

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 43-2594
Date Received: 7/18/89
Receipt No: S008595
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

USA NATIONAL PARK SERVICE

Phone:

C/O IDAHO DEPT OF PARKS & REC
CITY OF ROCKS SUPERINTENDENT
P O BOX 169
ALMO ID USA 83312

2. Date of Priority: 05/29/1967

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	Type
15S	24E	9	SE SW	CASSIA	
15S	24E	16	NW NE	CASSIA	
15S	24E	9	NW SW	CASSIA	

5. Description of diverting works:

HEADGATES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.64	

7. Total Quantity Appropriated is:
1.64 C.F.S. and/or 287 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15S	24E	9	NE	SW	IRRIGATION	10
			SE	SW	IRRIGATION	10
			SW	SE	IRRIGATION	40
			Section Acres			60
15S	24E	16	NE	NW	IRRIGATION	12
			SE	NW	IRRIGATION	10
			Section Acres			22
			Total Acres			82

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:

14. Remarks:

USE OF WATER UNDER THIS LICENSE IS SUBJECT TO CONTROL BY THE WATERMASTER OF
STATE WATER DISTRICT NO. 43B, ALMO CREEK

THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE THAN 0.02 CFS/AC
NOR MORE THAN 3.5 AF/AC FOR THE LANDS ABOVE

4 P/D IN SESW, S9, T15S, R24E

| CHANGE OF OWNER 12-14-90 ***** 7-29-99: CHANGE OF
OWNERSHIP HARMASH TO CONSERVATION FUND PER NOTICE RECD 7-20-99. - VH
***** 10/7/99 TF; WILLIAM
PARSONS ADDED AS ATTORNEY PER REQUEST REC'D 9/24/99

15. Basis of Claim: License

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	43-2594	—			—
	43-2586	—			—
	43-389	—			—
	43-477A	—			—
	43-10647	—			—

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) The Conservation Fund
Mr. Mark Elsbree
P.O. Box 1524
Sun Valley, ID 83353
4. New Owner/Claimant(s) USA, Dept. of Interior, National Park Service
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
c/o Idaho Dept. of Parks & Recreation
City of Rocks Superintendent
- New Mailing Address P.O. Box 169, Almco, ID 83312
- City, State and ZIP Code P.O. Box 169, Almco, ID 83312
- New Telephone Number (208) 824-5519
5. Date you acquired the property March 15, 2001

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

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

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

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

Rick L. Wagner
 Chief, Land Resources Program Center
 Columbia-Cascades Support Office
 National Park Service
 909-15th Avenue, Seattle, WA 98104

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

273963

INST#

273963

299

CASSIA COUNTY, IDAHO

DARREL M. ROSKELLEY

RECORDER

FEE 9.00 DEPUTY dmDATE 3-15-01TIME 3:51 PM

RECORDED AT THE REQUEST OF

LAND TITLE & ESCROW

AFTER RECORDING, MAIL TO:
National Park Service
Columbia Cascades Land Resources PC
909 First Avenue-5th Floor
Seattle, WA 98104-1060

STATUTORY WARRANTY DEED

The Grantor, THE CONSERVATION FUND, a Maryland non-profit corporation, 1800 North Kent Street, Suite 1120, Arlington, VA 22209, for and in consideration of the sum of SIX HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$680,000.00), to it paid, receipt of which is hereby acknowledged, does hereby convey and warrant to the UNITED STATES OF AMERICA and its assigns, the following described property located in the County of Cassia, State of Idaho to wit:

- Section 8: Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),
East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$),
Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$),
East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$)
- Section 9: Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
Southwest Quarter (SW $\frac{1}{4}$),
West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$),
Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
- Section 16: Northeast Quarter (NE $\frac{1}{4}$),
West Half (W $\frac{1}{2}$)
- Section 17: Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
West Half of the Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$),
East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$)

All in Township 15 South, Range 24 East, Boise Meridian, Cassia County, State of Idaho.

Castle Rock Ranch

City of Rocks National Historical Reserve Tract No. 103-01

The land hereinabove described contains 1,240.00 acres, more or less.

The land is conveyed subject to existing easements of record for public roads and highways, public utilities, railroads and pipelines. AND SUBJECT TO Agreement for Electric Service recorded September 29, 1997 as Instrument No. 251391 on Film 291, Cassia County, Idaho, and to the mineral reservation for the benefit of the State of Idaho as evidenced in the deed recorded May 12, 1967 as Instrument No. 34957 on Film 49, Cassia County, Idaho.

TO HAVE AND TO HOLD the above granted and described premises, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any way appertaining, unto said UNITED STATES OF AMERICA and its assigns forever.

The Grantors further remise, release, and forever quitclaim to the UNITED STATES OF AMERICA, and its assigns all right, title and interest which the Grantors may have in the banks, beds and waters of any streams bordering the said land conveyed and also all interest in any alleys, roads, streets, ways, strips, gores or railroad rights-of-way abutting or adjoining said land and in any means of ingress or egress appurtenant thereto; TOGETHER WITH any and all the Grantors' right, title and interest in and to any and all water rights appurtenant to or associated with the Property which include, but are not limited to the water rights (the "Water Rights") conveyed to Grantor in that certain General Warranty Deed dated January 15, 1999, and recorded in Cassia County, Idaho, Recorder's Office as file no. 261463 and specifically described as:

- 1) Almo Creek, priority date of April 15, 1879 (decree date 10-18-1928). ID# A43-00373, for 3.7 CFS from 3-5 to 11-15, or a total consumptive use of 1,380 acre feet per annum.
- 2) ID #A43-00389, for 2.0 CFS from 3-15 to 11-15, or a total consumptive use of 1,380 acre feet per annum, April 30, 1879 (decree date 10-18-1928).
- 3) ID #A43-00477A for 1.5 CFS from 3-15 to 11-15, or a total consumptive use of 1,380 acre feet per annum, July 31, 1882 (decree date 10-18-1928).
- 4) ID #A43-02594, for 1.640 CFS from 3-15 to 11-15, or a total consumptive use of 205 acre feet per annum, May 29, 1967 (Basis of claim - License).
- 5) Out of Almo & Stines Creek - ID #A43-02586, for 2.82 CFS from 11-1 to 4-1, Priority date is January 13, 1958 (Basis of Claim).
- 6) ID #A43-10583, for 0.040 CFS from 1-1 to 12-31, May 1, 1969.

Castle Rock Ranch

City of Rocks National Historical Reserve Tract No. 103-01

The land is being acquired by the Department of Interior, National Park Service.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hands this 13th
day of March, 2001.

THE CONSERVATION FUND, a Maryland non-profit
corporation

By: [Signature]

Title: SAVP

ACKNOWLEDGMENT

Commonwealth of Virginia
County of Arlington ss.

On this 13th day of March, 2001, before me
Carolyn A. Niedzinski, the undersigned Notary Public in and for the state of
Virginia, personally appeared Richard L. Erdmann personally
known to me (or proved to me on the basis of satisfactory evidence) to be the person who
executed the within instrument as Senior Vice President, on behalf of The
Conservation Fund, a Maryland non-profit corporation, the corporation therein named and
acknowledged to me that the corporation executed said instrument as its free and voluntary
act and deed for the purposes therein mentioned, and on oath stated that he was authorized to
so execute said instrument.

[Signature]

Print Name: Carolyn A. Niedzinski

Notary Public in and for the State of Virginia,

Residing at Falls Church, VA

My commission expires 3/31/04

Castle Rock Ranch

City of Rocks National Historical Reserve Tract No. 103-01

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: **A43-02594**
Date Received: 7/18/1989
Receipt No: S008595
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: THE CONSERVATION FUND 703-525-6300
Address: 1800 N KENT STREET SUITE 1120
ARLINGTON VA 22209

2. Date of Priority: MAY 29, 1967

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	9		NW	SW		CASSIA
				SE	SW		CASSIA
		16		NW	NE		CASSIA

5. Description of diverting works:
HEADGATES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.640		

7. Total Quantity Appropriated is:
1.640 C.F.S. (and/or) 287.00 A.F.A.

8. Total consumptive use is 205.0 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	9	NE	SW		IRR	10.0
			SE	SW		IRR	10.0
			SW	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.0
		16	NE	NW	IRR	12.0
			SE	NW	IRR	10.0
					Section Acres	22.0
					Total Acres	82.0

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:
A43-00373, A43-00389, A43-00477

14. Remarks:
USE OF WATER UNDER THIS LICENSE IS SUBJECT TO CONTROL BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 43B, ALMO CREEK.
THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE
THAN 0.02 CFS/AC NOR MORE THAN 3.5 AF/AC FOR THE LANDS ABOVE.
4 P/D IN SESW, S9, T15S, R24E.
|
CHANGE OF OWNER 12-14-90

7-29-99: CHANGE OF OWNERSHIP HARMASH TO CONSERVATION FUND PER
NOTICE RECD 7-20-99. - VH

15. Basis of Claim: LICENSE

Water Right Number: 33628

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

Name(s) of Claimant (please print):

THE CONSERVATION FUND

I/we acknowledge (check one):

☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

☒ I/we are now represented by the attorney at the address below.

William A. Parsons

PARSONS, SMITH & STONE

137 West 13th Street - P. O. Box 910

Burley, Idaho 83318

Attorney's Phone 208-678-8382

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

A43-10647 A43-02594 A43-00477A
A43-02586 A43-00389 A43-10583

For Individuals:

Authorized signature(s) Date _____

For Organizations:

I am Northwest Representative of THE CONSERVATION FUND, and I

Title

Organization

have signed the foregoing document in the space below as

Northwest Representative of THE CONSERVATION FUND

Title

Organization

Signature of Authorized Agent [Signature]

Title Northwest Representative

Date 9/21/99

Organization The Conservation Fund

IDWR Use:

Date Received 9/24/99

Data Entry 10/7/99

PARSONS, SMITH & STONE, LLP

ATTORNEYS AT LAW

137 WEST 13TH STREET

P. O. BOX 910

BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
rcstone@cyberhighway.net

LANCE A. LOVELAND
love9593@cyberhighway.net

September 23, 1999

RECEIVED

SEP 24 1999

Department of Water Resources
Southern Region

Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RE: The Conservation Fund

Gentlemen:

Enclosed is Claimant Acknowledgement of Change in Attorney
in Snake River Basin Adjudication (SRBA), signed by that
company.

Very truly yours,

PARSONS, SMITH & STONE, LLP

William A. Parsons
William A. Parsons *W.A.P.*

WAP:rt
Enc.



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**

July 30, 1999

The Conservation Fund
1800 N. Kent Street, Suite 1120
Arlington, VA 22209

RE: Snake River Basin Adjudication (SRBA)
Claim Nos: A43-10647, A43-02586, A43-02594, A43-00389
A43-00477A, and 43-10583

Dear Sir or Madam:

We are in receipt of your Notice of Change of Ownership of the above Snake River Basin Adjudication Claims to a Water Right in Almo, Idaho. Enclosed are copies of the updated claim forms for your records; please review them carefully for any errors. Note that the claim referred to in Exhibit B of your Warranty Deed from Mr. Harmash as A43-00373, has been renumbered A43-10647 for administrative purposes.

The Department of Water Resources is currently in the process of reviewing claims in the Almo area for recommendation to the SRBA Court later this year. For your information, I have included a pamphlet that briefly explains the Adjudication process in Idaho. If you have any questions regarding the above claims, or the Adjudication in general, please don't hesitate to call me at this office.

Sincerely,

Vikie Hancock
Water Resource Agent

RECEIVED

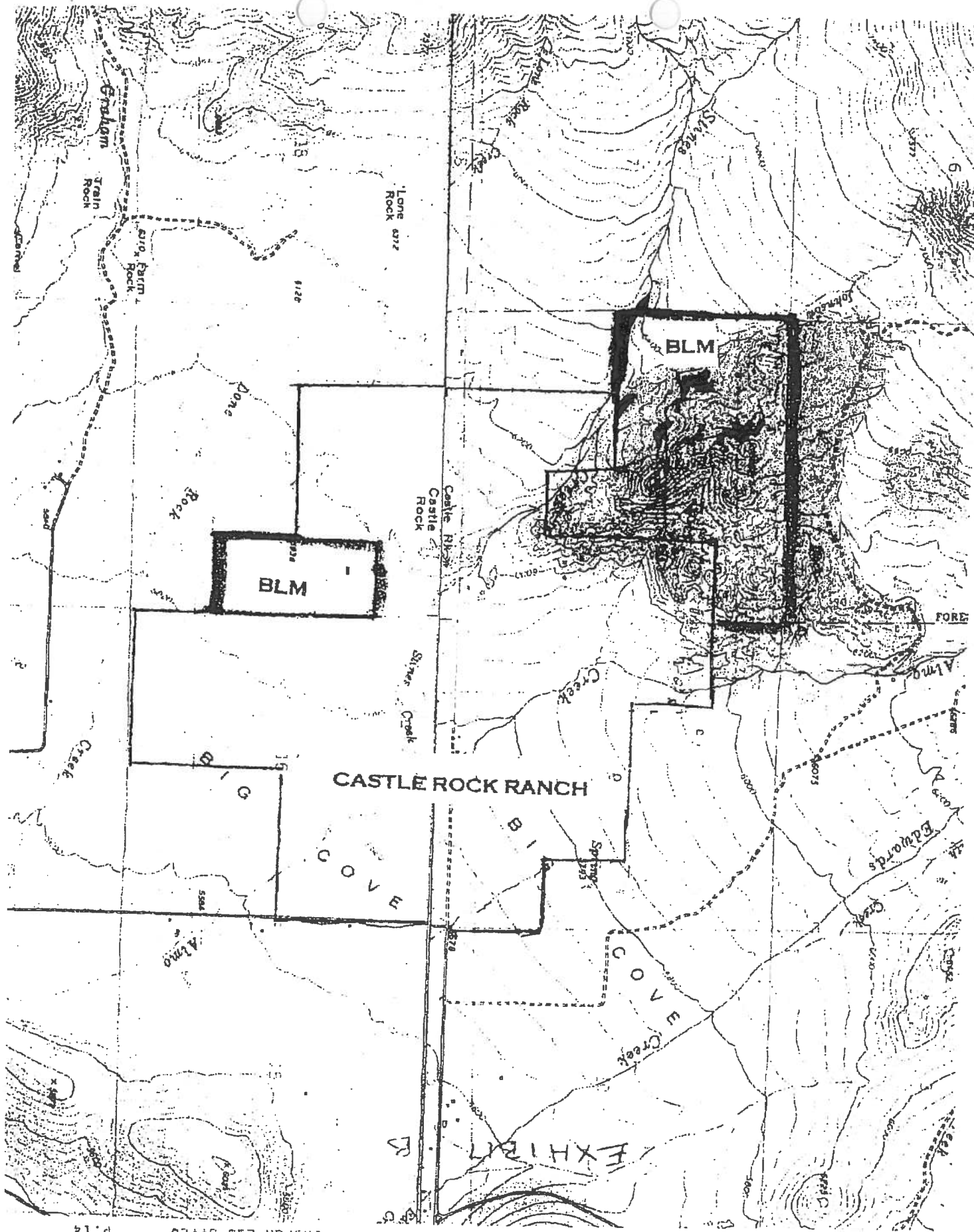
JUL 20 1999

Department of Water Resources
Southern RegionSTATE OF IDAHO
IDAHO 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.REMOVED
10647

1. Water Right No(s).: A43-00373, A43-00389, A43-00477A, A43-02594, A43-02586, A43-10583
Adjudication Claim No(s).: _____
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 Robert Harmash and Lenette Harmash
Box 196, Almo, Idaho 83312
4. New Owner/Claimant(s) The Conservation Fund
New Mailing Address Name Connector (Check one): [] and, [] or, [] and/or
1800 N. Kent Street - Suite 1120
City, State and ZIP Code Arlington, Va. 22209
New Telephone Number 703-525-6300
5. Date you acquired the property March 12, 1999
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 350 (approx.) Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ 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) THE CONSERVATION FUND
BY [Signature]
(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..



WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
rcstone@cyberhighway.net

PARSONS, SMITH & STONE, LLP
ATTORNEYS AT LAW
137 WEST 13TH STREET
P O BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

July 19, 1999

RECEIVED

JUL 20 1999

**Department of Water Resources
Southern Region**

Idaho Department of
Water Resources
1341 Fillmore Street - Suite 200
Twin Falls, Idaho 83301-3380

RE: The Conservation Fund

Gentlemen:

I am enclosing a Notice of Change of Water Right Ownership together with the map and a deed.

I have enclosed a self-addressed envelope and a copy of the front page of the Notice of Change so that you can stamp the received copy and mail it back to me.

Very truly yours,

PARSONS, SMITH & STONE, LLP



William A. Parsons

WAP:rt
Enc.

GENERAL WARRANTY DEED

(Harmash Property – Cassia County, Idaho)

THIS GENERAL WARRANTY DEED is granted by ROBERT HARMASH, whose wife's name is LANETTE HARMASH ("Grantor"), for the consideration of Ten and no/100s Dollars (\$10.00) and other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, which hereby grants, bargains, sells, conveys and confirms to THE CONSERVATION FUND, a Maryland non-profit corporation, the address of which is 1800 North Kent Street, Suite 1120, Arlington, VA 22209, County of Arlington, Commonwealth of Virginia ("Grantee"), and to its successors and assigns forever, the following described property in Cassia County, Idaho (the "Property"),

See Exhibit A, attached hereto and incorporated by reference.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, including any and all water rights appurtenant to or associated with the Property which include, but are not limited to those water rights listed on the attached Exhibit B, unto the grantee, its successors and assigns forever. And the Grantor, for itself and its successors in interest, personal representatives, and assigns, does covenant, grant, bargain and agree to and with the Grantee, its successors and assigns, that at the time of the delivery of this deed, it is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except the following which are recorded in the records of Cassia County, Idaho: Reservations in United States Patents recorded (1) January 4, 1898 in Book 6 of Deeds on Page 222; (2) January 4, 1898 in Book 6 of Deeds on Page 223; (3) March 31, 1902 in Book 7 of Deeds on Page 482; and (4) November 27, 1926 as Instrument No. 83091 in Book 1 of Patents on Page 320; and except (5) reservation in State of Idaho Deed recorded May 12, 1967 as Instrument No. 34958 on Film 49; (6) Agreement for Electric Service recorded September 29, 1997 as Instrument No. 251391 on Film 291; and except (7) taxes for 1999 and subsequent years.

The Grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

IN WITNESS WHEREOF, the Grantor has duly executed this instrument this 15th day of January, 1999.

~~ROBERT HARMASH, whose wife's name is Lanette Harmash~~

LANETTE HARMASH

Lanette Harmash

BY:

ROBERT HARMASH, her Attorney-In-Fact

)

) SS:

On this 15 day of January, 1999, before me, the undersigned, a Notary Public in and for the jurisdiction aforesaid, personally appeared Robert Harmash ~~and Lorette Harmash~~, known to me to be the persons who executed the foregoing instrument.

Notary Public

My Commission Expires: 6-30-03

LARRY ROBERTS
 ☆ **NOTARY PUBLIC** ☆
STATE OF IDAHO
 RESIDING AT BURLEY, ID
 MY COMMISSION EXPIRES

)

) SS

On this 15th day of January, 1999, before me, the undersigned, a Notary Public, in and for said State, personally appeared ROBERT HARMASH, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-in-Fact of LANETTE HARMASH, and acknowledged to me that he subscribed the name of Lanette Harmash thereto as principal, and his own name as Attorney-in-Fact.

Notary Public

Residing at: Burley, ID
My Commission expires:
6-30-03

NOTARY PUBLIC
STATE OF INDIANA

RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES

EXHIBIT A

LEGAL DESCRIPTION

(page 1 of 1)

Township 15 South, Range 24 East of the Boise Meridian, Cassia County, Idaho:

Section 8: [✓]SE1/4 [✓]NE1/4, E1/2 [✓]SE1/4, SW1/4 SE1/4, E1/2 SW1/4

Section 9: SW1/4 NW1/4, SW1/4, W1/2 SE1/4, SE1/4 SE1/4

Section 16: NE1/4, W1/2

Section 17: NE1/4 NE1/4, W1/2 NE1/4, E1/2 NW1/4

EXHIBIT B

WATER RIGHTS

- ✓ 1) Almo Creek, priority date of April 15, 1879 (decree date 10-18-1928). ID # A43-00373, for 3.7 CFS from 3-15 to 11-15, or a total consumptive use of 1,380 acre feet per annum.
- ✓ 2) ID # A43-00389, for 2.0 CFS from 3-15 to 11-15, or a total consumptive use of 1,380 acre feet per annum, April 30, 1879 (decree date 10-18-1928).
- ✓ 3) ID # A43-00477A, for 1.5 CFS from 3-15 to 11-15, or a total consumptive use of 1,380 acre feet per annum, July 31, 1882 (decree date 10-18-1928).
- ✓ 4) ID # A43-02594, for 1.640 CFS from 3-15 to 11-15, or a total consumptive use of 205 acre feet per annum, May 29, 1967 (Basis of Claim - License).
- ✓ 5) Out of Almo & Stines Creek – ID # A43-02586, for 2.82 CFS from 11-1 to 4-1, Priority date is January 13, 1958 (Basis of Claim).
- ✓ 6) ID # A43-10583, for 0.040 CFS from 1-1 to 12-31, May 1, 1969.

RECORDED IN REQUEST OF
LAND TITLE & ESCROW
FILM _____
1999 MAR 12 P 4:40
CASSIA COUNTY, IDAHO
DANIEL M. ROSKELLEY
RECORDER
FEE \$200.00
261463

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: A43-02594
Date Received: 7/18/1989
Receipt No: S008595
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT HARMASH 208-824-5546
Address: P.O. BOX 196
ALMO, ID 83312

2. Date of Priority: MAY 29, 1967

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	9		NW	SW		CASSIA
				SE	SW		CASSIA
		16		NW	NE		CASSIA

5. Description of diverting works:
HEADGATES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.640		

7. Total Quantity Appropriated is:
1.640 C.F.S. (and/or) 287.00 A.F.A.

8. Total consumptive use is 205.0 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	9	NE	SW		IRR	10.0
			SE	SW		IRR	10.0
			SW	SE		IRR	40.0

A43-02594

Page 1

Date: 12/14/90

MICROFILMED

MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.0
		16	NE	NW	IRR	12.0
			SE	NW	IRR	10.0
					Section Acres	22.0
					Total Acres	82.0

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:

A43-00373, A43-00389, A43-00477

14. Remarks:

USE OF WATER UNDER THIS LICENSE IS SUBJECT TO CONTROL BY THE WATERMASTER OF STATE WATER DISTRICT NO. 43B, ALMO CREEK. THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE THAN 0.02 CFS/AC NOR MORE THAN 3.5 AF/AC FOR THE LANDS ABOVE. 4 P/D IN SESW, S9, T15S, R24E.

CHANGE OF OWNER 12-14-90

15. Basis of Claim: LICENSE

Water Right Number: 33628

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): _____ Date: _____
_____ 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 _____

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[] Water Right Number(s): A43-10583, -02586, -02594, -00373, 00389 +
A36-00477.

[] Name and Address of
Former Claimant: LYNN WOODBURY
20455 FORTUNA DEL SUR
ESCONDIDO, CA 92025

[] New Claimant(s): ROBERT HARMASH
P.O. Box 196, ALMO, ID 83312

[] New Mailing Address: _____

New Telephone Number: (208) 824-5546

[] Does the change in ownership result in a splitting of the
water right claimed? _____ yes X no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: WARRANTY DEED

[] Signature of New Claimant(s): [Signature] 12/14/90

Date: _____

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-14-90 By: SCL

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

MAR 04 1993

210592

WARRANTY DEED

For Value Received

LYNN K. WOODBURY and BONNIE L. WOODBURY, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
ROBERT HARMASH, a single man

Address: P. O. Box 196, Almo, Idaho 83312

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
to-wit:

TOWNSHIP 15 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 8: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 9: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 16: NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$

Section 17: NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT TO:

Taxes for 1990 and subsequent years.

Purchase Money Mortgage in favor of Matthews Brothers, Inc. which
the Grantee assumes and agrees to pay.

TOGETHER WITH all water and water rights, ditches and ditch rights
used thereon or appurtenant thereto including but not limited to
9.5 shares of stock in the Almo Water Co.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
free from all incumbrances except as above described and that Grantor will warrant and defend the
same from all lawful claims whatsoever.

Dated: August 27, 1990

Lynn K. Woodbury
Lynn K. Woodbury

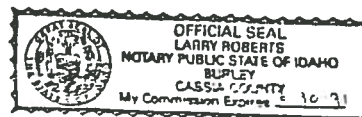
Bonnie L. Woodbury
Bonnie L. Woodbury

STATE OF IDAHO, COUNTY OF Cassia
On this 27 day of August, 1990
before me, a notary public in and for said State, per-
sonally appeared

Lynn K. Woodbury and
Bonnie L. Woodbury

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Notary Public
Commission expires 6-30-91



210592
RECORDED AT THE OFFICE OF
LAND TITLE & ESCROW
NOV 15 3 52 PM '90
CASSIA COUNTY
IDAHO
FRANK J. HARRIS

MICROFILMED

MAR 04 1993

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: A43-02594
Date Received: 7/18/1989
Receipt No: S008595
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LYNN WOODBURY 619-756-5584
Address: 20455 FORTUNA DEL SUR
ESCONDIDO, CA 92025

2. Date of Priority: MAY 29, 1967

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	9		NW	SW		CASSIA
				SE	SW		CASSIA
		16		NW	NE		CASSIA

5. Description of diverting works:
HEADGATES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.640		

7. Total Quantity Appropriated is:
1.640 C.F.S. (and/or) 287.00 A.F.A.

8. Total consumptive use is 205.0 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	9	NE	SW		IRR	10.0
			SE	SW		IRR	10.0

A43-02594

Page 1

Date: 07/18/89

MICROFILMED

MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	24E	9	SW	SE		IRR	40.0
						Section Acres	60.0
		16	NE	NW		IRR	12.0
			SE	NW		IRR	10.0
						Section Acres	22.0
						Total Acres	82.0

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:
A43-00373, A43-00389, A43-00477

14. Remarks:
USE OF WATER UNDER THIS LICENSE IS SUBJECT TO CONTROL BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 43B, ALMO CREEK.
THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE
THAN 0.02 CFS/AC NOR MORE THAN 3.5 AF/AC FOR THE LANDS ABOVE.
4 P/D IN SESW, S9, T15S, R24E.

15. Basis of Claim: LICENSE
Water Right Number: 33628

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): Lynn K. Woolf Date: 7-18-89
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of July 19 89 Steve Allen
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

5972

24E

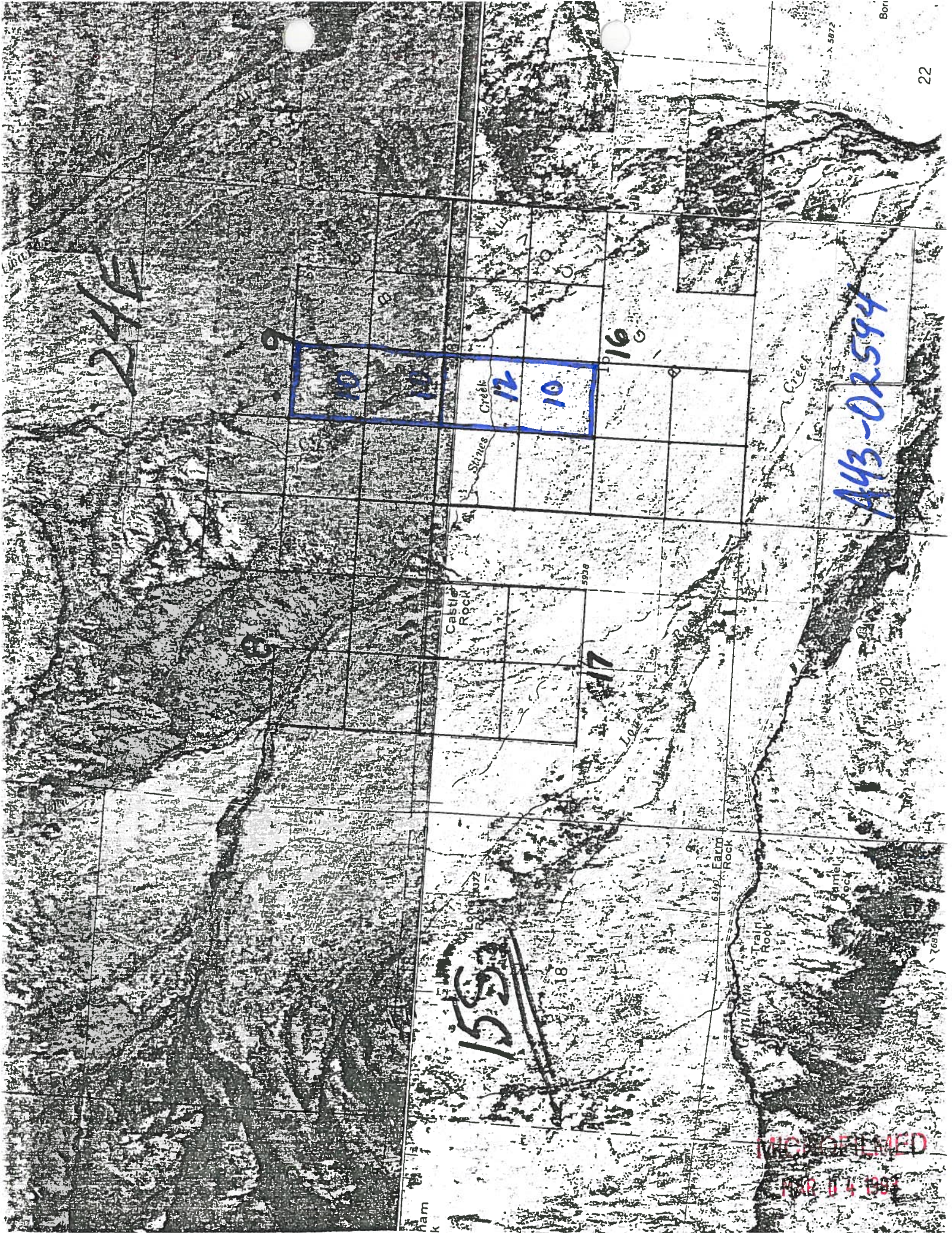
15S

A43-02594

MICROFILMED

MAR 11 4 1981

Ham
K



06/01/2001

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

RIGHT NUMBER: 43-2594

NAME AND ADDRESS: USA NATIONAL PARK SERVICE
C/O IDAHO DEPT OF PARKS & REC
CITY OF ROCKS SUPERINTENDENT
P O BOX 169
ALMO, ID 83312

SOURCE: ALMO CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 1.64 CFS
287 AFY

PRIORITY DATE: 05/29/1967

POINT OF DIVERSION:	T15S R24E S9	SENWSW	Within CASSIA County
	T15S R24E S9	NWSESW	Within CASSIA County
	T15S R24E S9	NWSESW	Within CASSIA County
	T15S R24E S9	SWSESW	Within CASSIA County
	T15S R24E S9	SESESW	Within CASSIA County
	T15S R24E S16	NWNWNE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	1.64 CFS 287.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T15S R24E S16	NENW	18	T15S R24E S16 SENW 4
T15S R24E S9	NESW	10	T15S R24E S9 SESW 10
T15S R24E S9	SWSE	40	

82 ACRES TOTAL

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.

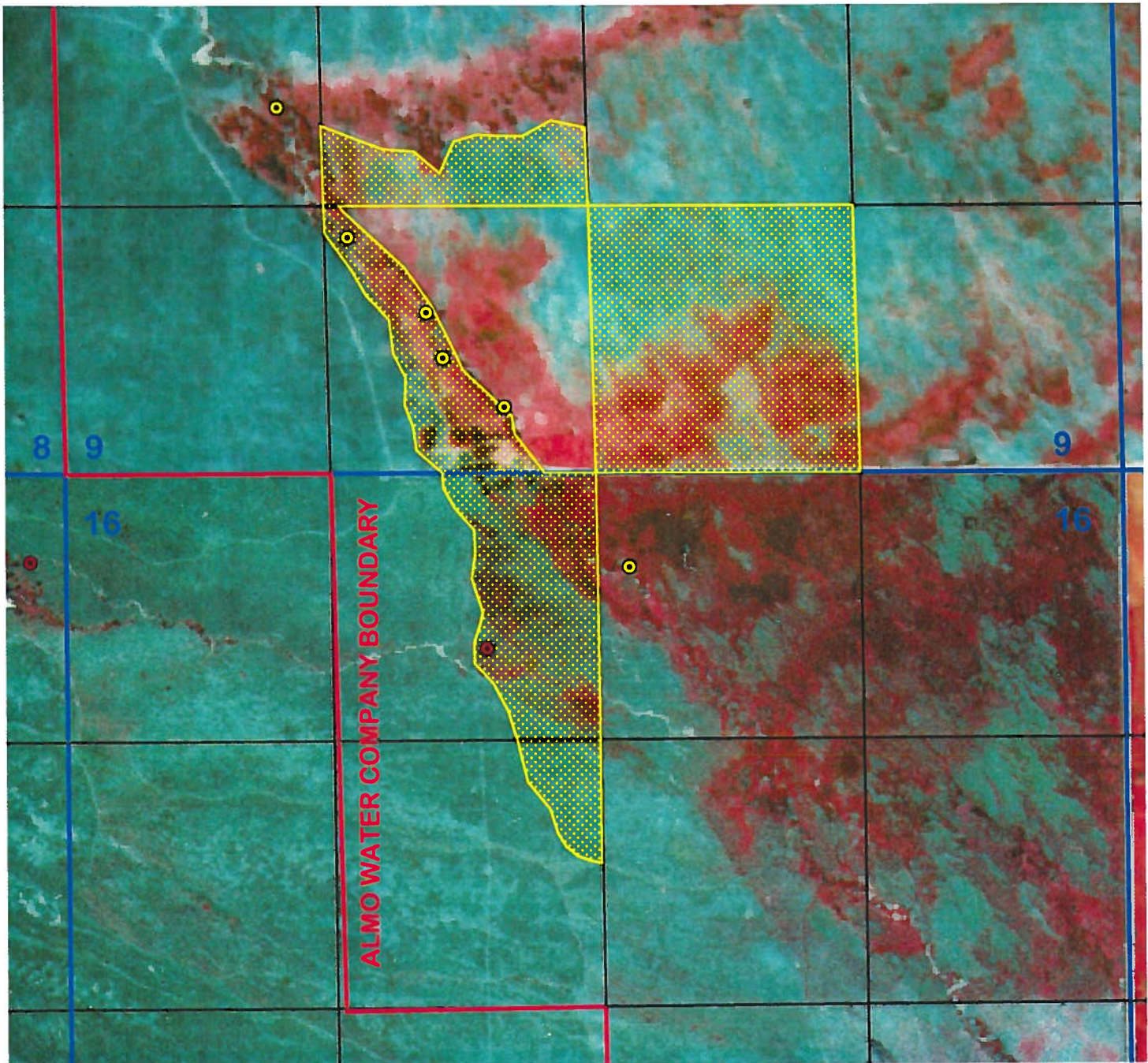
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43D.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM ALMO WATER COMPANY.

RIGHT: 43-2594

RECOMMENDED PLACE OF USE
TWP 15S, RNG 24E, Sec 9 & 16
Data entry on October 16, 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

Memo

October 23, 2002

From: Vikie Hancock

To: Mike Wissenbach

Re: City of Rocks Preserve, Almo
Water Rights 43-2594 and 43-13106

Mike,

Enclosed are maps outlining each of the above rights. I also included the Agreement mentioned in our phone conversation of today that relates to the ground water recharge use, and a short explanation of right 45-2594 on Almo Creek that I found in the file.

As Doug said, if after review of these papers you have any other questions, don't hesitate to contact me here at the office.

208-736-3033

email vhancock@idwr.state.id.us.

mike_wissenbach@NPS.gov

North Park Service

PO Box 570

Hayman, ID 83382

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

6/11/2001

Regarding:

Contact:

NPS City of Rocks/Castle Rocks Ranch

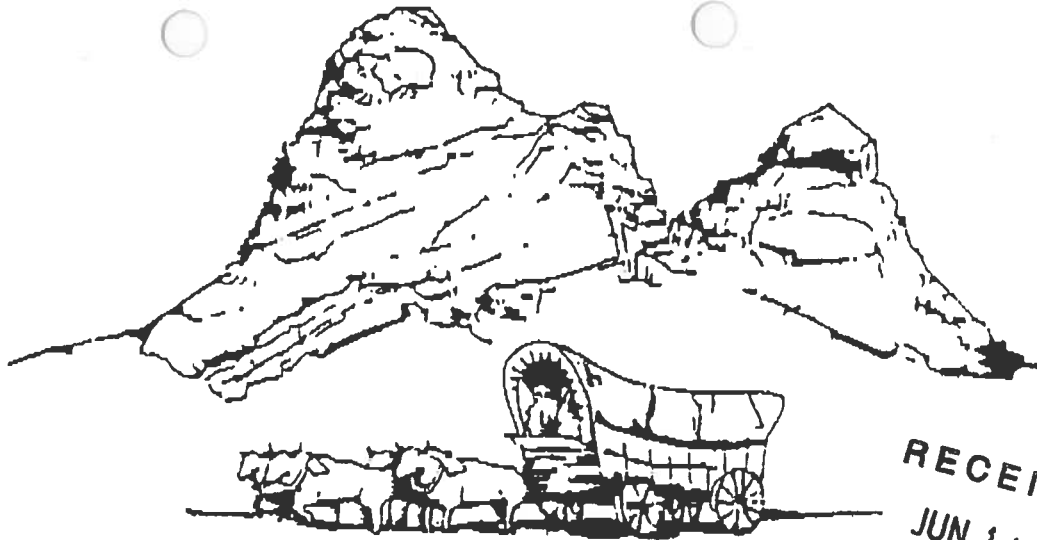
Bruce Durfee

Bruce called regarding the spring that Ned Jackson discussed with me at our meeting regarding water rights at the Castle Rocks Ranch that the NPS purchased. Bruce said that he remembers water being used from the spring in the orchard and yard at the home before Harmash. He said that Ray and Karen Jones lived there when he remembered the water use and that it was probably about 20 years ago. He thought that they irrigated about 1 or 2 acres with the spring. He agreed that the trees in the orchard were probably older than 20 years, but couldn't say for sure what the water source was used earlier than that. He said that Ray Jones was still in the area.

I told him that if the Jones could sign a statement which outlined the source of the water and the area watered and the year they first had knowledge of the use they should give it to Ned Jackson at City of Rocks. Ned would then be able to contact the NPS and they could file a claim.

Stmt Rec'd 6/14/2001
NO CLAIM FILED THIS
date

UH 10/23/02



RECEIVED
JUN 14 2001
Department of Water Resources
Southern Region

CITY OF ROCKS NATIONAL RESERVE



PO BOX 169
ALMO, IDAHO 83312

TELEFAX (208) 824-5563
TELEPHONE (208) 824-5519



Date: 6/14/2001

To: Vickie From: Juanita

Subject: Water Statement

Page 1 of 2 Pages.

REMARKS/COMMENTS:

Statement for the Castle Rocks Ranch
Spring.

THANKS Juanita

If you do not receive all of the pages, please call
Juanita at (208) 824-5519.

*To whom it may concern:
June 12, 2001*

*I Ray and Karen Jones lived at the Castle Rocks home
in Almo Idaho from the years 1978 to 1983. While we
lived there the spring was used for the house, irrigating
the orchard, lawn and a garden, approximately 1.5 acres.*

RECEIVED
JUN 14 2001
Department of Water Resources
Southern Region

Karen Jones June 12 2001
Ray Jones

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

5/31/2001

Regarding: 43-2594, 43-2586, 43-389, 43-477A, 43-10647

Customer: Ned Jackson, Id Dept of Parks and Recreation
and Rick Wagner National Park Svc

>

The above gentlemen met with me this date to discuss the various claims which were in the name of the Conservation Fund at the time of the preliminary report mailing. An ownership change was completed to change the ownership of the claims to the National Park Service. The NPS will be conveying the ownership to the Idaho Dept of Parks and Recreation in the near future, and also selling off a portion of the irrigated land to private ownership. The land proposed to be sold to private ownership is located in the S ½ SE section 9 and the NE ¼ section 16, and is irrigated with Almo Water Company shares. The Park Svc plans to retain ownership of the licensed 82 acres represented by 43-2594 and a portion of the winter recharge right 43-2586.

Regarding 43-2586: Ned Jackson confirmed that the Park Service had continued to use their winter recharge right on all but the SESE Sec 16 now owned by Cordell Sheridan. He said that when Bob Harmash sold the SESE Sec 16 to Sheridan he did not sell the water rights with it. I said that, since the transaction occurred post 1987, an administrative transfer was necessary to remove the water from Sheridan's 40 acres, and that one hadn't been filed. I also stated that if no water had been used for winter recharge on the 40 acres for the past 5 years that a transfer would probably not now be approved. Jackson and Wagner discussed this and decided that, unless I heard differently from their attorney, that I should just remove the 40 acres from the water right.

I also gave Mr. Wagner a copy of the Matthews agreement, which he was not aware of. I told him that, as far as the department was concerned, the right was still legally owned by Matthews successors, as the right was never assigned to Almo Water Company in our records, but that I did want him to be aware of it.

It was determined that a claim for irrigation from the spring used for domestic use had not been filed. The domestic and stock use was filed as 43-10583 but irrigation was not included. Ned Jackson said that several acres of orchard were irrigated from the spring, and that he would provide an affidavit for proof of priority and they would file a BU claim on it. He said the spring has since

been replaced by a well for domestic use. The pipes from the spring still go into the house and then to a pipeline that sprinkles the orchard and provides stockwater also.

10/20/2000

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

RIGHT NUMBER: 43-2594

NAME AND ADDRESS: THE CONSERVATION FUND
1800 N KENT STREET SUITE 1120
ARLINGTON, VA 22209

SOURCE: ALMO CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 1.64 CFS
287 AFY

PRIORITY DATE: 05/29/1967

POINT OF DIVERSION:	T15S R24E S9	SENWSW	Within CASSIA County
	T15S R24E S9	NWSESW	Within CASSIA County
	T15S R24E S9	NWSESW	Within CASSIA County
	T15S R24E S9	SWSESW	Within CASSIA County
	T15S R24E S9	SESESW	Within CASSIA County
	T15S R24E S16	NWNWNE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	1.64 CFS 287.0 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T15S R24E S16	NENW	18	T15S R24E S16	SENW	4
T15S R24E S9	NESW	10	T15S R24E S9	SESW	10
T15S R24E S9	SWSE	40			
82 ACRES TOTAL					

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 - License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM ALMO WATER COMPANY.

RECOMMENDATION NOTES

From: Vikie Hancock

10/20/00

Regarding: Claim 43-2594

This claim is based upon a license that was intended to appropriate additional water from Almo Creek to irrigate acres not already covered by Almo Water Company shares. A total of 82 acres were found irrigated that were not irrigated by Almo Water Company shares during the field exam in 1974.

Based upon field examiner's notes from licenses 43-2594 and 43-2232 (Almo Water Company), I was able to outline an area of 82 acres. This water is assumed to be co-mingled with AWC shares as they share diversion points. Diversion rate and volume is as licensed.

COMMUNICATION DOCUMENTATION

From: Vikie Hancock
1999

September 16,

Regarding:

A43-02594, -02586, -10647, -00389,
-00477A

Customer:

William Parsons for
The Conservation Fund

[illegible]

Mr. William Parsons, Atty at Law, called today regarding my letter informing the Conservation Fund of the status of their claims in the SRBA. He is representing The Fund, and requested that I send him some Notice of Appearance forms.

He told me that his client filed suit against Robert Harmash, and on Sept 7th obtained a judgement against him in regard to the Almo Water Company certificates. Harmash was supposed to turn the certificates over to the Conservation Fund on September 15th, but failed to do so. The Almo Water Company is aware of this development.

He said that at this point, the only issues he could see concerned the claim based upon the ground water recharge license 43-02586. He wanted to know if he could have copies of all the documents in our files pertaining to the sale of property in SESE Section 16 from Harmash to Cordell Sheridan. I told him that all my information was verbal, and he said that he would obtain the information he needed from the Cassia County Courthouse. I told him that, in my conversation with Cordell, Cordell had been unsure of his ownership of any portion of the gw recharge license.

He indicated that he understood the status of the other claims, but that he was not through researching everything.

I told him that I was pleased that the issue of the ownership of the certificates had been resolved, and he said that he would send me a copy of the judgement for my files.



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

September 1, 1999

The Conservation Fund
1800 N. Kent Street, Suite 1120
Arlington, VA 22209

RE: Snake River Basin Adjudication (SRBA)
Claim Nos: A43-10647, A43-00389, A43-00477A, A43-02586,
A43-02594, A43-10583

Dear Sir or Madam:

The above Claims for a Water Right in the Snake River Basin Adjudication are appurtenant to the Castle Rock Ranch in Almo, Idaho, conveyed to you by warranty deed from Robert Harmash. This letter is to inform you that the validity of a number of these claims is currently in question.

Claim numbers A43-10647 (identified on Exhibit B of your Warranty Deed as A43-00373 but renumbered by the Department on December 14, 1990), A43-00389 and A43-00477A, are all claims based upon water rights that my investigation shows were decreed, or otherwise conveyed, to the Almo Water Company prior to the commencement of the Adjudication. The Almo Water Company has also claimed these rights. Based upon the information available to me at this time, my recommendation to the SRBA Court will be to disallow the Conservation Fund's claim to these rights, and to recommend them as part of the Almo Water Company. The Department of Water Resources does not administer the delivery of water within the boundaries of the Almo Water Company, therefor your ownership of the share certificates issued by the company is a matter more appropriately decided between you and Mr. Harmash.

The status of your other claims are as follows: Claim number A43-02594, based upon a licensed water right for the use, for irrigation, of 1.64 cfs of water from Almo Creek on eighty two acres in Sections 9 and 16, Township 15S, Range 24E appears to be a valid claim at this time.

Claim number A43-02586 is based upon a licensed water right for root zone recharge between October 1 and March 31, subject to the conditions of an agreement between the permittees and the Almo Water Company dated March 26, 1964. A portion of this water right is appurtenant to property conveyed to Cordell Sheridan by Mr. Harmash prior to your purchase of the Castle Rock

Ranch. Unless Mr. Harmash specifically reserved the water right in his deed of conveyance to Mr. Sheridan, a proportionate amount of the licensed right should properly be in Mr. Sheridan's ownership, however he has not notified the department of his intent in this matter. A transfer of the licensed water from his property to land owned by the Conservation Fund may be appropriate.

Claim number 43-10583, for domestic use, was recommended and decreed in the SRBA in 1998.

If you have any information that would have bearing upon my recommendations to the SRBA Court on any of the above claims, please bring it to my attention as soon as possible. The contents of our files are available to you upon request. If you wish us to correspond through your attorney, please provide a notice of appearance. If I can be of any other assistance, please don't hesitate to call me at this office.

Sincerely,

Vikie Hancock
Water Resource Agent

NOTE TO FILE

From: Vikie Hancock

7/28/99

Regarding: Ownership change - Harmash to Conservation Fund
Adjudication Claims: A43-00373 (renumbered A43-10647), A43-00389, A43-02586, A43-02594, A43-10583.

During discussion with Sara Denniston, it was decided that Robert Harmash intended to convey his entire interest in the water right claims listed in Exhibit B of the Warranty Deed to the Conservation Fund.

Per the Warranty Deed, Mr. Harmash conveyed ownership of all his ranch to the Conservation Fund, except 40 acres in the SE SE Section 16.

Regarding the Water Rights listed in Exhibit B of the Warranty Deed:

- Domestic claim A43-10583 is appurtenant solely to the property conveyed.
- Claim A43-02594, based on a license, is appurtenant solely to the property conveyed.
- In order to transfer the use of water licensed to the above mentioned 40 acres in the SE Se Section 16 under a portion of license number 43-02586, a transfer must be applied for.
- Claims A43-10647, A43-00389, A43-00477A are based upon decrees that were not originally appurtenant to the SE SE of Section 16. These decreed rights were conveyed to Almo Water Company by a predecessor in interest of Mr. Harmash, and are properly claimed by Almo Water Company. The above claims filed by Harmash will most probably be disallowed in the Adjudication. Therefore, ownership of these entire claims may be conveyed to the Conservation Fund with a remark in the electronic record that the SE SE Section 16 was retained by Harmash, but that the portion of the water right claimed to be appurtenant to that tract was conveyed. No amendment of the claim to remove the SE SE Section 16 from the place of use was deemed appropriate, under the circumstances. If an SRBA recommendation of disallowal is successfully objected to by the new claimant, a transfer will be required to move the use of that portion of the water decreed under the above rights, from the SE SE Section 16, to property purchased by the new claimant.

State of Idaho
Department of Water Resources

RECEIVED

JUL 25 1983

WATER RIGHT LICENSE

License of Water Right No. 43-2594 Priority May 29, 1967 Amount 1.64 cfs

Department of Water Resources
Southern District Office

THIS IS TO CERTIFY, that Matthews Brothers
of Oakley, ID, has complied with the terms and conditions of Permit
No. 43-2594 issued pursuant to Application for Permit dated May 29, 1967
and has submitted proof to the Department of Water Resources on October 10, 1969
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 28.41 cfs of water from Almo Creek
tributary to Raft River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>1.64</u> cfs and	<u>287.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.64 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
287.0 acre feet per year, said waters to be diverted within the (1 pt), NW $\frac{1}{4}$ SW $\frac{1}{4}$, (4 pts),
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, (1 pt) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, in the County of Cassia
Twp. 15S, Rge. 24E

Description and location of place of use:

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 $\frac{1}{4}$	
15S	24E	9									10			10			40		60
		16					12			10									22

Total number of acres irrigated 82

Use of water under this license is subject to control by the watermaster of
State Water District No. 43-B, Almo Creek.

This right when combined with all other rights shall provide no more than .02 cfs
per acre nor more than (3.5) afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28th day of

July, 19 83.

Director

43-2594

Water License No. 13651

Water District No. 8-B

Amount 49.7 sec. ft.

Priority 8-15-1918

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 License, 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 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)	(40)		220
		10				40			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	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							40	40			120
		26				40	40	40	20	40					40	40			260
		27		40		20									40			40	140
		28	20			20													40
															Total				2520

M. G. Sullivan
Commissioner of Reclamation.

(SEAL)

() acres found
on 43-2594

43-2232

43

March 30, 1983

RE: Permit No. 43-2594

Matthews Bros., Inc.
Route #1
Oakley, ID 83346

Gentlemen:

On December 17, 1982, we sent you a letter in reference to Permit 43-2594. This letter informed you of the findings of the Department's field examiner and requested that you submit an amendment of permit. Upon receipt of the amendment the Department would then issue a licensed right.

On January 21, 1983, we received the said amendment and started to complete the final processing of this right. It was then that we discovered that an oversight had been made in our initial review.

Permit 43-2594 has the same source (Almo Creek) as Right 43-2232 which has the same place of use as identified on Permit 43-2594. For example: 357 acres were identified on Permit 43-2594, however, 275 of those acres were already included in License 43-2232. Therefore, Permit 43-2594 should only reflect the lands not covered under Right 43-2232. This right after adjusting for the existing Right 43-2232 is described as follows:

Rate of diversion: 1.64 cfs
Maximum annual volume: 287.0 acre feet
Point of diversion location: (1 point) NW $\frac{1}{4}$ SW $\frac{1}{4}$, (4 points) SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9;
(1 point) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sect 16; Twp. 15S, Rge. 24E, Cassia County
Beneficial use: Irrigation of 82 acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 16; Twp. 15S, Rge. 24E
Priority date: May 29, 1967

Since the point of diversion description is still different than what the permit had originally described the amendment of permit is still required. If you do not concur with these findings, please let us know within 15 days. Otherwise a license will be issued. If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

RECEIVED

OCT 7 1974

Tributary to Raft River & Snake River (name spring, stream, etc.)

Other uses: _____

Township 15S N/S, Range 24E E/W, B.M., Section 9, Subdivision SW $\frac{1}{4}$ NW $\frac{1}{4}$ Cassia
(2 points in the County)
Township 15S N/S, Range 24E E/W, B.M., Section 9, Subdivision SE $\frac{1}{4}$ SW $\frac{1}{4}$ Cassia
County
Township 15S N/S, Range 24E E/W, B.M., Section 16, Subdivision NW $\frac{1}{4}$ NW $\frac{1}{4}$ Cassia
County

Other Points of Diversions: NE¹/₄ NW¹/₄, SE¹/₄ NW¹/₄, NE¹/₄ SE¹/₄, Sec. 16; & the NE¹/₄ NE¹/₄, Sec. 17, Twp.
158, Rge. 24E, P.M.

Description of ditching work: Several ditches take water to fields, headgates control flow.

6. Lands to be irrigated or place of use.

[illegible]

DATE OF EXAM June 22, 1978

ACREAGE

Found 357Recommended 357Irrigation Requirement 3.5

Ac Ft/Ac

USE

Irrigation Q = 1.64 c.f.s. V = 1249.5Domestic Q = 2.19 c.f.s. V = 287.0Livestock Q = 2.19 c.f.s. V = 287.0AF/Ann. from MARCH 15 to Nov. 15AF/Ann. from to AF/Ann. from to Is water as mingled? yes no ✓

Name source:

Twp. N/S Rge E/W B.M. Sec Sub 1/4 1/4 County Exchange? yes no ✓

Name source exchanged with:

Twp. N/S Rge E/W B.M. Sec Sub 1/4 1/4 County

Point of injection:

Twp. N/S Rge E/W B.M. Sec Sub 1/4 1/4 County

Point of exchange:

Twp. N/S Rge E/W B.M. Sec Sub 1/4 1/4 County Total Q measured 28.41 C.F.S.Method of measurement R-1008 PiquetTotal Q recommended 7.14 C.F.S.Meter No P-1008 Type ✓ Condition NewTotal V recommended *1249.5 ACFT/ANN.

Recommended Amendments:

1 div.

4 div.

1 div.

P.D. NW3W, SE3W, Sec 9; NW1W, Sec 16 T.15N, R.24E

Place of Use

Other

None

MEASUREMENT CALCULATION

Total of meas. taken =

28.41 C.F.S. (See Discharge Notes)ALLOWED 1.64 C.F.S. for 1 inch/ac for 357 AcresVolume (1.64 x 357 Ac Ft/Ac) (357 Acres) = 1249.5 ACFT/ANN.7.14 x 198.3 x 2.15 = 349.7 * See Overlap Review

SYSTEM DESCRIPTION:

(6) MEASURED DIVERSIONS WITH HEADGATE & DITCHWATER IS DIVERTED FOR APP OF 357 ACRESSee map for location of diversions.

REMARKS:

Bills MATHEWS WAS PRESENT DURING FIELD EXAM.Examiner's Signature John D. MenthDate 10-24-78Checked by John D. MenthDate 10-24-78Approved by John D. MenthDate 11-24-82John D. Menth
12-14-82

Rge - 24E

10 30

30 40 40

40 40

40 40

17

25

LS

ground being Irr.

diversions

Diagram of System

Castle Rock Ranch
Almo, Idaho

Presented by:

Charlie Hisaw
of

RE / MAX

KEYSTONE REALTY TWIN FALLS, L.L.C.

CASTLE ROCK RANCH

ALMO, IDAHO

LOCATION

The **CASTLE ROCK RANCH** is located in Almo, Idaho in the south central part of the state off Interstate 84 on the Idaho-Utah Border. The ranch is just 5 miles from Almo and 20 miles south west of Malta. It is 8 miles from the "City of Rocks" National Reserve, 75 miles from Twin Falls, and 45 Miles from Burley, Idaho and 170 miles from Salt Lake City, Utah.

ACREAGE

1240 +/- deeded acres

400 acres leased from BLM

410 acres irrigated pasture

PASTURES AND WATER

The ranch is divided into 4 pastures with approximately 400 acres irrigated. The ranch has two creeks, the Almo Creek and Stynes Creek, and has 9.5 shares of Almo Water Company stock, which equals 26 hours a week of all the water you want, plus the ranch can take all the water it needs from Stynes Creek. In addition to the creeks, there are a number of springs on the ranch. The water for the house comes from a developed spring that produces about 42 gallons per minute. (See further description of water rights.)

CAPACITY

The owners are currently running 350 cows on the ranch from May through September. The ranch currently does not produce hay, but alfalfa could be planted and irrigated to produce a year round operation.

CASSIA COUNTY

Populations of surrounding Communities: 1990 Census

Malta 171

Burley 8,702

Oakley 635

Cassia County 19,532

Economic Structure of Cassia County

Mostly agriculture-related industry, farming and ranching. Major employers include *The South Idaho Press*, Boise Cascade and Del Monte.

Schools

There are 15 schools in Cassia County.

Elementary Schools are in Almo, Oakley, Albion, Declo, and Malta.

High Schools are in Burley, Declo and Malta.

Wildlife

Many different types of wildlife call the area home in and around the ranch: Ferruginous Hawks, Golden Eagles, Red Tailed Hawks, Prairie Falcons, Rocky Mountain Mule Deer and Mountain Lions.

The climate of the general area is described as semiarid, characterized by low to moderate precipitation, a wide variety in both daily and seasonal temperatures, and low relative humidity. Average annual precipitation is approximately 14 inches at the lower elevations, and as high as 22 inches at the higher peaks. Most precipitation occurs from March through June. The summers are warm and dry with frequent thunderstorms.

Measurement	Degrees Fahrenheit
Mean Annual Temperature	48
Extreme Recorded High	105
Extreme Recorded Low	-27
Average Winter Temperature	31
Average Winter Daily Minimum	21
Average Daily Summer Temperature	67
Average Daily Summer Maximum	83

IMPROVEMENTS

The **CASTLE ROCK RANCH** consists of a small home which is of two brick construction and is approximately 100 years old. There are 2 bedrooms and a bath with a living room and kitchen. The owners are currently in the process of remodeling the home. There is a separate garage and shop close to the house.

RANCH OPERATION

The ranch is currently running about 350 cows and horses and mules in the summer. All of this is done on the 1,240 deeded acres and 400 acre BLM lease. The BLM lease stipulates 65 AUM's, costing currently \$1.50 per AUM.

REAL ESTATE TAXES

Real estate taxes are approximately \$1,518.98.

PRICE

The **CASTLE ROCK RANCH** is listed for \$995,000

BROKERS COMMENTS:

This property has it all! This is truly one of the most unique ranches we have ever seen! Lush meadows, cedars, pinion, aspen forests and private canyons with springs, small creeks and dramatic rock formations. The ranch sits just north of the "City Of Rocks", a favorite spot among rock climbers world wide. The property sits just off the old California Trail, a split from the Oregon Trail. The area abounds with Indian and pioneer history.

The partially remodeled brick home is nearly 100 years old and is surrounded by apple trees and has a wonderful garden spot. A fully developed spring serves the home with plenty of clean cool water. There is sufficient water for additional homes.

Best of all this ranch backs up to the National Forest and has a modest BLM lease. This affords the ranch owner nearly unlimited riding, hiking and fishing access.

The ranch can make a great weekend retreat, youth ranch, guest ranch, or full time family residence. The area boasts an excellent school system with small class sizes and great learning possibilities without any of the problems one sees in larger school districts. Don't let this one slip through your fingers.

A stones throw away from the ranch is the "City Of Rocks" known world-wide to rock climbers. In 1993 visitation records show over 81,400 visitors. With over 600 climbing routes in place, climbers make up the majority of the visitors. However, non-climbers still enjoy camping, mountain biking, hiking, horseback riding, motorcycling, off-road vehicle use, hunting, cross country skiing, snowmobiling, pine nut gathering, sightseeing and photography.

The "City of Rocks" National Reserve is also world renowned for its geologic features. Many of the same rock formations are found right on **CASTLE ROCK RANCH**. The huge rocks on the ranch are of the same type, including the historical landmark, from which the ranch takes its name, Castle Rock. These formations are believed by some to be 2.5 billion years old, making them some of the oldest rocks in North America. Erosion created this landscape of domes, spires, and hogbacks. The granites of the area, created from molten rock deep within the earth's surface, were intruded up through older granite. As time passed, the overlying rock was cracked, fractured, and eroded, leaving what you see today.

GETTING HERE FROM THERE

It doesn't matter whether you are on the West coast or East coast, there is an airport close by to get you here. The following is a list of the number of flights that fly into Twin Falls and Boise, from major metropolitan cities, on a daily basis.

Flights from West Coast

	LA	Seattle	San Francisco
Twin Falls	4	6	
Boise	38	33	9

Flights from East Coast

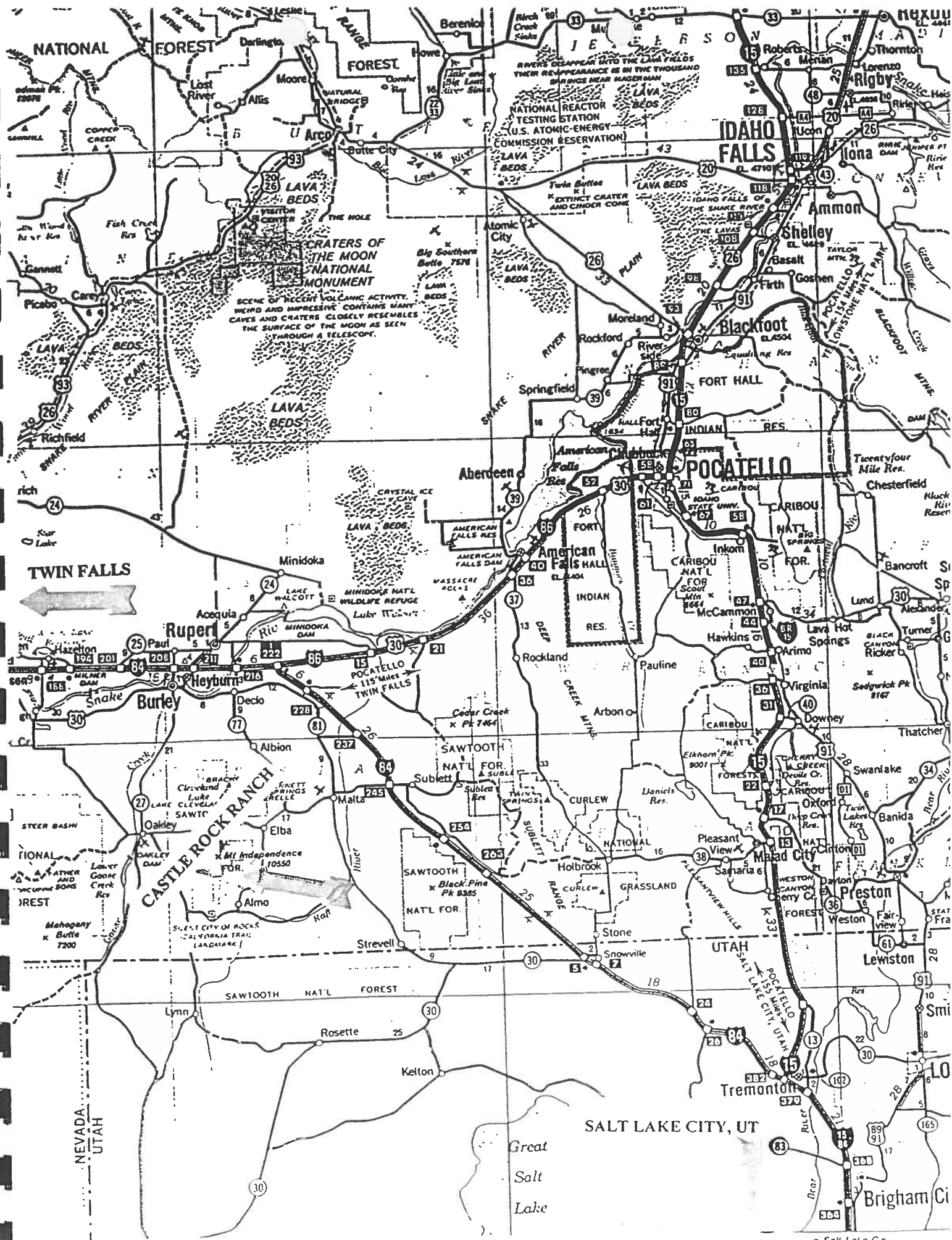
	DC	New York	New Jersey	Boston
Twin Falls		4		2
Boise	18	16	10	14

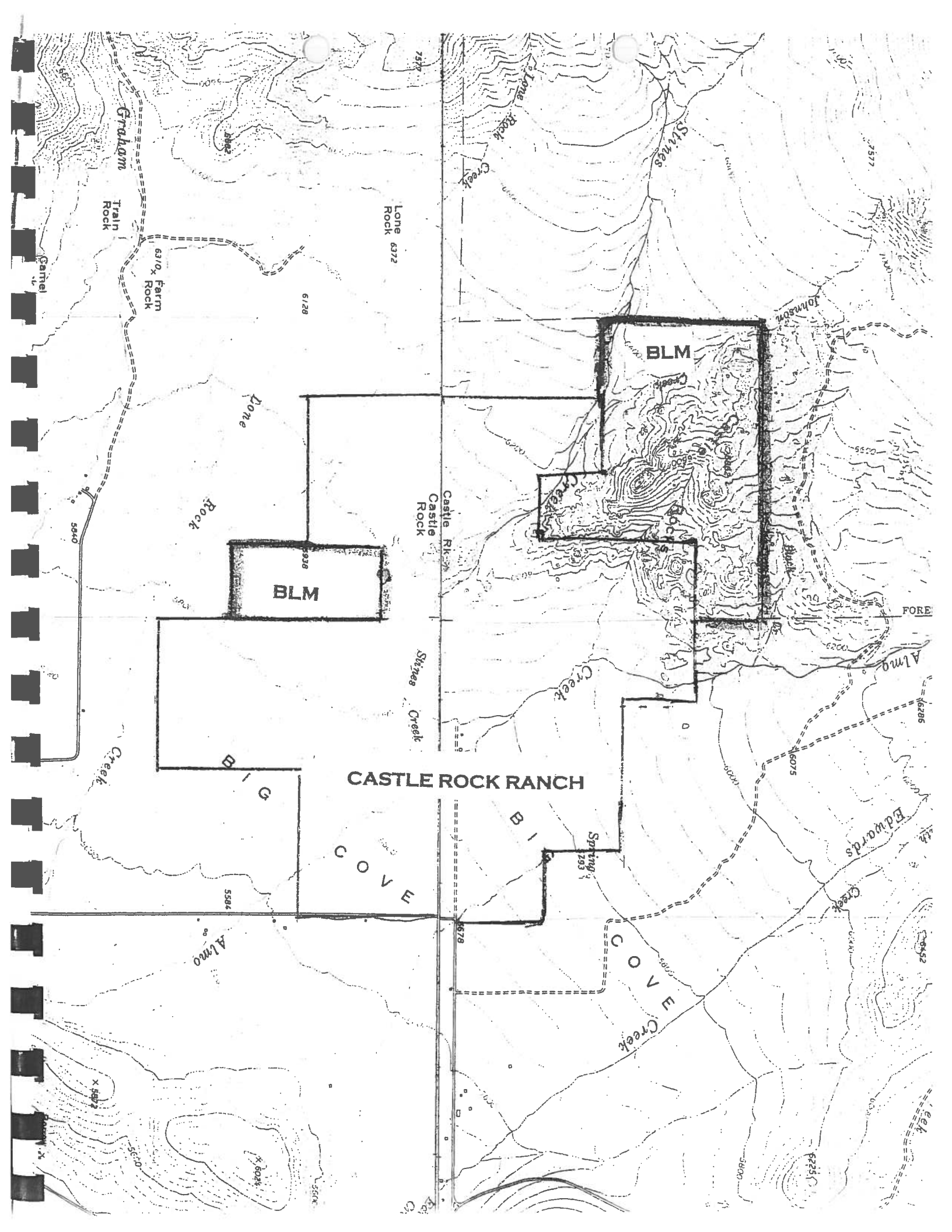
Flights from Midwest

	Chicago
Boise	17

Twin Falls is approximately 75 miles, and Boise is approximately 240 miles from the ranch.

Your best access will most likely be from **SALT LAKE CITY INTERNATIONAL AIRPORT**, which offers numerous flights from more cities than we can possibly list here. You will find it is a short 2 ½ hour drive to **CASTLE ROCK RANCH** from the airport.





Water

Date of priority: July 31, 1882

Source: Almo Creek

Dates of use: 3/15 to 11/15

Total quantity appropriated: 1.5 C.F.S.

Total consumptive use: 1380 Acre Feet Per Annum.

Date of priority: April 15, 1879

Source: Almo Creek

Dates of use: 3/15 to 11/15

Total quantity appropriated: 3.7 C.F. S.

Total consumptive use: 1380 Acre Feet Per Annum

Date of priority: May 29, 1967

Source: Almo Creek

Date of use: 3/15 to 11/15

Total quantity appropriated: 1640 C.F.S.

Total consumptive use: 205 Acre Feet Per Annum

Date of priority: Jan, 13 1958

Source: Almo Creek And Styne Creek

Dates of use: 11/1 to 4/1

Purpose: Ground water Recharge

Total quantity appropriated: 2.82 C.F. S.

known as "Winter Recharge" not used to irrigate. Use is to raise the groundwater level.

Culinary spring: approximately 42 gallons per minute during the summer, even in dry water years. Additional springs for development may be available.

Legal Description

Township 15 South, Range 24 East of the Boise Meridian Cassia County, Idaho

Section 8: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 9: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 16: NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$

Section 17: NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

This information and any other information contained in this brochure has been obtained from sources deemed to be reliable however, the accuracy of this information is not guaranteed or warranted by Charlie Hisaw or RE/MAX Keystone Realty Twin Falls, L.L.C. Any prospective buyers are obligated to conduct their own due diligence as to the accuracy of the offering and information contained in this brochure.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. HARMASH CLAIMS

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 3:27pm

NAME:

CHARLIE HISAW-RE/MAX REALTY-TF

RE:

RESEARCH OF HARMASH WATER
RIGHTS/CLAIMS FOR SALE OF
"CASTLE ROCK RANCH" ALMO.

WALK-IN 2:30-CW. WENT OVER THE RESULTS OF MY REVIEW AND THE MESSAGE I HAD LEFT FOR HIM ABOUT THE ERROR IN THE WATER RIGHTS LISTING IN THE PROSPECTUS AND THE COMPETING FILINGS BY THE ALMO WATER COMPANY.

DISCLAIMED AS AN ATTORNEY BUT EXPLAINED THE DELIVERY OF WATER IN A WATER DISTRICT, HOW SHARES ARE INTERPRETED AND DELIVERED AND THE LIMITATION ON THE QUOTED DOM/STK USE TO THE STATUTE 13,000 GPD.

I WENT OVER MY NOTES ON HIS COPIES AND EXPLAINED MY CONCERN ABOUT THE PROSPECTUS TEXT SAYING "...ALL THE WATER..." AND "...ALL THE WATER OF STYNE CREEK.". EXPLAINED PRIORITY DATE DELIVERIES AND THE COMPETING/COMBINED CLAIMS NOTATIONS I HAD MADE.

EXPLAINED THAT SRBA GROUND TRUTHING WON'T BE FOR SEVERAL YEARS AT BEST TO EVEN BEGIN TO EXAMINE THE USAGES VALIDITY. I DECLINED TO GIVE AN OPINION OF HOW THE USAGES MIGHT BE RECOMMENDED OR HOW THE ALMO WATER CO VS HARMASH MIGHT TURN OUT.

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 ELEMENTS 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.

COMMUNICATION DOCUMENTATION

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

RE:
RESEARCH BY C. SKINNER

CW COREY TO FILL HIM IN ON WHAT LITTLE I KNEW ABOUT THE CLAIMS OTHER THAN SOME ALLEGED CONFLICTS KNOWN TO ME FROM THE LATE LOREN HOLMES.

ASKED HIM TO HAVE RICHARDSON SPEAK TO ME IF HE CALLS BACK SO THAT I CAN HAVE SOME MORE DETAILED INFORMATION FOR THE FILE(S) FOR FUTURE SRBA FIELD WORK.

CC OF LETTER TO EACH SRBA FILE ALONG WITH CC OF THIS FILE NOTE.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 1, 1996

Tyler Richardson
Lewis, Walcott & Dornbush
P.O. Box 2370
Park City, Utah 84060

Dear Mr. Richardson:

Pursuant to your request, I have researched the water rights relating to the Bob Harmish property near Almo, Idaho (Township 15 South, Range 24 East, parts of Sections 8, 9, 16, and 17). I have enclosed copies of profile reports of Mr. Harmish's Snake River Basin Adjudication Claims. Please find the following adjudication profile reports enclosed for your convenience:

A43-00389	A43-00477A	A43-02586
A43-02594	A43-10583	A43-10647

These claims may, or may not, be valid water rights, and are subject to review in the ongoing Snake River Basin Adjudication to determine the extent of their validity.

I have also enclosed profile reports of the original decrees and licenses that the claims listed above are probably based on. Please find the following profile reports enclosed for your convenience:

43-00373	43-00389	43-00390
43-00477	43-02586	43-02594

It should be noted that water rights are appurtenant to a specific piece of ground, and that not all of the tracts that you listed to me over the phone are covered by the claims listed above. For example, no water uses have been claimed in section 17.

With regards to the Almo Water Company shares, our department does not keep records of individual shareholders. However, our records indicate that Douglas Ward is the president of the Almo Water Company with a listed telephone number of (208) 824-5738.

July 1, 1996
PAGE 2

If you have any further questions, please feel free to contact our office at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Corey Skinner".

Corey Skinner, EIT
Dam Safety Section

Enclosures

Water Right Number - 43-02594

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 33628

+ - - - - Last Name - - - - +
*** C - CURRENT OWNER ***
MATTHEWS BROTHERS1 - RT. 1
2 -
3 -City- OAKLEY
phone -

State- ID Zip- 83346

+ - - Priority Date - - +
05/29/1967 17+ - - Stage - - - +
1 - LICENSE+ - - Source - - - - - +
ALMO CREEK+ - - Tributary - - - - - +
RAFT RIVER

+ - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code)

TwN Rng Sec Tract Lot Rflg County
15S 24E 9 NW SW (31) CASSIA
15S 24E 9 SE SW (31) CASSIA
15S 24E 16 NW NE (31) CASSIA+ - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.640 287.00+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +
1.640 287.00+ - - - - Place of Use - - - - - Description County
TwN Rng Sec Tract Lot Acres Code Description County
15S 24E 9 NE SW 10.0 01 IRRIGATION (31) CASSIA
15S 24E 9 SE SW 10.0 01 IRRIGATION (31) CASSIA
15S 24E 9 SW SE 40.0 01 IRRIGATION (31) CASSIA
15S 24E 16 NE NW 12.0 01 IRRIGATION (31) CASSIA
15S 24E 16 SE NW 10.0 01 IRRIGATION (31) CASSIA

Total Acres: 82.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - -

USE OF WATER UNDER THIS LICENSE IS SUBJECT TO CONTROL BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 43B, ALMO CREEK.
THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE
THAN 0.02 CFS/AC NOR MORE THAN 3.5 AF/AC FOR THE LANDS ABOVE.

205 TCU.

Adj. flag translation: Standard Water Right Number

Remarks	-	-	-	-	-	-

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+ - Decree Date - +
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05/28/88 CONVERT

[illegible]

Decree Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-
Licensed Date	-	09/12/1983	Receipt Number	-		Water District	-
Order Show Cause	-	00/00/0000	Verified Date	-	03/26/1985	DLE/Carey Act	-
Start Work Date	-	00/00/0000	Heating Date	-		Temporary Right	-
Proof Made Date	-	00/00/0000	Tested Date	-	00/00/0000	Swan Falls	-
Approved/Denied	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Proof Due Date	-	00/00/0000		-			-

State of Idaho
Department of Water Resources

APPROVED

JUL 28 1983

WATER RIGHT LICENSE

License of Water Right No. 43-2594 Priority May 29, 1967 Amount 1.64 CFS

Department of Water Resources
Southern District Office

THIS IS TO CERTIFY, that Matthews Brothers
of Oakley, ID, has complied with the terms and conditions of Permit
No. 43-2594 issued pursuant to Application for Permit dated May 29, 1967
and has submitted proof to the Department of Water Resources on October 10, 1969
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 28.41 cfs of water from Almo Creek
tributary to Raft River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>1.64</u> cfs and	<u>287.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.64 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
287.0 acre feet per year, said waters to be diverted within the (1 pt), NW $\frac{1}{4}$ SW $\frac{1}{4}$, (4 pts),
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, (1 pt) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, in the County of Cassia
Twp. 15S, Rge. 24E

Description and location of place of use:

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 $\frac{1}{4}$	
15S	24E	9									10			10			40		60
		16				12			10										22

Total number of acres irrigated 82

Use of water under this license is subject to control by the watermaster of
State Water District No. 43-B, Almo Creek.

This right when combined with all other rights shall provide no more than .02 cfs
per acre nor more than (3.5) afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28th day of

July, 19 83.

Director

43-2594

Water Right

Water License No. 12651

Water District No. 8-B

Amount 49.7 sec. ft.

Priority 8-15-1918

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 License 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 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			120
		8				40									40				120
		9						40			40	40	(20)		(40)	(40)			220
		10					40		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																	80
		22			40		20	40			40	20	20						180
		23		40		40		40		40			20	40	40				260
		25	40	40			20	20							40	40			120
		26				40	40	40	20	40					40	40			260
		27		40		20									40			40	140
		28	20			20													40
															Total				2520

M. G. SWEENEY
Commissioner of Reclamation.

(SEAL)

() acres found
on 43-2594.

43-2232

43 22

March 30, 1983

RE: Permit No. 43-2594

Matthews Bros., Inc.
Route #1
Oakley, ID 83346

Gentlemen:

On December 17, 1982, we sent you a letter in reference to Permit 43-2594. This letter informed you of the findings of the Department's field examiner and requested that you submit an amendment of permit. Upon receipt of the amendment the Department would then issue a licensed right.

On January 21, 1983, we received the said amendment and started to complete the final processing of this right. It was then that we discovered that an oversight had been made in our initial review.

Permit 43-2594 has the same source (Almo Creek) as Right 43-2232 which has the same place of use as identified on Permit 43-2594. For example: 357 acres were identified on Permit 43-2594, however, 275 of those acres were already included in License 43-2232. Therefore, Permit 43-2594 should only reflect the lands not covered under Right 43-2232. This right after adjusting for the existing Right 43-2232 is described as follows:

Rate of diversion: 1.64 cfs
Maximum annual volume: 287.0 acre feet
Point of diversion location: (1 point) NW $\frac{1}{4}$ SW $\frac{1}{4}$, (4 points) SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9;
(1 point) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sect 16; Twp. 15S, Rge. 24E, Cassia County
Beneficial use: Irrigation of 82 acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 16; Twp. 15S, Rge. 24E
Priority date: May 29, 1967

Since the point of diversion description is still different than what the permit had originally described the amendment of permit is still required. If you do not concur with these findings, please let us know within 15 days. Otherwise a license will be issued. If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

RECEIVED

OCT 7 1974

Tributary to Raft River & Snake River (name spring, stream, etc.)

[illegible]

DATE OF EXAM

JUL 22, 1978

ACREAGE

Found

357

Recommended

357

Irrigation Requirement

3.5

Ac F/Ac

USE

Irrigation Q =

1.64

c.f.s.

V =

287.0

AF/Ann. from

MARCH 15

to NOV. 15

Domestic Q =

c.f.s.

V =

AF/Ann. from

to

Livestock Q =

c.f.s.

V =

AF/Ann. from

to

Is water co mingled? yes

no

Name source

twp.

N/S, Rge

E/W, B.M., Sec

Sub

1/4

1/4

County

Exchange? yes

no

Name source exchanged with:

twp.

N/S, Rge

E/W, B.M., Sec

Sub

1/4

1/4

County

Point of injection:

twp.

N/S, Rge

E/W, B.M., Sec

Sub

1/4

1/4

County

Point of exchange:

twp.

N/S, Rge

E/W, B.M., Sec

Sub

1/4

1/4

County

Total Q measured

28.41 C.F.S.

Method of measurement

R-1008 P. 1008

Total Q recommended

7.14 C.F.S.

Metr. No. R-1008

Type

Condition

New

Total V recommended

1249.5 ACFT/ANN.

Recommended Amendments:

1 div.

4 div.

1 div.

P.D. NWSW, SESEW, Sec 9; NWNE, Sec 16 T. 153, R. 24E

Place of Use

Other

None

MEASUREMENT CALCULATION

Total of meas. taken =

28.41 C.F.S. (See DISCHARGE Notes)

ALLOWED 7.14 C.F.S. for 1.64/acre for 357 ACRES

Volume (1.64 x 357 ACRES) = 1249.5 ACFT/ANN.

7.14 x 1.9835 x 245 = 349.7 * See Overlap Review

SYSTEM DESCRIPTION:

(6) MEASURED DIVERSIONS WITH HEADGATE & DITCHES

WATER IS DIVERTED FOR 245 OF 357 ACRES

See Map for location of DIVERSIONS.

REMARKS:

BANK MATHEWS WAS PRESENT DURING FIELD EXAM.

Examiner's Signature

J. D. Mathews

Date

10-24-78

Checked by

J. D. Mathews

Date

10-24-78

Approved by

J. D. Mathews

Date

11-24-82

JUL 12-17-82

[illegible]

Diagram of System

Castle Rock Ranch
Almo, Idaho

Presented by:

Charlie Hisaw
of

RE / MAX

KEYSTONE REALTY TWIN FALLS, L.L.C.

CASTLE ROCK RANCH

ALMO, IDAHO

LOCATION

The CASTLE ROCK RANCH is located in Almo, Idaho in the south central part of the state off Interstate 84 on the Idaho-Utah Border. The ranch is just 5 miles from Almo and 20 miles south west of Malta. It is 8 miles from the "City of Rocks" National Reserve, 75 miles from Twin Falls, and 45 Miles from Burley, Idaho and 170 miles from Salt Lake City, Utah.

ACREAGE

1240 +/- deeded acres
400 acres leased from BLM
410 acres irrigated pasture

PASTURES AND WATER

The ranch is divided into 4 pastures with approximately 400 acres irrigated. The ranch has two creeks, the Almo Creek and Stynes Creek, and has 9.5 shares of Almo Water Company stock, which equals 26 hours a week of all the water you want, plus the ranch can take all the water it needs from Stynes Creek. In addition to the creeks, there are a number of springs on the ranch. The water for the house comes from a developed spring that produces about 42 gallons per minute. (See further description of water rights.)

CAPACITY

The owners are currently running 350 cows on the ranch from May through September. The ranch currently does not produce hay, but alfalfa could be planted and irrigated to produce a year round operation.

CASSIA COUNTY

Populations of surrounding Communities: 1990 Census

Malta 171

Burley 8,702

Oakley 635

Cassia County 19,532

Economic Structure of Cassia County

Mostly agriculture-related industry, farming and ranching. Major employers include *The South Idaho Press*, Boise Cascade and Del Monte.

Schools

There are 15 schools in Cassia County.

Elementary Schools are in Almo, Oakley, Albion, Declo, and Malta.

High Schools are in Burley, Declo and Malta.

Wildlife

Many different types of wildlife call the area home in and around the ranch: Ferruginous Hawks, Golden Eagles, Red Tailed Hawks, Prairie Falcons, Rocky Mountain Mule Deer and Mountain Lions.

The climate of the general area is described as semiarid, characterized by low to moderate precipitation, a wide variety in both daily and seasonal temperatures, and low relative humidity. Average annual precipitation is approximately 14 inches at the lower elevations, and as high as 22 inches at the higher peaks. Most precipitation occurs from March through June. The summers are warm and dry with frequent thunderstorms.

Measurement	Degrees Fahrenheit
Mean Annual Temperature	48
Extreme Recorded High	105
Extreme Recorded Low	-27
Average Winter Temperature	31
Average Winter Daily Minimum	21
Average Daily Summer Temperature	67
Average Daily Summer Maximum	83

IMPROVEMENTS

The **CASTLE ROCK RANCH** consists of a small home which is of two brick construction and is approximately 100 years old. There are 2 bedrooms and a bath with a living room and kitchen. The owners are currently in the process of remodeling the home. There is a separate garage and shop close to the house.

RANCH OPERATION

The ranch is currently running about 350 cows and horses and mules in the summer. All of this is done on the 1,240 deeded acres and 400 acre BLM lease. The BLM lease stipulates 65 AUM's, costing currently \$1.50 per AUM.

REAL ESTATE TAXES

Real estate taxes are approximately \$1,518.98.

PRICE

The **CASTLE ROCK RANCH** is listed for \$995,000

BROKERS COMMENTS:

This property has it all! This is truly one of the most unique ranches we have ever seen! Lush meadows, cedars, pinion, aspen forests and private canyons with springs, small creeks and dramatic rock formations. The ranch sits just north of the "City Of Rocks", a favorite spot among rock climbers world wide. The property sits just off the old California Trail, a split from the Oregon Trail. The area abounds with Indian and pioneer history.

The partially remodeled brick home is nearly 100 years old and is surrounded by apple trees and has a wonderful garden spot. A fully developed spring serves the home with plenty of clean cool water. There is sufficient water for additional homes.

Best of all this ranch backs up to the National Forest and has a modest BLM lease. This affords the ranch owner nearly unlimited riding, hiking and fishing access.

The ranch can make a great weekend retreat, youth ranch, guest ranch, or full time family residence. The area boasts an excellent school system with small class sizes and great learning possibilities without any of the problems one sees in larger school districts. Don't let this one slip through your fingers.

A stones throw away from the ranch is the "City Of Rocks" known world-wide to rock climbers. In 1993 visitation records show over 81,400 visitors. With over 600 climbing routes in place, climbers make up the majority of the visitors. However, non-climbers still enjoy camping, mountain biking, hiking, horseback riding, motorcycling, off-road vehicle use, hunting, cross country skiing, snowmobiling, pine nut gathering, sightseeing and photography.

The "City of Rocks" National Reserve is also world renowned for its geologic features. Many of the same rock formations are found right on **CASTLE ROCK RANCH**. The huge rocks on the ranch are of the same type, including the historical landmark, from which the ranch takes its name, Castle Rock. These formations are believed by some to be 2.5 billion years old, making them some of the oldest rocks in North America. Erosion created this landscape of domes, spires, and hogbacks. The granites of the area, created from molten rock deep within the earth's surface, were intruded up through older granite. As time passed, the overlying rock was cracked, fractured, and eroded, leaving what you see today.

GETTING HERE FROM THERE

It doesn't matter whether you are on the West coast or East coast, there is an airport close by to get you here. The following is a list of the number of flights that fly into Twin Falls and Boise, from major metropolitan cities, on a daily basis.

Flights from West Coast

	LA	Seattle	San Francisco
Twin Falls	4	6	
Boise	38	33	9

Flights from East Coast

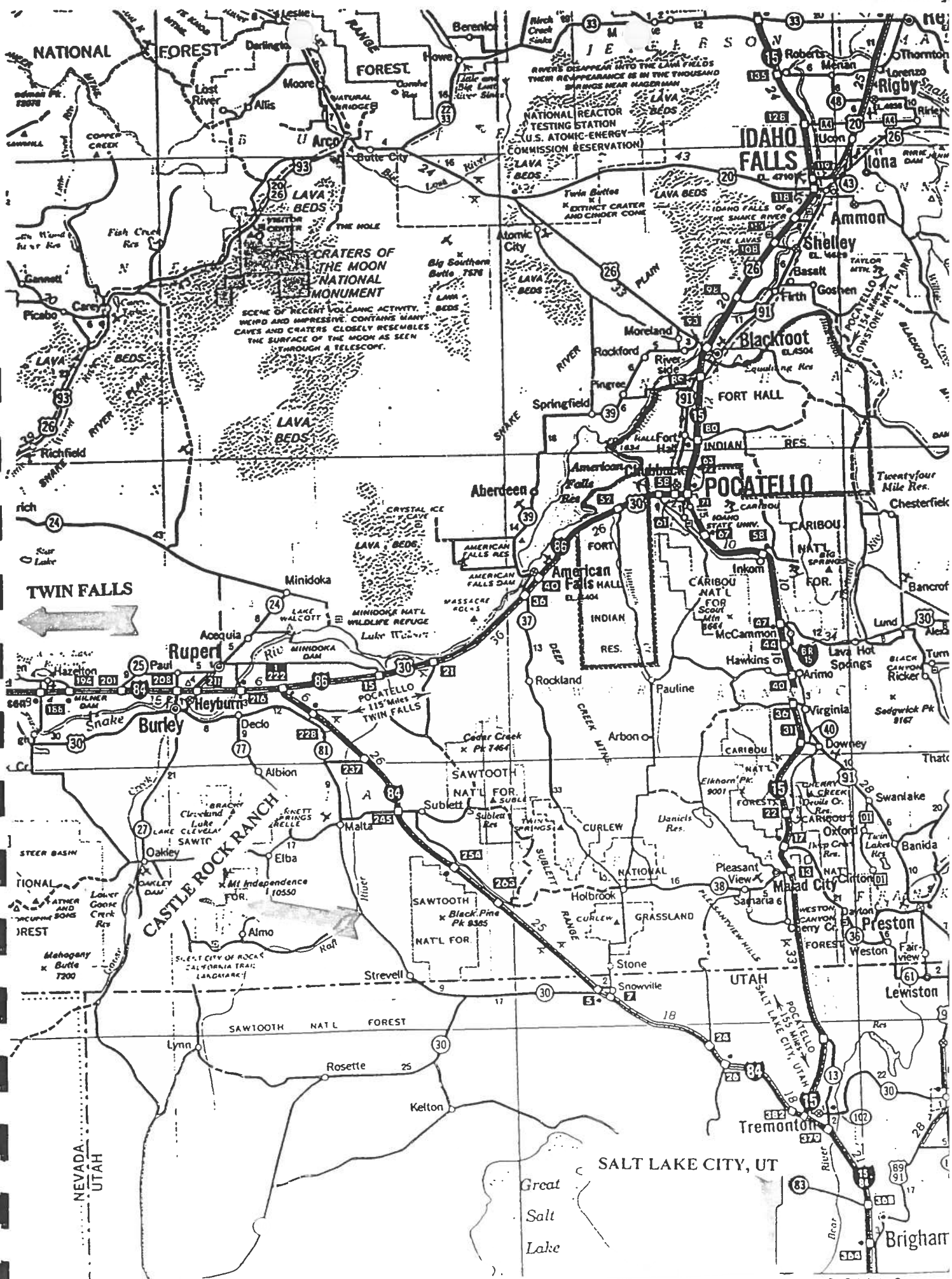
	DC	New York	New Jersey	Boston
Twin Falls		4		2
Boise	18	16	10	14

Flights from Midwest

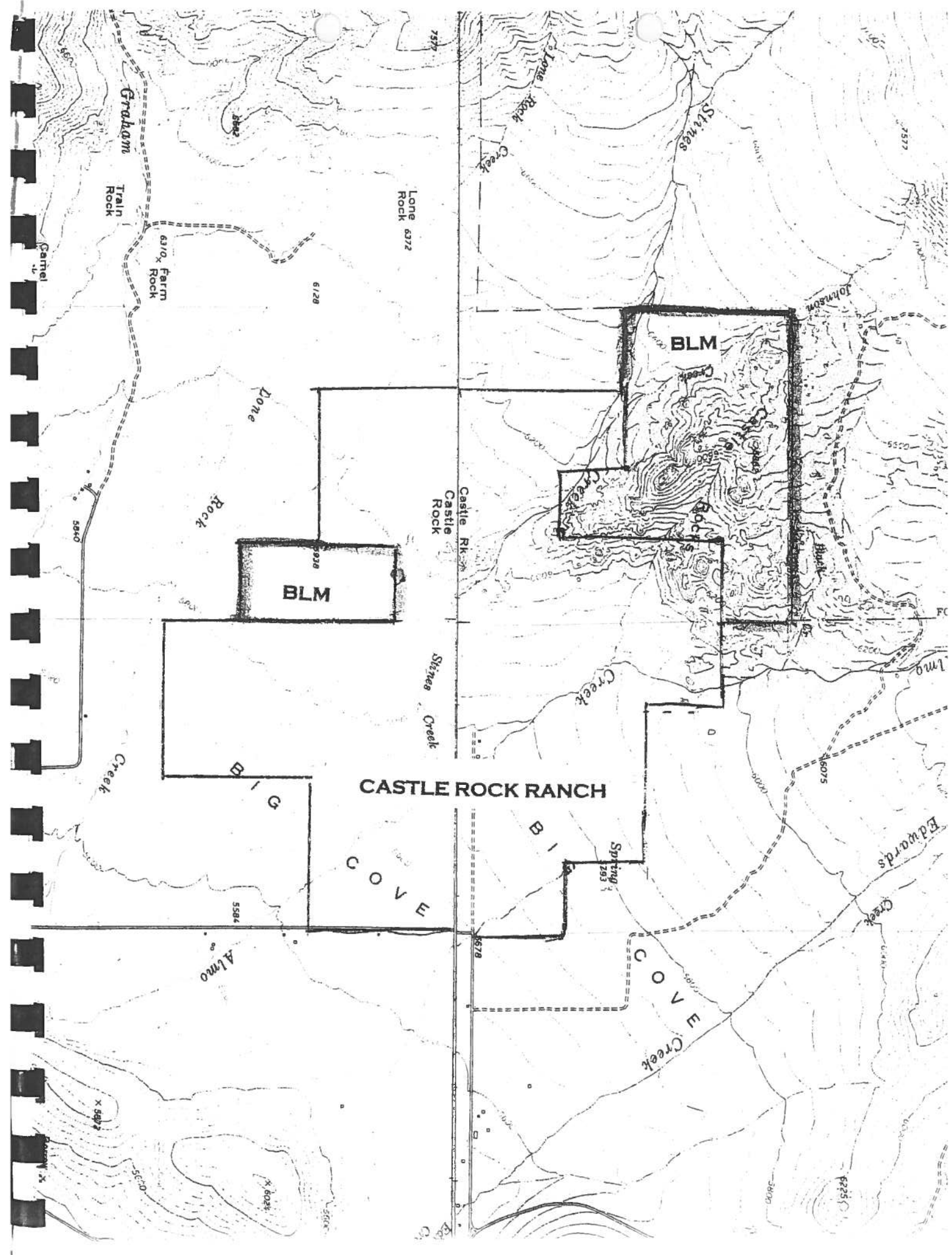
	Chicago
Boise	17

Twin Falls is approximately 75 miles, and Boise is approximately 240 miles from the ranch.

Your best access will most likely be from **SALT LAKE CITY INTERNATIONAL AIRPORT**, which offers numerous flights from more cities than we can possibly list here. You will find it is a short 2 ½ hour drive to **CASTLE ROCK RANCH** from the airport.



To Salt Lake City
155 Miles



Water

Date of priority: July 31, 1882

Source: Almo Creek

Dates of use: 3/15 to 11/15

Total quantity appropriated: 1.5 C.F.S.

Total consumptive use: 1380 Acre Feet Per Annum.

Date of priority: April 15, 1879

Source: Almo Creek

Dates of use: 3/15 to 11/15

Total quantity appropriated: 3.7 C.F. S.

Total consumptive use: 1380 Acre Feet Per Annum

Date of priority: May 29, 1967

Source: Almo Creek

Date of use: 3/15 to 11/15

Total quantity appropriated: 1640 C.F.S.

Total consumptive use: 205 Acre Feet Per Annum

Date of priority: Jan, 13 1958

Source: Almo Creek And Stynes Creek

Dates of use: 11/1 to 4/1

Purpose: Ground water Recharge

Total quantity appropriated: 2.82 C.F. S.

known as "Winter Recharge" not used to irrigate. Use is to raise the groundwater level.

Culinary spring: approximately 42 gallons per minute during the summer, even in dry water years. Additional springs for development may be available.

Legal Description

Township 15 South, Range 24 East of the Boise Meridian Cassia County, Idaho

Section 8: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 9: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 16: NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$

Section 17: NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

This information and any other information contained in this brochure has been obtained from sources deemed to be reliable however, the accuracy of this information is not guaranteed or warranted by Charlie Hisaw or RE/MAX Keystone Realty Twin Falls, L.L.C. Any prospective buyers are obligated to conduct their own due diligence as to the accuracy of the offering and information contained in this brochure.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. HARMASH CLAIMS

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 3:27pm

NAME:
CHARLIE HISAW-RE/MAX REALTY-TF

RE:
RESEARCH OF HARMASH WATER
RIGHTS/CLAIMS FOR SALE OF
"CASTLE ROCK RANCH" ALMO.

WALK-IN 2:30-CW. WENT OVER THE RESULTS OF MY REVIEW AND THE MESSAGE I HAD LEFT FOR HIM ABOUT THE ERROR IN THE WATER RIGHTS LISTING IN THE PROSPECTUS AND THE COMPETING FILINGS BY THE ALMO WATER COMPANY.

DISCLAIMED AS AN ATTORNEY BUT EXPLAINED THE DELIVERY OF WATER IN A WATER DISTRICT, HOW SHARES ARE INTERPRETED AND DELIVERED AND THE LIMITATION ON THE QUOTED DOM/STK USE TO THE STATUTE 13,000 GPD.

I WENT OVER MY NOTES ON HIS COPIES AND EXPLAINED MY CONCERN ABOUT THE PROSPECTUS TEXT SAYING "...ALL THE WATER..." AND "...ALL THE WATER OF STYNE CREEK.". EXPLAINED PRIORITY DATE DELIVERIES AND THE COMPETING/COMBINED CLAIMS NOTATIONS I HAD MADE.

EXPLAINED THAT SRBA GROUND TRUTHING WON'T BE FOR SEVERAL YEARS AT BEST TO EVEN BEGIN TO EXAMINE THE USAGES VALIDITY. I DECLINED TO GIVE AN OPINION OF HOW THE USAGES MIGHT BE RECOMMENDED OR HOW THE ALMO WATER CO VS HARMASH MIGHT TURN OUT.

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 ELEM/ENTS 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.

Claim No.A43-00389 ET AL

IDWR Employee/Agent Frank Hitchcock

July 3, 1996 1:59pm

RE:
RESEARCH BY C. SKINNER

RECEIVED COPIES OF LETTERS BY COREY SKINNER TO TYLER RICHARDSON,
ESQ., RE: LEGAL DESCRIPTION OF SUBJECT PROPERTY NEAR ALMO, ID.

CW COREY TO FILL HIM IN ON WHAT LITTLE I KNEW ABOUT THE CLAIMS OTHER THAN SOME ALLEGED CONFLICTS KNOWN TO ME FROM THE LATE LOREN HOLMES.

ASKED HIM TO HAVE RICHARDSON SPEAK TO ME IF HE CALLS BACK SO THAT I CAN HAVE SOME MORE DETAILED INFORMATION FOR THE FILE(S) FOR FUTURE SRBA FIELD WORK.

CC OF LETTER TO EACH SRBA FILE ALONG WITH CC OF THIS FILE NOTE.