

10/26/2005

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

RIGHT NUMBER: 25-7040

NAME AND ADDRESS: COMORE LOMA WATER CO INC
5395 MARBRISA
IDAHO FALLS ID 83406

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.200 CFS
8.400 AFY

PRIORITY DATE: 09/17/1973

POINT OF DIVERSION:

T01N R38E S1 NENE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.200 CFS
8.40 AFY

PLACE OF USE: DOMESTIC Within BONNEVILLE County

T01N R38E S01

NENE

T01N R38E S01

SENE

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

PLACE OF USE KNOWN AS LOTS 2, 3, 4, 5, 6, 8, & 9, BLK 2, COMORE
LOMA SUBD. DIVISION NO. 1.

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

02/10/2004

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

RIGHT NUMBER: 25-7040

NAME AND ADDRESS: COMORE LOMA WATER CO INC
5395 MARBRISA
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PURPOSE AND
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PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01/01 12/31

QUANTITY
0.200 CFS
8.40 AFY

PLACE OF USE: DOMESTIC Within BONNEVILLE County

T01N R38E S01

NENE

T01N R38E S01

SENE

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

P/U KNOWN AS LOTS 2, 3, 4, 5, 6, 8, & 9, BLK 2, COMORE LOMA SUBD.
DIVISION NO. 1.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

Water Right 25-7040

1 SCANNED

NOV 12 2004

PROFILED

RECEIVED

OCT 03 2005

Department of Water Resources

COPY

Form No. 42-1409(2)a 1/88

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 25-7040

Date Received _____

Receipt Number _____

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

1. Name of Claimant(s) Comore Loma Water Co., Inc. Phone (208) 523-2478
Mailing Address 5395 Marbrisa, Idaho Falls, ID Zip 83406
2. Date of Priority (Only (1) per claim) Sept. 17, 1973
3. Source of water supply (a) Groundwater
which is tributary to (b) _____
- 4.a. Location of existing point of diversion is:
Township 01N Range 38E Section 1, 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____,
County of Bonneville
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. _____
6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)
For Domestic purposes from 01/01 to 12/31 amount 0.2 cfs or 8.4 afa
7. Total quantity claimed (a) 0.2 (cfs) and/or (b) 8.4 (acre feet)
8. Total consumptive use claimed is _____ acre feet per annum.

SCANNED

OCT 04 2005

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

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	38E	12	D			D					D			D	D	D	D		
	39E	6	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	
		7	D				D	D	D	D									

Total number of acres irrigated _____

11. In which county(ies) are lands listed above as place of use located? 25-7040, 25-7042, 25-7161, 25-7578 AND 25-7652

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

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:

Place of use known as Lots 2, 3, 4, 5, 6, 8 & 9, Blk.2, Comore Loma Subdivision, Division No. 1.

15. Basis of Claim (Check one) Beneficial Use _____ Posted Notice _____ Permit _____ Decree _____ License X
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature(s)

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 _____

Last Name Comore Loma Water Co., Inc. Ident. Number 25-7040

SCANNED

OCT 04 2005

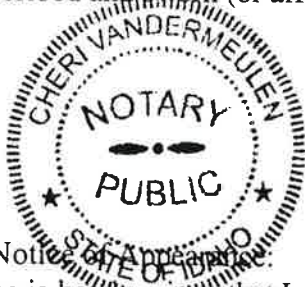
For Organizations: I do solemn swear or affirm that I am System Operator of Comore Loma Water Co., Inc., that I have signed the foregoing document in the space below as System Operator of Comore Loma Water Co., Inc. and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Comore Loma Water Co., Inc. Date 4-20-05

State of Idaho)
) SS.
County of Bonanza)

Subscribed and sworn (or affirmed) before me this 20 day of April, 2005.



[Signature]
Notary Public [Signature]
Residing at [Address]
My Commission Expires 7/1/09

17. Notice of Appearance:

Notice is hereby given that I, Kent M. Foster 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 [Signature]
Address PO Box 50130 Idaho Falls, ID 83405
Date 4/20/05

#7000
X

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: A25-07040
Date Received: 9/11/1989
Receipt No: E010257/9
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: COMORE LOMA WATER CO. INC.
Address: 5395 MARBRISA
IDAHO FALLS, ID

208-523-2478

83406

2. Date of Priority:✓ SEP 17, 1973

3. Source: GROUNDWATER✓ Trib. to:

4. Point of Diversion:✓

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	38E	1	NE	NE			BONNEVILLE

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	0.200		8.40

7. Total Quantity Appropriated is:✓
0.200 C.F.S. (and/or) 8.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:✓
D/7 HOMES

10. Place of Use:✓

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	38E	1	NE	NE		DOMEST	
			SE	NE		DOMEST	

11. Place of use in counties: BONNEVILLE ✓

A25-07040

Page 1

Date: 09/11/89

A2507040



MICROFILMED
NOV 11 1992

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

13. Other Water Rights Used:
A25-07042, A25-07161. ✓

14. Remarks:
P/U KNOWN AS LOTS 2, 3, 4, 5, 6, 8, & 9, BLK 2, COMORE LOMA SUBD.
DIVISION NO. 1. ✓

15. Basis of Claim: LICENSE ✓

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Rennie R Bell
Signature of Authorized Agent
Accountant
Comore Loma Water Co. Inc.
Title and Organization
Sept. 11, 1989
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11th day

of Sept 19 89

Betty J. Thompson
Notary Public

Seal

BETTY J. THOMPSON, NOTARY PUBLIC
Residing at RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES - 2004

MICROFILMED
NOV 10 1992

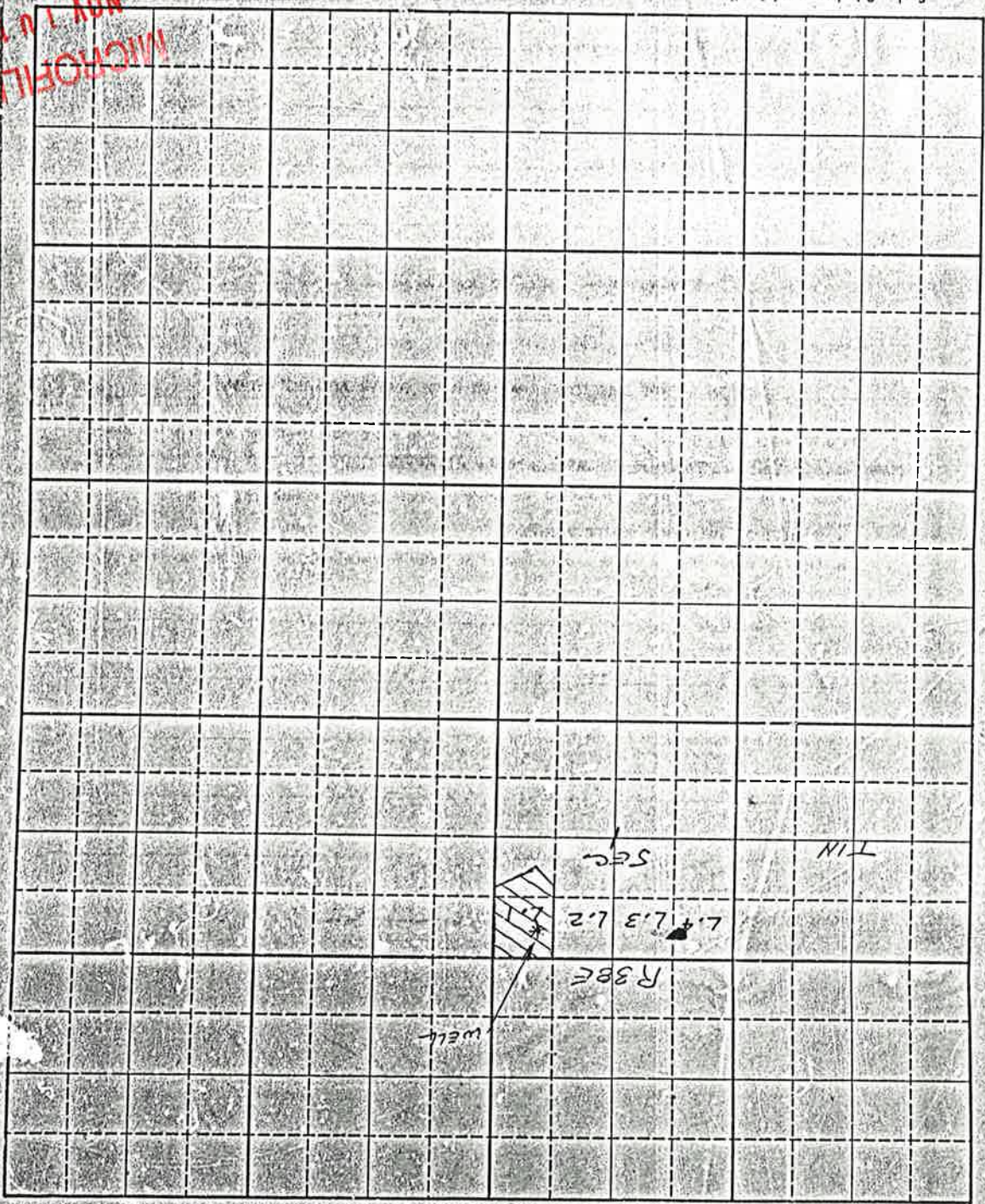
NOV 10 1992
MICROFILMED

257040

(Applicant)

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

Scale: 2 inches equal 1 mile



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

E-Vault

Law Offices

HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER*
SHAN B. PERRY
AMELIA A. SHEETS
DeANNE CASPERSON**
ROBERT L. HARRIS

1000 RIVERWALK DRIVE, SUITE 200
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

*Also Licensed in Utah and Arizona
**Also Licensed in Missouri & Kansas

April 26, 2005

RECEIVED
APR 27 2005
Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Attn: Jennifer
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RE: Amended Notices of Claim - Water Rights Nos. 25-7652, 25-7040, 25-7042, 25-7161 and 25-7578

Dear Jennifer:

Enclosed are 5 amended claims for the above mentioned water right numbers.

Thank you for your kind attention to this matter. If you have questions or if there is something further needed, please feel free to contact us at your earliest convenience.

Yours very truly,



Kent W. Foster

Enclosures

G:\WPDATA\KWF\12559 Comore\IDWR ltr 042605.wpd:cdv

PROFILED

SCANNED
MAY 11 2005

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 25-7040
Date Received: 9/11/1989
Receipt No: E010257
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

COMORE LOMA WATER CO INC Phone: (208)523-2478
5395 MARBRISA
IDAHO FALLS ID USA 83406

2. Date of Priority: 09/17/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	38E	1	NE NE		

5. Description of diverting works:

WELL & PUMP.

file in
claim file

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	1/01	12/31	0.2	8.4

7. Total Quantity Appropriated is:
0.2 C.F.S. and/or 8.4 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

PROMPT

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	38E	6	NE	NE		DOMESTIC	
			NE	NW		DOMESTIC	
			NE	SW		DOMESTIC	
			NE	SE		DOMESTIC	
			NW	NE		DOMESTIC	
			NW	NW		DOMESTIC	
			NW	SW		DOMESTIC	
			NW	SE		DOMESTIC	
			SW	NE		DOMESTIC	
			SW	NW		DOMESTIC	
			SW	SW		DOMESTIC	
			SW	SE		DOMESTIC	
			SE	NE		DOMESTIC	
			SE	NW		DOMESTIC	
			SE	SW		DOMESTIC	
			SE	SE		DOMESTIC	
01N	38E	7	NE	NE		DOMESTIC	
			NW	NE		DOMESTIC	
			NW	NW		DOMESTIC	
			NW	SW		DOMESTIC	
			NW	SE		DOMESTIC	
01N	38E	12	NE	NE		DOMESTIC	
			SE	NE		DOMESTIC	
			SW	NE		DOMESTIC	
			SW	SE		DOMESTIC	
			SE	NE		DOMESTIC	
			SE	SW		DOMESTIC	
SE	NW		DOMESTIC				

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
25-7040, 25-7042, 25-7161, 25-7578, & 25-7652

14. Remarks:

1. P/U KNOWN AS LOTS 2, 3, 4, 5, 6, 8, & 9, BLK 2, COMORE LOMA SUBD. DIVISION NO.

15. Basis of Claim: License

PROFILE

SCANNED
JUN 28 2005

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 25-7040

Date Received _____

Receipt Number _____

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

RECEIVED

APR 27 2005

Department of Water Resources
Eastern Region

1. Name of Claimant(s) Comore Loma Water Co., Inc. Phone (208) 523-2478

Mailing Address 5395 Marbrisa, Idaho Falls, ID Zip 83406

2. Date of Priority (Only (1) per claim) Sept. 17, 1973

3. Source of water supply (a) Groundwater

which is tributary to (b) _____

4.a. Location of existing point of diversion is:

Township 01N Range 38E Section 1, 1/4 of NE 1/4 of NE 1/4, Govt. Lot ,
County of Bonneville

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. _____

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)

For Domestic purposes from 01/01 to 12/31 amount 0.2 cfs or 8.4 afa

7. Total quantity claimed (a) 0.2 (cfs) and/or (b) 8.4 (acre feet)

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

PROFILE

SCANNED

JUN 28 2005

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

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 instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	38E	12	D			D					D			D	D	D			
	39E	6	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	
		7	D				D	D	D	D									

Total number of acres irrigated _____

11. In which county(ies) are lands listed above as place of use located? 25-7040, 25-7042, 25-7161, 25-7578 AND 25-7652

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

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:

Place of use known as Lots 2, 3, 4, 5, 6, 8 & 9, Blk.2, Comore Loma Subdivision, Division No. 1.

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

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature(s)

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 _____

PROFILE

SCANNED
JUN 28 2005

Last Name Comore Loma Water Co., Inc. Ident. Number 25-7040

For Organizations: I do solemnly swear or affirm that I am System Operator of
(Title)
Comore Loma Water Co., Inc., that I have signed the foregoing document in the space below as
(Organization)
System Operator of Comore Loma Water Co., Inc. and that the statements contained in the
(Title) (Organization)
foregoing document are true and correct.

Signature of Authorized Agent Dennis Bell

Title and Organization Comore Loma Water Co., Inc. Date 4-20-05

State of Idaho)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 2th day of April, 2005.



Cheri Vandermeulen
Notary Public for Idaho
Residing at Idaho Falls
My Commission Expires 7 July 09

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

G:\WPDATA\KWF\12559 Comore\Amended Claim 7040.wpd:cdv

PROFILE

SCANNED
JUN 28 2005

Last Name Comore Loma Water Co., Inc. Ident. Number 25-7040

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that RICHARD SKIDMORE

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> from <u>January 1</u> to <u>December 31</u> at <u>20</u> cfs and <u>8.4</u> acre feet			
<u>(7 units)</u> from _____ to _____ at _____ cfs and _____			
_____ from _____ to _____ at _____ cfs and _____			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Description and location of place of use:

[illegible]

Place of use are Lots 2,3,4,5,6,8 & 9, Block 2, Comore Loma Subdivision No. 1.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of February, 19 81.

Director