

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 43-43
Date Received: 2/23/1998
Receipt No: S020899
Received By:

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

RECEIVED

AUG 27 2001

Department of Water Resources
Southern Region

1. Name of Claimant(s)

HOLMGREN LAND & LIVESTOCK

Phone: (435)279-8267

PO BOX 78

BEAR RIVER UT 84301

2. Date of Priority: 05/01/1908

3. Source: CLEAR CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16S	27E	27	SE SE NE	CASSIA	

5. Description of diverting works:

HEADGATE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	2.60	

7. Total Quantity Appropriated is:
2.6 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
16S	27E	4	NE NW	3	IRRIGATION	35
			NW NW	4	IRRIGATION	37
			SW NW		IRRIGATION	39
			SE NW		IRRIGATION	40
			NE SW		IRRIGATION	28
			NW SW		IRRIGATION	38
			SW SW		IRRIGATION	25
Section Acres						242
Total Acres						242

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

2/24/1998, DJ: MISSPELL OF CLAIMANT NAME WAS CORRECTED

8-14-2001 VH: CLAIM POU AMENDED FROM TWP 15S TO TWP 16S. APPARENT DATA ENTRY ERROR.

15. Basis of Claim: Decreed

16. Signature(s)

For Organizations:

I do solemnly swear or affirm that I am VICE PRESIDENT of
Title
HOLMGREN LAND & LIVESTOCK, that I have signed the foregoing
Organization
document in the space below as VICE PRESIDENT of
Title
HOLMGREN LAND & LIVESTOCK and that the statements contained in the
Organization
foregoing document are true and correct. Steven L. Holmgren
Signature of Authorized Agent
HOLMGREN LAND & LIVESTOCK CO.
Title and Organization
AUG. 24 - 2001
Date

State of ~~Idaho~~ Utah)
County of Box Elder) SS.

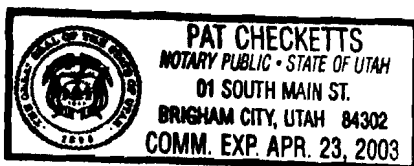
Subscribed and sworn (or affirmed) before me this 24th day
of August 2001

Pat Checketts

Notary Public

Residing at Brigham City, Utah

My commission Expires April 23, 2003



1887 -- June 1 (Jerome Kempton Tract)	43-00041	2.7 s.f.	To be diverted from Clear Creek for the irrigation of NW $\frac{1}{4}$, Sec. 15, Twp. 16 S., R. 27 E. BM.
1886 -- June 15 (Gallagher Tract)	43-00042	3.2 s.f.	To be diverted from Clear Creek for the irrigation of NE $\frac{1}{4}$, Sec. 32, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33, Twp. 15 South, R. 27 E., B.M.
1908 -- May 1 (Notan Tract)	43-00043	2.6 s.f.	To be diverted from Clear Creek for the irrigation of NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, Twp. 16 S., R. 27 E. BM.
1887 -- June 1 (Pierce Tract)	43-00044	4.4 s.f.	To be diverted from Clear Creek for the irrigation of S $\frac{1}{2}$ and the S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 16 S., R. 27 E., B.M.
1882 -- June 1 (Rice or Round Mountain Tract)	43-00045	1.7 s.f.	To be diverted from Clear Creek for the irrigation of W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 16 S., R. 27 E. B.M.

PROVIDED: That the Albion-Idaho Land Company or any of the appropriators having a lower point of diversion shall not be entitled to divert any of the waters of the said Clear Creek when the same does not exceed 200 inches or 4 second feet, at the said Company's point of diversion.

Joshua B. Brown			
1911 -- June 12	43-00084	1.4 s.f.	To be diverted from Clear Creek for the irrigation of NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, of Sec. 27, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, Twp. 16 S., R. 27 E., B.M.
1912 -- July 14	43-00085	1.8 s.f.	

Louis J. Gannell			
1882 -- Jan. 2	43-00116	2 s.f.	To be diverted from Clear Creek for the irrigation of E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, Twp. 15 S., R. 27 E., B.M.

1884 -- Jan. 31	43-00117	2 s.f.	To be diverted from Clear Creek for the irrigation of E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 20, Twp. 15 S., R. 27 E., B. M.
-----------------	----------	--------	--

1897 -- June 11	43-00118	2.8 s.f.	To be diverted from Clear Creek for the irrigation of S $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 20, Twp. 15 S., R. 27 E. B.M.
-----------------	----------	----------	--

Sarah H. Gannell			
1914 -- April 10	43-00119	1.0 s.f.	To be diverted from Clear Creek for the irrigation of SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, Twp. 15 S., R. 27 E., B.M.

David Jones Violet Jones			
1912 -- Feb. 17	43-00182	1.5 s.f.	To be diverted from Round Mountain Creek for the irrigation of SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, Twp. 16 S., R. 27 E., B. M.

(See Stipulation
for amendment)

27 E.



RECEIVED

APR 21 1998

Department of Water Resources
Adjudication Bureau

RECEIVED

APR 21 1998

OFFICE OF THE
ATTORNEY GENERAL

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: A43-00043
Date Received: 2/23/1998
Receipt No: S020899
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HOLMGREN LAND & LIVESTOCK 435-279-8267
Address: PO BOX 78
BEAR RIVER UT 84301

2. Date of Priority: MAY 1, 1908

3. Source: CLEAR CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	27E	27	SE	SE	NE		CASSIA

5. Description of diverting works:
HEADGATE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.600		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
15S	27E	4	NE	NW	3	IRR	35.0
			NW	NW	4	IRR	37.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SW		IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	27E	4	NW	SW		IRR	38.0
			SW	SW		IRR	25.0
Section Acres							242.0
Total Acres							242.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
43-10814, 43-10534

14. Remarks:
2/24/1998, DJ: MISSPELL OF CLAIMANT NAME WAS CORRECTED.

4/13/1998, DJ: POINT OF DIVERSION AMENDED TO IDENTIFY IDAHO WEIR
AS DIVERSION AND MEASUREMENT POINT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS ET AL

vs Decree 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: _____

For Organizations:

I do solemnly swear or affirm that I am VICE PRESIDENT of
Title
HOLMGREN LAND & LIVESTOCK CO. that I have signed the foregoing
Organization
document in the space below as VICE PRESIDENT of
Title
HOLMGREN LAND & LIVESTOCK CO. and that the statements contained in the
Organization
foregoing document are true and correct.

Steven Holmgren
Signature of Authorized Agent

VICE PRES. HOLMGREN LAND & LIVESTOCK CO.
Title and Organization

4-13-98
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of April 19 98

Douglas Jones
Notary Public

Seal

Residing at Buhl ID

My Commission Expires 8/8/2001

APR 15 1998

RECEIVED

APR 17 1998

APR 15 1998

Department of Water Resources
Southern Region

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

A: Subcase 43-00043

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

STEVEN HOLMGREN

Address:

BOX 78

BEAR RIVER, UT. 84301

Daytime Phone:

435-279-8267

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

HOLMGREN LAND AND LIVESTOCK

Address:

PO BOX 78

BEAR RIVER, UT 84301

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address
Should be: _____
2. ☐ Source
Should be: _____
3. ☐ Quantity
Should be: _____
4. ☐ Priority Date
Should be: _____
5. ☒ Point(s) of Diversion
Should be: SESENE 527 T165 R27E
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☐ Place of Use
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): ALL MEASUREMENT
ARE MADE AT THE IDAHO WEIR

F.

VERIFICATION (Must be Completed)

State of UTAH)
)ss.

County of BOX ELDER

STEVEN HOLMBREY, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

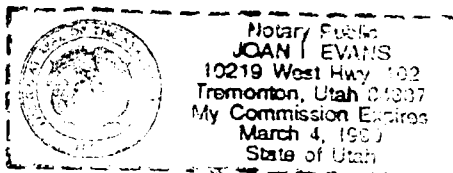
Steven Holmbrey
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

April 10 1998

Joan Evans



Notary Public for
Residing at: Tremonton, UT
My Commission Expires: 3-4-99

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 4-12, 1998, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

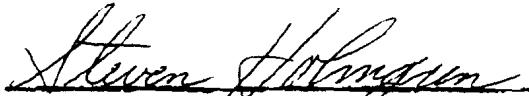
Name: _____
Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

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: A43-00043

Date Received: 2/18/1998

Receipt No: 502899

Received By: [Signature] 2/23/98

FEB 23 1998

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOLGREN LAND & LIVESTOCK 435-279-8267
Address: PO BOX 78
BEAR RIVER UT 84301

2. Date of Priority: MAY 1, 1908

3. Source: CLEAR CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	27E	10	NW	NE	NW		CASSIA

5. Description of diverting works:
HEADGATE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.600		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	27E	4	NE	NW	3	IRR	35.0
			NW	NW	4	IRR	37.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SW		IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	27E	4	NW	SW		IRR	38.0
			SW	SW		IRR	25.0
Section Acres							242.0
Total Acres							242.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
43-10814, 43-10534

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL
vs Decree 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 _____ 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 VICE PRES. of
Title
HOLMGREN LAND & LIVESTOCK, that I have signed the foregoing
Organization
document in the space below as VICE PRES. of
Title
HOLMGREN LAND & LIVESTOCK and that the statements contained in the
Organization
foregoing document are true and correct.

Steven Holmgren
Signature of Authorized Agent

VICE PRES. HOLMGREN LAND & LIVESTOCK
Title and Organization

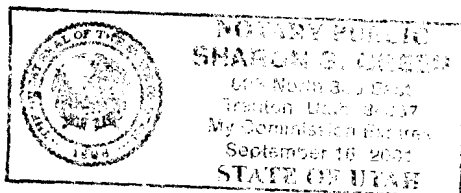
2-20-98
Date

State of Utah)
~~Idaho~~)
County of Box Elder) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of Feb 19 98

Sharon G. Green
Notary Public

Seal



Residing at Tremonton, Ut

My Commission Expires Sept 16, 2001

CCPY

2002 JUL 26 AM 10:38

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

**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	)	SUBCASE NO. 43-0043, 43-0347,
	)	43-0350, 43-10814
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

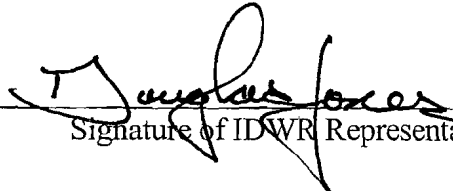
Name and New Address of Claimant:
Holmgren Land & Livestock
785 N 350 E
Tremonton UT 84337

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: _____

7/26/02



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7/26, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Holmgren Land & Livestock
785 N 350 E
Tremonton UT 84337
3. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
4. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

RECEIVED
JUN 20 2002
Department of Water Resources
Southern Region

☐ Water Right Number(s):

All water Right Numbers.

☐ Old Mailing Address:

Holmgren Land & Livestock
PO Box 78 Bear River, UT

☐ New Mailing Address:

HOLMGREN LAND + LIVESTOCK
785N 350E
TREMONTON UTAH 84337

☐ New Telephone Number:

(435) 257 - 5539

☐ Signature of Claimant(s):

James Holmgren

Date:

6-17-02

FOR IDWR USE ONLY
Initial Review and Data Entry
Date: By:
Further Action Needed:
Further Action Taken
Date: By:
Final Review and Data Entry
Date: By:

43-43
- 347 - 10528
- 348 - 10529
- 349 - 10530
- 350 - 10531
- 10513 - 10532
- 10514 - 10533
- 10534

[Handwritten signature]

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

08/14/2001

RIGHT NUMBER: 43-43

NAME AND ADDRESS: HOLMGREN LAND & LIVESTOCK
PO BOX 78
BEAR RIVER, UT 84301

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 2.6 CFS

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER
DESCRIBED ABOVE AT THE POINT OF MEASUREMENT IN T16S, R27E,
S27, SESENE

PRIORITY DATE: 05/01/1908

POINT OF DIVERSION: T16S R27E S10 NWNENW Rediversion Within CASSIA County
T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	2.60 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>							
T16S R27E S4	LOT 3	NENW	35	T16S R27E S4	LOT 4	NWNW	37
T16S R27E S4		SWNW	39	T16S R27E S4		SENE	40
T16S R27E S4		NESW	28	T16S R27E S4		NWSW	38
T16S R27E S4		SWSW	25				

242 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 103 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-10814 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 642 ACRES IN A SINGLE
IRRIGATION SEASON

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.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43-B

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 14, 2001

Steve Holmgren
Holmgren Land and Livestock
PO Box 78
Bear River, UT 84301

RE: Snake River Basin Adjudication (SRBA)
43-043

Dear Steve,

During some routine searches of the data base today, we discovered an error in the above water right that had gone unnoticed by any of us over the past few years. The legal description of the place of use is identified as Township 15S Range 27E instead of Township 16S Range 27E. The GIS map that you received in the mail showed the correct location of your place of use, but the legal description was wrong on the printed water right. It was also wrong on the original 1998 claim that you filed.

The last signed claim form we have in the file would indicate that you are asserting a claim for irrigation 6 miles north of your property. I have enclosed an Amended Claim Form that for your signature so that we may correct the error. Thank you for your time, and I apologize for not seeing this error sooner.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Regional Office, Twin Falls

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-43

HOLMGREN LAND & LIVESTOCK
PO BOX 78

BEAR RIVER UT 84301

Telephone Number: (435)279-8267

RECEIVED

JUN 28 2001

**Department of Water Resources
Southern Region**

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6-20-01

SIGNATURE: Steven Holmgren

Please print your name: STEVEN HOLMGREN

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

02/08/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 43-43

Owner Type Name and Address
Current Owner HOLMGREN LAND & LIVESTOCK
 PO BOX 78
 BEAR RIVER, UT 84301
 (435)279-8267

Priority Date: 05/01/1908
Basis: Decreed
Status: Active

Source Tributary to
CLEAR CREEK SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	2.6 CFS		

Total Diversion 2.6 CFS

Location of Point(s) of Diversion:

CLEAR CREEK Rediversion	NWNENW	Sec. 10	Township 16S	Range 27E	CASSIA County
CLEAR CREEK	SESENE	Sec. 27	Township 16S	Range 27E	CASSIA County

IRRIGATION Use:
Acre Limit: 242

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
15S	27E	4	3	NENW	35	4	NWNW	37		SWNW	39		SENE	40
				NESW	28		NWSW	38		SWSW	25			

Total Acres: 242

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Quantity THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED ABOVE AT THE POINT OF MEASUREMENT IN T16S, R27E, S27, SESENE.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 103 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-10814 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 642 ACRES IN A SINGLE IRRIGATION SEASON.
3. General THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
DJONES	2/24/ 98	NAME CORRECTION	MISSPELLING OF NAME WAS CORRECTED.

Dates:

Licensed Date:
Claim Received Date: 02/23/1998
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date: 10/18/1928
Date Filed with Court:
Objection Filed Date: 4/12/98
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates: No dates found

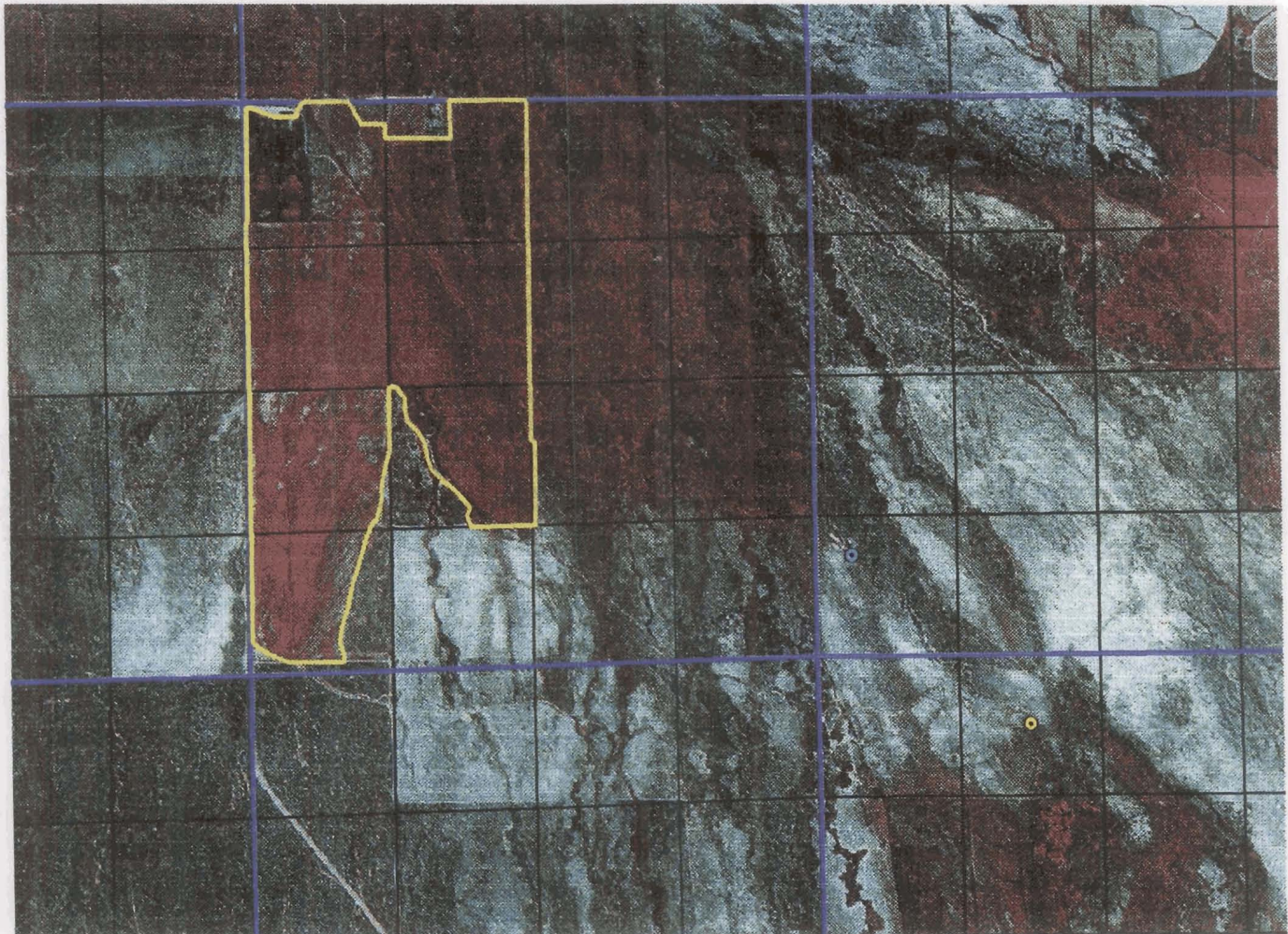
Other Information:

Receipt Number(s): S020899
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log: No log entries

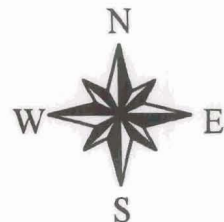
IDAHO DEPARTMENT OF WATER RESOURCES

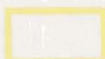
HOLMGREN LAND & LIVESTOCK



0.25 0 0.25 0.5 0.75 1 Miles

43-00043



-  Recommended Place of Use
-  Recommended Point of Diversion
-  Section Lines
-  Quarter/Quarter Lines

GIS PLACE OF USE PRESENTATION
1987 NAPP PHOTOGRAPHY
DATA ENTRY: FEBRUARY 17, 1998
BY: DOUGLAS JONES

RIGHT NUMBER: 43-00043

NAME AND ADDRESS: HOLMGREN LAND & LIVESTOCK
PO BOX 78
BEAR RIVER UT 84301

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 2.6 CFS

PRIORITY-DATE: 05/01/1908

POINT OF DIVERSION T16S R27E S10 NWNENW Within CASSIA County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 2.6 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S04	LOT 3 (NENW) 35	LOT 4 (NWNW) 37	SWNW 39	SENW 40
	NESW 28	NWSW 38	SWSW 25	

242 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 103 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-10814 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 642 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

02/08/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 43-43

Owner Type Name and Address
Current Owner HOLMGREN LAND & LIVESTOCK
 PO BOX 78
 BEAR RIVER, UT 84301
 (435)279-8267

Priority Date: 05/01/1908
Basis: Decreed
Status: Active

Source Tributary to
CLEAR CREEK SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	2.6 CFS		

Total Diversion 2.6 CFS

Location of Point(s) of Diversion:

CLEAR CREEK NWNENW Sec. 10 Township 16S Range 27E CASSIA County

IRRIGATION Use:
Acre Limit: 242

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Townsh</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
15S	27E	4	3	NENW	35	4	NWNW	37		SWNW	39		SENW	40
				NESW	28		NWSW	38		SWSW	25			

Total Acres: 242

Remarks:

1. General 2/24/1998, DJ: MISSPELL OF CLAIMANT NAME WAS CORRECTED.

Dates:
Licensed Date:
Claim Received Date:

Decreed Date: 10/18/1928
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): S020899
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Water Right Number - R43-00043

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HOLMGREN LAND & LIVESTOCK

1 - PO BOX 78
2 -
3 -
City- BEAR RIVER State- UT Zip- 84301
Phone - 435-279-8267

+ - - Priority Date - - +
05/01/1908

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
D - DECREED

+ - - Status - - - - +

+ - - - - Source - - - - - +
CLEAR CREEK

+ - - - - Tributary - - - - - +
SINKS

Point of Diversion								Diversion Name
Tw	Rng	Sec	Tract	Lot	RFlg	County		
16S	27E	27	SE SE NE			(31) CASSIA		IDAHO WEIR
		10	NW NE NW		R	(31) CASSIA		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	2.600	

+ - Total Div. Rate - +
2.600

+ - Total Div. Volume - +

+ - Total Div. Capacity - +

+ - Total Consumptive Use - +
0.0

+ - KW Usage - +

Place of Use									County
Tw	Rng	Sec	Tract	Lot	Acres	Code	Description		
15S	27E	4	NE NW	3	35.0	01	IRRIGATION		(31) CASSIA
15S	27E	4	NW NW	4	37.0	01	IRRIGATION		(31) CASSIA
15S	27E	4	SW NW		39.0	01	IRRIGATION		(31) CASSIA
15S	27E	4	SE NW		40.0	01	IRRIGATION		(31) CASSIA
15S	27E	4	NE SW		28.0	01	IRRIGATION		(31) CASSIA
15S	27E	4	NW SW		38.0	01	IRRIGATION		(31) CASSIA
15S	27E	4	SW SW		25.0	01	IRRIGATION		(31) CASSIA

Total Acres: 242.0

+ - - Diversion Means - HEADGATE, DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 43-10814, 43-10534

+ - - - - Remarks - - - - - +

QNT THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER
DESCRIBED ABOVE AT THE POINT OF MEASUREMENT IN T16S, R27E, S27,
SESENE.

Water right number - R43-00043 Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 103 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 43-10814 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 642 ACRES IN A SINGLE
IRRIGATION SEASON.

GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43-B.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
ALBION-IDAHO LAND CO. JOBE ADAMS ET AL 10/18/1928

+ - - Audit Fields - 02/23/98 DJONES 02/24/98 DJONES 04/16/98 CM1-SEGB 07/16/99 DJONES

+ - - - - Comments - - - - - +
Date: 02/24/1998 User Id: DJONES Subject: NAME CORRECTION
MISSPELLING OF NAME WAS CORRECTED.

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 04/12/1998	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 02/23/1998	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S020899	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	-	Notice of Error Flag	-

Water Right Number - R43-00043	Prefix Translation: RESEARCH	Old (D) Number -
+ - - - - Last Name - - - - +	+ - First Name - - - - +	+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HOLGREN LAND & LIVESTOCK

1 - PO BOX 78
2 -
3 -
City- BEAR RIVER
phone - 435-279-8267

State- UT Zip- 84301

+ - - Priority Date - - +	+ - - Region - - +	+ - - Stage - - +	+ - - Status - - +
05/01/1908	17 SOUTHERN	D - DECREE	- - -

Source	Tributary
CLEAR CREEK	SINKS

Twp	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
+	-	-	-	-	-	-	+

16S 27E 10 NW NE NW (31) CASSIA

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

01 - IRRIGATION		04/01	10/31	2.600
+	- Total Div. Rate - +	+	- Total Div. Volume - +	+
	2.600			0.0
				+
				- Total Consumptive Use - +
				+
				- KW Usage - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
15S	27E	4	NE NW	3	35.0	01	IRRIGATION	(31) CASSIA
15S	27E	4	NW NW	4	37.0	01	IRRIGATION	(31) CASSIA
15S	27E	4	SW NW		39.0	01	IRRIGATION	(31) CASSIA
15S	27E	4	SE NW		40.0	01	IRRIGATION	(31) CASSIA
15S	27E	4	NE SW		28.0	01	IRRIGATION	(31) CASSIA
15S	27E	4	NW SW		38.0	01	IRRIGATION	(31) CASSIA
15S	27E	4	SW SW		25.0	01	IRRIGATION	(31) CASSIA

Total Acres: 242.0

+ - - Diversion Means - HEADGATE, DITCH

+ - - Non-Irrigation Use - -

+ - - Other Rights for Same Use - 43-10814, 43-10534

[illegible]

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 103 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-10814 IS LIMITED TO THE

Water right number - R43-00043

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +
IRRIGATION OF A COMBINED TOTAL OF 642 ACRES IN A SINGLE
IRRIGATION SEASON.

GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43-B.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

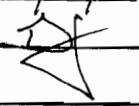
+ - - - - - Decree Plaintiff - - - + + - Decree Date - +
ALBION- IDAHO LAND CO. JOBE ADAMS ET AL 10/18/1928

+ - - - - - -Comments- - - - - +
No Comments Found

+ - - - - - Audit Fields - - +
02/23/98 DJONES

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 02/23/1998 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S020899 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - Presumption Flag - C
Notice of Error Flag -

TRANSFER NUMBER _____

M NUMBERS 43-00043 _____DATE 2/12/98AGENT 

GEOGRAPHIC INFO ACRES

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM																			
GIS	155	27E	4					43 44 35 37 39 40				28 38 25							242
CLAIM																			
GIS																			
CLAIM																			
GIS																			
CLAIM																			
GIS																			

UPDATED

POLYGON #

UPDATED

POLYGON CREATED ON 604 () _____

B43-DBPOU.DBF _____

ATTRIBUTES OF B43-POU.SHP (15) _____

B43-DBPOD.DBF _____

ATTRIBUTES OF B43-POD.SHP () _____

AMENDED PRELIMINARY DIRECTOR'S REPORT

**Subcase Nos. 43-00043, 43-00347,
43-00348, 43-00350, 43-10813 & 43-10814**

**In Re SRBA
Twin Falls County Civil Case No. 39576**

Report to the SRBA District Court

**Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David R. Tuthill, Jr., Adjudication Bureau Chief**

July 16, 1999

AMENDED PRELIMINARY DIRECTOR'S REPORT

DESCRIPTIVE SUMMARY

This is an Amended Preliminary Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the Special Master's *Order Granting Pending Motions* dated June 18, 1999, the Director submits for filing with the Court, an Amended Preliminary Director's Report for the aforementioned subcases.

Respectfully submitted this ____ day of _____, 1999.

DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

CERTIFICATE OF MAILING

I certify that on _____, 1999, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, 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, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Cassia County Courthouse
1459 Overland Ave.
Burley, ID 83318

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Patrick D. Brown
812 Shoshone St. East
Twin Falls, ID 83301

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Holmgren Land & Livestock
Steven Holmgren
Box 78
Bear River, UT 84301

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Roger D. Ling
Box 396
Rupert, ID 83350

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Arimo Corporation
C/O Christopher R. Robinson
139 East South Temple #310
Salt Lake City, UT 84111

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Afton L. Hoskins
Boyd I. Hoskins
C/O Naf Store Strevell Rd, Box 2350
Naf, ID 83345

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Merle Jones
HC 72 Box 2346
Malta, ID 83342

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Beth Jones
Sublett Route
Malta, ID 83342

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Reid S. & Ruth O. Stewart
1655 Sunset Drive
Logan, UT 83421

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person delivering form

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 43-00037, 43-00045, 43-00084,
43-00085, 43-00286A, 43-00286B.

Prefix Translation: RESEARCH

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 04/12/1998	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/06/1995	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 438
Licensed Date	- 00/00/0000	Receipt Number	- S018265	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- D
		Name Connector	-	Notice of Error Flag	-