



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

March 31, 2005

Clerk of the District Court
Snake River Basin Adjudication
253 3rd Ave. North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Subcase No. 23-10165

Dear Diana:

Enclosed for filing, please find a *Standard Form 5* with regard to the above referenced subcase.

Very Truly Yours,

A handwritten signature in cursive script that reads "Ray Williams".

Ray Williams
Paralegal

Enclosure

cc: Kent W. Foster

RECEIVED

MAR 25 2005

Department of Water Resources
Eastern Region

RECEIVED

MAR 21 2005

DEPARTMENT OF
WATER RESOURCES

RECEIVED

MAR 30 2005

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcase No. 23-10165
)
)
)
)
)
)

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

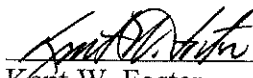
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

William T. Holden


Kent W. Foster

Attorney for Claimant/Objector

3/17/05
Date

STANDARD FORM 5 -23-10165

IDWR Concurrence:

Ernest Carlsen 3/25/05
Ernest Carlsen Date
IDWR Adjudication Supervisor

Candice McHugh 3/24/05
Candice McHugh Date
Deputy Attorney General
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-10165

NAME AND ADDRESS:

WILLIAM T HOLDEN
380 RONGLYN AVE
IDAHO FALLS ID 83404

SOURCE:

Source:

PALISADES CREEK

Tributary:

SNAKE RIVER

QUANTITY:

0.100 CFS
0.600 AFY

PRIORITY DATE: 06/01/1947

POINT OF DIVERSION:

T01N R44E S24 SWSE

Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

RECREATION

04/01 11/01

0.100 CFS

RECREATION STORAGE

01/01 12/31

0.60 AFY

PLACE OF USE:

RECREATION

within BONNEVILLE County

T01N R44E S25 NENW

RECREATION STORAGE SAME AS RECREATION

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER 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.

~~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: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on MARCH 31, 2005, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

WILLIAM T HOLDEN

Represented by:

KENT W FOSTER

PO BOX 50130

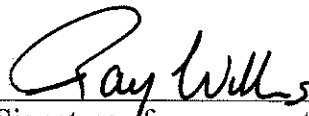
IDAHO FALLS, ID 83405

IDWR REPOSITORY

PO BOX 83720

BOISE, ID 83720-0098

** hand delivered*



Signature of person or attorney mailing the form