

01/08/2004

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

RIGHT NUMBER: 23-10165

DISALLOWED

NAME AND ADDRESS: WILLIAM S HOLDEN & IDA T HOLDEN TRUST
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

SOURCE:

QUANTITY: 0.000 CFS

PRIORITY DATE: 06/01/1947

POINT OF DIVERSION:

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
RECREATION

PERIOD OF USE
04/01 11/01

QUANTITY

PLACE OF USE: RECREATION Within BONNEVILLE County
T01N R44E S25 NENW

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

NO BENEFICIAL USE FOUND: This is included for a claim based on
beneficial use that is PROPOSED to be disallowed because beneficial use
of water was not confirmed by IDWRs field examination or by other
evidence submitted by the claimant.

NO BENEFICIAL USE FOUND.

EXPLANATORY MATERIAL: Beneficial Use

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: A23-10165
Date Received: 8/25/1989
Receipt No: E010002
Received By: _____

Wm T. HOLDEN - SON 522-7724 @ IF
ANNI - Daughter 483-3845 @ [illegible]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM S. HOLDEN & IDA T. HOLDEN TRUST 208-523-0620
Address: BOX 50130
IDAHO FALLS, ID 83405

2. Date of Priority: JUN 01, 1947

3. Source: PALISADES CREEK

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	44E	24		SE	SW		BONNEVILLE

5. Description of diverting works:
DITCH CONVEYS WATER FROM CREEK TO POND BACK TO CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
RECREATION	04/01	11/01	0.100		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
R/ CANOEING & FISHING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	25	NE	NW		REC	

11. Place of use in counties: BONNEVILLE

A23-10165

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A2310165



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

13. Other Water Rights Used:
NONE

14. Remarks:

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 _____ 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 _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

A23-10165

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Date: 08/29/89

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17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ Print Name
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 _____

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 SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number A23-10165
Date Received 8/25/89
Receipt Number E 010002

RECEIVED

APR 26 1989

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWDepartment of Water Resources
Eastern District OfficeWilliam S. Holden & Ida T.1. Name of Claimant(s) Holden Trust Phone (208) 523-0620Mailing Address Box 50130, Idaho Falls, Idaho Zip 834052. Date of Priority (Only (1) per claim) June 1, 19473. Source of water supply (a) Palisades Creekwhich is tributary to (b) Snake River

4.a. Location of existing

point of diversion is: Township 1N Range 44E Section 24 ,
SE 1/4 of SW 1/4 of _____, Govt. Lot, _____ B.M., 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 Bonnevilleending 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. _____Ditch conveys water from creek to pond and back to creek.

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6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Recreation purposes from Apr. 1 to Nov. 1 amount .1 or 1

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .1 (cfs) and/or (b) 1 (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

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

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:	NE1/4	:	NW1/4	:	SW1/4	:	SE1/4	:TLS
:	:NE $\frac{1}{4}$ 'NW $\frac{1}{4}$ 'SW $\frac{1}{4}$ 'SE $\frac{1}{4}$:	:	NE $\frac{1}{4}$ 'NW $\frac{1}{4}$ 'SW $\frac{1}{4}$ 'SE $\frac{1}{4}$:	:	NE $\frac{1}{4}$ 'NW $\frac{1}{4}$ 'SW $\frac{1}{4}$ 'SE $\frac{1}{4}$:	:	NE $\frac{1}{4}$ 'NW $\frac{1}{4}$ 'SW $\frac{1}{4}$ 'SE $\frac{1}{4}$:	:
1N :44E: 25:	' ' ' ' : R ' ' ' ' :	:	' ' ' ' :	:	' ' ' ' :	:	' ' ' ' :	:
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:	' ' ' ' :	:	' ' ' ' :	:	' ' ' ' :	:	' ' ' ' :	:

Total number of acres irrigated N/A

11. In which county(ies) are lands listed above as place of use located?
Bonneville

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 (X)

14. Remarks:

Last Name Holden

Ident No. _____

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

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 1

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 _____

For Organizations: I do solemnly swear or affirm that I am Trustee of William S. Holden & Ida T. Holden Trust, that I have signed the foregoing document in the space below as Trustee of said trust and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *Ida T. Holden*
Trustee, William S. & Ida T. Holden Trust

Date 8/25/89

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25th day of August, 1989.

Notary Public *Scott W. Foster*

Residing at Idaho Falls, Idaho
My Commission Expires 11/10/92

17. Notice of Appearance:

Notice is hereby given that I, Kent W. 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 *Scott W. Foster*
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date August 25, 1989

Last Name Holden

Ident. Number MICROFILMED

Contacts Data Entry Form

23-10165

Owner Type _____ Full Name Wm T. HOLDEN (AND SISTER) Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner _____

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____

Accompanied By: _____

Relationship to Claimant: _____

Date of Field Exam: _____

Directions to Property (if different from above) a 01-311.

PROBLEM:
 BONNEVILLE CO. ASSESSOR
 OWNERSHIP THOMAS DOES
 NOT SHOW HOLDEN AS
 AN OWNER OR PARTNER(S)
 CLAIMED BY 10/65 OR

- 4/2/03 BH claim
- Memo TO FILE, 5/15/00 BY CRAIG SARTON (w/ Bryce Connor) - ATTACH 00
- MEMO DISCUSSES CHANGES OF OWNERSHIP FROM Wm S. & JDA T. TO (Wm T. AND SISTER) MR. HOLDEN (OF MEMO).
- FURTHER DISCUSSES STEPS - SEE MEMO ATTACH 00.
1. OWNERSHIP NEEDS DONE - YES - BUT NOT YET DONE.
 C/O WILL SPLIT THE 01-00311 CLAIM.
 2. "AJ CLAIM 23-10165 NEEDS AMENDED TWO (TO)
 LIST TWO PONDS EXIST ON PROPERTY." THIS CANNOT
 BE DONE - THE SECOND POND WILL REQUIRE AN
 APPLICATION FOR PERMIT WITH "TODAY'S" PRIORITY.
 THE ORIGINAL POND PRIORITY (1947) MUST BE
 SUPPORTED BY EVIDENCE.
 3. TX NEEDS FILED TO CONVERT A PORTION OF 01-311
 TO POND USE 2 YES, NEEDS TO BE DONE.
- Reviewer: _____ Date: _____

DISALLOWED - NO BONA FIDE USE SHOWN - NO
 RESPONSE TO REQUESTED INFORMATION.

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____

Water Right Basis: _____

Claimed Priority Date: 6/01/1947Claimed Basis: BH

Recommended Priority Date: _____

Recommended Basis: BH☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

NO SUPPORTING EVIDENCE
4/2/03 Attempts to contact Wm T. HOLLON as advised by
KURT KOSTER, Atty.

2 DEC 03 TALKED w/ KURT KOSTER. This claim was an Ownership issue
from Wm S. & Ida T. Hollon to Wm T (son) & ANN PAPPAS (daughter).
ALSO NOOD EVIDENCE OF Priority Date of 1947.

8 JAN 04 - DISALLOWED - NO RESPONSES TO REQUESTS

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 1N, R 44E, Sec. 24,____, S8, SW. County: BONN.Source: PAUSADGS CR Tributary: SNAKE RIVER

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov	Lot	OOO of	OO of Q	County	Source
<u>1N</u>	<u>44E</u>	<u>24</u>						
GPS Coordinates: _____								

GPS Coordinates: _____								

GPS Coordinates: _____								

GPS Coordinates: _____								

GPS Coordinates: _____								

GPS Coordinates: _____								

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

CLAIMS A RECREATION POND IN NE1/4 SEC. 25

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
RECREATION	4/1	11/1	0.10	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate 0.10 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

BASICALLY A 'NON-CONSUMPTIVE' USE.

Reviewer: _____

Date: _____

Date: 5-15-00

From: Craig L. Saxton

Subject: Addition of a pond.

Mr. Holden came into today to inquire about building another pond on his property. I asked Bryce Contor for help in this matter. After researching his water rights, we found that there are several steps that need to take place.

- 1) Water rights 23-10165 and 01-00311 need to have the ownership change to Mr. Holden and his sister. 01-00311 will need to be split to represent each of the claimants respective portions. Mr. Holden was given a change of Ownership application. When he completes it he will bring it back in. OK
- 2) Once the ^{to} ownership is changed, the ADJ claim for right 23-10165 needs to be amended to list that two ponds exist on the property. NOT RETURNED
CAN'T DO THIS
EXISTING ONE MUST BE DOCUMENTED TO 1947. THERE IS ONLY 1 POND ACCORDING TO MR. HOLDEN
- 3) Need to apply for a transfer to convert part of the licensed irrigation acres for right 01-00311 to pond use. - YES - BUT, NOT YET DONE.

4/3/03 Spoke with Mr. Holden - THE ABOVE REFERENCED POND HAS NOT AND WILL NOT BE BUILT. ADVISED THAT AN ADDITIONAL POND WILL REQUIRE AN APPLIC. FOR PERMIT.

Also, Ask FOR EVIDENCE OR Priority TO support 1947.

MR. Holden will CONTACT Kent Roston, Atty. AND will get DOCS. TOGETHER.

WR's INVOLVED: 23-10165 AND 01-311 (AN EXCHANGE OR STORAGE WATER FROM PALISADES LAKE.)

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME HOLDENRUST

CLAIM NO.

JENT. NO. A23-10165DATE RECEIVED 8/25/89

CK #

AMOUNT \$

- | | YES | NO | Required Info? |
|--|-----------------|----|----------------|
| 1. Is the name and address complete with zip code? | <u>X</u> | | * |
| 2. Is a priority date entered? | <u>X</u> | | * |
| Is the priority date acceptable in view of mandatory filing dates? | | | |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | <u>X</u> | | * |
| 3. (a) Is a source entered? | <u>X</u> | | * |
| x (b) Is a tributary to entered? (if required) | N/A <u>X</u> | | |
| 4. Is the legal description of the p.d. sufficient? | <u>X</u> | | * |
| 5. Is there a description of the diverting works? | <u>X</u> | | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | <u>X</u> | | * |
| Is the period of use included? | <u>X</u> | | |
| Is a quantity claimed for each use? | <u>X</u> | | * |
| 7. Is a total quantity claimed entered? | <u>X</u> | | |
| x 8. If required is a consumptive use entered? | N/A <u>X</u> | | |
| x Is the consumptive use correct? | N/A <u>X</u> | | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | N/A <u>X</u> | | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | <u>X</u> | | * |
| 11. Is (are) the county(ies) entered? | <u>X</u> | | |
| 12. Is the ownership of p.u. checked? | <u>X</u> | | |
| x 13. Are other water rights listed or "none" indicated? | <u>A</u> | | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | N/A <u>X</u> | | |
| 15. Is the basis of the claim indicated? | <u>X</u> | | |
| x 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | N/A <u>X</u> | | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | <u>X</u> | | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | <u>X</u> | | * |
| 19. Was this claim filed on time, or was an extension granted? | <u>X</u> | | * |
| 20. Is the fee enclosed correct? | Exempt <u>X</u> | | * |
| x 21. If this claim is based on an existing water right, has the identification number been entered? | N/A <u>X</u> | | |
| 22. Should this claim be data entered? | <u>X</u> | | |

Claim checked by: TUDate: 8/28/89

Claim must be returned to claimant:

(Yes) X (No)

Claimant must be notified of modifications:

(Yes) X (No)

Receipt Prepared by:

Claim data entered by: AS

Sent to claimant by:

Date:

Date: 8/29/89

Date:

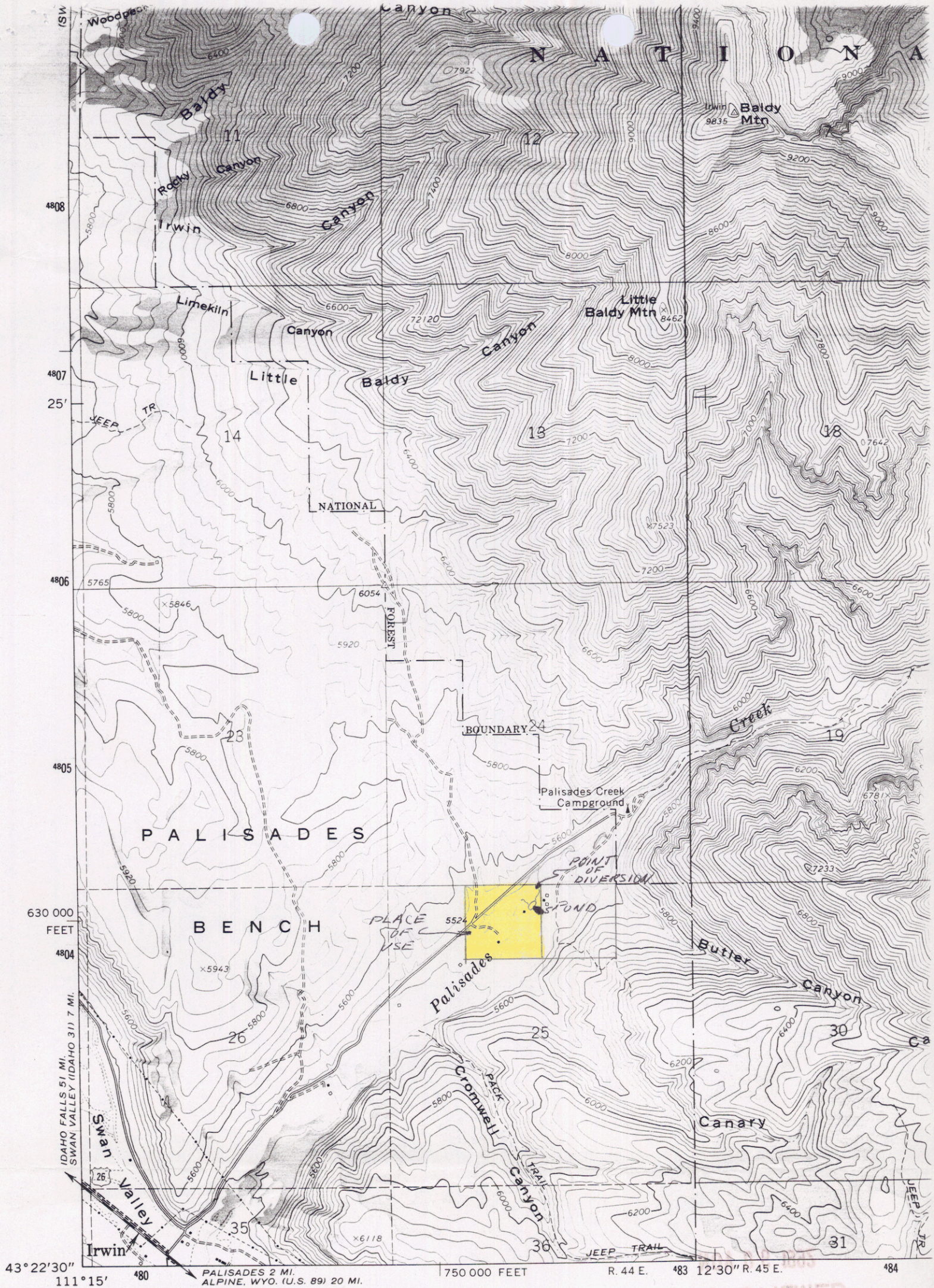
Checked by:

Date:

Comments:

MICROFILMED

NOV 06 1992



Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

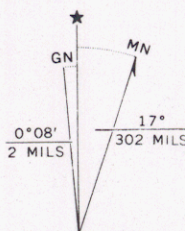
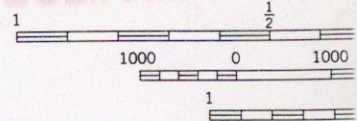
Topography by photogrammetric methods from aerial photographs taken 1965. Field checked 1966

Polyconic projection. 1927 North American datum 10,000-foot grid based on Idaho coordinate system, east zone

1000-meter Universal Transverse Mercator grid ticks, zone 12, shown in blue

Fine red dashed lines indicate selected fence lines

UTM GRID AND 1966 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET



DOTTED
NATION

THIS MAP COMP
FOR SALE BY U. S. GEOLOGICAL
A FOLDER DESCRIBING TO

1N 44E

T1N, R44E

Ownership
Shown as:
Ann Pappas
(Sister?)

LARSEN

PAPPAS

ROSE

PAPPAS

ROSE

ROSE

COOK

BUTIKOFER

COOK

HINCKS PAPPAS

WEEKS

WEEKS

23 24
26 25

ownership?