

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 37-21995
Date Received: 12/8/2006
Receipt No:
Received By:

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

1. Name of Claimant(s)

H WILLEM ALMA Phone:
214 BAYHORSE RD
PO BOX 497
BELLEVUE ID USA 83313-0497

2. Date of Priority: 04/01/1887

3. Source: SEAMANS CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	19E	31	SW SW SW 22	BLAINE	Beginning Point
02N	19E	31	SW SW SW 22	BLAINE	Ending Point

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02N	19E	31	SW SW	STOCKWATER	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

 Instream flow stockwater right

 The quantity of water decreed for this water right is not a determination of historical beneficial use.

 The quantity of water under this right shall not exceed 13,000 gallons per day.

15. Basis of Claim: Beneficial Use

RECEIVED

DEC 19 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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
39576
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

37-21995

Ident. Number

12/8/2006

Date Received:

Receipt No: 5029132

Received By: KKC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) H. Willern & SALLY FAY ALMA
2. Date of Priority: 04/01/1887
3. Source: SEAMANS CREEK Trib. to: BIG WOOD RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	19E	31	SW SW SW 22	BLAINE	
Beginning Point					
02N	19E	31	SW SW SW 22	BLAINE	
Ending Point					
5. Description of diverting works:
6. Water is used for the following purposes:

Purpose (or) A.F.A	From	To	C.F.S.
STOCKWATER	01/01	12/31	0.02
7. Total Quantity Appropriated is:
0.02 C.F.S.
8. Total consumptive use:
9. Non-irrigation uses:
10. Place of use:

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DEC 19 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Township Acres	Range	Section	1/4 of 1/4	Lot	Use
02N	19E	31	SW	SW	STOCKWATER

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

Instream flow stockwater right

The quantity of water decreed for this water right is not a determination of historical beneficial use.

The quantity of water under this right shall not exceed 13,000 gallons per day.

15. Basis of Claim: Beneficial Use

16. Signature(s)

Garrett L. Hendry
For Jan H. W. Calma

(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: 2 plus filing fee of \$100 ck # 3183 (WF)

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 18

of 18 December 2006 *Amanda Hedin*

Notary Public

Residing at 100 S. Main St

My commission Expires 8/26/2010





State of Idaho

DEPARTMENT OF WATER RESOURCE

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

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

DEPT INTERNET WEB SITE: www.idwr.idaho.gov

SOUTHERN REGION

JAMES E RISCH
GOVERNOR

KARL J DREHER
DIRECTOR

December 19, 2006

ELIZABETH LEENDERTSEN
PO BOX 497
BELLEVUE ID 83313

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) 37-21995

Dear Elizabeth

Enclosed is a copy of the claim and the receipt for the filing fee. I have included your name as a representative but the computer system does not print out your name on the claim form even though it is entered.

If you have additional questions you can reach me at the number listed above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kelly.christensen@idwr.idaho.gov

enclosures

Mischa Leendertsen

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DEC 19 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION**From:** Christensen, Kelly [Kelly.Christensen@idwr.idaho.gov]**Sent:** Friday, December 08, 2006 3:15 PM**To:** wlalma@aol.com**Subject:** pending in-stream stockwater claim 37-21995

Attached is the completed claim form that needs to be signed and notarized before returning it to this office along with the \$100.00 filing fee.

The check can be made out to "IDWR".

Please carefully review the claim and compare the claim to the attached map to make sure that it meets with your intentions. If you see an error please give me a call at 208-736-3033 so that we can discuss it before you mail the claim form back.

<<37-21995 alma.jpg>> <<notice of claim 37-21995.doc>>

Kelly K Christensen
Sr Water Resource Agt
Twin Falls
(208)-736-3033

1341 - 741112 St. 200
83301

Kelly -
As per your conversation with me
and my brother (William Alma) ~ Enclosed
please find \$100 filing fee and forms
notarized. Thank you for your assistance.
Elizabeth Leendertsen (208) 726-5920
POA for H.W. & S.K. Alma

12/14/2006

Instrument 5312 IV

HAILEY, BLAINE, IDAHO

2006-07-10 10:59:00 No. of Pages: 4

Recorded for: WILLEM L ALMA

MARSHA RIEMANN

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: POWER OF ATTORNEY-GENERAL/SPECIAL

To: KELLY CHRISTENSEN	From: ELIZABETH
Co./Dept: TDWR	Co: LEENDERTSEN
Phone #: 208-736-3033	Phone #: 208 726-5920
Fax #: 208-736-3037	Fax #: 208 726-2014

HENDRIK WILLEM ALMA

DURABLE POWER OF ATTORNEY

(Effective Upon Disability or Incapacity)

HENDRIK WILLEM ALMA (herein referred to as the principal), domiciled and residing in the State of Idaho, hereby revokes any other powers of attorney which the principal may have previously executed, and in their place executes this Durable Power of Attorney, as follows:

1. Designation of Attorney-in-Fact. ELIZABETH PHILLIPS ALMA ←
→ LEENDERTSEN, WILLEM LAURENS ALMA, and/or MARY ALMA, acting either collectively or individually, are hereby designated as attorneys-in-fact for the principal. If any Agent named by me shall die, become legally disabled, resign, refuse to act, or be unavailable, either of the other agents may act as my attorney-in-fact.

2. Effectiveness and Duration. This power of attorney shall become effective upon the disability or incapacity of the principal and shall remain in effect until revoked or terminated under paragraph 3 or 4, below, notwithstanding any uncertainty as to whether the principal is dead or alive. Disability or incapacity shall include inability on the part of the principal to manage the principal's property and affairs effectively for reasons such as mental illness, mental deficiency, physical illness or disability, advanced age, chronic use of drugs, chronic intoxication, confinement, detention by a foreign power or terrorists, or disappearance. Disability or incapacity may be evidenced by a written statement of a qualified physician regularly attending the principal, or if none, by another qualified physician, and/or by other qualified persons with knowledge of any confinement, detention or disappearance. Incapacity may also be established by a finding of a court having jurisdiction over the incapacitated principal.

3. Revocation. This power of attorney may be revoked, suspended or terminated by the principal at any time the principal is not disabled or incapacitated, as defined in 2, above, if the principal sends written notice to the designated and acting attorney-in-fact (if already acting as such) or to the designated attorney-in-fact (if this power of attorney has not yet been made use of by that time). In addition, if this power of attorney has been recorded, the written instrument of revocation shall be recorded in the office of the Recorder of any county in which the power of attorney is recorded.

4. Termination.

A. By Guardian of Estate. The appointment of a guardian of the estate of the principal vests in the guardian, with court approval, the power to revoke, suspend or terminate this power of attorney. The appointment of a guardian of the person only, does not empower the guardian to revoke, suspend or terminate this power of attorney.

B. By Death of Principal. The death of the principal shall be deemed to revoke this power of attorney upon actual knowledge or actual notice being received by the attorney-in-fact.

5. Powers. The attorney-in-fact, as a fiduciary, shall have all powers of an absolute owner over the assets and liabilities of the principal, whether located within or without the State of Idaho, including, without limitation, the power and authority to:

A. Make deposits to, and payments from, any account in a financial institution in the name of the principal, and enter any safe deposit box to which the principal has a right of access and deposit or remove property therefrom.

B. Sell, exchange, or otherwise transfer title to the principal's stocks, bonds, or other securities.

C. Sell, convey, exchange or otherwise transfer or encumber any real or personal property of the principal.

D. Disclaim, in whole or in part, any interest in property, whether outright, in trust, or otherwise, so long as in the sole discretion of the attorney-in-fact such disclaimer would not be detrimental to the best interests of the principal, and would be in the best interests of those interested in the estate of the principal and of those who take as a result of any such disclaimer.

E. Prepare, or arrange for the preparation of, all federal and state income tax and gift tax returns on behalf of the principal, execute and submit such returns, and pay all such taxes as may be due.

F. Represent the principal with respect to audits, appeals, and lawsuits related to any income or gift tax return filed on behalf of the principal, and pay any assessments for interest or penalties levied against the principal in connection with such tax returns.

G. Make transfers of the principal's property, both real and personal, to any trust created by the principal of which the principal is the primary beneficiary during the principal's life.

H. Make transfers of the principal's property, including but not limited to transfers to the principal's spouse and gifts to the principal's children, for the purpose of qualifying the principal for governmental medical assistance to the full extent provided by law should there be a need for medical care or for the purpose of preserving for the principal's spouse the maximum amount of property allowed under applicable law if an application has been made for governmental medical assistance for the principal. Any transfers made pursuant to this paragraph shall be deemed not to be a breach of fiduciary duty by the attorney-in-fact.

I. State the principal's desire to return to her residence for Medicaid or other purposes.

J. Make gifts, whether outright or in trust, to the relatives of the principal and the spouses of any such relatives, in accordance with any pattern of making gifts to such persons which the principal has established or planned to establish or in such amounts as the attorney-in-fact shall determine appropriate so long as such gifts would be in the best interests of the principal and those interested in the estate of the principal, such determination to be made in the sole discretion of the attorney-in-fact.

K. Make, amend, alter or revoke any community property agreement, agreement as to status of property, or other document of similar import entered into by the principal and the principal's spouse, and make, amend, alter or revoke any of the principal's life insurance beneficiary designations and retirement plan beneficiary designations so long as in the sole discretion of the attorney-in-fact such action would be in the best interests of the principal and those interested in the principal's estate.

L. Make, amend, alter or revoke any revocable trust so long as doing so would be in the best interests of the principal, such determination to be made in the sole discretion of the attorney-in-fact.

M. Provide informed consent to (1) medical and surgical care and non-treatment for the principal, (2) the withholding or withdrawal of life-sustaining treatment for the principal, and (3) the admission of the principal to a medical, nursing, residential, or similar facility; enter into agreements for the principal's care; pay from the principal's assets reasonable expenses incurred with respect to the exercise of the authority granted herein to make health care decisions for the principal or with respect to the enforcement of any Directive to Physicians executed by the principal; and override the provisions of any Directive to Physicians executed by the principal.

Except as otherwise provided above, the attorney-in-fact shall not have the power to revoke or change any estate planning or testamentary documents previously executed by the principal, unless the document authorizes changes with court approval.

6. Intent to Obviate Need for Guardianship. It is the principal's intent that the power given to the attorney-in-fact designated herein be interpreted to be so broad as to obviate the need for the appointment of a guardian for the person or estate of the principal. If the appointment of a guardian or limited guardian of the person or estate of the principal is sought, however, the principal nominates the then acting attorney-in-fact designated above, if any, as the principal's guardian or limited guardian, or if no one is then acting as attorney-in-fact, nominates the persons designated above as attorney-in-fact and successor attorneys-in-fact as guardian or limited guardian, in the same order or priority.

7. Accounting. The attorney-in-fact shall be required to account to any subsequently appointed guardian or personal representative for the principal.

8. Reliance. All persons dealing with the attorney-in-fact shall be entitled to rely upon this power of attorney, so long as they have no actual knowledge nor actual notice of any revocation, suspension or termination of this power of attorney by death or otherwise, making it

invalid or unenforceable, and it shall be binding on the principal and on the principal's successors in interest.

9. Indemnity. The estate of the principal shall hold harmless and indemnify the attorney-in-fact from all liability for acts done in good faith and not in fraud of the principal.

10. Reliance on Photocopy Hereof. Third parties shall be entitled to rely upon a photocopy of the signed original hereof, as opposed to a certified copy of the same.

11. Applicable Law. The laws of the State of Idaho shall govern this power of attorney.

DATED this 7th day of July 2006.

Hendrik Willem Alma

HENDRIK WILLEM ALMA

Domiciled and Residing in Blaine County,
Idaho

STATE OF IDAHO)
) s.s.
County of Blaine)

This is to certify that on this 7th day of July 2006, before me, the undersigned Notary Public, personally appeared HENDRIK WILLEM ALMA, to me known to be the person described in and who executed the foregoing Durable Power of Attorney, and acknowledged to me that she signed and sealed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Heidi Southward
Notary Public
Residing at: Hailey, Idaho
My Commission Expires: 1-18-11

12/20/2006

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

RIGHT NUMBER: 37-21995

NAME AND ADDRESS: H WILLEM ALMA
214 BAYHORSE RD
PO BOX 497
BELLEVUE ID 83313-0497

VERIFIED BY KKC

SOURCE: SEAMANS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION:

T02N R19E S31 SWSWSW Lot 4 Begin of Stream Flow Within BLAINE County

T02N R19E S31 SWSWSW Lot 4 End of Stream Flow Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER in BLAINE County

T02N R19E S31 Lot 4 SWSW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

Instream flow stockwater 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.

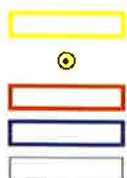
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Surface Water Rights: 37-21995



LEGEND



POU
POD
Township Boundaries
Sections
GCDB

132 0 132 Feet



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 2004 NAIP
DATA ENTRY: 12/20/2006
TARA D BAKER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

37-21995



ATTEMPTED,
NOT KNOWN

3582 \$00.39 DEC 19 2006
0702 MAILED FROM ZIP CODE 83301

ELIZABETH LEENDERTSEN
PO BOX 497
BELLEVUE ID 83301

RECEIVED
DEC 26 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

83301

