

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: A43-02451
Date Received: 6/02/1989
Receipt No: M003815
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDWARD KENT HOLTMAN 208-645-2235
Address: BOX 43
MALTA, ID 83342

AND/OR

Name: ROCHELLE HOLTMAN 208-645-2235
Address: BOX 43
MALTA, ID 83342

2. Date of Priority: JUL 26, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	27E	22	NE	NE	NE		CASSIA
			NE	NE	SW		CASSIA

5. Description of diverting works:
2 WELLS, 250 HP MOTORS-22" CASING 990' AND 1004' TDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.400		

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

8. Total consumptive use is 1280.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	22	NE		NE		IRR	39.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
Section Acres								318.0
Total Acres								318.0

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:
LIC. 43-2449.

14. Remarks:
NOT TO EXCEED 11.99 CFS.

15. Basis of Claim: LICENSE
Water Right Number: 26485

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A43-02451
Date Received: 6/02/1989
Receipt No: 11003215
Received By: gwc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDWARD KENT HOLTMAN 208-645-2235
Address: BOX 43
MALTA, ID 83342

AND/OR

Name: ROCHELLE HOLTMAN 208-645-2235
Address: BOX 43
MALTA, ID 83342

2. Date of Priority: JUL 26, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	27E	22	NE	NE	NE		CASSIA
			NE	NE	SW		CASSIA

5. Description of diverting works:
2 WELLS, 250 HP MOTORS-22" CASING 990' AND 1004' TDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.400		

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

8. Total consumptive use is 820.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	22	NE		NE		IRR	39.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	318.0
							Total Acres	318.0

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:
LIC. 43-2449.

14. Remarks:
NOT TO EXCEED 11.99 CFS.

15. Basis of Claim: LICENSE
Water Right Number: 26485

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Edward K. Holtman Date: June 2 89

Date: _____

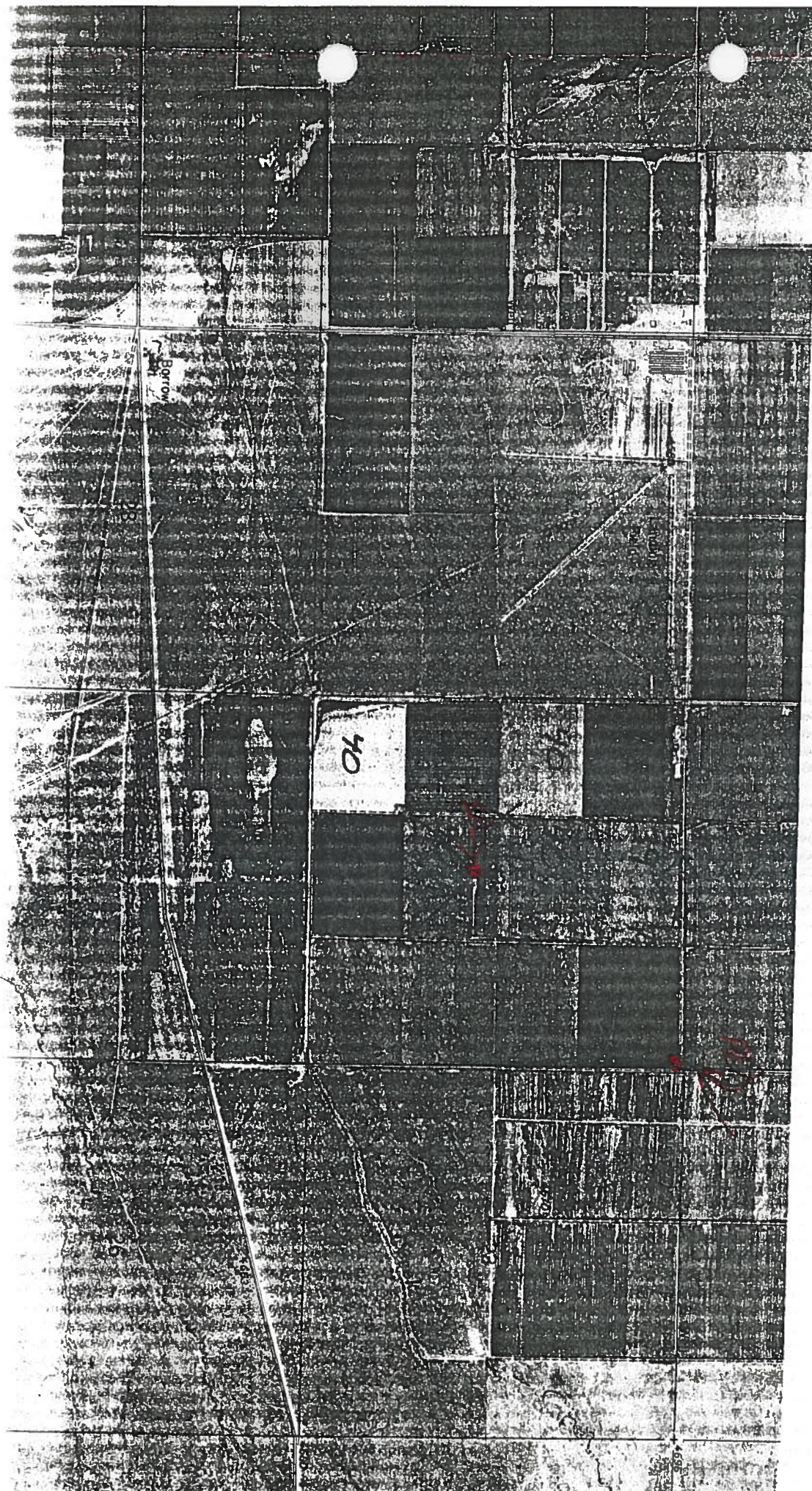
State of Idaho)
County of Cover) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of June 19 89

Seal

John J. Parker
Notary Public

Residing at Boon ID
My Commission Expires 6/2/94



MICROFILMED

MAR 03 1993

05/10/2001

**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: 43-2451

ROCHELLE HOLTMAN

BOX 43

MALTA ID 83342

Telephone Number: (208)645-2235

EDWARD KENT HOLTMAN

BOX 43

MALTA ID 83342

Telephone Number: (208)645-2235

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: June 4, 01 SIGNATURE: *Kent Holtman*
Please print your name: Kent Holtman

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

12/19/2000

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

RIGHT NUMBER: 43-2451

NAME AND ADDRESS: EDWARD KENT HOLTMAN
ROCHELLE HOLTMAN
BOX 43
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 6.4 CFS
1280 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 11.99 CFS. COMBINED RIGHT 43-
2449

PRIORITY DATE: 07/26/1956

POINT OF DIVERSION:	T13S R27E S22	NENENE	Within CASSIA County
	T13S R27E S22	NENESW	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	6.40 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T13S R27E S22	NENE	39	T13S R27E S22	NWNE	39
T13S R27E S22	SWNE	40	T13S R27E S22	SENE	40
T13S R27E S22	NESE	40	T13S R27E S22	NWSE	40
T13S R27E S22	SWSE	40	T13S R27E S22	SESE	40

318 ACRES TOTAL

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

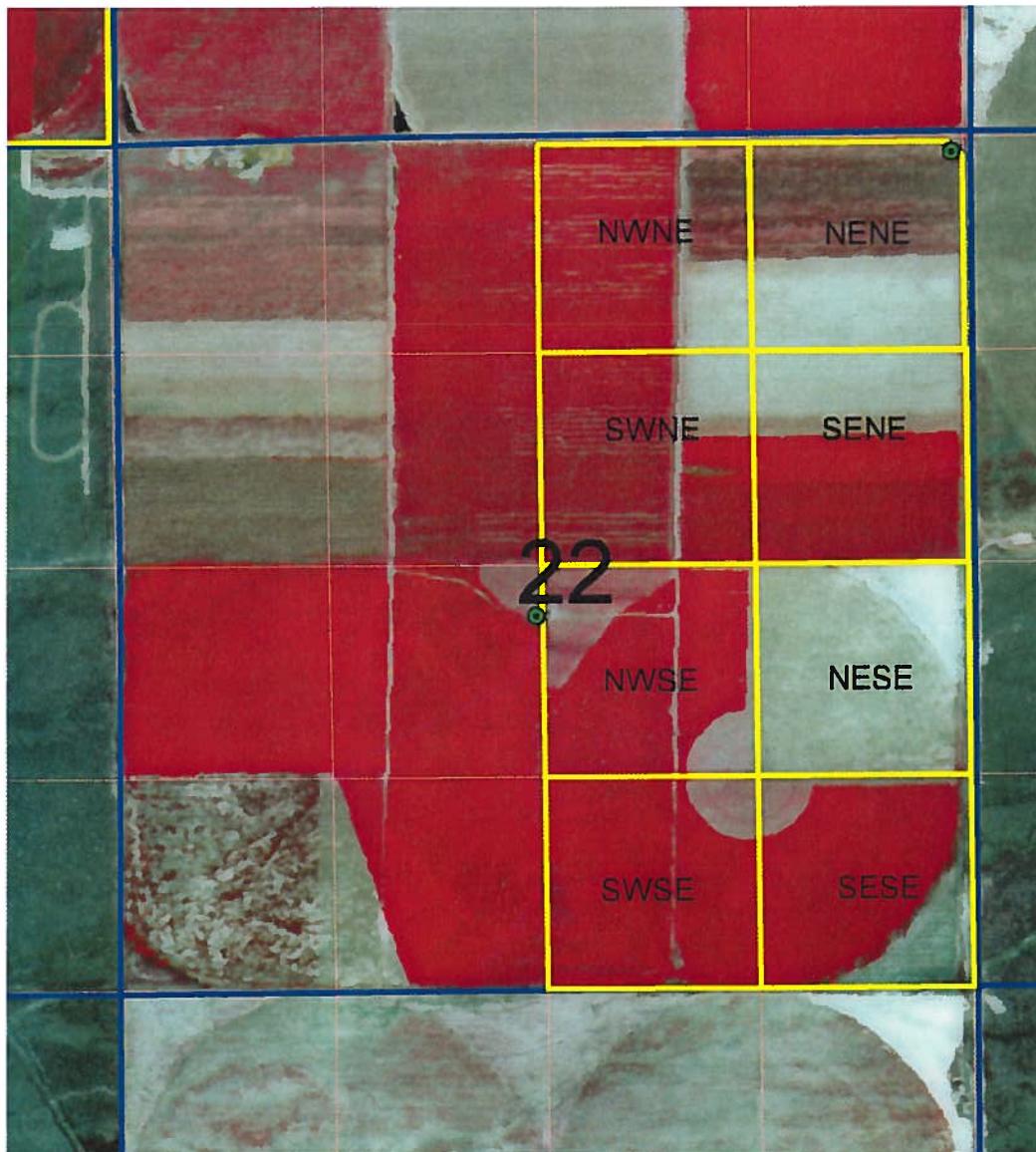
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY PLACE OF USE

43-2451



T13S, R27E Sect 22

Map prepared by: Cbird
December 11, 2000
1987-1988 NAPP Photography

-  POINT OF DIVERSION
-  PLACE OF USE
-  SECTION LINES
-  QUARTER/QUARTER LINES



CLAIM NUMBER A43-02451 DATE _____
 _____ AGENT _____

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 318
 GIS ACRE TOTAL _____

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	13S	27E	22	39	39	40	40									40	40	40	40	318
GIS	13S	27E	22																	
RECOM	13S	27E	22																	
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

RECEIVED

43-2451

JAN 29 1974

State of Idaho
Department of Water Administration

Department of Water Administration
Southern District Office

LICENSE OF WATER RIGHT

License of Water Right No. 26485/43-2451 Priority July 26, 1956 Amount 6.40 cfs

THIS IS TO CERTIFY, that MERLE ROBERTS
of Rupert, Idaho, has complied with the terms and conditions of Permit
No. 26485/43-2451 issued pursuant to Application for Permit dated July 26, 1956,
and has submitted proof to the Department of Water Administration on May 16, 1969,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 11.99 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 6.40 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than * 6.40 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE¹/₄NE¹/₄ and NE¹/₄SW¹/₄, Sec. 22, Twp. 13 S, Rge. 27 E, B.M.
in the county of Cassia; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,280 acre feet per year or _____
4.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
13S	27E	22	40	40	40	40									40	40	40	40	320

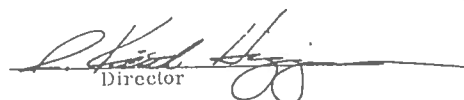
Total number of acres irrigated 320

* Subject to the condition that the maximum rate of diversion shall not exceed 11.99 cfs
when combined with License No. 26482/43-2449.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of

February, 19 73.


Director

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 43-2451/24485

This proof is for beneficial use

In Water District No.

1. Name of applicant: PROOF - Rt. 1, Rupert, Idaho
Marie Roberts, 1827 Yale Avenue, Burley, Idaho

2. Source of water supply: Ground water

3. Location of point of diversion: Is in the NE 1/4 of Sec. 22, T. 13 S. R. 27 E. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same:

PERMIT - wall, pump, & ditches. PROOF - Open ditches; 12" pump; 300HP natural gas motor; 20" casing, well depth 990' while supplying water with 1200HP motor 235 ft.

5. Water is used for: Irrigation & domestic

6. State whether or not water has been turned into works of diversion: Yes Johnson Pump Co., Idaho Falls

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

13 S 27 E NE 1/4, SE 1/4 320 acres

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? 1st

Remarks:

FILED: 7-26-56

MADE: 5-15-49

ONE: 5-22-69
OR ANYTIME

PRIORITY: 7-24-56

This examination was made on the

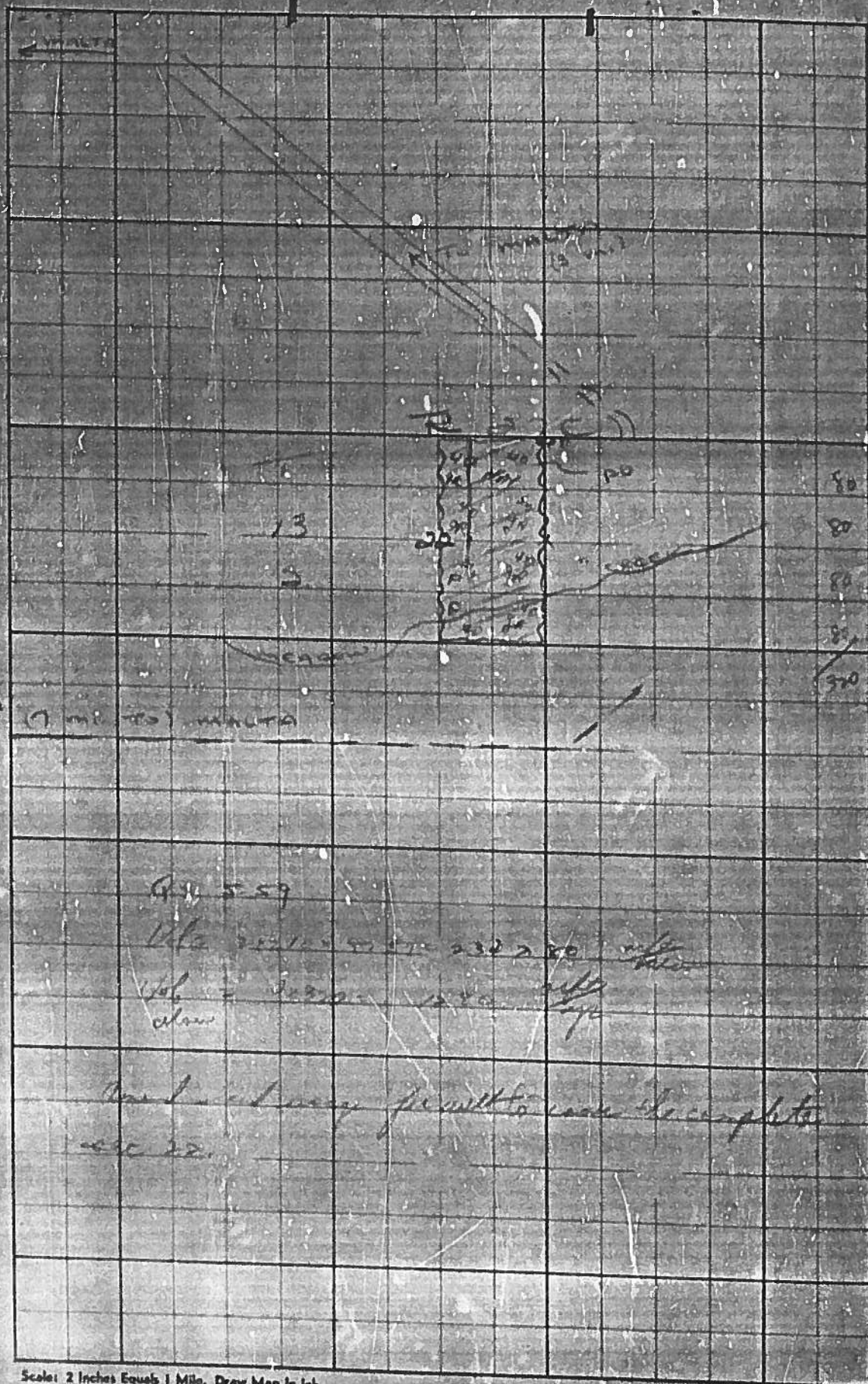
(Signed)

day of

19

Examiner

43 2451



Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Permit No. 43-2451

Examination for beneficial use

County Casola

Sec. 22 T. 13S. R. 27E

Quantity: 6.40 cfs

Source: Ground water

P.D.: 11/1/14, Sec. 22, T. 13 S., R. 27 E

Use: Irrigation & domestic

Extension:

APPROVED:

EXAMINER:

DATE:

Filed: July 26, 1956

ONE

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
IS - DISCHARGE NOTICE

Date _____, 19____ DISCHARGE MEASUREMENT NOTES

River at Maale Kibet

[illegible]

Vol. _____ of _____ Sheets, Comp. by _____

~~43-2159~~

February 5, 1973

Mr. Marie Roberts
Route # 1
Rupert, Idaho 83350

Dear Mr. Roberts:

A representative of this Department has made an examination of the works covered by your Permit No. 26485/43-2451 and has found the following:

Quantity of water diverted: 11.99 cfs

Amount of water that can be recognized as beneficially used under Idaho law: * 6.40 cfs

The maximum quantity diverted shall not exceed 1,280 acre feet per year.

Beneficial use: Irrigation of 320 acres within the E $\frac{1}{2}$ Sec. 22, Twp. 13S, Rge. 28E, B.M.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, Twp. 13S, Rge. 27E, B.M.

The priority date established: July 26, 1956

* Subject to the condition that the maximum rate of diversion shall not exceed 11.99 cfs when combined with License No. 26482/43-2449.

If you do not concur with these findings, please advise us within 10 days; otherwise, a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

43 2451

BDF:DR
cc: Southern District Office