

12/06/2000

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

RIGHT NUMBER:

43-11289

NAME AND ADDRESS:

ROBERT E TAYLOR
WALLACE C TAYLOR
C/O CAROLE TAYLOR
2714 WAKONDA DR
FORT COLLINS, CO 805211244

SOURCE:

GROUND WATER

QUANTITY:

0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE:

09/01/1899

POINT OF DIVERSION:

T15S R24E S22

NWSESE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER
DOMESTIC 1 HOMES

PERIOD OF USE
01-01 12-31
01-01 12-31

QUANTITY
0.02 CFS
0.04 CFS

PLACE OF USE:

STOCKWATER Within CASSIA County
T15S R24E S22 SESE
DOMESTIC Within CASSIA County
T15S R24E S22 SESE

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

LOT 2 BLOCK 1, AND LOTS 1 AND 2 BLOCK 2, DURFEE ADDITION,
CITY OF ALMO.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:00:34
05/24/95
50

CLAIM NUMBER: A43-10217

SP 11-2-81
11-2-90

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WALLACE C TAYLOR	09/01/1989	IRRIGATION	03-15 11-15	0.15 CFS	
C	ROBERT E TAYLOR		STOCKWATER	01-01 12-31	0.02 CFS	
			DOMESTIC	01-01 12-31	0.04 CFS	

TOTAL DIVERSION: 0.22 CFS
CONSUMPTIVE USE: 18.70 AFA

Water Source: GROUNDWATER
Tributary to: CASSIA County

Point(s) of Diversion: T15S R24E S22 NWSESE

Place of use	Legal Description for: IRRIGATION	NE	NW	SW	SE
T	R S : Lt Ac Lt Ac Lt Ac Lt Ac	NENE NWNE SHNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE : SUM			
15S 24E 22 :					07 : 7.5
					TOTAL ACRES 7.5

Place of use	Legal Description for: STOCKWATER	NE	NW	SW	SE
T	R S : Lt Ac Lt Ac Lt Ac Lt Ac	NENE NWNE SHNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE : SUM			
15S 24E 22 :					S : 1

POU County: CASSIA
Non-Irrigation Uses: D/ 1 HOUSEHOLD, S/ 20 RANGE &/OR HORSES
Other Rights: SHARES IN ALMO WATER COMPANY

Remarks: WELL WAS ORIGINALLY HAND DUG BUT WAS REPLACED BY DRILLED WELL AROUND 7/1/1960.
PLACE OF USE IS BLK. 1 LOT 2 AND BLK. 2 LOTS 1 & 2 OF THE DUFFEE ADDITION TO CITY OF ALMO. THE WELL IS LOCATED ON BLK.1 LOT 2.

Dates: Exam Made Date: Verified Date:
Misc: Water District Number: Field Inspection Flag:

Right split in to (1899)
Right split in to (1940)
43-11289 & 1st added 12-23-92
43-11290 & 1st added 12-23-92
per off record a few feet
per Bu sec 12-6-80

SPLIT RIGHT 43-10217

43-11289

43-11290

1899

1960

Domestic .04 } .04

IRR .15

Stock .02 }

7.34 ac

1 home

VOL 30AFA

20 head

pod NWSESE 22

pod NWSESE Sec 22

poll SESE 22

C-18

SWSE 22

N-11

C-18

N-13

S-22

B-09

Right 43-10217 Split per Affidavit of
Wallace Taylor dated 12-28-91.
Well not used for irrigation until
1960.

Poll also has surface water irrigation
with Almo Water Co Shares.

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Claim Report

12/05/2000

WATER RIGHT NO. 43-10217

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WALLACE C TAYLOR
Current Owner	ROBERT E TAYLOR
	C/O CAROLE TAYLOR
	2714 WAKONDA DR
	FORT COLLINS, CO 805211244
	(970)484-3626

Priority Date: 09/01/1889
 Basis: Beneficial Use
 Status: PARENT

Source Tributary to
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/1 5	0.15 CFS		
STOCKWATER	1/01	12/3 1	0.02 CFS		
DOMESTIC	1/01	12/3 1	0.04 CFS		
Total Diversion			0.22 CFS		

Point(s) of Diversion:
 Township Range Section 1/4 of 1/4 of 1/4 Lot County
 15S 24E 22 NW SE SE 0 CASSIA

IRRIGATION Use:
 Acre Limit: 7.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Townsh</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
<u>ip</u>	<u>e</u>	<u>n</u>												
15S	24E	22		SESE	7.5									

Place of Use Legal Description: STOCKWATER CASSIA County

<u>Townsh</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
<u>ip</u>	<u>e</u>	<u>n</u>												
15S	24E	22		SESE										

Place of Use Legal Description: DOMESTIC CASSIA County

<u>Townsh</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
15S	24E	22		SESE										

Total Acres: 7.5

Remarks:

- General WELL WAS ORIGINALLY HAND DUG BUT WAS REPLACED BY DRILLED WELL AROUND 7/1/1960.^^^ PLACE OF USE IS BLK. 1 LOT 2 AND BLK. 2 LOTS 1 & 2 OF THE DURFEE ADDITION TO CITY OF ALMO. THE WELL IS LOCATED ON BLK.1 LOT 2.^^^

Dates:

Licensed Date:
 Claim Received Date:
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: AND
 Overall Max Diversion Rate: 0.22
 Overall Max Diversion Volume: 0
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False
 Child Right(s): 43-11289 WRADJUDICATIONCLAIM
 43-11290 WRADJUDICATIONCLAIM

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: A43-10217
Date Received: 5/23/1989
Receipt No: 5007288
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALLACE C. TAYLOR 208-824-5572
Address: P.O. BOX 144
ALMO, ID 83312

AND/OR

Name: ROBERT E. TAYLOR 208-824-5572
Address: P.O. BOX 144
ALMO, ID 83312

2. Date of Priority: SEP 01, 1889

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	24E	22	NW	SE	SE		CASSIA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	03/15	11/15	0.150		

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

8. Total consumptive use is 18.7 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSEHOLD, S/ 20 RANGE &/OR HORSES

A43-10217

Page 1

Date: 05/23/89

COPY

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	24E	22	SE		SE		IRR	7.5
			SE		SE		DOMEST	
			SE		SE		STOCK	
							Section Acres	7.5
							Total Acres	7.5

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:
SHARES IN ALMO WATER COMPANY

14. Remarks:
WELL WAS ORIGINALLY HAND DUG BUT WAS REPLACED BY DRILLED WELL
AROUND 7/1/1960.
PLACE OF USE IS BLK. 1 LOT 2 AND BLK. 2 LOTS 1 & 2 OF THE
DURFEE ADDITION TO CITY OF ALMO. THE WELL IS LOCATED ON BLK.1
LOT 2.

15. Basis of Claim: BENEFICIAL USE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Map A43-04008

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): Harold C. Gayle Date: 5-23-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of May 19 89
[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/94



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-10217
WALLACE C. TAYLOR
ROBERT E. TAYLOR
P.O. BOX 144
ALMO

ID 83312

RE: Evidence of Priority

RESPONSE DEADLINE

FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit.** The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

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DECEMBER 28, 1991

TO WHOM IT MAY CONCERN:

THIS AFFIDAVIT PERTAINS TO THE "EVIDENCE OF PRIORITY" FOR WATER RIGHT NUMBER A43-10217. THE ABSTRACT OF TITLE DESCRIBES THESE 7.5 ACRES AS LOTS 1 AND 2 (BLOCK 2) AND LOT 2 (BLOCK 1) OF THE DURFEE ADDITION TO THE CITY OF ALMO.

THESE THREE LOTS WERE PURCHASED IN 1899. IN 1899, A HAND-DUG WELL WAS ESTABLISHED ON EACH OF THE THREE LOTS TO PROVIDE WATER FOR DOMESTIC AND LIVESTOCK USE. I RECALL IN 1912, SEEING THE BRANSON FAMILY WELL ON LOT 1 (BLOCK 2) PROVIDING WATER FOR DOMESTIC AND LIVESTOCK USE.

IN 1933, I PURCHASED LOT 1 (BLOCK 2) AND FILLED UP THE OLD WELL AND HAND-DUG ANOTHER WELL A SHORT DISTANCE FROM THE PREVIOUS WELL. THE NEW WELL PROVIDED WATER FOR DOMESTIC AND LIVESTOCK USE.

IN 1951, I PURCHASED LOT 2 (BLOCK 2) AND LOT 2 (BLOCK 1). IN 1960, I ABANDONED THE HAND-DUG WELL ESTABLISHED IN 1933 AND DRILLED ANOTHER WELL ON LOT 1 (BLOCK 2). THIS 470 FOOT WELL HAS AN 8 INCH CASING WITH A 6 INCH LINER. A 3 H.P. SUBMERSIBLE PUMP IN THE WELL PROVIDES DOMESTIC, LIVESTOCK, AND IRRIGATION WATER FOR THE THREE LOTS.

NOTARIZED -

SIGNED -

Wallace C Taylor

STATE OF IDAHO
COUNTY OF CASSIA

On this 7th day of January 1992
before me a notary public in and for the State of Idaho, personally
appeared Wallace C. Taylor

known to me to be the
(person) and a Wallace C. Taylor, (if not a resident of
the within jurisdiction, he acknowledged to me that (he and
they) executed the same.

Sue Ellen Feller

Notary Public

Residing at Albion, Idaho

My commission expires 4-9-93

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MAR 04 1993

Old (D) Number -

1 - P.O. BOX 144

ROBERT E.

	State	ID	Zip
City- ALMO			83312
Phone - 208-824-5572			
1 - P.O. BOX 144			
2 -			
3 -			
City- ALMO			
Phone - 208-824-5572			

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+ - - - Status - - - +

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Tributary

+	Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
155	24E	22	NW SE SE	(31)	CASSIA				

0.040
0.020
0.150

+	-	Total Div. Rate	+	+	-	Total Div. Volume	+	+	-	Total Div. Capacity	+	+	-	Total Consumptive Use	+	+	-	KM Usage	+	+	-	0.220	18.7
---	---	-----------------	---	---	---	-------------------	---	---	---	---------------------	---	---	---	-----------------------	---	---	---	----------	---	---	---	-------	------

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
15S	24E	22	SE SE		7.5		01	IRRIGATION	(31) CASSIA
15S	24E	22	SE SE				04	STOCKWATER	(31) CASSIA
15S	24E	22	SE SE				43	DOMESTIC	(31) CASSIA

Total Acres: 7.5

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - D/ 1 HOUSEHOLD, S/ 20 RANGE &/OR HORSES

+ - - Other Rights for Same Use - SHARES IN ALMO WATER COMPANY

Remarks
WELL WAS ORIGINALLY HAND DUG BUT WAS REPLACED BY DRILLED WELL AROUND 7/1/1960.

MAR 04 1993

prefix Translation: ADJUDICATION CLAIM

Wetland
Wetland

```

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

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Conditions of Approval - -
No Conditions of Approval found.

+ - Decree Date - +
00/00/0000

- - -Comments- -
No Comments Found

+-----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	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	05/23/1989	Last Amended Date	-	00/00/0000	Temporary Right	-	P
Proof Due Date	-	00/00/0000	Proof Made Date	-	00/00/0000	Water District	-	
Licensed Date	-	00/00/0000	Receipt Number	-	S007288	Federal/State Indicator	-	S
Claims Tape Error Flg	-		POU Ownership Flag	-	Y	Presumption Flag	-	
See Exempt Flag	-		Name Connector	-	AND/OR	Notice of Error Flag	-	

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Recorded in book 2 of Miscellaneous on Page 298)

00006

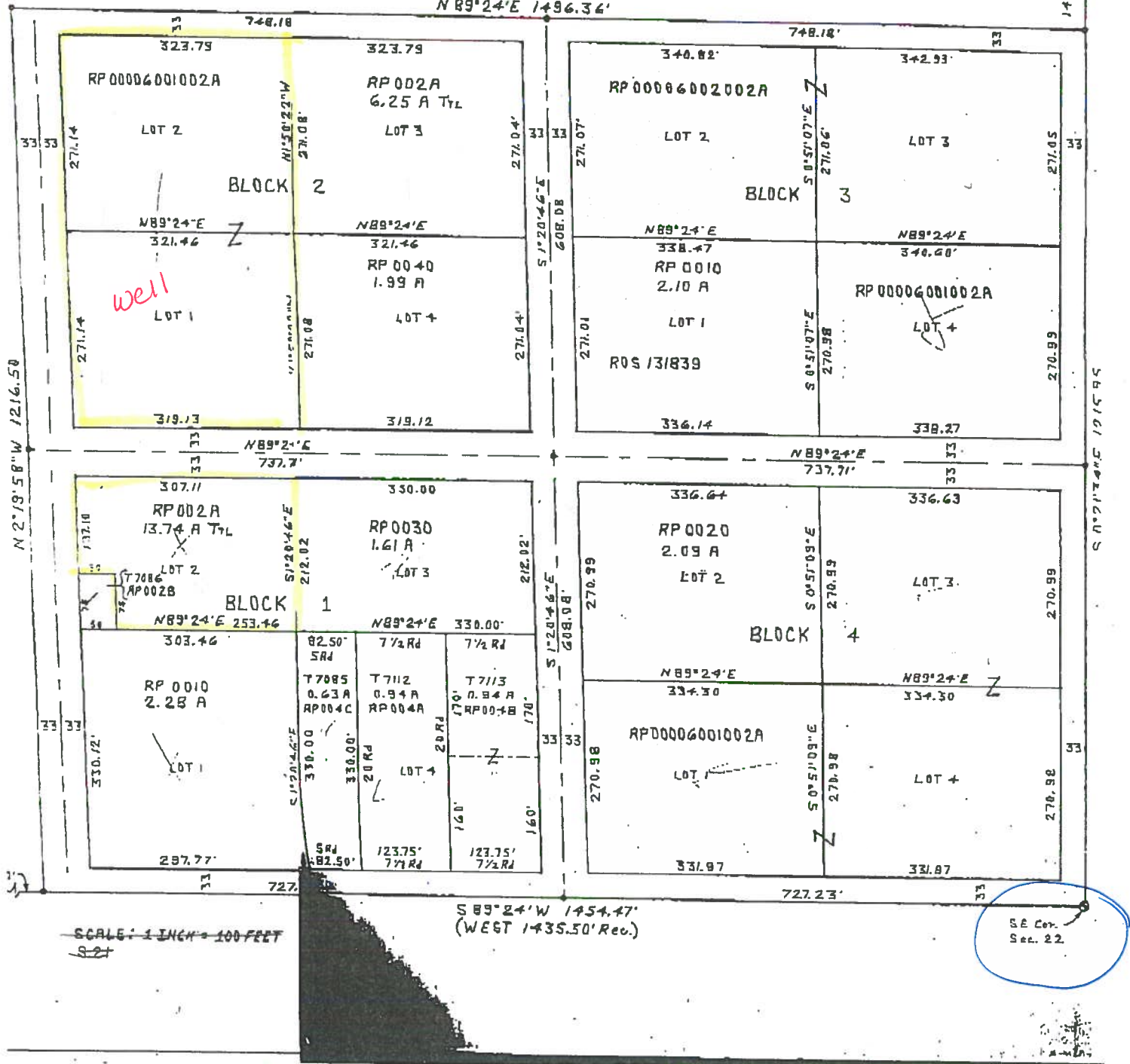
LOT 3 & 4 IN BLOCK 3;
ALL OF BLOCK 4.

Section 22 Township 15 S. Range 24 E.B.M.

REFERENCE R05125360 & R05131839

(EAST 1435.50 Rec.)

N 89°24'E 1496.36'



43-41289