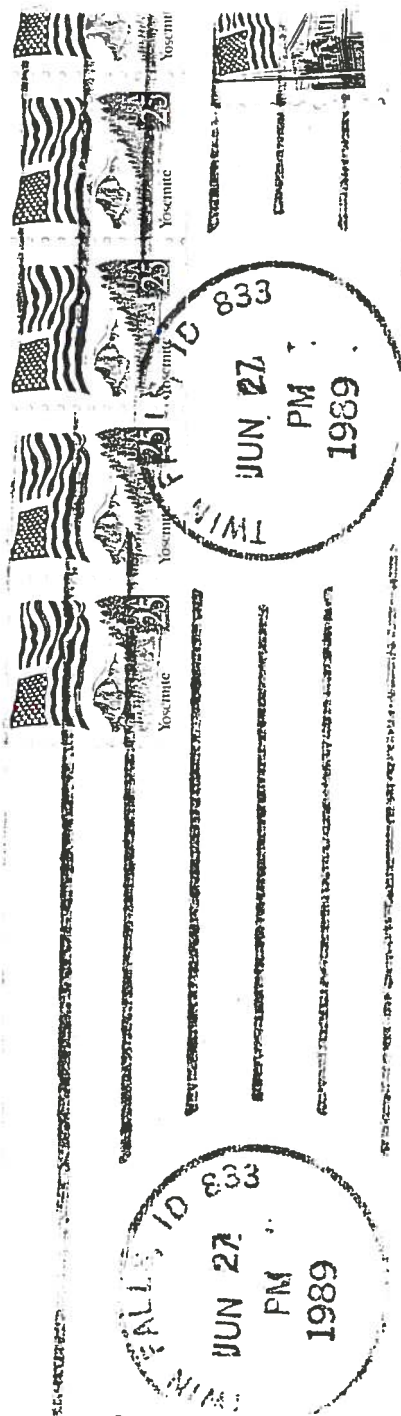
Signed this 7 day of June, 1989.

MICROFILMED

MAR 03 1993

[Signature]
Director or his designated agent

R. Whipple
y at law
x 249
Idaho 83318



Idaho Dept. of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

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

Aug. 25, 1989

ALMO WATER COMPANY
C/O DOUGLAS WHIPPLE
P O BOX 249
BURLEY ID 83318
Dear Claimant(s):

Re: A43-00387
A43-00386
A43-02232A
A43-04228A
A43-00391

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 03 1993

Copy

APRIL 5, 1990

MEMO TO FILE

TO: DON SHAFF

FROM: STEVE CLELLAND

RE: OVERLAP ACRES CREDIT ON AR/NO. S000042
RECEIPT S008726
ALMO WATER COMPANY
A43-00386
A43-00387
A43-00391
A43-02232A
A43-04228A

ON FEB. 6, 1990 DOUG WARD, PRESIDENT OF ALMO WATER COMPANY, CAME TO ME TO REQUEST A REFUND CREDIT TO REDUCE THE AMOUNT OF FEES SHOWN ON AR/NO. S000042. I RAN THE PLACE OF USE $\frac{1}{4}$ - $\frac{1}{4}$ COMPARISON REPORT TO FIND WHAT OTHER CLAIMS OVERLAPPED ACRES AND MAPPED THOSE OUT ON A MAP. SEE MAP #1 ATTACHMENT. IT APPEARS THERE HAS BEEN DUAL FEES COLLECTED ON THE FOLLOWING ACRES:

NAME	CLAIM NO.	RECEIPT NO.	ACRES PAID
ERICKSON	A43-02186	S006634	105
WOODBURY	A43-00373 A43-00389 A43-00477 A43-02594	S008595	400
JONES, GARY	A43-00377	S006803	73
JONES, GLEN	A43-10164	S007095	10
DURFEE, E. BRUCE	A43-10013	S006400	80
DURFEE, CURTIS	A43-10076	S006781	149
TAYLOR	A43-10218 A43-10217 A43-04008	S007288	203 8 235
J.E. TRACY INC.	A43-02532C	C007257	180

MICROFILMED

MAR 03 1993

PLEASE REVIEW THE ATTACHED SUPPORTING DOCUMENTS. THIS REQUEST IS NOT FOR A REFUND OF MONEY BUT TO CREDIT THEIR A/R AND REDUCE THE BALANCE DUE. WHEN THAT ISSUE IS RESOLVED THEY HAVE SOME CORRECTIONS TO MAKE ON THE P/U. SEE MAP #2 FOR THE CHANGES. THIS WOULD ADD AMENDMENT FEES OF \$120.00. THE FINAL TOTAL THAT WOULD BE DUE WITH THE OVERPAYMENT CREDIT AND AMENDMENT FEES WOULD BE \$417.00 WITH INTEREST DUE ON THE \$297.73 AT THE TIME OF PAYMENT.

PLEASE LET ME KNOW IF YOU NEED FURTHER INFORMATION AND/OR THE RESULTS OF YOUR REVIEW. AS SOON AS THE OVERPAYMENT ISSUE IS SETTLED I NEED TO MAKE THE REQUESTED AMENDMENTS FOR ALMO WATER COMPANY AND SEND THE CLAIMS TO BE SIGNED, NOTARIZED AND RETURNED TO THE FILE. THE FINAL PAYOFF WOULD BE MADE AT THIS TIME ALSO.

THANK YOU.

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

4/25

R. KEITH HIGGINSON
Director

Almo Water Company

Doug Whipple
P.O. Box 249
Burley, ID 83318

1943-00386 5/1/87 5008726
00387
00391
02232A
04228A

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check # LIST for \$ 3221.27 which you submitted to our office. I am returning these pursuant to rule 10,4 of the Department's Adjudication Rules and Regulations. In checking your claim it appears that the following items need clarification:

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- () Item #9 Description of Non-irrigation uses
- (X) Item #10 Place of Use Legal Description
- () Item #16 Signature & Notarization
- () Improper fee (THE CORRECT FEE IS \$ _____)
- (X) Other or Remarks

** Keep envelope w/ file to show filing by 6-27-89 Deadline.*

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Sincerely,

Steve Clelland
Steve Clelland
Water Right's Agent

enc:

MICROFILMED

MAR 03 1993

Pay to the order of Idaho Dept. of Water Resources \$ 100.00
One Hundred and no/100 Dollars

B.L. EVANS BANK
(208) 673-5301
P.O. BOX 517
ALBION, IDAHO 83311

For water filing

Beatrice Durfee

⑆ 124101⑆ 92 06136 1⑈ 1745

Rocky Mountain Bank Note

Rainbow White
Floral Accent

JUN 28 1989

Department of Water Resources
Southern Region Office

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Almo Water Company Phone () _____

Mailing Address Almo, Idaho Zip 83312

2. Date of Priority (Only one (1) per claim) April 30, 1879

3. Source of water supply (a) Almo Creek
which is tributary to (b) Raft River

4. a. Location of existing point of diversion is: Township 15S Range 24E Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of CASSIA

Additional points of diversion if any: _____

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. _____

RECORDED

MAR 03 1993

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 500871

ALMO WATER COMPANY
C/O DOUGLAS WHIPPLE
P.O. BOX 249
BURLEY, ID 83318

Date: 08/01/89
Time: 16:22:03

Received
From:

ALMO WATER CO./INDIVIDUAL
Type of Payment

Program Acct Class

Amount

ADJUDICATION FEE

0410162 9337 6490

\$2,791.2

Total

\$2,791.2

AR/NO 5000042 Total Claim Fee
CHECK 14-CKS

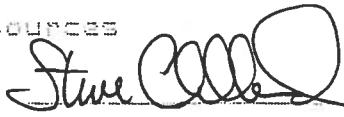
\$4,532.00 Current Bal.

\$1,740.

WR/NO: A43-00327 A43-00086 A43-02232A A43-04228A A43-00371

Idaho Department of Water Resources

Region: SOUTHERN

Signature: 

#1373 J.E. TRACY \$ 80⁰⁰
#1378 Quarter Circle 280⁰⁰
#863 Neil Durfee 73⁰⁰
#3136 Edna Cathoon 60⁰⁰
#1745 Harold Durfee 100⁰⁰
#2258 Oscar Jones 6⁰⁰
#1716 Douglas Ward 322²⁷

#2648 Buddy Ward \$ 1100⁰⁰
#2628 William H. Tracy 310⁰⁰
#1105 E. Bruce Durfee 200⁰⁰
#1923 Whipple's Law Office 50⁰⁰
#979 Glen Jones 390⁰⁰
#2308 Ivan Darrington 40⁰⁰
#2397 Taylor Herfords 480⁰⁰

MAR 03 1993

IDAHO DEPARTMENT OF WATER RESOURCES 09/11/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: ALMO WATER COMPANY
ATTN: PRESIDENT
DOUGLAS WARD
PO BOX 102
ALMO ID 83312

SOURCE: ALMO CREEK TRIBUTARY: RAFT RIVER
QUANTITY: 49.70 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 72.02 CFS. COMBINED RIGHT NOS.: 43-386,
43-10797, 43-10823.

PRIORITY DATE: 05/15/1918

POINT OF DIVERSION:

T15S R24E S5 SWNE NE Lot 1 Within CASSIA County
T15S R24E S16 SE NE 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	49.700 CFS

PLACE OF USE:

PLACE OF USE IS WITHIN THE BOUNDARIES OF ALMO WATER COMPANY.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2525 ACRES WITHIN THE BOUNDARY
OF ALMO WATER COMPANY IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3601 ACRES WITHIN THE BOUNDARY OF
ALMO WATER COMPANY IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS.: 43-386, 43-10797, 43-10823.

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.

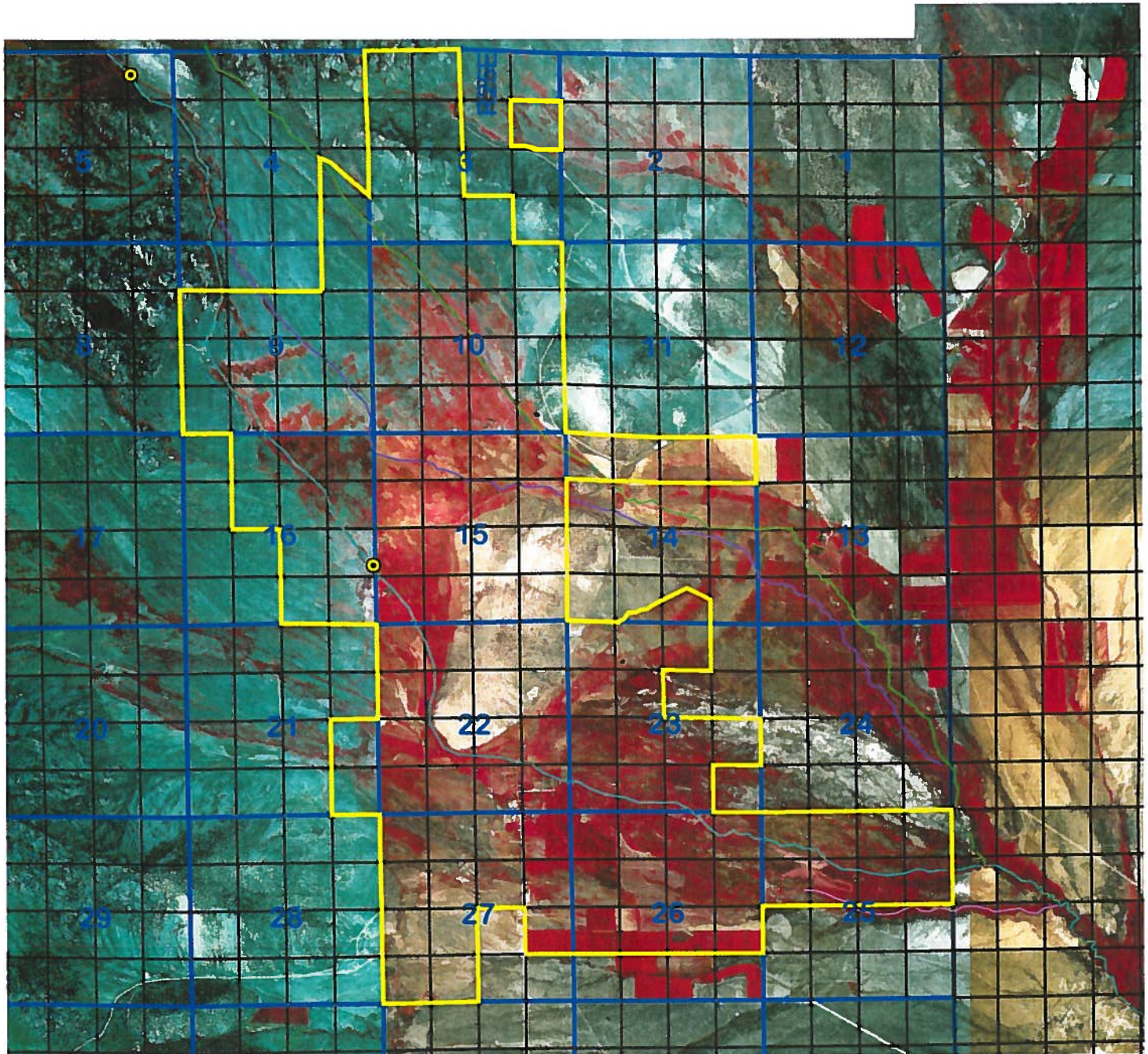
EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Idaho Department of Water Resources

**RIGHTS: 43-386, 43-2232A,
43-10797, and 43-10823**

**RECOMMENDED PLACE OF USE
TWP 15S, RNG 24E,
Data entry on January 30, 2001**



ALMO WATER COMPANY BOUNDARY

-  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**

[illegible]

IRR AC SHAPEFILE = 4387
AC w/o water rights = 786

07/23/2001

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

RIGHT NUMBER: 43-2232A

NAME AND ADDRESS: ALMO WATER COMPANY
ATTN: PRESIDENT
DOUGLAS WARD
PO BOX 102
ALMO, ID 83312

SOURCE: ALMO CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 49.7 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 60.6 CFS. COMBINED RIGHT
NOS.: 43-386, 43-10797, 43-10823. *2.02*

PRIORITY DATE: 05/15/1918

POINT OF DIVERSION: T15S R24E S5 LOT 1 SWNESE Within CASSIA County
T15S R24E S16 SENESE 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	49.70 CFS

PLACE OF USE:

PLACE OF USE IS WITHIN THE BOUNDARIES OF ALMO WATER
COMPANY. *3601*

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2525 ACRES
WITHIN THE BOUNDARY OF ALMO WATER COMPANY IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 3030 ACRES WITHIN THE
BOUNDARY OF ALMO WATER COMPANY IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-386, 43-10797, 43-10823.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

*Revised
comb limits
9-10-01
DHL*

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

6/19/2001

Regarding:

Almo Water Company Claims

Contact:

Cordell Sheridan
Jim Sheridan
Brent Jones
Doug Ward, President
Ted Tracy
Bud Ward, Watermaster

The above persons representing Almo Water Company came to the office this date to discuss my preliminary recommendations for right numbers 43-386, 43-2232A, 43-4228A, 43-10797 & 43-10823.

They expressed concern that I had determined that two of the 1879 priority rights, 43-373 and 43-374, were duplicate rights and thus not included in their *claims. This reduced by 3.8 cfs the amount of water available to them with a 1879 priority date. They will attempt to find evidence that one or both of these rights should be included in their claims and that they have a priority date of 1879.

We also discussed the reason for my disallowal of beneficial use claim 43-4228A because they had never submitted proof of beneficial use. I explained that they needed to provide me with the years that the additional lands were first irrigated and I that affidavits from current or previous owners would be acceptable if enough details were provided to substantiate the date. I also told them that I was skeptical that more water was diverted onto these lands as all the water was supposedly licensed in 1918. Watermaster Bud Ward said that more than 3030 inches of water was available in Almo Creek at times.

We also discussed the Bruce Durfee claim to Stines Creek and the 1970 AWC vs Ivan Darrington decree as it affected Stines creek and the North Fork Almo and Edwards Creek rights.

** 43-373 & 43-374 were claimed as a portion of combined right 43-10823.*

CLAIM NUMBER: A43-02232A

DIVERSION
VOLUME

449.7

~~12846.00 AFA~~

Stage: LICENSE

CASSIA County
CASSIA County

SE

you
you
you

Other Rights: A43-00391, A43-00386, A43-04228A, A43-00387

AMENDMENT NOTES

Verified Date:

Field Inspection Flag:

Combined limits
22324, 384, 10747,
10823, to 2220
we will 1928



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

October 20, 2000

Almo Water Company
Douglas Ward, President
P.O. Box 102
Almo, Idaho 83312

RE: Snake River Basin Adjudication (SRBA)
Claim Nos.: 43-386, 43-2232A, 43-4228A, 43-10797, 43-10823
Almo Water Company

Dear Doug,

I have resolved several issues regarding the Almo Water Company Claims and wanted to give you a brief summary of how things stand now, and inform you of some additional information that the company needs to provide.

I have found discrepancies in some of the rights that were decreed to Almo Water Company in the 1928 Jobe Adams Decree. The first concerns right 43-391 identified as the Thomas King right. I believe that the legal description of the place of use in the decree is incorrect, as one of the forty-acre tracts listed is NENW Section 20, which is up on the Breusch Ranch and out of the Almo Water Company delivery system. After reviewing other documents, I believe this is a typographical error and that the actual place of use for this right was always within the company and rightly decreed to the company.

In the same area, however, is right 43-396 for 1.5 cfs which is identified in the decree as the George Graham right. The majority of the place of use of this right is also above the Almo Water Company delivery system and most is part of the Bruesch Ranch and being irrigated from Graham Creek. From a review of historical documents, I believe that only the portion of this right that represents water from Almo Creek, or 0.23 cfs, should have been decreed to Almo Water Company.

I found two instances that I believe represent duplicate rights. The first is the H.R. Cahoon rights, 43-374 and 43-387 that we discussed before. I agree with members of the Almo Water Company that there is only one right with a priority date of 1879 for the Cahoon property now owned by Curt Durfee, and that it is correctly decreed to Almo Water Company. Baring additional information, my decision is that 43-374 is not a valid water right and should not be recommended to either claimant.

The other duplicate right is represented by 43-373 and 43-390 and identified as the Belnap and Johnston rights. It is obvious that these are decreed to the same place of use, and that Belnap was a successor in interest to Johnson. There was also court testimony in 1964 that water represented by

the Belnap decree had never been delivered up to that time. The Johnston right (43-390) is a valid 1879 right for 1.9 cfs. The Belnap right (43-373) is not a valid water right. If Almo Water Company began delivering water according to the duplicate Belnap right after 1964, then a right for 1.8 cfs based upon beneficial use may exist with a 1964 or later priority date. Let me know if you wish to file on that.

One of the issues that took some time to investigate was the licensed right 43-2232A and how it relates to the various rights decreed to Almo Water Company in the 1928 Jobe Adams Decree. Because the licensed right was being permitted and developed at the same time that the Jobe Adams Decree was being initiated, it was unclear as to what acreage it was intended to include. It obviously included some of the lands decreed in 1893 and deeded to the company in 1907, but not all of them, and also included what appeared to be newly developed lands. It was also not clear whether the licensed diversion amount of 49.7 cfs included, or was in addition to, the previously decreed diversion amount. The license was issued in 1923, and when the Decree was final in 1928, the licensed and decreed rights were overlapping. By counting the overlapping acres only once, it gave me a fairly good idea of the maximum number of acres possibly being irrigated at the time of the 1928 decree, which was around 3580 acres. Some ambiguity results from the fact that the decree listed entire 40-acre tracts, even though a portion of the tract was uphill from the conveyance ditch. There also needs to be some clarification regarding acres that were originally licensed and decreed to Almo Water Company that lie outside of the current boundary of the water company.

In the 1989 SRBA claims, Almo Water Company listed 4402 irrigated acres. This brings me to the area of additional information that the company needs to provide. If indeed there are a total of 4402 acres now irrigated within the area administered by the company, acres were put under irrigation after 1928 that are not covered by either the decrees or the license. Up until May 1971, it was still legal in Idaho to develop rights to surface water without going through the permit process. As you know, in 1985 Jack Erickson represented the company in filing claim 43-4228 based on beneficial use for an additional 1120 acres and 20.8 cfs, claiming a priority date of 1918. At the time that this type of claim was filed, the Department required no proof of irrigation or diversion amount or of the claimed priority date. They became just a recorded claim needing further investigation.

By doing some simple math it appears that the claim for 1120 acres will be reduced somewhat, but to recommend any of the acres not licensed or decreed I need proof of when those acres were developed. It is most likely that it was done over a progression of time and may correspond to a ditch being added or lengthened or someone putting in sprinkler irrigation. The priority date of development of the additional acres is obviously sometime after 1928 because of the data mentioned previously, and it may take some investigating for you to come up with a date or progression of dates.

If I calculate one inch per acre for the 3580 approximate acres irrigated in 1928, it is 72 cfs. From everything I've seen and heard about Almo Creek, this is probably the maximum available from the creek. It is likely that the acres listed in the 1985 beneficial use claim represent an expansion of acres without an increase in diversion amount, as it seems apparent that all the available water was needed and used for the acres irrigated in 1928 by Almo Water Company and others, and only an increase in efficiency allowed for an expansion of acreage.

I have notes here at the office explaining how I came to the conclusions outlined above and would be glad to go over any and all of them with you. Knowing that you are busy, I've taken the liberty of sending copies of this letter to each board member to make the communication more efficient. I've been in contact with Mark Larson at the state office and he is working on modifying some of the information you noted on the large-scale map that he created, ie: adding Dennis Erickson's acreage to the company boundary and extending the boundary north to encompass more land around Brent Jones'. Mark should be contacting you about that and sending you an updated map.

I know you all hate doing any work that isn't from the back of a good horse. If you need any copies of the documents I have here, or information about what you need to prove when additional acres were developed, let me know. If you disagree about my conclusions regarding the decrees mentioned above, contact me any time and we can discuss it.

Sincerely,



Vikie Hancock
Sr. Water Resource Agent

Cc: Brent Jones
Cordell Sheridan
Ted Tracy

State of Idaho
License and Certificate of Water Right

49.7

Water License No. 13661
Water District No. B-2

Amount 49.7 cfs.
Priority 5-15-1918

THIS IS TO CERTIFY that **Aino Water Company**
of **Aino, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **May 15**, 1918; that Permit No. 13661
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
49.7 second feet, was issued thereunder on **October 10**, 1923, showing that said works
were completed on the 15th day of **June**, 1923; and that on the 15th
day of **June**, 1923.

Aino Water Company
of **Aino**, State of **Idaho**, made good to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **Aino Creek**
a tributary of **Soft River**, for the purpose of **Irrigation**
& domestic use under the Permit No. 13661 of the **State Engineer**
and that said right to the use of said waters has been perfected in accordance with the laws of
Idaho, and a hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
Volume 6 of Licenses, at page 2093 on the 14th day of **October**, 1923;
The right hereby confirmed dates from **May 15**, 1918;

The Point of Diversion is located in **104 S.**
in the **1/4** Sec. 5, **Tp. 16 S., R. 24 E., S. M.**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed **49.7** cubic feet per second.

Description and location of ditches:

Twp	Range	Sec.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				Totals
			NE 1/4	SE 1/4	SW 1/4	NW 1/4	NE 1/4	SE 1/4	SW 1/4	NW 1/4	NE 1/4	SE 1/4	SW 1/4	NW 1/4	NE 1/4	SE 1/4	SW 1/4	NW 1/4	
16N	24E	8									40	40							80
		4										40	40						120
		8			40							40							120
		9				40				40	40	20		40					260
		10				40			40	40	40	40	25	40					265
		18	40			40		40											160
		16	40	40	40	40													200
		14	40	40							40	40		40	40	40	40		260
		32												40					40
		32				40		20	40		40	20	20						180
		28		40			40		40				20	40	40				260
		28	40	40			20	20											160
		26				40	40	40	20	40					40	40			260
		27		40		20									40			40	140
		29	20		20														40
															Total				2280

Commissioner of Reclamation.

(SEAL)

1:3 25 2

2525
2520

15. (a) Is reservoir to be used? **none** If so, fill in (b) and (c) below.
 (b) Name of reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

ALMO WATER CO.

Applicant.

By

THOS. O. KING

Agent.

Date of first receipt at office of State Engineer 9 A. M. May 15, 1918

Returned to applicant for correction May 15, 1918

Corrected application received **July 5, 1918**

APPROVAL OF STATE ENGINEER

The number of this permit is **13651**

Recorded in Book **48** Page **13651** Approved **July 10, 1918**

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ **1000** to be filed on or before **September 8, 1918**

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **January 10, 1921**

The whole of said work to be completed on or before **July 10, 1923**

Beneficial use of water appropriated in accordance herewith, to be made on or before **July 10, 1923**

Witness my hand this 10th day of July, 1918.

FRED A. WILKIE

State Engineer.

Remarks :

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15 S	24 E	4																	120
		3																	80
		9			40	40	40	40		40									380
		10					40				40	40	40	20					265
		16	40			40													120
		15	40			40		40											120
		14	40	40															320
		21										40	40	40	40	40	40	40	80
		22				40		20	40		40	20	20						180
		23		40			40												180
		28	20			20													40
		27		40		20													140
		26				40			20	40									100
		25	40	40			20	20											120
		34	40																40
		35					40	40	40	40									160
		8																	40
		Total Number of Acres to be irrigated																	

Application For Amendment																			
To Permit to appropriate the Public Waters																			
of the State of Idaho, No. 13651																			
Comes now The Almo Water Co., and represents to the Commissioner of Reclamation of the State of Idaho,																			
That they are the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. 13651, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:																			

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 19292
Permit No. 13651
District No. 8 B

43-2232

1. Name of Applicant: **Almo water Co.**

Postoffice address: **Almo**

County: **Cassia**

State: **Idaho**

I. If applicant is a corporation, give:

(a) Date and place of incorporation: **3/29/06 Almo, Idaho**

(b) Amount of capital stock: **\$57,500.00**

(c) Amount paid in: **\$57,500.00**

(d) Names and addresses of directors: **C. A. Shendan, T. James Green, James T. Taylor, Jr.**

Wm. L. Eames and Henry Belnap

II. The financial resources of the applicant are:

(a) Cash on hand: **\$37.57**

(b) Treasury stock: **none**

(c) Bonds to be issued: **none**

(d) Other resources: **none**

2. Quantity of water claimed: **49.7** cubic feet per second.

3. Source of water supply: **Almo Creek** which is a tributary of **Raft River**

4. Location of point of diversion: **S. 66° W, 1588** feet distant from the **NE**

corner of Section **5**, T. **15 S.**, R. **24 E.**, B. M., and is in the **Lot 2**

of Section **5**, T. **15 S.**, R. **24 E.**, B. M., County of **Cassia**

5. Water is to be used for: **irrigation and domestic**

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B. M., in the

of Section , T. , R. , B. M.

7. Estimated cost of works: **\$ 2500.00**

8. Kind of works: **Cement dam and ditches**

9. Height of dam **3½** feet; length of dam at top **22** feet; length of dam at bottom **22**

feet; material used in dam **concrete and stone**

10. Size of headgate: Width **3½** feet; height **2½** feet.

11. Ditch: Width at bottom **4** feet; width at water line **4** feet; depth of water **2**

feet; dimensions of flume

Diameter of pipe inches; length of conduit **18** miles.

Average grade per mile **these ditches have different falls from 1 inch to 4 foot the rod.**

12. The time required for the completion of such work is **5** years.

13. The time required for the complete application of the water to the proposed use is **none** additional years.

14. The land to be irrigated is described in the following tabulation: **See Remarks.**

Twp.	Range	Sec.	NE $\frac{1}{4}$		SW $\frac{1}{4}$	NE $\frac{1}{4}$ --NE $\frac{1}{4}$		SW $\frac{1}{4}$	SE $\frac{1}{4}$ --NE $\frac{1}{4}$		SW $\frac{1}{4}$	SE $\frac{1}{4}$ --NE $\frac{1}{4}$		SW $\frac{1}{4}$	SE $\frac{1}{4}$ --Total
			NE $\frac{1}{4}$	NW $\frac{1}{4}$		NE $\frac{1}{4}$	NW $\frac{1}{4}$		NE $\frac{1}{4}$	NW $\frac{1}{4}$		NE $\frac{1}{4}$	NW $\frac{1}{4}$		
15 S.	24 E.	3									40	40			80
		4											40	40	120
		8				40								40	120
		9					40			40	40	20	40		220
		10				40		40	40	40	25	40			265
		15	40			40	40								120
		16	40	40	40	40								40	200
		14	40	40					40	40	40	40	40	40	320
		21										40		40	80
		22				40	20	40		40	20	20			180
		23		40		40	40		40			20	40	40	260
		25	40	40		20	20								120
		26				40	40	20	40			40	40		260
		27		40		20						40		40	140
		28	20			20									40

making a total of 2520 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Almo, this 22d day of September, 1922.

Almo Water Co.

William L. Eames

Date of receipt at Office of Department of Reclamation Sept. 25, 1922.

Approval of Commissioner of Reclamation

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 13651. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

W. G. SWENDSEN,
Commissioner of Reclamation

By Geo. H. Carter,
Assistant.

Proof of Completion of Works made June 12, 1923.
Certificate of Completion of Works issued October 18, 1923.

Permit No. 13651

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Almo Water Company, of Almo, County of Cassia, and State of Idaho, the holder of Permit No. 13651, issued upon Application No. 19292, bearing date of priority of May 15, 1918, authorizing the diversion of 49.7 second feet of the waters of Almo Creek, County of Cassia, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 49.7 second feet of the waters of Almo Creek; that the point of diversion of said waters is in Lot 2, Sec. 5, Twp. 15 S., R. 24 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 8; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10; E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15; NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16; N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 14; E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 21; SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 23; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec.

25; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 26; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 27; E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 28;
Township 15 South, Range 24 East, Boise Meridian.

Witness my hand this 18th day of October, A. D. 1923.

W. G. Swendsen,
Commissioner of Reclamation

By: Geo. N. Carter,
Assistant.

License issued for 49.7 second feet

Page 3089

RECEIVED

SEP 13 1999

Department of Water Resources
Southern Region

State of Idaho

License and Certificate of Water Right

COPY

Water License No. 13651

Amount 49.7 sec. ft.

Water District No. 8-B

Priority 5-15-1918

THIS IS TO CERTIFY that Almo Water Company of Almo, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 15, 1918; that Permit No. 13651 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 49.7 second feet, was issued thereunder on October 18, 1923, showing that said works were completed on the 12th day of June, 1923; and that on the 12th day of June, 1923,

Almo Water Company of Almo, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Almo Creek, a tributary of Raft River, for the purpose of irrigation & domestic use under Use Permit No. 13651 of the State Engineer and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3089 on the 18th day of October, 1923;

The right hereby confirmed dates from May 15, 1918;

The Point of Diversion is located in Lot 2, in the 1/4 1/4, Sec. 5, Tp. 15 S., R. 24 E., B. M. Cassia County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 49.7 cubic feet per second.

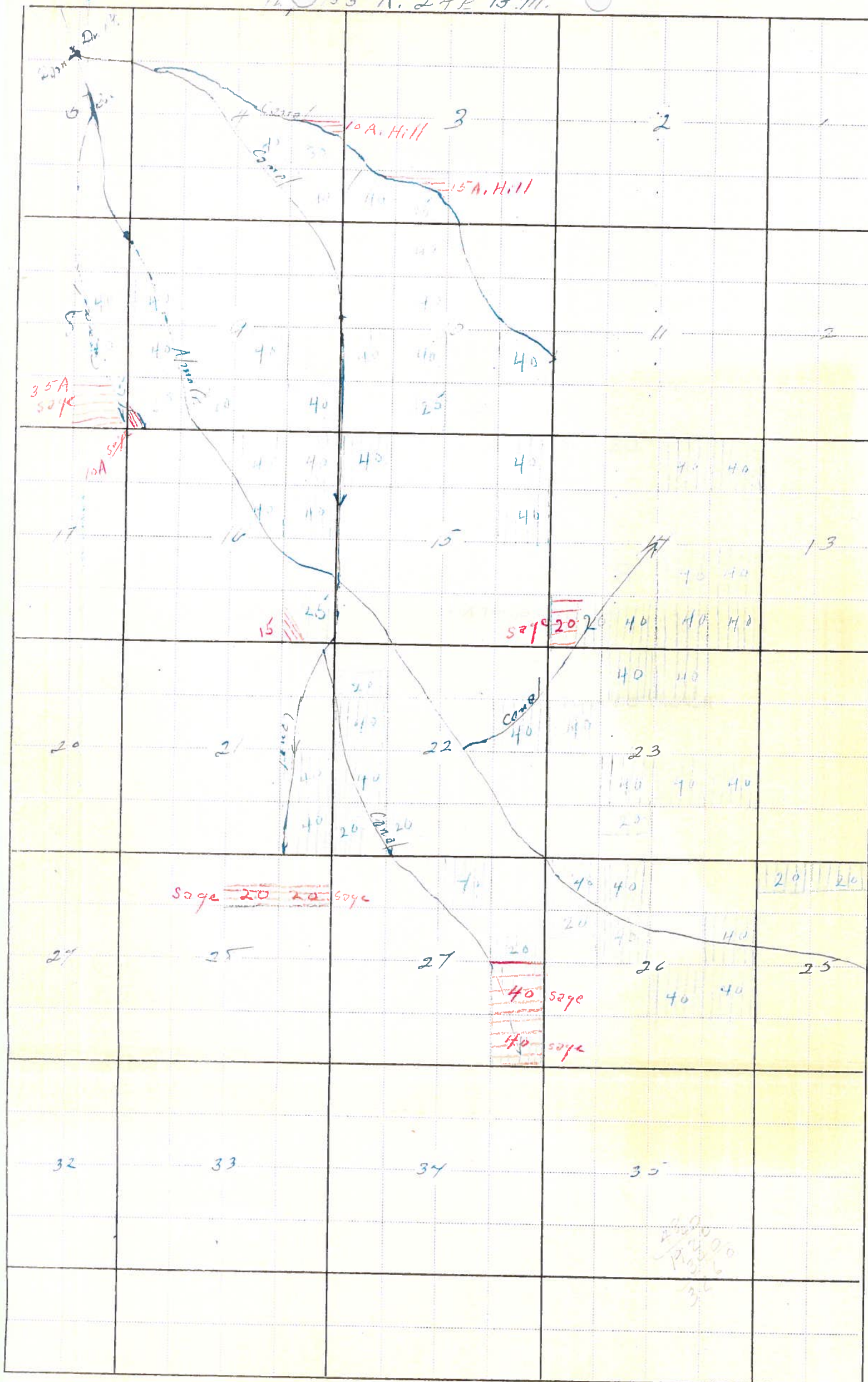
Description and location of use:

Twp	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	24E	3											40	40					80
		4													40	40		40	120
		8				40									40			40	120
		9						40			40	40	20		40		40		220
		10				40			40	40	40	40	25	40					265
		15	40			40		40										40	120
		16	40	40	40	40												40	200
		14	40	40							40	40	40	40	40	40	40	40	320
		21												40			40		80
		22				40		20	40		40	20	20						180
		23		40		40			40		40		20	40	40				260
		25	40	40			20	20											120
		26				40	40	40	20	40				40	40				260
		27		40		20								40			40		140
		28	20			20													40
															Total				2520

W. G. SWENDESEN
Commissioner of Reclamation.

(SEAL)

T_h 153 R. 24 E B.M.



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

COPY OF ORIGINAL

136.51

64-403

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 13651

This proof is for C. W. & B. U. Water

In Water District No. 8-B

1. Name of applicant: Almo Water Co.
2. Source of water supply: Almo Creek
3. Location of point of diversion: Is in the Lot 2 of Section 5
T. 16 S., R. 24 E. B. M., County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same:
*Concrete dam across creek, net 27 ft wide, 5 ft spillway, 3 ft stepping for ditch,
also concrete box about 12 mi. below, 15 ft high, 2 ft deep, a side opening for
diversions 1 ft wide, 2 ft deep, are old ditches have been in use for years, as
they are on rather steep slope are narrow in width, but deep enough and
capacity enough for this water*

5. Water is used for: Irrigation & domestic use.
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Possibly Ref. R. in high water.

Remarks: *This is an old irrigation system. Permit holders have a decree giving them
all the waters of the creek, but have acquired additional lands and in order to
show water on these lands and keep anyone else from filing on high water
they filed this permit. About 100" to 200" of water this date.
Rotation system used. Claim all this water has been used since
the early 50's.*

Map marked in red is either hill or sage, has not been irrigated.

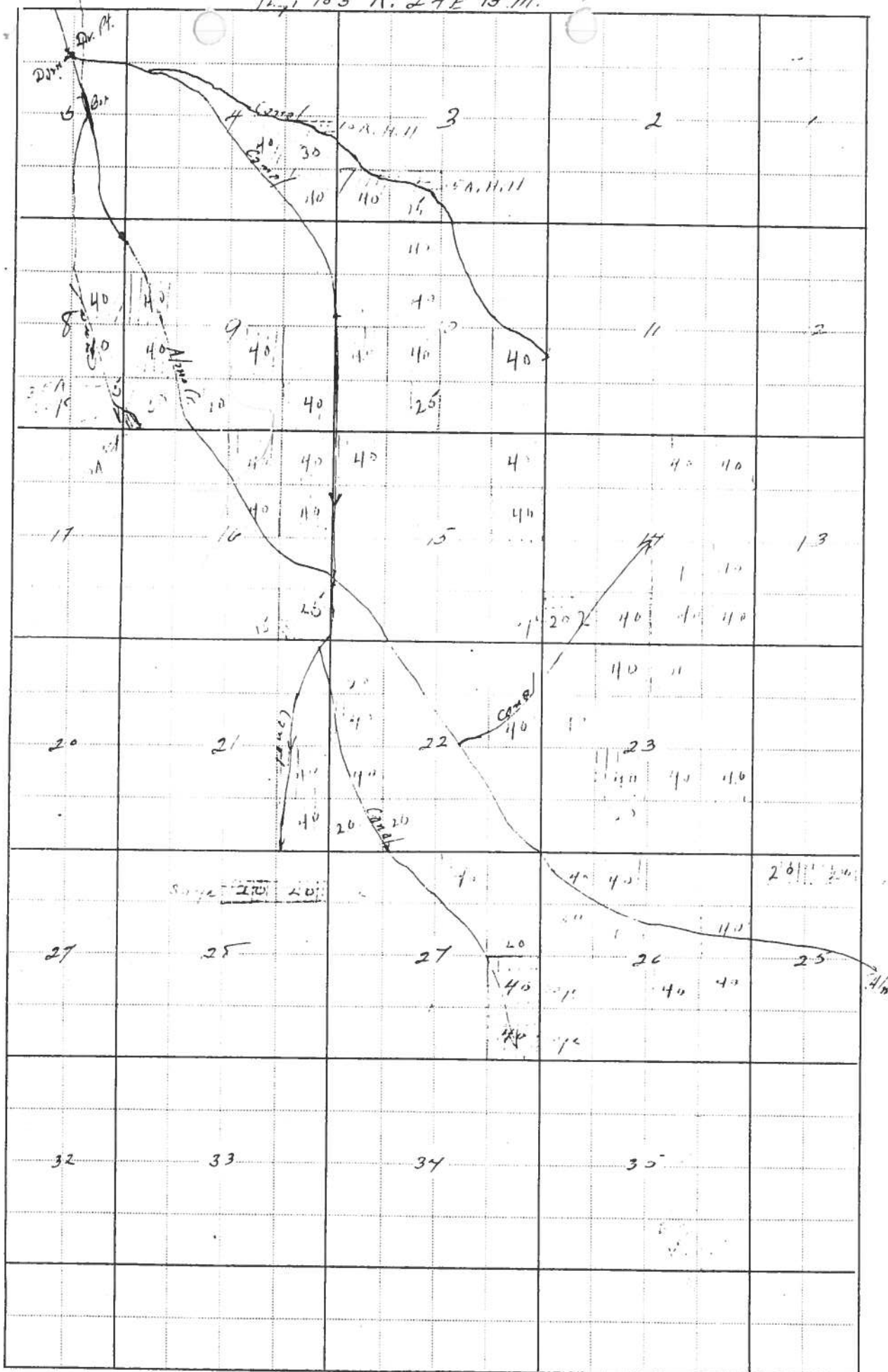
This examination was made on the 9 day of Aug, 1923

(Signed)

R. K. Gately
Examiner.

13651

Twp. 15 S R. 24 E 13 M.



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

13651

NOTE TO FILE

From: Vikie Hancock

1/30/01

Regarding: Claim number 43-2232A

This claim is based upon license 43-2232 that was issued to Almo Water Company in October of 1923. This license was in the permit stage at the time of filing of the Jobe Adams Decree in 1922. Proof of beneficial use of this right was not due until July 1923. This water right was not included in, nor supercede by, the Jobe Adams Decree issued in 1928. (*Per Candice McHugh, Deputy A.G.*).

There is conflicting evidence as to whether this license represents water and lands completely above and beyond those that are included in the original 1893 decreed rights that made up the Almo Water Company. On the one hand, the President of Almo Water Company makes a statement in his Disposition of Holder of Proof of Beneficial Use that the 49.7 cfs of water has been used for irrigation since 1879 and that there are 2520 acres of land in cultivation. He also states that the company holds 1800 inches of decreed rights (actually only 1610" at the time) and were given the use of the water of the entire stream and set off as a separate water district, which is a reference to language in the 1893 Lee Kirk v Bartholomew Decree that was superceded by the Jobe Adams Decree in 1928. These statements would indicate that, of the 49.7 cfs of water in the application, 32 cfs of it was already decreed to Almo Water Company, and that of the 2520 acres in the permit, approximately 1600 of them already had decreed water rights. It is true, in fact, that some of the lands on the application for permit overlap lands that are listed in the 1893, and subsequently the 1928, decree.

On the other hand, there are decreed acres not included on this permit, and there are acres listed on the permit and license that were not included in the original 1893 decreed lands, nor on the subsequent 1928 Jobe Adams Decree. It would appear that these are additional lands that were brought into cultivation after the initial phase of settlement and the forming of the water company. And according to the field examiner on his report dated 8-9-1923: "This is an old irrigation system. Permit holders have a decree giving them all the water to the creek, but have acquired additional lands and in order to show water on these lands, and keep anyone else from filing on high water, they filed this permit. About 160" to 200" of water this date. Rotation system used. Claim all the water has been used since the early (18)'80's"

In fact, the Almo Water Company did not have a right to all the water in Almo Creek. The subsequent Jobe Adams Decree awarded nine valid individual rights to the water of Almo Creek in addition to those decreed to Almo Water

Company. All of these individual rights are ^{senior} ~~superior~~ in time to the 1918 priority date of this license.

The license itself contains no conditions, combined limits or mention of prior decreed water. The engineer's report says that the conveyance works have the capacity to hold the applied for diversion amount, but do not state the actual capacity. The actual flows of Almo Creek are variable from year to year and month to month. Affidavits in the file state that as much as 4000 inches have been seen in the creek, but this has not been substantiated.

If this permit were meant to represent the actual and only acres being irrigated within the Almo Water Company circa 1922, there would have had to have been some major transferring of water from decreed tracts, or withdrawals of individuals from the company. Based upon the claims that Almo Water Company filed in the Jobe Adams in 1922, there is not an indication of major changes in players or place of use from the 1893 Decree. Lacking clear evidence that the previously decreed irrigated acres were all included in the 2520 acres listed on the permit, I must assume that the license and decrees are rights that partially overlap.

GIS calculations made by combining the overlapping polygons which represent the licensed right as licensed, and the decreed place of use as decreed in 40 acre tracts, show an overlap of 1000 acres in 1928. No allowance is being made for 170 acres clearly marked as *sage* or *hill* by the licensing field examiner but which were still included in the licensed acres. These 170 acres appear not to be irrigated to this date, but as they were licensed, they will be recommended in the SRBA as part of the AWC permissible place of use, assuming an accomplished transfer of place of use.

In 1986, this license was split into A and B portions in response to an application for transfer of point of diversion by R. O. Jones and Sons. 80 acres in the N½NE Section 14, T15S, R24E and a corresponding 0.8 cfs representing Jones' 1.5 shares in Almo Water Company were conveyed to Jones' ownership under 43-2232B. According to a conversation I had with Richard and Gary Jones in 1999, this was done in error. The Jones had no wish to, nor did they, remove their shares from Almo Water Company. Transfer 3218 only changed the point of diversion for delivery of their shares as well as for their right on Edward's Creek. The members of Almo Water Company also were not aware that the Department believed Jones had removed his shares from AWC, and the Jones land is still within the boundaries of the company. The 80 acre place of use and 0.8 cfs should be restored to this license.

43-2232
43-4228

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Post Office address

1. Right evidenced by:

in case of _____ vs _____

(Name of court)

c. Claim No. 43-4228 on file with the Idaho Department of Water Resources

not the original holder of the water right, explain how it was acquired Applicant has
1 1/2 shares in Almo Water Co. whose water rights are recorded
by 43-2232 & 43-4228

4. Date of priority 5/15/1918 (Both rights)

73-2232 amount 49.70 for Irrigation & Domestic * Not listed on license purposes from _____ to _____

amount _____ for _____ purposes from _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 70.50 cubic feet per second * 100 total shares in company.
&/or
b. _____ acre feet per annum

Township 15S. Range 24E., B.M., in Cassia County

Additional points of diversion, if any 43-4228 (Lot 1) NENE Sec. 5, T.15S., R.24E.,

8. Lands irrigated or place of use:

[illegible]

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (if the entire right is owned by the applicant, omit part B). 1 1/2 shares or 1 1/2% of water in company.

1. Amount of water: a. _____ cubic feet per second
&/or
b. Lt. 2 1/4 acre feet per annum Lt. 1 (NENE)

2. Point of diversion Lt. 2 1/4 1/4, Section 5 Township 15S.
Range 24E., B.M., Cassia County

Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S.	24E.	14	40	40				40	40										

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

1 1/2 shares or 1 1/2% of water of company.

a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet

b. Description of diverting works _____

c. Describe the reasons for the proposed changes _____

2. Change in point of diversion

Lt 2 1/4 Lt 1

Point of diversion _____ 1/4 _____ 1/4, Section 5 Township 15S

Range 24E, B.M., Cassia County

Additional points _____

Re-diverted into pipeline SE 1/4 SE 1/4 Sec 10
T 15S, R 24E., B.M.

RECEIVED

Transfer No. 3218

Water Right No. _____

FEB 21 1986

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern District

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant R. O. Jones & Sons Inc. Phone 824-5588
824-5595
 Post Office address Almo, Idaho 83312

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

(See Attached Sheets)

- a. Decree No. _____ Decreed to _____ (Name)
 in case of _____ VS _____
 dated in _____ in _____ county of _____
 (Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (month/day — both dates inclusive)

6. Total amount of water under right: a. _____ cubic feet per second
 &/or
 b. _____ acre feet per annum7. Location of original point of diversion is _____ 1/4 of _____ 1/4 of Section _____
 Township _____ Range _____, B.M., in _____ County
 Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

(See Attached Sheets)

32- T# 3218
28

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
- Additional points _____

3. Place of use:

[illegible]

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Description of diverting works Pipeline & sprinklers & old headgates & ditches.
- c. Describe the reasons for the proposed changes To be able to add a point of div. on Edwards Creek to allow diversion into a pipeline for gravity sprinkler irrigation of the lands presently flood irrigated.

- ## 2. Change in point of diversion

Point of diversion SE ¼ SE ¼, Section 10 Township 15S.

Range 24E., B.M., Cassia County

Additional points Old P/O on Edwards Creek SENW Sec 14 T15S, R24E.
Old P/O on North Alamo Creek SENW Sec 14 T15S, R24E.

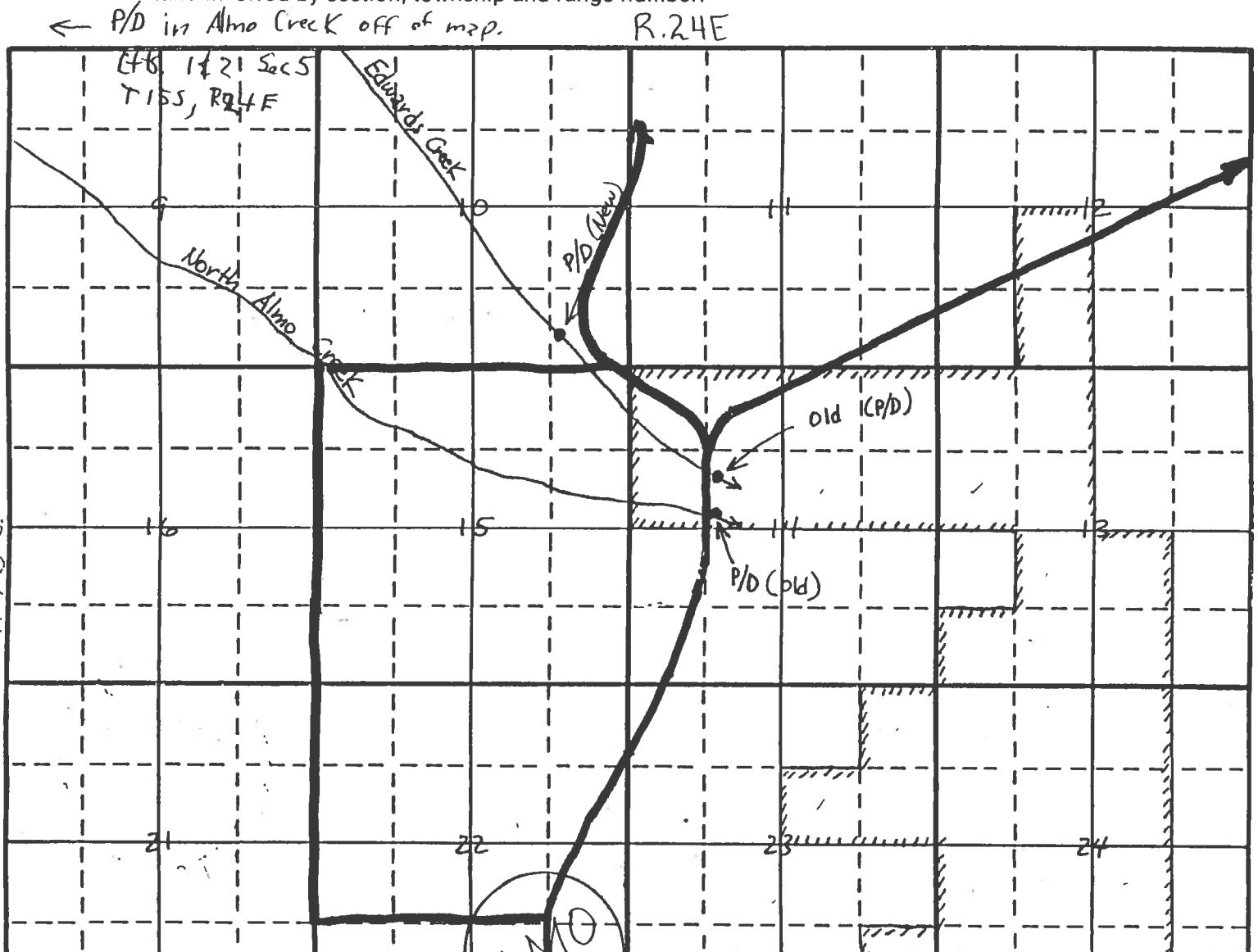
Mr. Chavez

c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D. REMARKS

U.S.GS. Quad sheet shows North Almo Creek Trib to Edwards Creek however these streams do not flow together but are tributary to the Rftt River drainage, water from the various creeks are delivered independently from each other.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

R. D. Jones
(Signature of Applicant)

Subscribed and sworn to before me this 17 day of September, 1985

Loren O. Halmer
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-0376/0377/0378/0380/0381/0382/2232B/4228B and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under these rights is subject to control by the watermaster of State Water District No. 43D, Almo Creek.
3. Approval of this transfer does not confirm portion of Rt. 43-4228 identified herein.
4. The total rate of diversion under rights 43-0377 & 43-0378 shall not exceed 1.6 cfs.
5. Rate of diversion under Rt. 43-2232B shall not exceed 0.75 cfs.
6. Rate of diversion under Rt. 43-4228B shall not exceed 0.31 cfs.
7. The total rate of diversion under this transfer shall not exceed 19.91 cfs.

Witness my hand this 18 day of February, 1986

J. Glen Saxton
Chief, Operations Bureau

Water Right Number - 43-02232

Prefix Translation: WATER RIGHT

Old (D) Number -

+ + + + +	- - - - -	Last Name	+ + + + +	- - - - -	First Name	+ + + + +	- - - - -	Address
-----------	-----------	-----------	-----------	-----------	------------	-----------	-----------	---------

+ - - Priority Date	- - +	+ - - Region	- - - +	+ - - Stage	- - - +	+ - - Status
00/00/0000		17 SOUTHERN				

[illegible]

Town	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
------	-----	-----	-------	-----	------	--------	--------------------	----------------	----------------	---------------

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
+	-	-	-	-	-	+

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
+	-	-	-	-	-	-	-	+

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

[illegible]

+ - - - - - Old Water Right Numbers +
+ - - - - - No Old Water Right Numbers found. +

[illegible]

+	-	-	-	-	Decree Plaintiff	-	-	-	+	+	-	-	Decree Defendant	-	-	-	+	+	-	-	Decree Date	-	+
---	---	---	---	---	------------------	---	---	---	---	---	---	---	------------------	---	---	---	---	---	---	---	-------------	---	---

00/00/0000

+-----+
-Comments-
No Comments Found

+ - - Audit Fields - 02/19/86 05/28/88

[illegible]

	Water Rights Dates and Flags Area	
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POU Ownership Flag-

Old (D) Number -

+ - First Name - - +

1 1 1
1 2 3City- ALMO
Phone -

17 SOUTHERN - - - Region - - - +

- - Source - - - - -
ALMO CREEK

- - - - - Point of Diversion
RFLg County

(31) CASSIA

----- Water Use
Period From Period To

48.950

iv. Rat
48.950

Sec	Tract	Lot	Acres	Place of Use
-----	-------	-----	-------	--------------

15S	24E	3	SW	SW	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	3	SE	SW	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	4	NE	SE	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	4	NW	SE	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	4	SE	SE	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	8	SE	NE	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	8	NE	SE	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	8	SE	SE	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	9	SW	NW	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	9	NW	SW	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	9	SW	SW	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	9	SE	SW	20.0	01	IRRIGATION	(31)	CASSIA
15S	24E	9	NW	SE	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	9	SE	SE	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	10	NE	NW	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	10	SE	NW	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	10	NE	SW	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	10	NW	SW	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	10	SW	SW	40.0	01	IRRIGATION	(31)	CASSIA
15S	24E	10	SE	SW	25.0	01	IRRIGATION	(31)	CASSIA
15S	24E	10	NE	SE	40.0	01	IRRIGATION	(31)	CASSIA

HC: - 02232
2520 ACRES

SPLIT:
A - 2445 AC
B - 75 AC

Water right number - 43-02232A				Prefix Translation:		WATER RIGHT	
				Place of Use		Description	
Twn	Rng	Sec	Tract	Lot	Acres	Code	County
15S	24E	14	SW SW	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	14	SE SW	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	14	NE SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	14	NW SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	14	SW SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	14	SE SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	15	NE NE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	15	SE NE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	15	NW NW	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	16	NE NE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	16	NW NE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	16	SW NE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	16	SE SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	21	NE SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	21	SE SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	22	SE NE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	22	NW NW	20.0	01	IRRIGATION	(31) CASSIA
15S	24E	22	SW NW	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	22	NW SW	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	22	SW SW	20.0	01	IRRIGATION	(31) CASSIA
15S	24E	22	SE SW	20.0	01	IRRIGATION	(31) CASSIA
15S	24E	23	NW NE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	23	NE NW	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	23	SW NW	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	23	NE SW	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	23	SE SW	20.0	01	IRRIGATION	(31) CASSIA
15S	24E	23	NE SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	23	NW SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	25	NE NE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	25	NW NE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	25	NE NW	20.0	01	IRRIGATION	(31) CASSIA
15S	24E	25	SE NE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	26	NE NW	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	26	SE NW	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	26	SW NW	20.0	01	IRRIGATION	(31) CASSIA
15S	24E	26	SE NW	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	26	NE SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	26	NW SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	27	NW NE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	27	SE NE	20.0	01	IRRIGATION	(31) CASSIA
15S	24E	27	NE SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	27	SE SE	40.0	01	IRRIGATION	(31) CASSIA
15S	24E	28	NE NE	20.0	01	IRRIGATION	(31) CASSIA
15S	24E	28	SE NE	20.0	01	IRRIGATION	(31) CASSIA
				Total Acres:		2445.0	

WATER RIGHT

+ - - Other Rights for Same Use -

No Remarks found.

No Old Water Right Numbers found.

No Conditions of Approval found.

+ - Decree Date - +

No Comments Found

[illegible]

Field Exam Fee -

Water Right Number - 43-02232B

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - + + - - - - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
R.O. JONES & SONS INC.1 -
2 -
3 -

State- ID Zip- 833120000

City- ALMO
Phone - 208-000-0000*** O - ORIGINAL OWNER ***
ALMO WATER CO.1 -
2 -
3 -

State- ID Zip-

City-
Phone - 208-000-0000+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/15/1918 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
EDWARDS CREEK RAFT RIVER+ - - - - - - - - - - - Point of Diversion - - - - - Diversion Name Diversion Rate Diversion No.
TwN Rng Sec Tract Lot RFlg County

15S 24E 10 SE SE (31) CASSIA

+ - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume
Code Description Period From Period To

01 - IRRIGATION

0.750

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
0.750+ - - - - - - - - - - - Place of Use - - - - - Description County
TwN Rng Sec Tract Lot Acres Code15S 24E 14 NE NE 40.0 01 IRRIGATION (31) CASSIA
15S 24E 14 NW NE 40.0 01 IRRIGATION (31) CASSIA

Total Acres: 80.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +
TRANS. 3218 COMBINED P/D'S OF RTS. 43-0377/0378/0380/0381/
0382/0376/4228B WHICH SHALL NOT EXCEED 19.91 CFS.

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[illegible]

Free Date - +

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8/01/89

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|---------------------|-------|
| Field Exam Fee | - |
| Suan Falls | - |
| Temporary Right | - P |
| DLE/Carey Act | - |
| Water District | - 43D |
| Transfer/Amended | - P |
| POU Ownership Flag- | |

6/9/94

COMMUNICATION DOCUMENTATION

Claim No.A43-00389 ET AL

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

June 19, 1997 9:50am

NAME:
CHARLIE HISAW-RE/MAX REALTY-TF.

RE:
HARMASH WATER RIGHTS FOR
THE "CASTLE ROCK RANCH" IN
ALMO.

WALK-IN 06-17-1997 DURING MY AGENT DAY AT 11:15; CW. TOLD HIM THAT I KNEW OF CONFLICTS BETWEEN THIS PROPERTY OWNER AND OTHERS IN THE AREA OVER WATER RIGHTS.

I DESCRIBED OUR LATE MANAGER'S STATEMENTS TO ME ABOUT NEVER GETTING THE SITUATION UNRAVELED. I SAID THAT I HAD NO FIRST-HAND KNOWLEDGE OF THE PARTICULARS.

I ASKED IF HE COULD STOP BY THE OFFICE TOMMORROW AND I WOULD HAVE SOME PAPERWORK FOR HIM.

MY REVIEW DID TURN UP SEVERAL COMPETING CLAIMS AS I HAD DESCRIBED TO HISAW. IN ADDITION, HIS PROSPECTUS HAD MISSED AN IRRIGATION RIGHT IN THE RECITAL. I ALSO NOTED SEVERAL GNERALIZATIONS REGARDING WATER USE IN THE TEXT AS TO NUMEROUS ADDITIONAL SPRINGS THAT COULD BE DEVELOPED ON THE PROPERTY.

THE TEXT ALSO STATES THAT ALMO WATER COMPANY SHARE (9.5) EQUALS 26 HOURS A WEEK OF "ALL THE WATER YOU WANT, PLUS THE RANCH CAN TAKE ALL THE WATER IT NEEDS FROM STYNE CREEK."

I PREPARED COPIES OF AJ PROFILES FOR EACH CLAIM FILED BY ROBERT HARMASH AND DID A WRQ11 REPORT FOR EACH CLAIM AS WELL TO SHOW THE FILINGS BY ALMO WATER COMPANY AND THE COMBINING OF RIGHTS IN ANOTHER FOFMAT. I COPIED THE WATER RIGHT LISTING FROM THE PROSPECTUS AND NOTED THE MISSING WATER RIGHT ELELMENTS ON THE SHEET FOR HIS USE.

I NOTED THE MENTION OF THE "CULINARY" SPRING FLOWING 42 GPM TO SHOW THAT DOM/STK USAGE IS LIMITED TO 13,000 GPD.

I CAME IN EARLY 06-18-97, WEDNESDAY, TO FINISH UP MY RESEARCH AND TO MARK UP EXHIBITS. I CALLED HISAW'S VOICE MAIL AT HIS OFFICE AND LEFT A MSG REGARDING MY FINDINGS AND ASKING HIM TO CALL ME INSTEAD OF COMING BY TO PICK UP THE RESEARCH. DURING A BREAK FROM COMPUTER WORK I CALLED HIS OFFICE AGAIN AT 10:20 AND SPOKE WITH HIS SECRETARY WHO SAID SHE WOULD PAGE HIM AND GIVE HIM THE MSG.

HE CALLED ME AT 4:45 TO ASK WHAT I HAD FOR HIM. I DESCRIBED THE CONFLICTS, COMBINED RIGHTS AND COMPETING CLAIMS PLUS THE MISSED IRRIGATION RIGHT.

HE ASKED IF OTHER THAN WHAT I HAD JUST DESCRIBED TO HIM WERE THERE ANY OTHER "BOOGERMANS THAT JUMPED OUT AT ME DURING MY REVIEW". I SUGGESTED THAT HE CALL AHEAD TO BE SURE I WAS IN THE OFFICE AND STOP IN TO GO OVER THE RESEARCH WITH ME.

ALL EXHIBITS PROVIDED TO HISAW HAVE BEEN COPIED/HIGHLIGHTED AND MARKED JUST AS THEY WERE FOR HIM. THEY HAVE BEEN PUT INTO THE HARMSH CLAIM FILES FOR REFERENCE. I WILL PUT A COPY OF THIS ENTRY INOT THE ALMO WATER COMPANY CLIAM FILES FOR A CROSS-REFERENCE.

265 ac difference from FE

↓

| SEC | IRR | AC | NON | IRR | LIC |
|-----|-----|----|-----|------|-----|
| 3 | 65 | | 15 | hill | 80 |
| 4 | 110 | | 10 | hill | 120 |
| 8 | 85 | | 35 | sage | 120 |
| 9 | 210 | | 10 | sage | 220 |
| 10 | 225 | | | | 265 |
| 14 | 300 | | 20 | sage | 320 |
| 15 | 120 | | | | 120 |
| 16 | 185 | | 15 | sage | 200 |
| 21 | 80 | | | | 80 |
| 22 | 180 | | | | 180 |
| 23 | 260 | | | | 260 |
| 25 | 120 | | | | 120 |
| 26 | 240 | | | | 260 |
| 27 | 60 | | 80 | sage | 140 |