

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: A29-10843
Date Received: 3-28-90
Receipt No: mod 6414
Received By: 8

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ACEL LA MAR HOLMES 208-232-5518
Address: 178 N MINK CREEK RD.
POCATELLO, ID 83204
OR
Name: SHIRLEY J. HOLMES 208-232-5518
Address: 178 N MINK CREEK RD.
POCATELLO, ID 83204

A2910843



2. Date of Priority: MAR 15, 1960

3. Source: MINK CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	35E	32	NW	SW	SW		BANNOCK

5. Description of diverting works:
1HP PUMP IN CREEK 3/4HP BOOSTER, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		
AESTHETIC	03/15	11/01	0.160		
STOCKWATER	03/15	11/15	0.020		

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

8. Total consumptive use is 18.0 Acre Feet Per Annum.

9. Non-irrigation uses:
J/ WATERING AIR TO COOL AREA FIRE PREVENTION; S/ UP TO 20 CATTLE

A29-10843

Page 1

Date: 03/28/90

MICROFILMED

NOV 10 1992

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
07S	35E	32	SW	SW		IRR	4.0
			SW	SW		AES	
			SW	SW		STOCK	

Section Acres 4.0

Total Acres **4.0**

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

ASTHETIC CONSUMPTION IS CALCULATED TO APPROX. 1/2 THAT OF ACTUAL IRRIGATION.

THE USE OF WATER FOR ASTHETIC PURPOSES FOR THIS PROPERTY IS REQUIRED FOR UP TO 18HRS/DAY 7 DAYS A WEEK DURING JUNE, JULY, AUGUST AND EARLY SEPT. THE OTHER TIMES OF USE WOULD BE FOR LESS HOURS AND ON ALTERNATE DAYS.

15. Basis of Claim: BENEFICIAL USE

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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: _____

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): Shirley J. Holmes Date: 3/28/90

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of March 1990

Anna Baumhoff
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994



Section 32
4 ACRES

R3SE

T7S
T8S

MICROFILMED

NOV 16 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 20, 2001

29-10843

ACEL LA MAR HOLMES
SHIRLEY J HOLMES
178 N MINK CREEK RD
POCATELLO ID 83204

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". 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, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

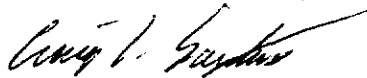
For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by **June 22, 2001, referencing all documents with the corresponding Notice number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at 525-7161.

Respectfully submitted,



Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim 29-10843

Log for claim A29-10843

Spatial Dynamics LTD

9/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	32	SWSW	4	1.9	
Totals:			4	1.9	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ACEL LAMAR HOLMES	03/15/1960	IRRIGATION	03-15 11-15	0.160 CFS	
C	SHIRLEY J HOLMES		STOCKWATER	03-15 11-15	0.020 CFS	
	178 N MINK CREEK RD		AESTHETIC	03-15 11-01	0.160 CFS	
	POCATELLO ID 83204					
	(208) 232-5518					
TOTAL DIVERSION:					0.160 CFS	
CONSUMPTIVE USE:						18.00 AFA

Water Source: MINK CREEK

Tributary to: PORTNEUF RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R35E S32 NWSWSW BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
07s	35E	32	:											04						4.0
TOTAL ACRES																			4.0	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
07s	35E	32	:											S						

Place of use Legal Description for: AESTHETIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
07s	35E	32	:											A						

POU County: BANNOCK

Non-Irrigation Uses: J/ WATERING AIR TO COOL AREA FIRE PREVENTION; S/ UP TO 20 CATTLE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-04172 29-10726 A29-00274D A29-04172 A29-10726

Remarks: GEN ASTHETIC CONSUMPTION IS CALCULATED TO APPROX. 1/2 THAT OF ACTUAL IRRIGATION.

|
THE USE OF WATER FOR ASTHETIC PURPOSES FOR THIS PROPERTY IS
REQUIRED FOR UP TO 18HRS/DAY 7 DAYS A WEEK DURING JUNE, JULY,
AUGUST AND EARLY SEPT. THE OTHER TIMES OF USE WOULD BE FOR LESS

AJ5809NP
No. A29-10843

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 305

Remarks: HOURS AND ON ALTERNATE DAYS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 03/28/90 BAUMHOFF 08/04/94 THOMPSON 03/29/95 POST-STD