

DEC 28 2023

DEPT OF WATER RESOURCES
SOUTHERN REGION

42-222 POD - 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Almo 80 LLC Deanna Cole, Manager Phone 208-312-9110
 2. **MAILING ADDRESS** PO BOX 103 City Almo
 State Idaho Zip 83312 Email launch_pad7@yahoo.com

- ☒ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 43-375

- ☒ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](#), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 1.2 CFS cubic feet per second and/or _____ acre-feet per annum.
 (diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](#), *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
NO			NE	SW	14	15S	24E	Cassia	North Fork Almo Creek	Existing POD #2 NWC
YES			NE	SW	14	15S	24E	Cassia	North Fork Almo Creek	NEW #3 NWC
YES			NW	SE	14	15S	24E	Cassia	North Fork Almo Creek	NEW #5 MIDDLE FL
YES			NW	SE	14	15S	24E	Cassia	North Fork Almo Creek	NEW #6 MIDDLE FL
YES			NW	SE	14	15S	24E	Cassia	North Fork Almo Creek	NEW #7 MIDDLE FL
YES			NE	SE	14	15S	24E	Cassia	North Fork Almo Creek	NEW #8 PASTURE
YES			NE	SE	14	15S	24E	Cassia	North Fork Almo Creek	NEW #9 PASTURE

See
12-29-23
Email
string

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

See attached description.

- b. Who owns the property at the point(s) of diversion? Almo 80 LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

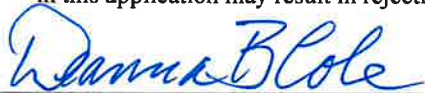
If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. MAP – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights*, *Water Right Transfers*, *File a Transfer Application*, *Step 2C*.

8. SIGNATURE – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.



Signature of applicant or authorized agent

Deanna B. Cole

Print name and title if applicable

Dec. 28, 2003

Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. FEE – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, *Water Right Transfers*, *Step 4* and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by SG

Date 12/28/2023

Fee paid \$580.00 Date 12/28/2023

Received by SG

Receipt # 5040037

Preliminary review by _____

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 43-375

12/28/2023

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALMO 80 LLC PO BOX 103 ALMO, ID 83312-0103 (208) 312-9110
Original Owner	EDNA MAE CAHHON PO BOX 157 ALMO, ID 83312 (208) 824-5564
Original Owner	DAVID & DEBRA MAY FAMILY TRUST 124 S 1350 W PAUL, ID 83347 (208) 438-8730
Previous Owner	MAX W COLE PO BOX 103 ALMO, ID 83312 (208) 312-9110
Previous Owner	DEANNA B COLE PO BOX 103 ALMO, ID 83312 (208) 312-9110

Priority Date: 4/1/1880

Basis: Decreed

Status: Active

Source
NORTH FORK ALMO CREEK

Tributary
ALMO CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.200 CFS	
	<u>Total Diversion</u>		1.200 CFS	

Source and Point(s) of Diversion:

NORTH FORK ALMO CREEK NENESW Sec. 14, Twp 15S, Rge 24E, CASSIA County

Place Of Use:

IRRIGATION within CASSIA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	24E	13										25.0							25.0
15S	24E	14													25.0	20.0			45.0

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 43-375

12/28/2023

POU Total Acres: 70.0

Conditions of Approval:

1. S22 USE OF THIS RIGHT IS COMBINED WITH WATER FROM ALMO WATER COMPANY.
2. C18 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.
3. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43D.

Comments:

1 VHANCOCK 1/4/2000 COPIED FROM REMARKS
SEE DECREE FOR FURTHER DESCRIPTION OF P. U. SOURCE UNKNOWN; THERE IS NO NORTH ALMO CREEK ON USGS MAP. SEE ATTACHED MAP FOR SOURCE IDENTIFICATION AND P/U.
***** 1-5-98: CHANGE OF OWNERSHIP - VH RECOMMENDATION SOURCE IS
LOCALLY KNOWN AS

2 tfawcett 2/7/2001 owner change
ownership changed May Family Trust to Cole per 1409(6) and warranty deed received 2/6/01.

3 dmaline 3/21/2017 Address change
Address change received 3/20/2017 indicating that Max Cole is deceased as of 10/2/2009. His address has been changed, as he is still a current owner. E-mail and phone # are for Deanna Cole.

Dates and Other Information:

Decreed Date: 7/25/2003
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 43D
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

6. GENERAL INFORMATION a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

The concrete weir for measuring North Almo Creek water is located west of the Elba-Almo Highway on Gary Jones' property just a few feet west of the "under the highway culvert."

Water is now regulated at POD #2 by a concrete water gate with 2" X 12" boards added or subtracted to control water flow. NEW PODs #3, #5, #6, #7 will be regulated with concrete water gates with 2" X 12" boards added or subtracted to control water flow.

NEW PODs #8, #9 will be regulated with canvas dams placed in the stream-bed of North Almo Creek depending on annual flow of water during the water right owner's water turn. New PODs will be measured with the appropriate device.

PODs will be used in the following manner:

Existing POD NWC #2 is used to direct North Almo Creek east/southeast to irrigate Section 14 far west pasture and trees.

New #3 POD NWC is needed to push North Almo Creek water to the New #5-6-7 PODs MIDDLE FL where North Almo Creek now turns south into the old Edwards Creek streambed so water can be directed east/southeast/ and south to irrigate Almo 80 west pasture.

New #8-9 PODs PASTURE are needed to direct North Almo Creek water to dry areas in both Section 14 west and Section 13 east treeless pastures.

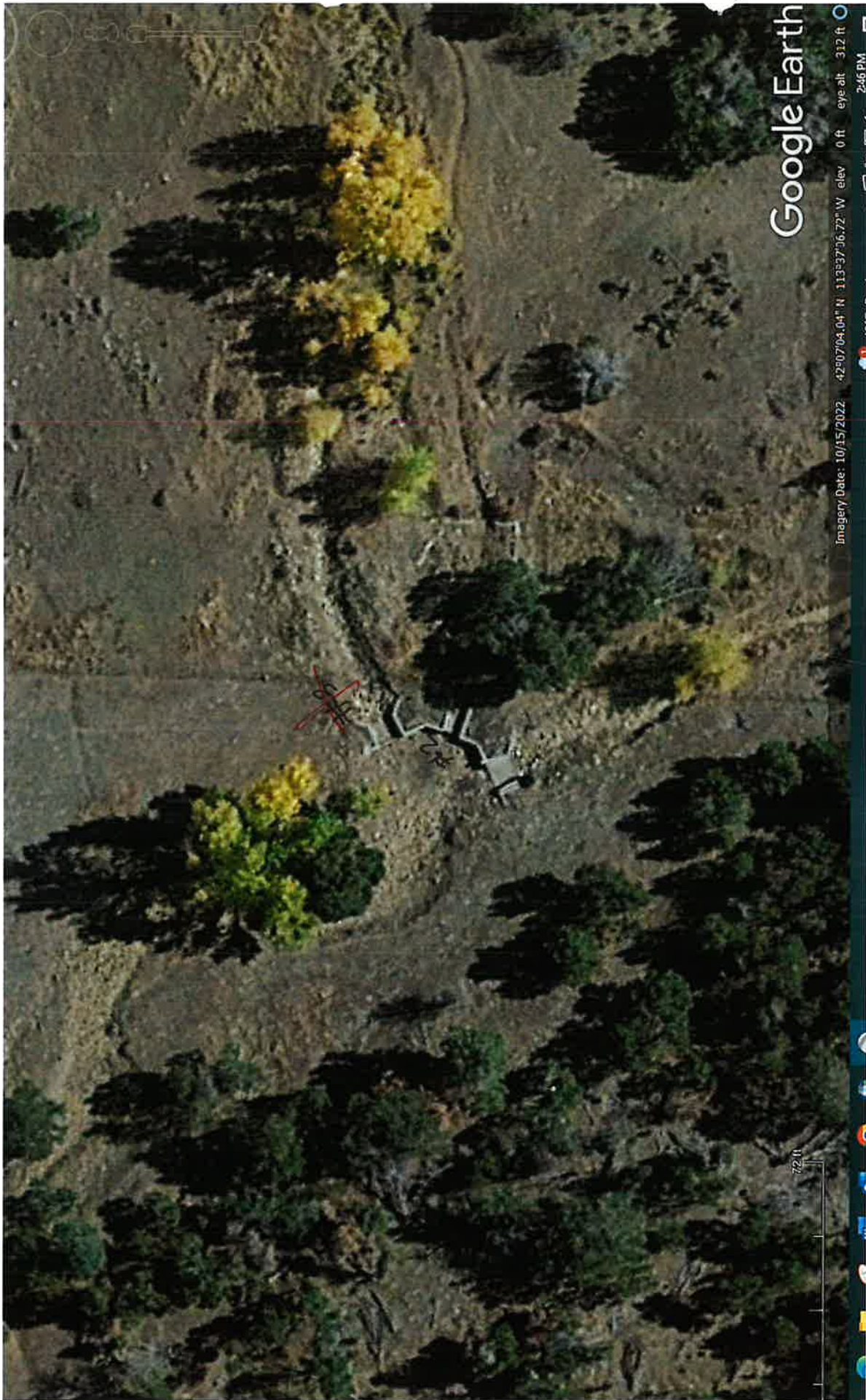
6. GENERAL INFORMATION a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

The concrete weir for measuring North Almo Creek water is located west of the Elba-Almo Highway on Gary Jones' property at the "under the highway culvert."

Water is now regulated at POD #2 by a concrete water gate with 2" X 12" boards added or subtracted to control water flow. NEW PODs #3, #5, #6, #7 will be regulated with concrete water gates with 2" X 12" boards added or subtracted to control water flow.

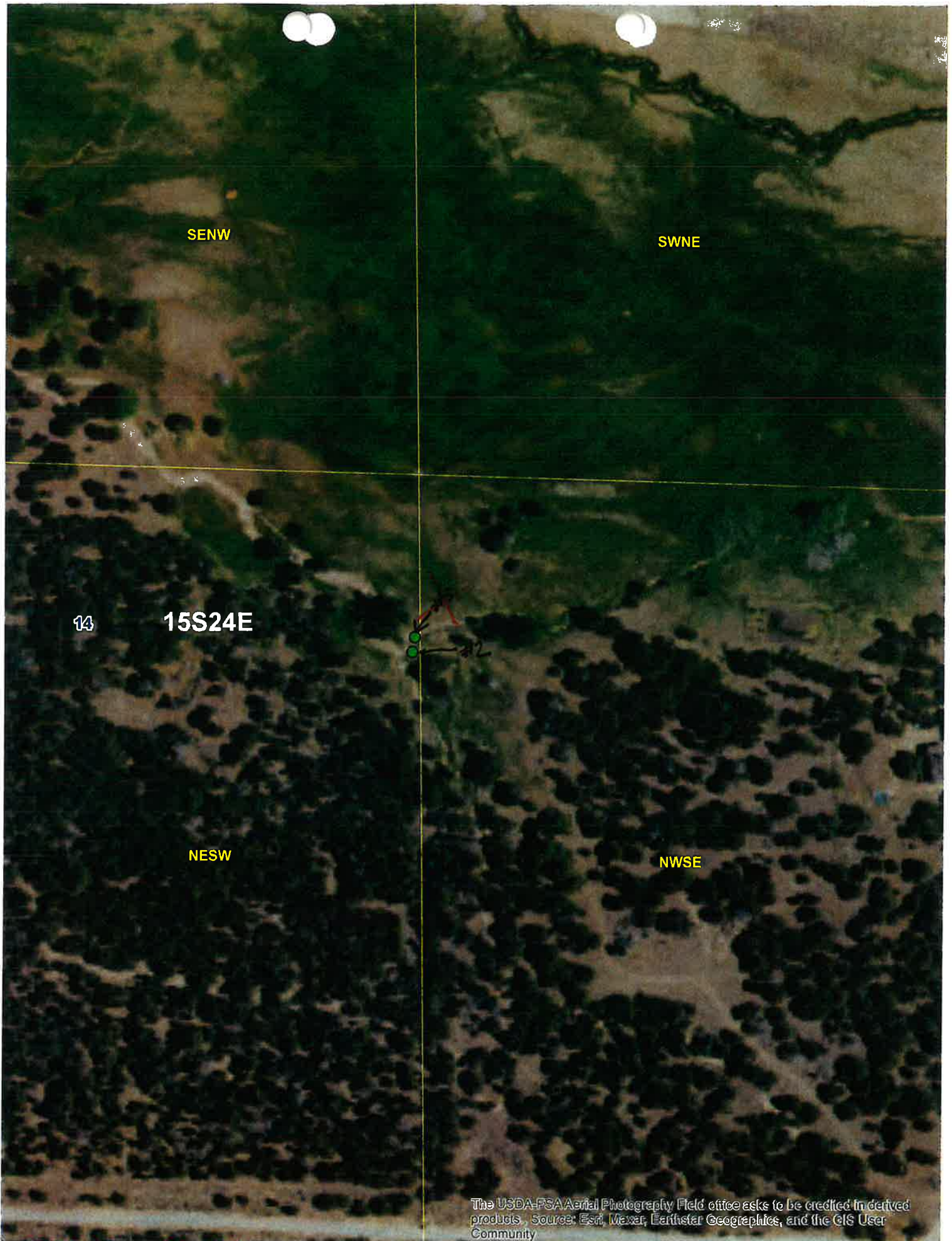
NEW PODs #8, #9 will be regulated with canvas dams placed in the stream-bed of North Almo Creek depending on annual flow of water during the water right owner's water turn. New PODs will be measured with the appropriate device.

SUPERSEDED
Superseded per 12-29-23 Deanna Cole Email



See 12-29-23
Email string

88712



The USDA-FSA Aerial Photography Field office asks to be credited in derived products. Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

see 12-29-23 Email/Stray

88712

SENE

SWNW

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15S24E

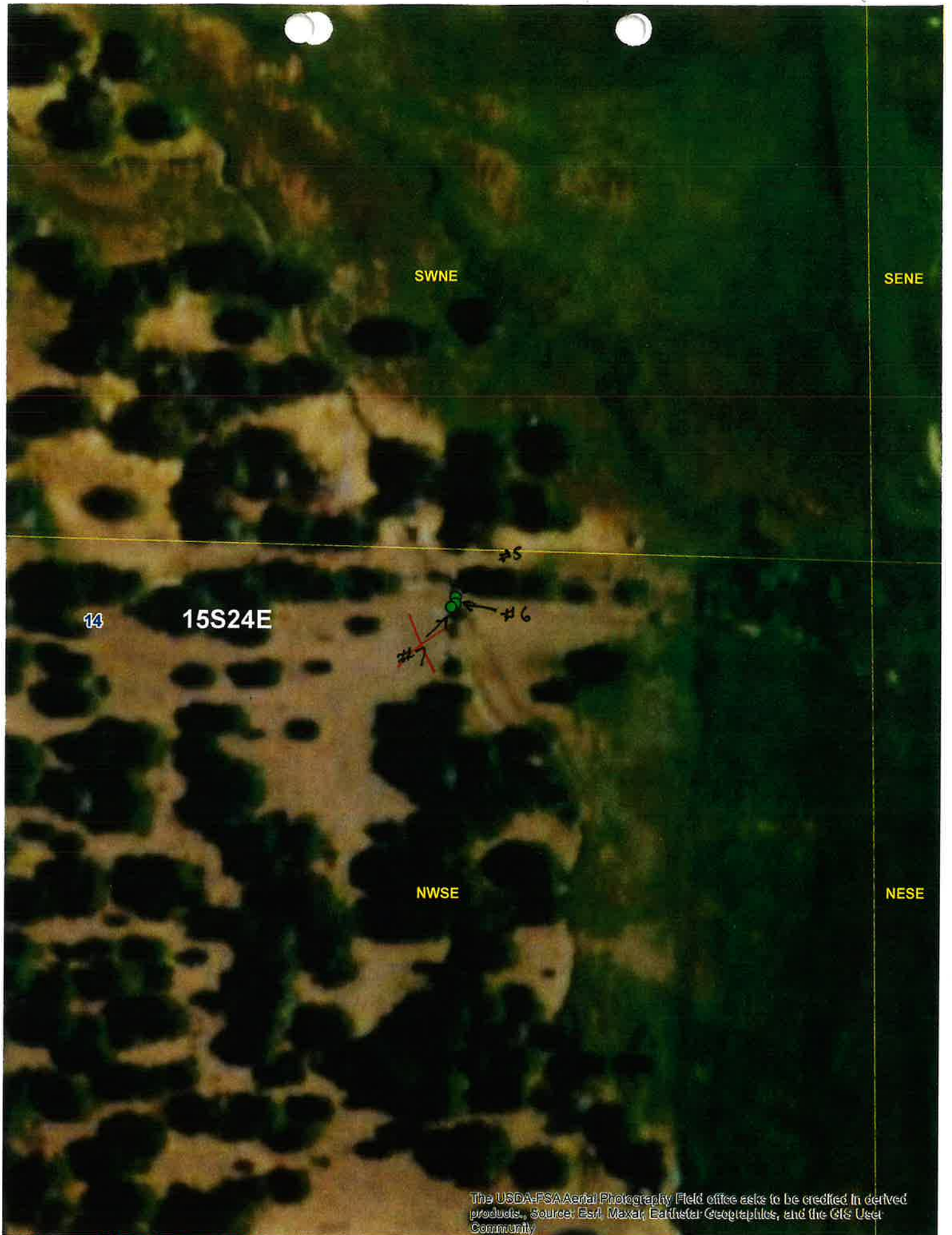
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13

SESE

SWSW

88712

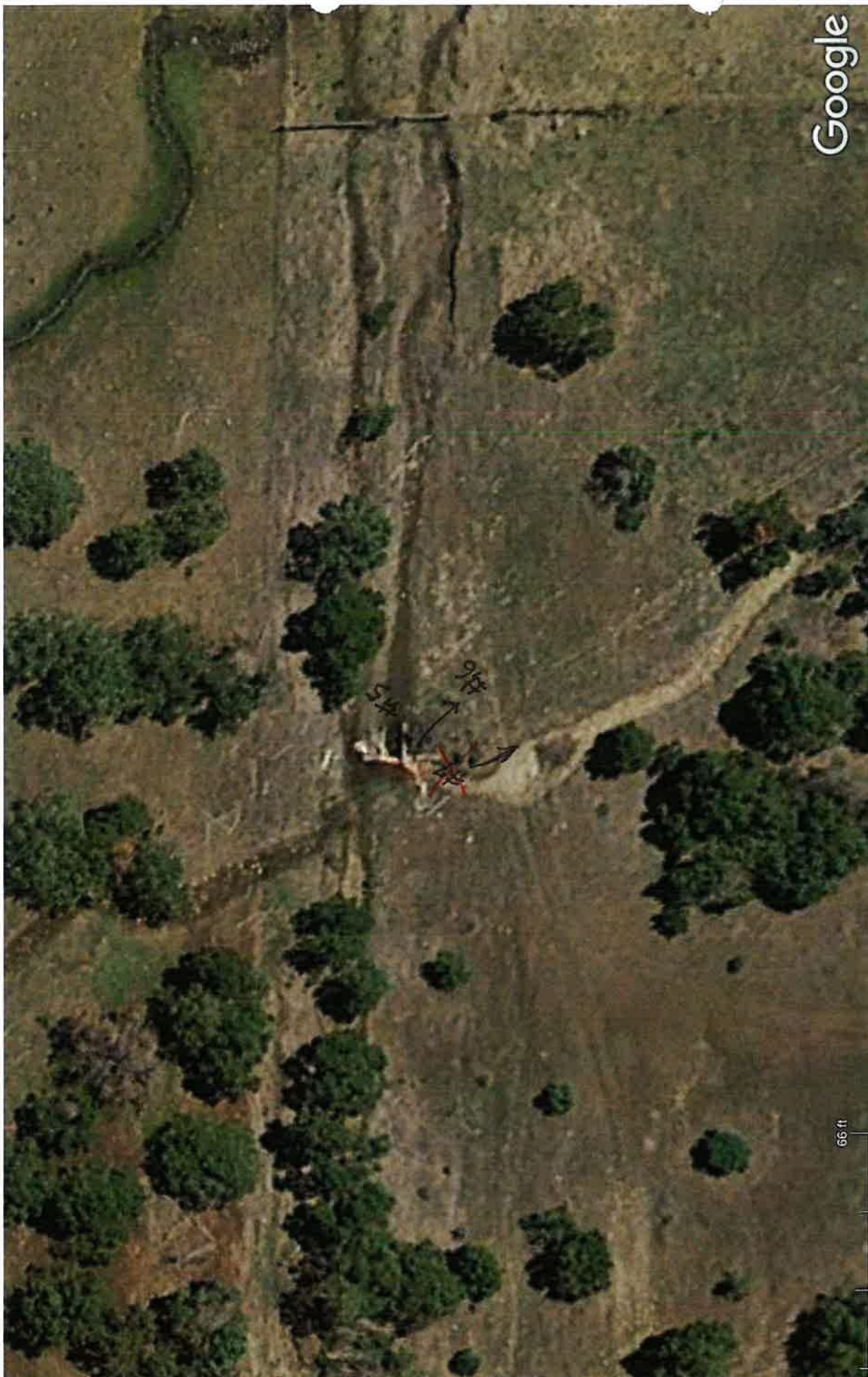
The USDA-FSA Aerial Photography Field office asks to be credited in derived products. Source, Esri, Maxar, Earthstar Geographics, and the GIS User Community



The USDA-FSA Aerial Photography Field office asks to be credited in derived products. Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

See 12-29-23 Email String

88712





THE STATE
of ALASKA

Department of Commerce, Community, and Economic Development
Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806
(907) 465-2550 • Email: corporations@alaska.gov
Website: corporations.alaska.gov

Date Filed: 01/23/2023
State of Alaska, DCCED

Domestic Limited Liability Company

2023 Biennial Report

For the period ending December 31, 2022

Web-1/23/2023 1:42:23 PM

Due Date: This report along with its fees are due by January 2, 2023

Fees: If postmarked before February 2, 2023, the fee is \$100.00.

If postmarked on or after February 2, 2023 then this report is delinquent and the fee is \$137.50.

Entity Name: Almo 80, LLC

Entity Number: 107718

Home Country: UNITED STATES

Home State/Prov.: ALASKA

Physical Address: 2864 S 908 E ELBA-ALMO RD, ALMO, ID 83312

Mailing Address: PO BOX 103, ALMO, ID 83312

Registered Agent information cannot be changed on this form. Per Alaska Statutes, to update or change the Registered Agent information this entity must submit the Statement of Change form for this entity type along with its filing fee.

Name: Will Cole

Physical Address: 1471 GATEWAY DRIVE, FAIRBANKS, AK 99709

Mailing Address: 1471 GATEWAY DRIVE, FAIRBANKS, AK 99709

Officials: The following is a complete list of officials who will be on record as a result of this filing.

- **Provide all officials and required information. Use only the titles provided.**
- **Mandatory Members:** this entity must have at least one (1) Member. A Member must own a %. In addition, this entity must provide all Members who own 5% or more of the entity. A Member may be an individual or another entity.
- **Manager:** If the entity is manager managed (per its articles or amendment) then there must be at least (1) Manager provided. A Manager may be a Member if the Manager also owns a % of the entity.

Full Legal Name	Complete Mailing Address	% Owned	Manager	Member
Sunup Enterprises, LLC	PMB#360 3875 GEIST RD., STE.E, FAIRBANKS, AK 99709	100.00		X
Deanna B. Cole	PMB#360, 3875 GEIST RD., STE.E, FAIRBANKS, AK 99709		X	

If necessary, attach a list of additional officers on a separate 8.5 X 11 sheet of paper.

Purpose: Any lawful purpose

NAICS Code: 531390 - OTHER ACTIVITIES RELATED TO REAL ESTATE

New NAICS Code (optional):

This form is for use by the named entity only. Only persons who are authorized by the above Official(s) of the named entity may make changes to it. If you proceed to make changes to this form or any information on it, you will be certifying under penalty of perjury that you

are authorized to make those changes, and the commissioner that are known to the pe. you have read this and understand it. everything on the form is true and correct. In be false in material respects are guilty of a on, persons who file documents with A misdemeanor. Continuation means

Name: Deanna B Cole

Customer Ad Proof

164-60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 148066

Publication

Times News

Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	159.77
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	159.77
Fax			
Section	Legals	Start/End Dates	02/01/2024 - 02/08/2024
SubSection		Insertions	2
Category	50 Legal	Size	83
Ad Key	148066-1	Salesperson(s)	Legal Notices
Keywords	TRANSFER NO. 88709 Notice	Taken By	James Meadows - NWI
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 88709

ALMO 80 LLC, PO BOX 103, ALMO, ID 83312-0103 has filed Application No. 88709 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13418. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the points of diversion (POD) and place of use (POU) of Edwards Creek in-stream stockwater right 43-13418 (0.02 cfs). The PODs and POU are currently located approximately 1.4 mile north and 1.1 mile east of Almo. The proposed PODs and POU would be located on a segment of Edwards Creek approximately 0.6 mile north of the current position.

TRANSFER NO. 88712

ALMO 80 LLC, PO BOX 103, ALMO, ID 83312-0103 has filed Application No. 88712 for changes to the following water rights within CASSIA County(s): Right No(s). 43-375. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add four points of diversion (POD) to North Fork Almo Creek irrigation right 43-375 which is currently authorized to divert 1.20 cfs from one POD located approximately 1.5 miles north and 0.7 mile east of Almo. The proposed additional PODs are located at points on the North Fork of Almo Creek in a section approximately 0 to 0.7 mile downstream of the existing POD.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before February 20, 2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: February 1, 8, 2024

*Proof of legal notice received
from Times News 1/25/2024*

✓ *sm 1/25/2024*



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 25, 2024

ALMO 80 LLC
PO BOX 103
ALMO, ID 83312-0103

RE: Transfer No. 88709
Water Right No(s). 43-13418

RE: Transfer No. 88712
Water Right No(s). 43-375

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 2/1/2024 and 2/8/2024**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **February 20, 2024**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,


Denise Maline
Administrative Assistant



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 25, 2024

LOREN DURFEE
WATER DISTRICT 43D
PO BOX 144
ALMO ID 83312-0144

Re: Transfer No(s). 88709 & 88712 (Almo 80 LLC)

Dear Loren:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, January 25, 2024 10:03 AM
To: Dawson,Bradley
Subject: Comment Letters for Transfer Nos. 88709 & 88712 - Almo 80 LLC
Attachments: Comment letter to F&G for 88709 & 88712.pdf; Transfer 88709 (Almo 80 LLC).pdf; Transfer 88712 (Almo 80 LLC).pdf

Good morning Bradley,

Attached are (2) applications for transfer currently being processed by the department. Please review the applications and provide any necessary comments within 21 days.

If you have any questions regarding this information, please feel free to contact Jim Bitzenburg at our office.

Thank you in advance,

Denise @ IDWR Twin Falls



Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 25, 2024

IDAHO DEPT OF FISH & GAME
BRADLEY DAWSON
324 S 417 E STE 1
JEROME ID 83338-6206

Re: Transfer No(s). 88709 & 88712 (Almo 80 LLC)

Dear Mr. Dawson:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. *You can find a complete copy of the application(s) at:* <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication (**on or before February 20, 2024**).

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, January 25, 2024 8:45 AM
To: Times News
Subject: LEGAL NOTICE - Account No. 164-60002276
Attachments: Times News cover letter.docx; Times News ad.docx

Good morning,

Attached please find (1) legal notice being submitted for publication on February 1st & 8th, 2024. This publication is for Idaho Dept of Water Resources in Twin Falls, Idaho, under Account No. 164-60002276.

Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls, Idaho



Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

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Governor Brad Little

Director Mathew Weaver

January 25, 2024

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 88709

Water Right No(s). 43-13418

RE: Transfer No. 88712

Water Right No(s). 43-375

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **February 20, 2024**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline

Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88709**

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TRANSFER NO. 88712

ALMO 80 LLC, PO BOX 103, ALMO, ID 83312-0103 has filed Application No. 88712 for changes to the following water rights within CASSIA County(s): Right No(s). 43-375. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add four points of diversion (POD) to North Fork Almo Creek irrigation right 43-375 which is currently authorized to divert 1.20 cfs from one POD located approximately 1.5 miles north and 0.7 mile east of Almo. The proposed additional PODs are located at points on the North Fork of Almo Creek in a section approximately 0 to 0.7 mile downstream of the existing POD.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **February 20, 2024**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on February 1st & 8th, 2024

TRANSFER SYNOPSIS

Date: January 19, 2024
To: Transfer #88712 file, Almo 80, LLC
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to add four points of diversion (POD) to North Fork Almo Creek irrigation right 43-375 which is currently authorized to divert 1.20 cfs from one POD located approximately 1.5 miles north and 0.7 mile east of Almo. The proposed additional PODs are located at points on the North Fork of Almo Creek in a section approximately 0 to 0.7 mile downstream of the existing POD.

This transfer will be advertised and comments will be sought from the Watermaster of Water District 43D.

FEE MEMORANDUM

Date: January 19, 2024
To: Almo 80, LLC Transfer #88712 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on December 28, 2023 with the intent to add four points of diversion (POD) to water right 43-375, with a flow rate of 1.20 cfs. Since the entire flow rate could be diverted from any of the PODs, the fee is based on the 1.20 cfs flow rate which equates to a fee of \$580.00. The fee was paid Deanna Cole with check #142 at the time of filing. The IDWR receipt number is S040037.

Bitzenburg, James

From: Deanna Cole <launch_pad7@yahoo.com>
Sent: Friday, December 29, 2023 11:52 AM
To: Bitzenburg, James
Subject: Re: North Almo Creek PODs

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Jim,

Yes, that works for me. I understand. Thank you for clarifying.

Have a good day.

Deanna

Sent from my iPhone

On Dec 29, 2023, at 11:24 AM, Bitzenburg, James <James.Bitzenburg@idwr.idaho.gov> wrote:

Deanna-

I got the new narrative that you sent over this morning into the transfer application and looked at the pictures- thanks for sending them. I talked to Corey Skinner about POD #3 and POD #7, and as I suspected yesterday, they are concrete structures in the North Fork of Almo Creek and not diversions, so we feel that they should be dropped as PODs from the transfer application. The ditches that actually take off from the creek are the diversions, not the stream itself. Let me know if that works for you.

Jim

Jim Bitzenburg
Water Rights Supervisor
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov

Bitzenburg, James

From: Deanna Cole <launch_pad7@yahoo.com>
Sent: Friday, December 29, 2023 8:06 AM
To: Bitzenburg, James
Cc: Deanna Cole
Subject: New narrative for item General 6 in POD application
Attachments: New Narrative Almo 80 POD system 43-375.docx

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good morning Jim,

I've attached a more complete version of the description of the diversion system.
Will you please replace the old narrative description?

I'll be available all day if you have questions.

Thank you for all your patient help yesterday.

Deanna Cole
208-312-9110