

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: A43-10797
Date Received: 8/ 1/1989
Receipt No: S008726
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: APR 30, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	24E	5	SW	NE	NE		CASSIA
		16	NE	NE	SE		CASSIA

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	14.600		

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

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

9. Non-irrigation uses:

10. Place of Use:

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

10. Place of Use: Continued

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

10. Place of Use: Continued

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

10. Place of Use: Continued

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

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
15S	24E	27	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
Section Acres							510.0
Total Acres							4402.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

A43-00387, A43-00386, A43-04228A, A43-02232A

14. Remarks:

THIS CLAIM IS A COMBINATION OF THE FOLLOWING WR'S:

43-00391	2.0	CFS
43-00392	2.0	
43-00393	2.0	
43-00394	1.6	
43-00395	1.6	
43-00396	1.5	
43-00397	2.0	
43-00398	1.0	
43-00399	1.0	
43-00400	1.0	
43-00401	1.0	
43-00477	1.5	

18.2 cfs

18.2
- 1.5 (396 wrong)
+ .23 (396 correct portion)

16.93 cfs

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

|

AMENDMENT NOTES

ADDED 120 ACRES AND CHANGED LEGALS ON ANOTHER 120 ACRES. TWO RECEIPTS: S008726 AND S012748. NOTICE OF APPEARANCE IS REMOVED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake Rive Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pa 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 _____

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: ~~A43-00391~~ ¹⁰⁷⁹⁷
Date Received: 8/01/1989
Receipt No: S008726
Received By: SCC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

2. Date of Priority: APR 30, 1884

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

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Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
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		16	NE	NE	SE		CASSIA

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	14.600		

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

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

9. Non-irrigation uses:

10. Place of Use:

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

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Date: 10/12/90

MICROFILM

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10. Place of Use: Continued

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

10. Place of Use: Continued

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

10. Place of Use: Continued

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

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Date: 10/12/90

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MAR 05 1993

10. Place of Use: Continued

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

Section Acres 510.0

Total Acres 4402.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

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14. Remarks:

THIS CLAIM IS A COMBINATION OF THE FOLLOWING WR'S:

✓ 43-00391 2.0 CFS
 ✓ 43-00392 2.0
 ✓ 43-00393 2.0
 ✓ 43-00394 1.6
 ✓ 43-00395 1.6
 ✓ 43-00396 1.5
 ✓ 43-00397 2.0
 ✓ 43-00398 1.0
 ✓ 43-00399 1.0
 ✓ 43-00400 1.0
 ✓ 43-00401 1.0
 ✓ 43-00477 1.5

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

|

AMENDMENT NOTES

ADDED 120 ACRES AND CHANGED LEGALS ON ANOTHER 120 ACRES.
 TWO RECEIPTS: S008726 AND S012748.
 NOTICE OF APPEARANCE IS REMOVED.

15. Basis of Claim: DECREED

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 10797

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Date: 10/12/90

MICROFILM

MAR 05 1993

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of
Alma Water Co., that I have signed the foregoing
document in the space below as President of
Alma Water Co. and that the statements contained in the
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

President of Alma Water Co.
Title and Organization

10/12/90
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of October 19 90

[Signature]
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

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10797

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Date: 10/12/90

PROFILM
AR 05 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
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8. Total consumptive use is 12846.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

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

A43-~~00391~~
¹⁰⁷⁹⁷

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Date: 08/02/89

MICROFILM
MAR 05 1993

10. Place of Use: Continued

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

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10797

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Date: 08/02/89

MICROFILM
MAR 05 199

10. Place of Use: Continued

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

A43-00391
10797

Page 3

Date: 08/02/89

MICROFILM

MAR 05 199

10. Place of Use: Continued

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

A43-00391
10797

Page 4

Date: 08/02/89

MICROFILM

MAR 05 1993

10. Place of Use: Continued

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

Section Acres 510.0

Total Acres	4282.0
-------------	--------

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

A43-00387, A43-00386, A43-04228A, A43-02232A

14. Remarks:

THIS CLAIM IS A COMBINATION OF THE FOLLOWING WR'S:

43-00391 2.0 CFS

43-00392 2.0

43-00393 2.0

43-00394 1.6

43-00395 1.6

43-00396 1.5

43-00397 2.0

43-00398 1.0

43-00399 1.0

43-00400 1.0

43-00401 1.0

43-00477 1.5

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

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.

Decree Plaintiff

VS

JOBE ADAMS ET AL

Decree Defendant

A43-~~00391~~
10797

Page

5

Date: 08/02/89

NO PROFIL

05 1993

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: ¹⁰⁷⁹⁷ 39576Ident. Number A43-00391

Date Received _____

Receipt Number 500 8726 see

RECEIVED

JUL 28 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Almo Water Company Phone () _____Mailing Address Almo, Idaho Zip 833122. Date of Priority (Only one (1) per claim) April 30, 18843. Source of water supply (a) Almo Creek
which is tributary to (b) Raft River4. a. Location of existing point of diversion is: Township 15S Range 24E Section 5,
NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of CassiaAdditional points of diversion if any: Section 16 NE 1/4 of SE 1/4, Thimbletong Creek

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

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

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

MICROFILM

MAR 05 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3-15 to 11-15 amount 14.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 14.6 (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

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

Total number of acres irrigated 4282

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

12. Do you own the property listed above as place of use? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

14. Remarks: Almo Water Company is an Idaho Water Company that is incorporated and was organized by landowners for Irrigation purposes.

Last Name Almo Water Comp. Ident No. _____

Copies: White -State, Yellow-Claimant

MICROFILME

MAR 05 1993

TWP	RNG	SEC	NE 1/4				NW 1/4				SW				SE 1/4				Total
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
155	24E	3					40	40		40			40	40			40		240
155	24E	9							40	40	40			40	40	40	40	40	320
155	24E	10	40	40	40	40		40	40	40	40	40	40	40	40	40	40	40	600
155	24E	14		40			40	40											120
155	24E	15	40	40	40	40	40	40	20	40			40	40	40	40		40	500
155	24E	16	40	40	40	40									40	40	40	40	320
155	24E	21													40	40		40	80

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
155	24E	22			10	40	40	40	40	40		40	40	40			12	10	350
155	24E	23		40			40	40	40		40	40	40	40	40	40	40		440
155	24E	25	40	40	40	40	40	40	40	40									320
155	24E	26	40	40	40	40	40	40	40	40	40	40			40	40			480
155	24E	27	10	40	40	20	40	40	40	40	40	40	40	40	40	40			510

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

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

MICROFILM

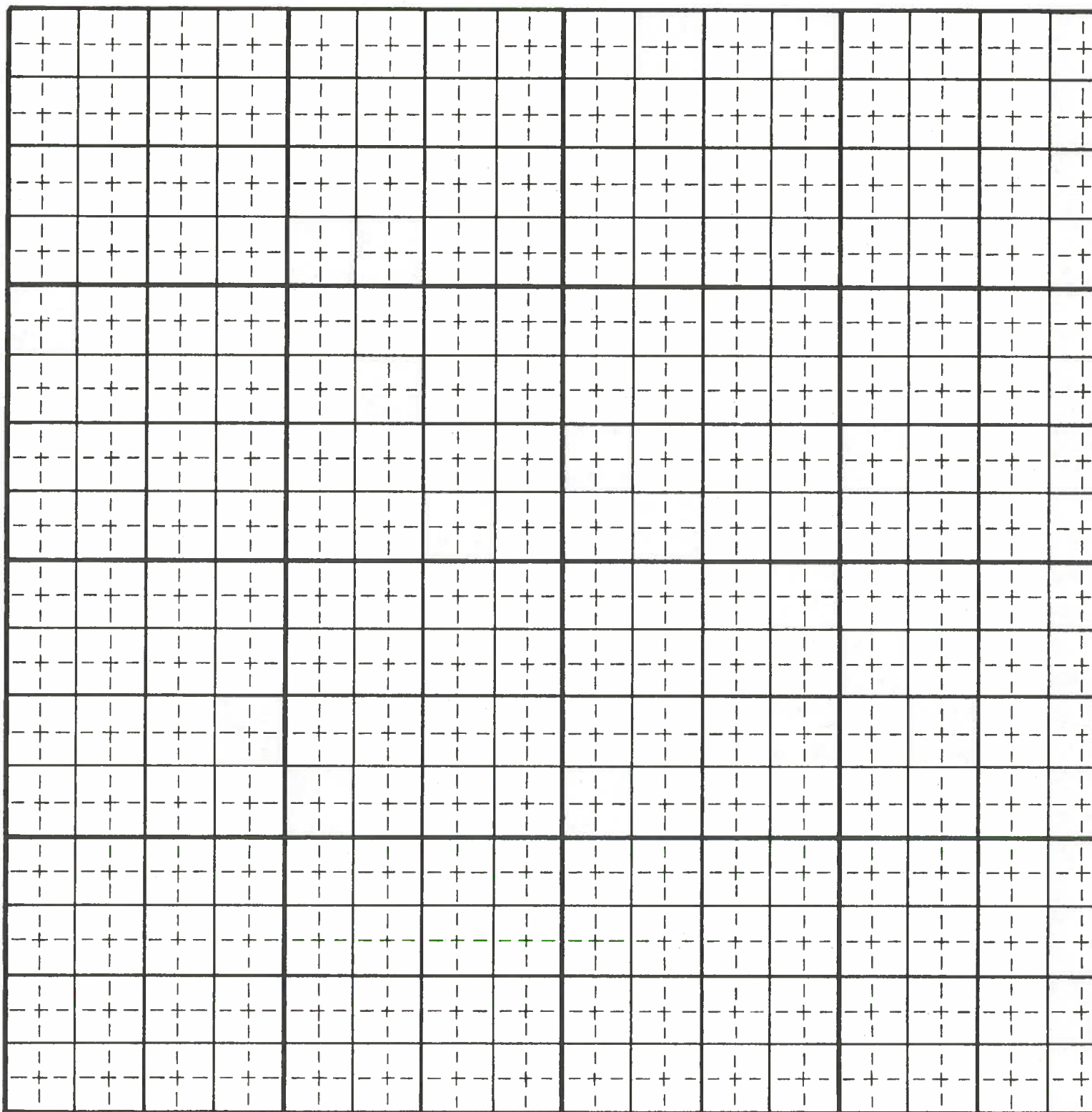
Total number of acres irrigated

MAR 05 1991

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

See attached map



Last Name Almo Water Comp Ident No. _____

MICROFILME
Copies: White-State, Yellow-Claimant
MAR 05 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____ 43-0391 43-0398 43-0396 43-0393 43-0395
If applicable provide IDWR Water Right Number 43-0397 43-0477 43-0392 43-0394 43-0400
Court _____ Case Number 43-0401 Decree Date _____
Plaintiff vs Defendant _____

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

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President
of Almo Water Company, that I have signed the foregoing
document in the space below as President of Almo Water Company
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization President Date _____

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

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

SEAL

Notary Public Don L R Whipple

Residing at Barley, Idaho

My Commission Expires Aug. 1992

Please Print Name

17. Notice of Appearance:

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

Signature Don L R Whipple

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

Date July 26, 1989

Last Name Almo Water Comp Ident. Number _____

MICROFILMED

Copies White-Stamp, Yellow-Claimants
MAR 05 1993

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 500

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

Date: 08/01/89
 Time: 16:22:00

Received
 From:

ALMO WATER CO./INDIVIDUAL
 Type of Payment

Program Acct Class

Amount

ADJUDICATION FEE

0410162 9337 6490

\$2,791

Total

\$2,791

AR/ND 9000042 Total Claim Fee
 CHECK 14-CK9

\$4,532.00 Current Bal.

\$1,74

WR/ND: A42-00087 A43-00086 A42-02222A A43-04229A A43-00391

Idaho Department of Water Resources

Region: SOUTHERN

Signature:

Steve [Signature]

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

#2648 Buddy Ward \$ 1100⁰⁰
 #2628 William H. Tracy 310⁰⁰
 #1105 E. Bruce Durfee 200⁰⁰
 #1923 Whipple's Law Office 50⁰⁰
 #979 Glen Jones 390⁰⁰
 #2308 Ivan Darrington 40⁰⁰
 #2397 Taylor Herefords 180⁰⁰

MICROFILME
MAR 05 1993

Whipple's Law Offices, Chartered

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

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

July 27, 1989

RECEIVED

JUL 28 1989

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

Department of Water Resources
Southern Region Office

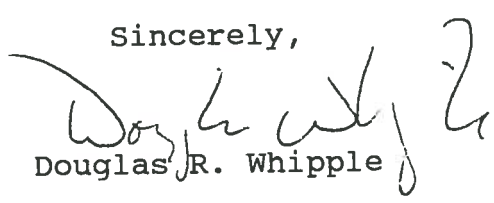
RE: Revised Water Rights Claims of the Almo Water Company

To Whom It May Concern:

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

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

Sincerely,


Douglas R. Whipple

DRW: mmw
pc: file

MICROFIL
MAR 05 11

State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

RECEIVED

JUL 28 1989

Department of Water Resources
Southern Region Office

RE: SRBA Claim

Dear Claimant:

Dear Claimant:

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

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

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

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

Sincerely,

Steve Clelland
Water Right's Agent

enc:

MICROFILM

10 5 1991

Form 42-1409(10)-1
5/88

Date Received

JUN 01 1989

RECEIVED

JUL 28 1989

State of Idaho
Department of Water Resources

Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)Department of Water Resources
Southern Region Office

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

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

Post Office Box 249
Post Office Address

Burley, Idaho 83318
City, State, Zip Code

RECEIVED

JUN 28 1989

Cassia
County(s) where Place of Use is located

Department of Water Resources
Southern Region Office

June 8, 1989
Date Claim Originally Due

All Water Rights for the above claimants.

Identify water right(s) for which extension is requested

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

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

Claimant requests an extension to June 27, 1989.

Douglas R. Whipple
Signature

Attorney for the above claimants.
Title

=====

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
X granted denied,

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

Signed this 7 day of June, 1989.

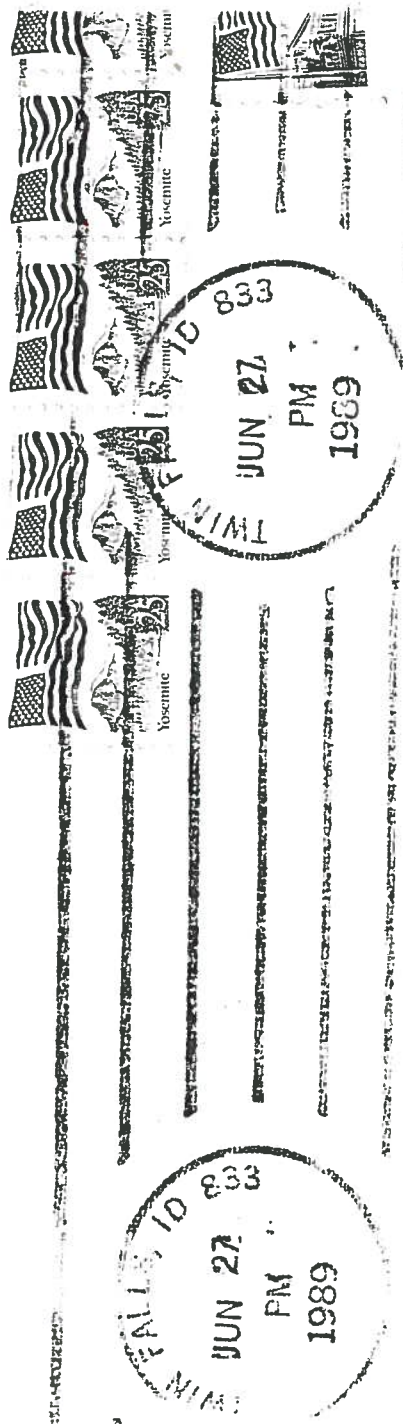
David R. Shaw
Director or his designated agent

DAVID R. SHAW

MICROFILM

JUN 03 1989

as R. Whipple
ney at law
Box 249
y, Idaho 83318



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

MICROFILM
MAR 05 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Aug. 25, 1989

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

Dear Claimant(s):

Re: A43-00337
A43-00385
A43-02232A
A43-04228A
A43-00391

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

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

Yours truly,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILM

SEP 05 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Dec-1991

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

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A43-00391
Identification Number Change

Dear Mr. Ward:

The Identification Number of your Notice of Claim to a Water Right has been changed from A43-00391 to A43-10797. The change in numbers has been done to better reflect the fact that your Notice of Claim combined Decreed rights 43-00391, 43-00392, 43-00394, 43-00395, 43-00396, 43-00397, 43-00398, 43-00399, 43-00400, 43-00401 and 43-00477. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this Identification Number in any future inquiries or correspondence.

Please do not hesitate to contact this office, if you have any questions.

Sincerely,

Jeanie Robertson
Records Clerk

/jr

MICROFILM

10 11 12 13 14 15 16 17 18 19 20



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

4/25

R. KEITH HIGGINSON
Director

Almo Water Company

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

1943-00386 s/leg 5008726
00387
~~00397~~ 10797
02232A
04228A

RE: SRBA Claim

Dear Claimant:

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

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

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

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

Sincerely,


Steve Clelland
Water Right's Agent

enc:

MICROFILM

MAR 05 1993

PHONE 824-5565
ALMO, ID 83312

Pay to
the order of

Idaho Dept. of Water Resources

100

Dollars

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

For

water filing

Beatrice Durfee

⑆124101461⑆ 92 06136 11 1745

Rocky Mountain Bank Note

Rainbow White
Floral Accent

JUN 28 1989

WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources
Southern Region Office

Please type or print clearly

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

Mailing Address Almo, Idaho Zip 83312

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

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

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

Additional points of diversion if any: _____

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

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

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

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

MICROFILM

Copy

APRIL 5, 1990

MEMO TO FILE

TO: DON SHAFF

FROM: STEVE CLELLAND

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

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

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

MICROFILM

APR 5 1990

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

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

THANK YOU.

MICROFILM

1991 05 02

Water Right Number - 43-00391

Prefix Translation: WATER RIGHT

Old (D) Number -

Last Name - First Name - Address -
*** C - CURRENT OWNER ***
KING THOMAS O.
1 -
2 -
3 -
City-
Phone - State- Zip-

Priority Date - 04/20/1880
Region - 17 SOUTHERN
Stage - D - DECREED
Status -

Source - ALMO CREEK
Tributary - EDWARDS CREEK

Twn Rng Sec Tract Lot Rflg County Point of Diversion - Stream Index (Blank if no Index Code)

Code Description Period From Period to Water Use Diversion Rate Diversion Volume
01 - IRRIGATION
2.000

Total Div. Rate - 2.000
Total Div. Volume -
Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15S	24E	20	NE NW			01	IRRIGATION	31 CASSIA
15S	24E	23	SW SE			01	IRRIGATION	31 CASSIA

Diversion Means -
Non-Irrigation Use -
Other Rights for Same Use -

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

Conditions of Approval -
No Conditions of Approval found.
Decree Plaintiff -
ALBION-IDAHO LAND CO.
Decree Defendant -
JOBE ADAMS ET AL
Decree Date -
10/18/1928

MICROFILM
MAR 25 1993

— 254 —

WATER RIGHT

No Comments Found

```
+-----+-----+-----+-----+-----+-----+-----+-----+-----+
+-----+-----+-----+-----+-----+-----+-----+-----+-----+
```

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	- P
Exam to S.O. Date	-	00/00/0000	Verified Date	-	04/08/1985	DLE/Carey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	- 43D
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	10/18/1928	Presumption Flag	-			

MICROFILM
1992 05 1092

Prefix Translation: ADJUDICATION CLAIM

MICROFILME
MAR 05 1993

Water right number - A43-10797 Prefix Translation: ADJUDICATION CLAIM

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
Total Acres:					4402.0			

- - - Diversion Means - HEADGATES, CANALS, PIPELINES, DITCHES.

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - A43-00387, A43-00386, A43-04228A, A43-02232A

THIS CLAIM IS A COMBINATION OF THE FOLLOWING WRS:

- 43-00391 2.0 CFS
- 43-00392 2.0
- 43-00393 2.0
- 43-00394 1.6
- 43-00395 1.6
- 43-00396 1.5
- 43-00397 2.0
- 43-00398 1.0
- 43-00399 1.0
- 43-00400 1.0
- 43-00401 1.0
- 43-00477 1.5

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

AMENDMENT NOTES
ADDED 120 ACRES AND CHANGED LEGALS ON ANOTHER 120 ACRES.
TWO RECEIPTS: S008726 AND S012748.
NOTICE OF APPEARANCE IS REMOVED.

4300391	Old Water Right Numbers
4300392	
4300393	
4300394	
4300395	
4300396	
4300397	
4300398	
4300399	
4300400	
4300401	
4300477	

MICROFILMED

Water right number - A43-10797

Prefix Translation: ADJUDICATION CLAIM

Conditions of Approval - - - - -
No Conditions of Approval found.

Decree Plaintiff - - - +
ALBION-IDAHO LAND CO.
Decree Defendant - - - +
JOBE ADAMS ET AL
Decree Date - - +
10/18/1928

Comments - - - - -
No Comments Found

Audit Fields - - +
00/00/00

Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	- 00/00/0000	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 08/01/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S008726	Water District	- 43D
		POU Ownership Flag	- N	Federal/State Indicator	- S
		Name Connector	- OK	Presumption Flag	- D
				Notice of Error Flag	-

MICROFILMED
1988 11 5

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

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

SOURCE: ALMO CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 16.93 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 72.02 CFS. COMBINED RIGHT NOS.: 43-386,
43-2232A, 43-10797, 43-10823.

PRIORITY DATE: 04/30/1884

POINT OF DIVERSION:

T15S R24E S5 SWNE NE Lot 1 Within CASSIA County

T15S R24E S16 SE NESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	16.930 CFS

PLACE OF USE:

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 3601 ACRES WITHIN THE BOUNDARY OF ALMO WATER COMPANY IN A
SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-386, 43-2232A, 43-10797,
43-10823.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1345 ACRES WITHIN THE BOUNDARY
OF ALMO WATER COMPANY IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-391, 43-392,
43-393, 43-394, 43-365, 43-396, 43-397, 43-398, 43-399, 43-400, 43-401,
43-477.

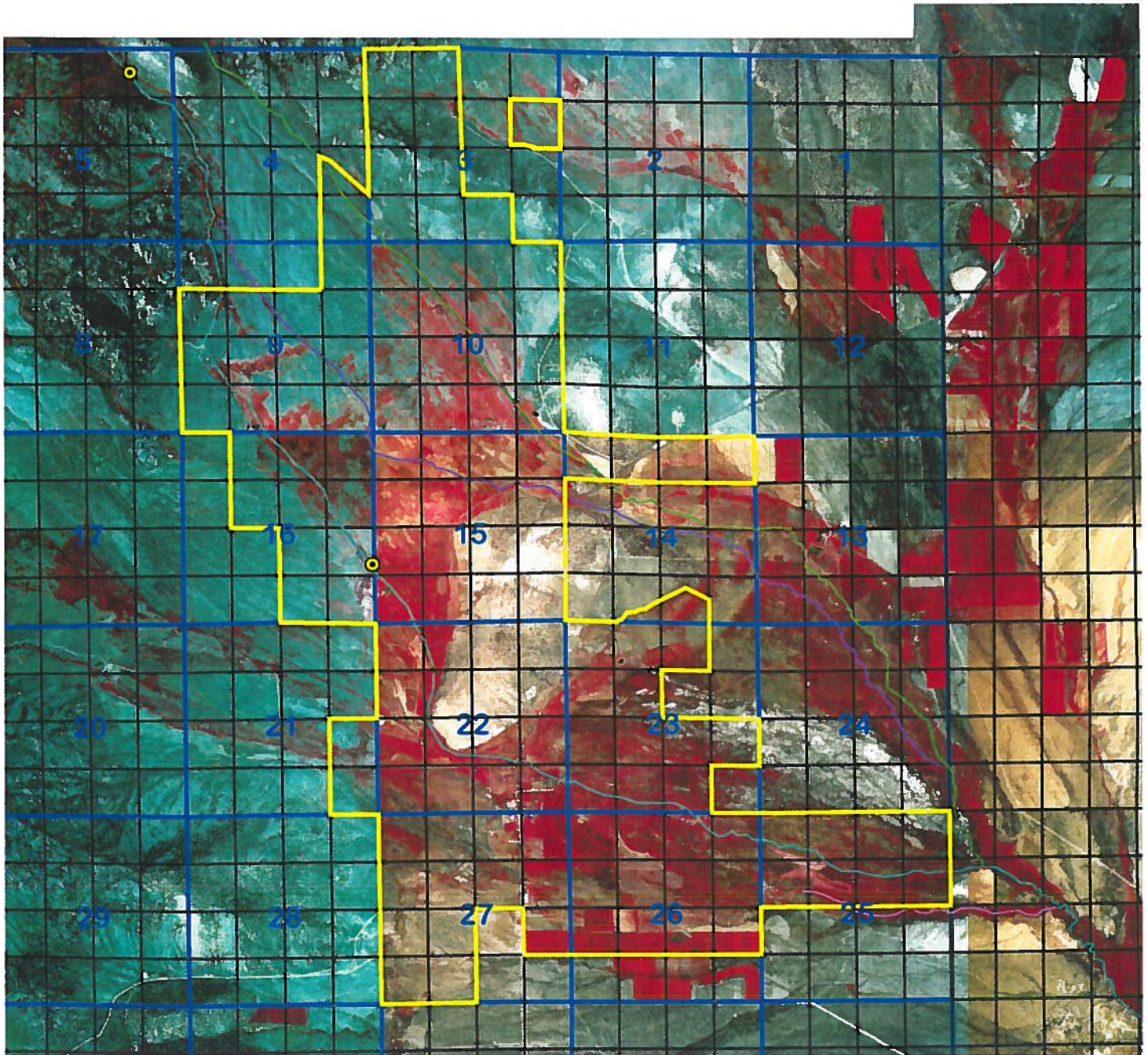
Water Right 43-10797

PD 6-28-02

Idaho Department of Water Resources

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

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



ALMO WATER COMPANY BOUNDARY

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



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

ALMO WATER COMPANY DECREE ACRES ANALYSIS							
DECREE NUM	MAX ACRES DECREED	REC'D CFS	DUPLICATE ACRES	NOT IRRIGATED	HILL	ALLOWED NET ACRES	
386	200	4.00				200	
374 & 387	200	2.76			62	138	
388	160	2.00			4	156	
389	160	2.00				160	
390	160	1.90		45 - per License FE		115	
391	80	2.00				80	
392 & 393	200	4.00	40 - of 386			160	
394 & 395	320	3.20			35	285	
396	160	0.23		140 - no conveyance		20	
397	160	2.00				160	
398	160	1.00				160	
399	120	1.00				120	
400	160	1.00				160	
401	160	1.00				160	
477	120	1.50	80 - of 398 & 390			40	
	2520	29.59	120	185	101	2114	2114
		49.7		43-2232A LICENSED ACRES			2525
		79.29 CFS		SUB TOTAL			4639
				LESS OVERLAP ACRES			<1038>
				TOTAL ACRES WITH WATER RIGHTS			3601 AC
	3601 X 0.02 = 72.02 CFS						

1RR AC PER SHAPEFILE 4387
AC w/o water rights 786

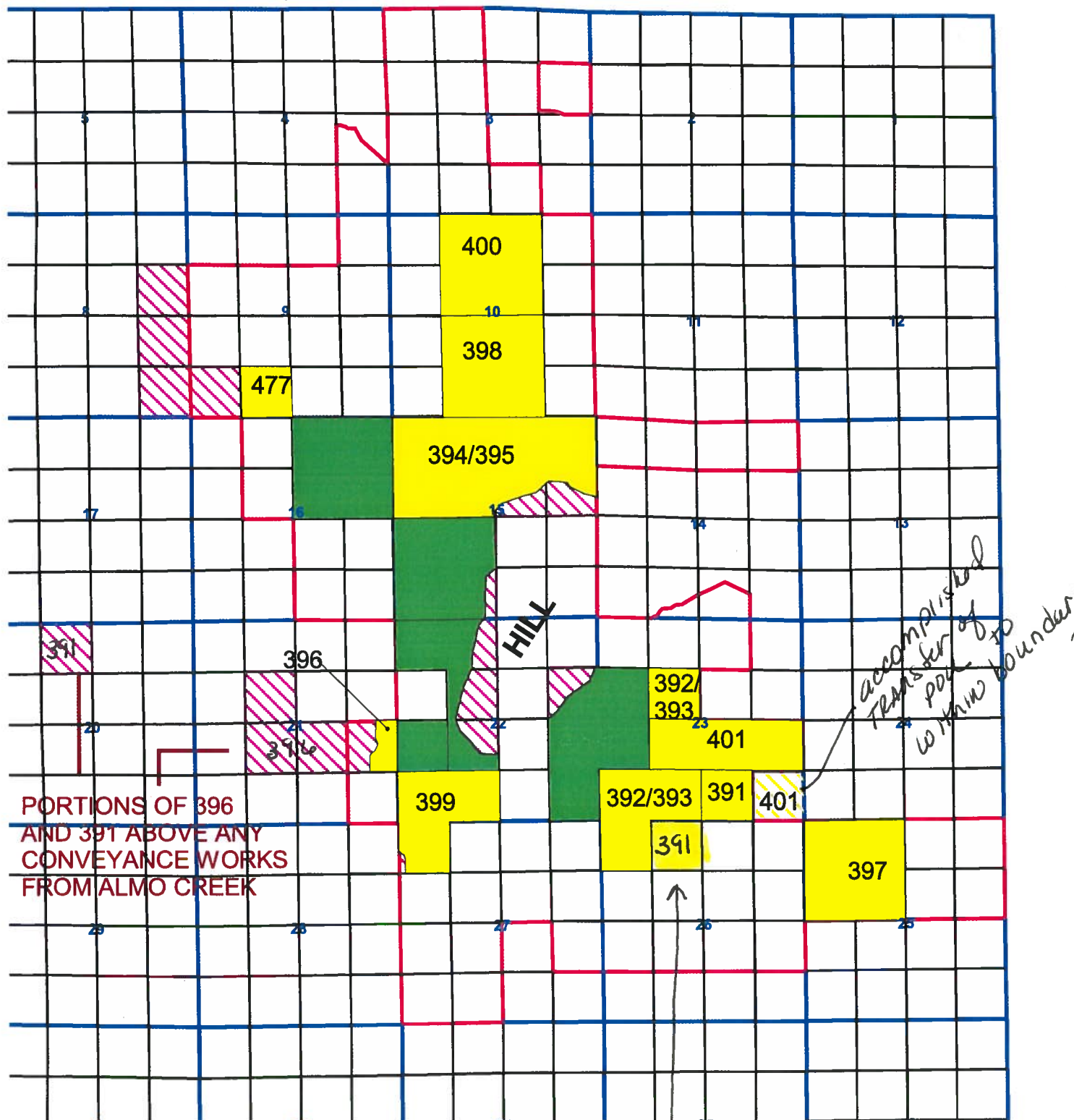
HIGHLIGHTED IN YELLOW SOLID AND YELLOW HATCH

ACRES POSSIBLE TO BE IRRIGATED WITHIN

DECREED TRACTS = ~~1305~~
1345

DECREES INCLUDED

391, 392, 493, 394, 395,
396, 397, 398, 399, 400,
401, 477



ACCOMPLISHED King
TRANSFER OF possible
Right 391 in legal
error see file

07/23/2001

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

RIGHT NUMBER: 43-10797

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

SOURCE: ALMO CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 16.93 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 60.6 CFS. COMBINED RIGHT
NOS.: 43-386, 43-2232A, 43-10797, 43-10823.

PRIORITY DATE: 04/30/1884

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

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	16.93 CFS

PLACE OF USE:

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 3030 ACRES WITHIN THE BOUNDARY OF ALMO
WATER COMPANY IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS.: 43-386, 43-2232A, 43-10797, 43-10823.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 910 ACRES WITHIN
THE BOUNDARY OF ALMO WATER COMPANY IN A SINGLE IRRIGATION
SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-391, 43-
392, 43-393, 43-394, 43-365, 43-396, 43-397, 43-398, 43-399,
43-400, 43-401, 43-477.

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

6/19/2001

Regarding:

Almo Water Company Claims

Contact:

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

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

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

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

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

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

OWNER
CODE NAME & ADDRESS
C ALMO WATER COMPANY

PRIORITY
DATE 04/30/1884
WATER USE IRRIGATION

USE PERIOD
FROM TO 03-15-11-15
TOTAL DIVERSION: 4-1 10-31
CONSUMPTIVE USE: 14.60 CFS

Water Source: ALMO CREEK

Tributary to: RAFT RIVER

Stage: DECREED

Point(s) of Diversion: T15S R24E S05
S16

SENE
NESE

CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

T	R	S	NE		NW		SW		SE		SUM
			NE	SE	NE	SW	NE	SW	NE	SE	
15S 24E 3	4	40	40	40	40	40	40	40	40	40	240.0
15S 24E 4	4	40	40	40	40	40	40	40	40	40	60.0
15S 24E 9	4	40	40	40	40	40	40	40	40	40	400.0
15S 24E 10	4	40	40	40	40	40	40	40	40	40	600.0
15S 24E 14	4	40	40	40	40	40	40	40	40	40	120.0
15S 24E 15	4	40	40	40	40	40	40	40	40	40	480.0
15S 24E 16	4	40	40	40	40	40	40	40	40	40	320.0
15S 24E 21	4	40	40	40	40	40	40	40	40	40	80.0
15S 24E 22	4	40	40	40	40	40	40	40	40	40	352.0
15S 24E 23	4	40	40	40	40	40	40	40	40	40	440.0
15S 24E 25	4	40	40	40	40	40	40	40	40	40	320.0
15S 24E 26	4	40	40	40	40	40	40	40	40	40	480.0
15S 24E 27	4	40	40	40	40	40	40	40	40	40	510.0
TOTAL ACRES											4402.0

POU County: CASSIA

Other Rights: A43-00387, A43-00386, A43-04228A, A43-02232A

Remarks: THIS CLAIM IS A COMBINATION OF THE FOLLOWING WR'S:

43-00391	2.0	CFS
43-00392	2.0	
43-00393	2.0	
43-00394	1.6	
43-00395	1.6	
43-00396	1.6	
43-00397	2.0	
43-00398	1.0	
43-00399	1.0	
43-00400	1.0	
43-00401	1.0	
43-00402	1.0	

NOT COMBINED 4
but addition
per priority
order

Comments - Priority taken from most SE decreed

Comments - Priority taken from most SE decreed

910 AC = 18.2

Combined limits:
2332, 10797, 10823, 386 to ac net in 1988

For 100% and
100% claim

See go
per

Combined
Rule
per

per

RECOMMENDATION NOTES

From: Vikie Hancock

1/30/01

Regarding: 43-386, 43-10797, 43-10823
Claims based upon decreed rights
Almo Water Company

The above claims are based upon rights decreed to Almo Water Company in the 1928 Jobe Adams Decree. The rights awarded to Almo Water Company in the Jobe Adams are based, with some modifications, upon rights decreed to the Company in the 1893 Lee Kirk v Bartholomew decree.

Both decrees state that 1 inch per acre is the duty of water in the decree. The Lee Kirk, in fact, states in the findings that 1 inch per acre has been awarded to the claimants in the decree.

The 1893 Lee Kirk awards a combined total of 1610 inches of water to claimants that subsequently pool their water and form Almo Water Company. The 1928 Jobe Adams Decree awards 1505 inches of water to Almo Water Company, breaking the awards out into rights which still bear the names identified with them in the Lee Kirk and preserving the individual associated priority dates.

Comparing the individual rights from both decrees, it is noted that some diversion rate awards are decreased and some are increased. We can only assume that the succeeding decree makes corrections to more accurately reflect irrigation use in 1928. There are obvious errors in both the Lee Kirk and Jobe Adams decrees, but by using the assumed superceding numbers, 1505 acres are included under the decreed place of use for Almo Water Company.

The above referenced claims are combined rites grouped by priority date. They have been investigated and corrections have been made for duplications of rights and other errors. See individual claim files for documentation. The places of use of the above rights have been calculated using the 1 inch per acre specified in the Jobe Adams decree and will limit each right within the PPU of the water company. There are also combined limits with the decreed rights and overlapping licensed right 43-2232A.

The claimed diversion rate for 43-10797 seems to be in error. . . diversion rates were omitted for decreed rights 393 & 395, possibly believing that they were combined rights with 2 priority dates & inclusive diversion amounts. Investigation of the findings of the Lee Kirk shows that the two rights were intended to be additive to each other.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORN
GOVERNOR

KARL J. DREHER
DIRECTOR

October 20, 2000

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

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

Dear Doug,

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

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

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

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

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

43-10727

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

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

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

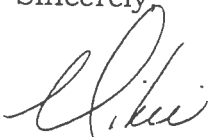
By doing some simple math it appears that the claim for 1120 acres will be reduced somewhat, but to recommend any of the acres not licensed or decreed I need proof of when those acres were developed. It is most likely that it was done over a progression of time and may correspond to a ditch being added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

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

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

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

Sincerely,



Vikie Hancock
Sr. Water Resource Agent

Cc: Brent Jones
Cordell Sheridan
Ted Tracy

NOTE TO FILE

From: Vikie Hancock

10/16/00

Regarding: Decreed Right 43-391
1928 Jobe Adams Decree

Analysis of correct location of decreed place of use in order to recommend the right as part of Almo Water Company.

1928 Jobe Adams Decree.

This right was decreed to Almo Water Company as the Thomas O. King right for 2 cfs on a specified 80 acres. The place of use described in the Jobe Adams is as follows, all T15S, R24E:

- NENW SEC 20

A review of these tracts indicates a probable error in the legal description, as this is fairly high up on Graham Creek with no connection to ditches managed by Almo Water Company and no conveyance works from Almo Creek at all. Almo Water Company has asserted no current or historical claim to Graham Creek.

- SWSE SEC 23

Upon review, SWSE Section 23 appears to be correct, as in 1969 an H.E. King owned that 40 acres (see License 43-2532B).

The 1893 Kirk -v- Bartholomew Decree

The Jobe Adams superceded the Kirk v Bartholomew, but research shows that the place of use decreed for Thomas O. King in 1893 was as follows, all T15S, R24E:

- NENW Section 26

This parcel was owned by H.E. King in 1969 (and perhaps was transposed into NENW Section 20 in the 1928 Jobe Adams).

43-10797

- SWSE Section 25

This parcel does not appear to be irrigated and is not included in the Almo Water Company boundary. This legal description may be in error.

^ ^ ^ ^

From my research I believe that it is reasonable to conclude that the 80 acre place of use decreed to AWC as the Thomas O. King right in 1928 was intended to be the same place of use decreed Thomas O. King in 1893, but that there was an error in the legal description of the King parcel in both decrees.

Thomas King shows up in documents related to Almo Water Company in 1889 in an agreement intending to form an irrigation company and issue shares. The Kirk v Bartholomew decree awards him 180 inches on 80 acres. In 1903 and again in 1906 his name appears on Articles of Incorporation for AWC, and in 1928 his right is decreed as a part of Almo Water Company. Though it is not impossible that Mr. King sold or purchased property within that time frame, it is improbable, given the facts, that those properties would have been outside of the Almo Water Company boundaries, and it appears that the King name was associated with property within the boundaries as late as 1969. If one supposes a transposing of section 26 into 20, and section 23 into 25, the correct legal description for the King right in the 1928 decree could easily have been SWSE Sec 23 & NENW Sec 26 all T15S, R24E. These tracts are contiguous, and the location puts the entire place of use within the boundary and conveyance works of Almo Water Company. Despite the decreed place of use, I recommend that this portion of SRBA claim known as 43-391 be awarded to Almo Water Company, and base that on the information available to me at this time.

43-10797

NOTE TO FILE

From: Vikie Hancock

10/17/00

Regarding: Decreed Right 43-396
1928 Jobe Adams Decree

This right was decreed to Almo Water Company as the George D. Graham right for 1.5 cfs on a specific 160 acres. The source is inferred to be Almo Creek. The place of use described in the Jobe Adams Decree is as follows:

N½SE, NESW, SENW, Section 21, T15S, R24E.

Both the Bruesch Family Trust (43-396A) and Almo Water Company (43-10797part) have claimed this entire right in the SRBA. I believe that only a portion of the George Graham right was within the jurisdiction of Almo Water Company at the time of the 1928 decree. The balance of the right should have specified Graham Creek (aka Scythe Creek) as the source, which historically has not been administered by Almo Water Company. I base this conclusion on the following evidence:

- The place of use of all but the bottom half of the NESE Section 21 is above any conveyance ditches from Almo Creek, and not included in the Almo Water Company boundary as submitted in the SRBA.
- The place of use of all but the NESE Section 21 is now being irrigated, by the Bruesch family, from Graham Creek.
- In July 1893, George Graham and Warren Richardson entered into an agreement to put the administration of the waters of Scythe (aka Graham) creek into the temporary management of the Almo Water Committee until the Lee Kirk v Bartholomew decree decided the legal right of each to the creek. In October 1893, 75 inches of *Almo Creek and its Tributaries* was awarded to George Graham. It must be assumed that a tributary was Graham Creek. Richardson was not included in the decree.
- In the 1903 version of the Articles of Incorporation for Almo Water Company, George Graham receives 6/8 shares of water from Almo Creek. John Bruesch receives 4 4/5 shares of water, specifically from Scythe Creek. In the 1906 version, John Bruesch receives 10 shares in Almo Water Company, again on Graham Creek, and George

43-10797

Graham 6/8 shares from Almo. By the time of the signing of the Warranty Deed in 1907, George Graham is not included, however one of several new signees may represent his 6/8 share.

- A comparison of diversion rates to shares does not indicate an absolute correlation. However, using decreed diversion amounts from the 1893 decree and comparing them to shares owned in 1889 and in 1903, it appears that a shareholder with as much as 75 inches of decreed water would have received more than the 6/8 share that George Graham did in 1903.
- In many instances, the 1928 Jobe Adams decree took rights directly from the 1893 Lee Kirk v Bartholomew decree. There are errors in the Jobe Adams Decree.
- The 1970 Almo Water Company v Ivan Darrington court decision awarded all the water of Graham Creek to the Bruesch family. The judge stated, in part, that said claimants had used all the water of that creek openly and notoriously and that Almo Water Company had not asserted claim or attempted to exercise control over the waters of Graham Creek during the preceding 60 years.

It appears to me that, between 1893 and 1903, George Graham conveyed a portion of the place of use for which he had decreed water from Almo and Graham Creeks - probably to John J. Bruesch. The portion retained by Graham was enough to grant him 6/8 shares of water from Almo Creek, which could only have been delivered to the bottom half of the NESE Section 21. Bruesch purchased the decreed place of use higher up along Graham Creek, which is still owned by the Bruesch family, and used his portion of the decree, or 4 4/5 shares, there. The water right decreed to George Graham in the Lee Kirk v Bartholomew was split between the two parties in the 1903 Articles of Incorporation.

Sometime after 1907, Almo Water Company ceased to administer the waters of both Stines Creek and Graham Creek. When that occurred, the Bruesch portion of the 75 inches awarded to George Graham in 1893 was removed from Almo Water Company. Using the proportional split devised in the 1903 Articles of Incorporation, the diversion rate remaining under jurisdiction of Almo Water Company is 0.23 cfs and that removed by Bruesch is 1.27 cfs.

I recommend that 0.23 cfs be included in claim number 43-10797 filed by Almo Water Company to represent this portion of the original George Graham right. The Bruesch Family Trust has claimed the full capacity of Graham Creek under right 43-00010 as awarded by the 1970 decision. Their portion of the original George Graham right would necessarily be included in that claim.

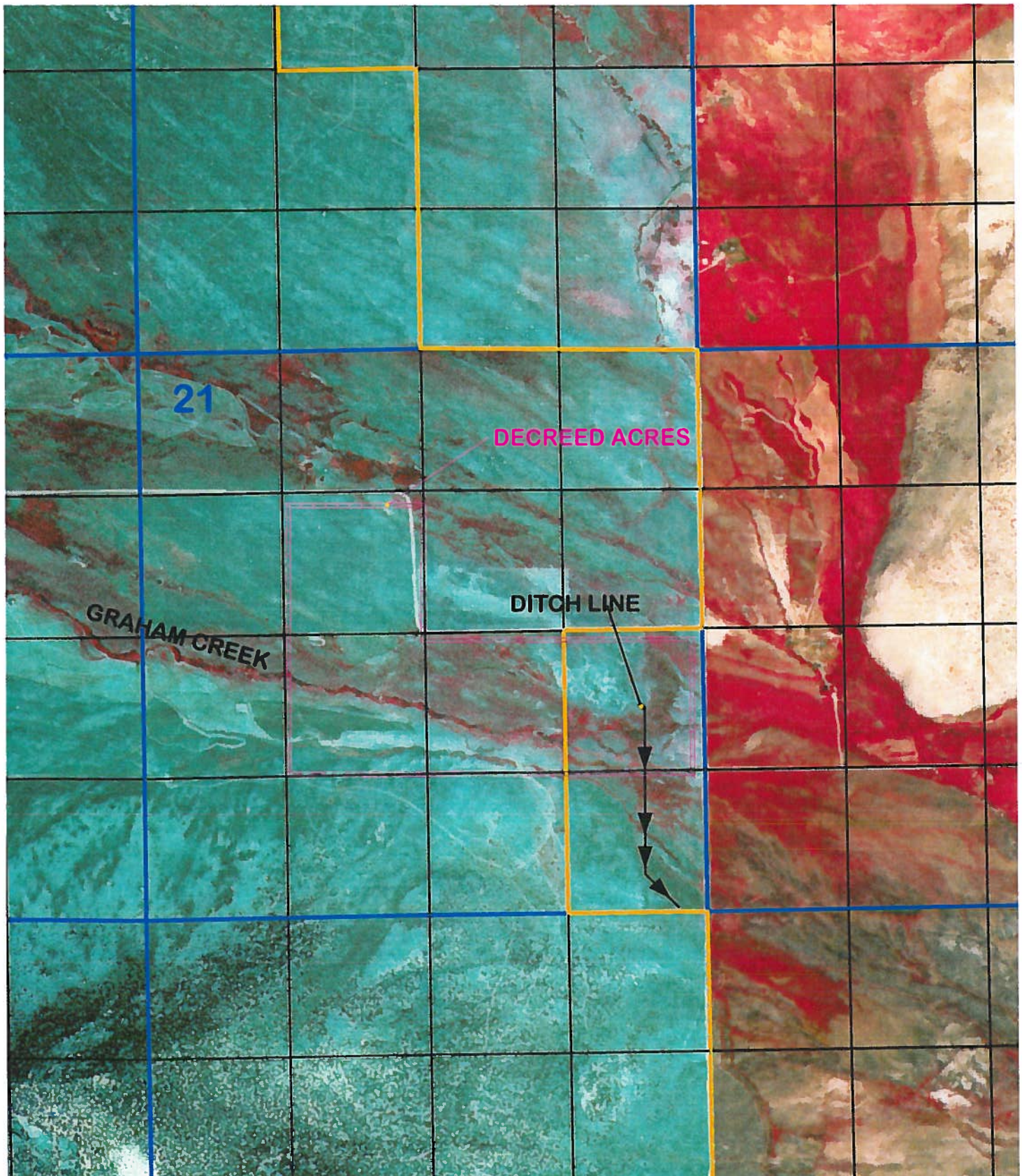
ALSO SEE CLAIM FILE 43-00010,

FILE NOTES

TWP 15S RNG 24E

 Awc-boundary.shp

DECREE 43-396 GEO GRAHAM RIGHT
ALMO WATER COMPANY



V. HANCOCK

1987 NAPP AERIAL PHOTOGRAPHY

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

10/04/2000

RIGHT NUMBER: 43-477A

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

SOURCE: ALMO CREEK TRIBUTARY: Edwards Creek

QUANTITY: 1.5 CFS

PRIORITY DATE: 07/31/1882

POINT OF DIVERSION: T15S R24E S9 NWSW Within CASSIA County
T15S R24E S9 SESW Within CASSIA County
T15S R24E S16 NWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	1.50 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T15S R24E S8	SENE	10	T15S R24E S8	NESE	20
T15S R24E S8	SESE	20	T15S R24E S9	SWNW	40
T15S R24E S9	NESW	10	T15S R24E S9	NWSW	40
T15S R24E S9	SWSW	40	T15S R24E S9	SESW	30
T15S R24E S9	NWSE	40	T15S R24E S9	SWSE	40
T15S R24E S9	SESE	40	T15S R24E S16	NENE	40
T15S R24E S16	NWNE	40	T15S R24E S16	SWNE	40
T15S R24E S16	SENE	40	T15S R24E S16	NENW	12
T15S R24E S16	SENE	10	T15S R24E S16	SESE	40
552 ACRES TOTAL					

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

THIS RIGHT HAS BEEN DISALLOWED AND RECOMMENDED AS A PORTION
OF RIGHT NO. 43-10797.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

Chas. Van Kirk
1880-Apr. 30

1.3 s.f.
.5 s.f.

To be diverted from Green Canyon Creek Waters of Antelope Springs, for the irrigation of a tract of land commencing at the NE corner of the Southeast Quarter of Sec. 6, Twp. 14 S. R. 25 E.B.M., thence South 14 rods for a place of beginning, thence South 306 rods, thence West 80 rods, thence North 306 rods, thence East 80 rods to place of beginning, except road rights of way.

F. C. Vosburg
1921-June 18

1.4 s.f.

To be diverted from Cassia Creek for the irrigation of $S\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, Sec. 23, Twp. 13 S. R. 28 E.B.M.

Ames

ALMO CREEK.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That Almo Creek and its tributaries, viz., Sythe Creek, Edwards Creek, Stine Creek, Blacksmith Fork Creek and Grape Creek, do not contribute to the supply of the water users out of Raft River and its tributaries in the irrigation of the land, and that said Almo Creek hereby is set apart as a separate water district and that the users of water from Raft River and its tributaries have no interest whatever in the use of the waters of Almo Creek and the distribution of the same; that the use of the waters of Almo Creek in accordance with the priorities hereinafter decreed, or otherwise shall not be considered as a violation of the injunctive provisions of this decree so far as the users of water from Raft River and its tributaries are concerned.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the various parties hereinafter named be, and hereby are, awarded and decreed for use in the irrigation of their lands the following and various amounts of water hereby specifically mentioned with the priorities as hereinafter specified and set out for the irrigation of their particular tracts of land hereinafter described, to-wit:

43-00373

Henry D. Belnap
1879-Apr. 15

1.8 s.f.

To be diverted from South Almo Creek for the irrigation of $SW\frac{1}{4}SW\frac{1}{4}$, Sec. 9, $SE\frac{1}{4}NE\frac{1}{4}$ and $E\frac{1}{2}SE\frac{1}{4}$, Sec. 8, Twp. 15 S. R. 24 E.B.

374

Henry R. Cahoon
1879-Apr. 30

2 s.f.

To be diverted from South Almo Creek for the irrigation of $E\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}$ and $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 22, Twp. 15 S. R. 24 E.B.M.

375

Ida Jones Cahoon
1880-Apr. 1

1.2 s.f.

To be diverted from North Almo Creek for the irrigation of the following: Beginning at the NE corner of $NW\frac{1}{4}SW\frac{1}{4}$, Sec. 13, thence West 240 rods, thence South 53 rods $5\frac{1}{2}$ feet, thence East 240 rods, thence North 53 rods $5\frac{1}{2}$ feet, to place of beginning, containing 80 acres

376

Ida Jones Cahoon
1910-June 20

2.5 s.f.

To be diverted from North Almo Creek for the irrigation of $NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, Sec. 12, $NE\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, Sec. 13, Twp. 15 S. R. 24 E.B.M.

377

Helen Edwards
1879-Mar. 17

1.6 s.f.

To be diverted from North Almo Creek for the irrigation of $SW\frac{1}{4}NW\frac{1}{4}$, Sec. 13, $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, Sec. 14, Twp. 15 S. R. 24 E.B.M.

378

1879-Mar. 17

1.6 s.f.

To be diverted from Edwards Creek. This right is supplemental and not in

B-00879

Jesse Jones
1880-Apr. 1

1.2 s.f.

addition to the above right, for the
irrigation of the land above described.

To be diverted from North Almo Creek
for the irrigation of $SE\frac{1}{4}SE\frac{1}{4}$, Sec. 14,
Twp. 15 S. R. 24 E.B.M., South $1/3$
 $NW\frac{1}{4}SE\frac{1}{4}$, Sec. 14, Twp. 15 S. R. 24 E.B.M.
South $1/3$ $NW\frac{1}{4}SW\frac{1}{4}$, Sec. 13 Twp. 15 S. R.
24 E.B.M., South $1/3$ $NE\frac{1}{4}SE\frac{1}{4}$, Sec. 14,
Twp. 15 S. R. 24 E.B.M.

380

1910-June 20

1.5 s.f.

To be diverted from North Almo Creek fo
the irrigation of $SE\frac{1}{4}SW\frac{1}{4}$ and $SW\frac{1}{4}SE\frac{1}{4}$,
Sec. 14, Twp. 15 S. R. 24 E.B.M., $NE\frac{1}{4}NW\frac{1}{4}$
and $NW\frac{1}{4}NE\frac{1}{4}$, Sec. 14, Twp. 15 S. R. 24
E.B.M.

William Jones
Mary Ann Jones
1880-Apr. 1

381

7 s.f.

To be diverted from North Almo Creek fo
the irrigation of $NE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, Sec. 13
 $NW\frac{1}{4}NE\frac{1}{4}$, Sec. 24, Twp. 15 S. R. 24 E.B.M.
 $SE\frac{1}{4}SW\frac{1}{4}$, Sec. 13, $E\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, Sec. 24
Twp. 15 S. R. 24 E.B.M. $SW\frac{1}{4}SW\frac{1}{4}$, Sec. 13
 $NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$, Sec. 23, $W\frac{1}{2}NW\frac{1}{4}$,
 $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, Sec. 24, Twp. 15 S. R. 24
E.B.M.

382

1880-Apr. 1

7 s.f.

To be diverted from Edwards Creek for
the irrigation of the above described
land.

383

William Shangles

1879-Apr. 30

1 s.f.

384

1884-Apr. 30

.8 s.f.

385

1885-Apr. 30

1 s.f.

Almo Water Company,
a corporation.

To be diverted from South Almo Creek, fo
the irrigation of $E\frac{1}{2}SE\frac{1}{4}$, Sec. 30, $N\frac{1}{2}NW\frac{1}{4}$
 $SW\frac{1}{4}NW\frac{1}{4}$, Sec. 32, Twp. 15 S. R. 24 E.B.M.

386

M. B. Durfee right
1878-Apr. 30

4 s.f.

To be diverted from Main Almo Creek for
the irrigation of $E\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, Sec. 22
 $SW\frac{1}{4}NW\frac{1}{4}$ and $NW\frac{1}{4}SW\frac{1}{4}$, Sec. 23, Twp. 15 S.
R. 24 E.B.M.

387

H. R. Cahoon right
1879-Apr. 30

2 s.f.

$E\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, Sec. 22, Twp. 15 S. R.
24 E.B.M.

388

H. D. Durfee, Jr. right
1879-Apr. 30

2 s.f.

$SW\frac{1}{4}$, Sec. 15, Twp. 15 S. R. 24 E.B.M.

389

H. D. Durfee, Sr. right
1879-Apr. 30

2 s.f.

$NE\frac{1}{4}$, Sec. 16, Twp. 15 S. R. 24 E.B.M.

390

Wm. E. Johnston right
1879-Apr. 15

1.9 s.f.

$SW\frac{1}{4}SW\frac{1}{4}$, Sec. 9 and $SE\frac{1}{4}NE\frac{1}{4}$ and $E\frac{1}{2}SE\frac{1}{4}$,
Sec. 8, Twp. 15 S. R. 24 E.B.M.

391

Thomas O. King right
1880-Apr. 20

2 s.f.

$SW\frac{1}{4}SE\frac{1}{4}$, Sec. 23, $NE\frac{1}{4}NW\frac{1}{4}$, Sec. 20, Twp.
15 S. R. 24 E.B.M.

Jacob Paden right
1880-Apr. 30

2.0 s.f.

$NW\frac{1}{4}NW\frac{1}{4}$, Sec. 26, $S\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$,
 $SE\frac{1}{4}NW\frac{1}{4}$, Sec. 23, Twp. 15 S. R. 24 E.B.M.

1883-Apr. 30

James T. Taylor right

1880-May 1

1883-May 1

1.6 s.f.

$N\frac{1}{2}$, Sec. 15, Twp. 15 S. R. 24 E.B.M.

392

393

394

395

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80

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32

43-00477	J. P. Jensen right July 31-1882	1.5 s.f. ✓	SWSW $\frac{1}{4}$ Sec. 9, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, Twp. 15 S. R. 24 E.B.M.	12
43-00396	Geo. D. Graham right 1883-Apr. 30	1.5 s.f. ✓	NESE ONLY NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, Twp. 15 S. R. 24 E.B.M.	12 +4
397	C. V. Spencer right 1882-Apr. 30	2 s.f. ✓	NW $\frac{1}{4}$, Sec. 25, Twp. 15 S. R. 24 E.B.M.	16
398	Jno. Miller right 1882-Apr. 30	1 s.f. ✓	E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10, Twp. 15 S. R. 24 E.B.M.	16
399	Charles Heath right 1883-May 31	1 s.f. ✓	S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22 and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, Twp. 15 S. R. 24 E.B.M.	12
400	Henry T. Eames right 1884-Mar. 31	1 s.f. ✓	E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10, Twp. 15 S. R. 24 E.B.M.	16
401	Robert J. Eames right 1884-Apr. 30	1 s.f. ✓	E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, Twp. 15 S. R. 24 E.B.M.	11 16

GRAPE CREEK

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That Grape Creek, heretofore mentioned as a tributary of Almo Creek be, and hereby is, set off as a separate water district, and that the defendants and cross-complainants hereinafter named shall have the exclusive right to the use of the waters of Grape Creek to the extent of their various appropriations hereinafter set forth for the irrigation of their respective tracts of land hereinafter described, and that such right is independent of and superior to the rights of the various users of water from Almo Creek, and that the use of the water by said parties hereinafter named shall not be considered as a violation of the injunctive provisions of this decree, and that the use of all of said waters by the herein-after named defendants shall not be construed as an invasion of the rights of the water users of Almo Creek; that as between the hereinafter named defendants, their priorities and rights to use the waters of said Grape Creek be, and hereby are, fixed as follows:

3-00402 403	Chas. Wake and the other heirs at law of Eliza Wake 1880-Apr. 1 1881-Apr. 1	3.2 s.f. 3.2 s.f.	To be diverted from Grape Creek High water of Grape Creek for the irrigation of NW $\frac{1}{4}$, Sec. 6, Twp. 15 S. R. 25 E.B.M., also Lots 1 and 2, and NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 15 S. R. 25 E.B.M.	
404 405	Asael Lowe and other heirs at law of John Lowe, deceased. 1880-Apr. 1 1890-Apr. 1	3.2 s.f. .8 s.f.	To be diverted from Grape Creek for the irrigation of SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, Twp. 15 S. R. 25 E.B.M.	
406	John C. Ward and Nellie Ward 1880-Apr. 1	3.2 s.f.	To be diverted from Grape Creek for the irrigation of NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, Twp. 15 S. R. 25 E.B.M.	
407	Orville Ward and Nina Ward 1880-Apr. 1	3.2 s.f.	To be diverted from Grape Creek for the irrigation of NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, Lot 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, Twp. 15 S. R. 25 E.B.M.	

16.8 cfs highest 840 inches

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each of the parties hereto, both plaintiff and defendants, cross-complainants and interveners, together with their heirs, successors, assigns, agents, servants and employees are hereby severally particularly restrained and enjoined from using, attempting to use, diverting or attempting to divert, any of the waters of said Raft River or its tributaries as hereinbefore defined and set out in any manner except as hereinbefore provided and set out and in strict accordance with the terms of this decree.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That each of the parties hereto, both plaintiff and defendants, cross-complainants and interveners shall pay their own costs expended in this cause, such costs being filing fees, marshall's fees, publication fees, witness fees and reporter's fees. That the cost of securing maps, blue prints, necessary expenses of the commissioner including stenographer's expenses incurred in the drawing of this decree, be, and hereby are, fixed at the sum of \$2132.90, of which sum the following named parties shall pay the amount hereinafter specified, and that the commissioner, W. G. Bissell, be, and hereby is adjudged to have a lien upon the property of each of the several parties in this decree described for the amount of costs hereby taxed against each of said parties, viz.:

Albion-Idaho Land Company	\$262.90
Orlando Bateman and Ella Bateman	19.80
J. <u>Edwin</u> Barker and Teggie Barker	4.40
Alfred H. Barker and the other heirs at law of Brigham O. Barker, deceased	11.00
Samuel H. Barker and Susie Barker	11.00
Osmer W. Ball	17.60
Cecil Beecher	1.10
E. U. Beecher	3.85
O. F. Beecher and Sina Beecher	5.50
Clifford Beecher and Hazel Beecher	\$12.10
Sadie Beecher	16.50
Henry E. Bigler	11.00
H. R. Booth and Maggie Booth	8.80
J. R. Booth and Jennie Booth	8.80
Joshua B. Brown	8.80
Sarah Bulware	4.40
Phillip Burrows	17.60
Burt J. Cottle and Ethel Cottle	2.20
Sarah Maria Darrington	4.40
J. Edward Darrington	3.84
H. F. Deardorff	35.20
J. P. Fabrick	17.60
First National Bank of Brigham City, Utah	4.40
Charles Gamble, Jr. and Chrissy Gamble	8.80
Louis J. Gunnell	26.40
Sarah H. Gunnell	4.40
Frank Goff and Mrs. Frank Goff	8.80
L. P. Hall and Charlotte Hall	4.40
Joseph Harper and Sarah Harper	8.80
Wells Hadfield and Synthia Hadfield	6.60
Margaret Hawkins	15.40
O. T. Hawkins and Jennie Hawkins	33.55
R. K. Hepworth and Jane Hepworth	4.40
George Hepworth	1.10
Mrs. Jane Hitt	4.40
J. C. Hitt	8.80
J. R. Hitt and Jennie Hitt	4.40
James B. Hitt	25.30
Ellen Hoagland	8.80
Ray O. Holley and Pearl Holley	2.20
Robert Hutchinson and Martha Hutchinson	8.80
David Hubbard	2.75
Annie Hubbard	.55
Joseph R. Hurd	1.65
Mrs. J. S. Hutchinson	4.40
International Mortgage Bank	315.79
David W. Jones and Violet Jones	8.80
Wm. Jones and Maryann Jones	26.40
Stella Livingston	15.40
Thomas Llovd and Mamie Llovd	8.80

S. H. Lloyd	8.80
A. Lounsbery	24.20
Ralph A. Lounsbery	25.30
Hanna McFarlane	8.80
J. S. McGill	19.80
G. S. Marshall and Kate Marshall	28.60
R. M. Maxfield and Annie Maxfield	8.80
North American Mortgage Co.	24.20
I. J. Neddo and Alice Neddo	11.00
Frederick J. Nye and Hanna Nye	8.80
Andrew Olsen and Pauline Olsen	8.80
Oregon Mortgage Company	39.60
J. H. Ottley and Sarah Ottley	7.15
Fred H. Ottley and Abbie C. Ottley	8.80
Ether Park	8.80
Elba Park	
Asel B. Parrish and Ethel Parrish	1.10
A. F. Parish and Ida Parish	17.60
F. C. Parish and Lilly Parish	1.10
Frederick W. Parish	8.80
A. J. Peterson and Laura Peterson	6.60
J. C. Pettingill and Agnes Pettingill	4.40
A. D. Pierce and Bula Pierce	22.00
W. J. Pierce	17.60
John Popleton and Mrs. John Popleton	\$ 8.80
Portland Mortgage Company	22.00
Mrs. E. S. Rasmussen	8.80
J. Edward Rasmussen	2.75
Frank D. Rasmussen and Mrs. Frank D. Rasmussen	4.40
Silvia D. Rice	15.40
Ada C. Rice	13.20
Wm. H. Robertson	8.80
Orson J. Sanders and Cloe Sanders	13.20
Marion Savage and Rose Savage	8.80
David E. Sawyer	8.80
George M. Scott and Maggie Scott	17.60
Settlers Land & Water Company	
Willis Sears and Lulu Sears	7.70
Charles L. Sears and Sadie Sears	8.80
Harry Shaw	19.80
Charles Shaw	6.60
Jessie Shill and Lavilla Shill	6.60
Frank G. Schodde, Fred Schodde and George Schodde	13.20
T. R. Smith	8.80
John O. Smith and Flossie Smith	13.20
Joseph O. Smith and Luella Smith	8.80
W. H. Smoot and Adelia Smoot	4.40
C. N. Strevel	13.20
Winslow R. Taylor	17.60
Thomas Taylor, Jr. and Lena Taylor	8.80
Taylor Bros., a co-partnership	
L. O. Taylor and John W. Taylor	15.40
C. W. Thomas, Administrator	11.00
D. E. Tracy and Mary Tracy	4.40
Fannie Tracy	8.80
Lorenzo Twitchell	8.80
John C. Ward and Nellie Ward	26.40
W. A. Ward and Mrs. W. A. Ward	20.90
Glenn S. White and Sarah Jane White	4.40
Ed Whittaker and Josephine Whittaker	4.40
Frank S. Whittaker and Matilda Whittaker	4.40
D. J. Whittaker and Florence Whittaker	4.40
Benjamin Willmore	33.00
Willard W. Wickle	8.80
Henry L. Wickle	8.80
H. W. Wickle and May Wickle	8.80
A. J. Udy	3.30
Joseph Udy and Nettie Udy	8.80
M. C. Udy and Mary Udy	15.40

Chas. Van Kirk	4.40
F. C. Vosburg	8.80
Henry D. Belnap	8.80
Henry R. Cahoon	8.80
Ida Jones Cahoon	4.40
Helen Edwards	4.40
Jesse Jones	17.60
William Jones and Mary Ann Jones	46.20
William Shangles	8.80
Almo Water Company	129.80
Chas. Wake and the other heirs at law of Eliza Wake	17.60
Asael Lowe and other heirs at law of John Lowe, deceased	11.00
Orville Ward and Nina Ward	8.80
	<u>\$2132.90</u>

Dated at Boise, Idaho, this 18th day of October, 1928.

CHARLES C. CAVANAH
U. S. District Judge.

Endorsed, Filed October 23, 1928
W. D. McReynolds, Clerk
By M. Franklin, Deputy

UNITED STATES of AMERICA }
DISTRICT OF IDAHO } ss.

I, W. D. McREYNOLDS, Clerk of the United States District Court for the District of Idaho, do hereby certify that the foregoing copy of DECREE in the case of Albion-Idaho Land Company, a corporation, Plaintiff, vs. Jobe Adams, et al, Southern Division No. 992 Civil has been by me compared with the original, and that it is a correct transcript therefrom and of the whole of such original, as the same appears of record and on file at my office and in my custody.

In testimony whereof, I have set my hand and affixed the seal of said Court in said District this 23rd day of October, 1928.

(SEAL)

W. D. McREYNOLDS
Clerk.

By M. Franklin
Deputy.

Filed for record at request of Bissell & Bird at 10:15 A.M., April 15, 1929.

Fee: \$25.50

B. F. Wilson County Recorder

IN THE DISTRICT COURT OF THE UNITED STATES,
FOR THE DISTRICT OF IDAHO, SOUTHERN DIVISION.

Albion Idaho Land Company,
a corporation.

Plaintiff.

-vs-

Jobe Adams, et al,

Defendants.

IN EQUITY No. 922.

ORDER OF COURT AMENDING DECREE.

Upon presentation of the above stipulation to the Court, it is hereby ordered, adjudged and decreed that the decree heretofore entered in this cause, be, and the same is hereby amended to conform to the terms of the within stipulation, and that this order shall have the force and effect of amending said decree.