

RECEIVED

SEP 13 2006

DEPARTMENT OF
WATER RESOURCES

08/18/2006

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: September 22, 2006

Water right number: 79-14127

ANNE B HOLDEN
HC 01 BOX 24
WHITE BIRD ID 83554
Telephone Number: (208)839-2800

ALFRED HOLDEN
HC 01 BOX 24
WHITEBIRD ID 83554
Telephone Number: (208)839-2800

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: 09-08-2006 SIGNATURE: Alfred Holden Anne Holden
Please print your name: ALFRED HOLDEN + ANNE HOLDEN

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

12/30/2005

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

RIGHT NUMBER: 79-14127
NAME AND ADDRESS: ANNE B HOLDEN
HC 01 BOX 24
WHITE BIRD ID 83554

ALFRED HOLDEN
HC 01 BOX 24
WHITEBIRD ID 83554

SOURCE: WHITE BIRD CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.020 CFS
PRIORITY DATE: 02/01/1956
POINT OF DIVERSION:

T28N R01E S14 SWSW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within IDAHO County
T28N R01E S14 SWSW 1.0

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PROPERTY IS ALSO KNOWN AS LOTS 1, 2 AND 3 BLK E, CITY OF WHITE BIRD.

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 79-14127
Date Received: 4/1/2005
Receipt No: W032753
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ANNE B HOLDEN Phone: (208)839-2800
PO BOX 150
WHITE BIRD ID USA 83554

ALFRED HOLDEN Phone: (208)839-2800
PO BOX 150
WHITEBIRD ID USA 83554

2. Date of Priority: 02/01/1956

3. Source: WHITE BIRD CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
28N	01E	14	SW SW	IDAHO	

5. Description of diverting works:

Pump, pipes and sprinklers.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	10/31	0.02	

7. Total Quantity Appropriated is:
0.02 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
28N	01E	14	SW	SW	IRRIGATION	1
Section Acres						1
Total Acres						1

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

PROPERTY IS ALSO KNOWN AS LOTS 1, 2 AND 3 BLK E, CITY OF WHITE BIRD.

15. Basis of Claim: 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

A79-14127

Date Received

4-1-05

Receipt Number

W032753

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 01 2005

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) ALFRED + ANNE B. HOLDEN Phone (208) 839-2800

Mailing Address POB 150, WHITE BIRD, IDAHO Zip 83554

2. Date of Priority (Only one (1) per claim) FEBRUARY, 1956

3. Source of water supply (a) WHITE BIRD CREEK
which is tributary to (b) SALMON RIVER

4. a. Location of existing point of diversion is: Township 28N Range 1E Section 14,

SW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of IDAHO

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 _____

ending 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.

PUMP, PIPES, SPRINKLERS

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from _____ to _____ amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .02 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

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

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
28N	1E	14											1						

Total number of acres irrigated 1 ACRE

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

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.
WELL FOR DOMESTIC USE (INTERNAL USE) or None ()

14. Remarks: CONTINUOUS IRRIGATION SINCE 1956. LEO SCHILLAM
OWNER, IRRIGATED PROPERTY SINCE THAT TIME.

PROPERTY LOCATED OFF OF COOPER STREET, BLOCK "E",
LOTS, 1, 2, AND 3. SEE DRAWING AND PLAT COPY FROM
1897.

Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
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 ☒
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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 03-16-05

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

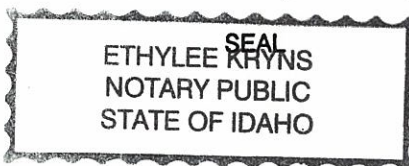
Date _____

State of Idaho/or _____)

County of IDAHO)

SS.

Subscribed and sworn (or affirmed) before me this 30th day of March 19 2005



Notary Public

Ethylee Rhyns

Residing at

White Bud, ID

My Commission Expires

6/13/08

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name _____ Ident. Number _____



Scale 100 ft to an inch.

Idaho Department of Water Resources Receipt

Receipt ID W032753

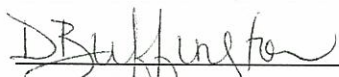
Payment Amount Date Received Region Status
 Payment Type Check Number

Payer

Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	PERMITS	0229	21	62103	1155
\$25.00	ADJUDICATION FILING FEE	0337		42503	1155
\$51.00	ADJUDICATION FILING FEE	0337		42503	1155



Signature Line (Dept. Representative)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 6, 2005

Alfred Holden
Anne Holden
PO Box 150
White Bird, ID 83554

Dear Mr. & Mrs. Holden:

We have reviewed your Notices of Claim to a Water Right that you recently submitted to our office. However, one of the claims cannot be processed at this time, due to insufficient information and we are returning this claim to you.

The claim that you submitted for Stockwater use from a spring does not have the date of priority completed. This item is required to process the claim. In addition to the date of priority, if you could also list the description of diversion works and the number of cattle, it would help with our review of your claim.

We have enclosed a data entered copy of the irrigation claim that you also submitted. This claim was filed as Beneficial Use and cannot be confirmed by a previous water right filing since there is no decree, license or permit on file to verify the use of this water. For this reason the department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Enclosed is a pamphlet titled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. The stockwater claim you submitted does not require this type of evidence.

Please return your completed claim and the evidence of priority information to Greg Taylor at our Lewiston office, 1118 F Street, Lewiston, ID 83501.

If you have any questions regarding this letter, feel free to contact us.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:l
Encls: