



IDAHO DEPARTMENT OF WATER RESOURCES
 SOUTHERN REGION
 222 SHOSHONE ST E
 TWIN FALLS ID 83301
 (208) 736-3033

PHILIP E BATT
 GOVERNOR

KARL J DREHER
 DIRECTOR

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM
 IN THE SNAKE RIVER BASIN ADJUDICATION

Water Right Number(s): A43-00347 HOLMGREN LAND
A43-00348 & LIVESTOCK
A43-00350

Old Mailing Address: 785 NORTH 350 EAST
TREMONTON, UT 84337
 @ Claiming
 07-06-1995

New Mailing Address: BOX 78
BEAR RIVER, UT 84301
 @ MTG in MALTA
 06-14-1996
 per claimant

New Telephone Number: (801) 279-8267

Signature of Claimant(s): Steven Holmgren

Date: 6-20-96

FOR IDWR USE ONLY	
Initial Review and Data Entry	
Date: <u>6-17-96</u>	By: <u>H</u>
Further Action Needed:	<u>change claims</u>
Further Action Taken	
Date:	By:
Final Review and Data Entry	
Date:	By:

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: **A43-10534**
Date Received: 6/19/1989
Receipt No: S008299
Received By: _____

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

1. Name: HOLMGREN LAND & LIVESTOCK 801-257-5539
Address: 785 NORTH 350 EAST
TREMONTON UT 84337

2. Date of Priority: OCT 4, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.000		

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

8. Total consumptive use is 600.0 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	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
						Section Acres 200.0
						Total Acres 200.0

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:
A43-00033, A43-00038.

14. Remarks:
ACRES PAID UNDER CLEAR CREEK P/U.
ADDRESS CHANGE MADE 8-17-94 BY TLB

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 pa 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)
) SS.
County of _____)

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

Seal

Notary Public

Residing at _____

My Commission Expires _____

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): _____

[] Old Mailing Address: HOLMGREN LAND & LIVESTOCK
BEAR RIVER CITY, UT. 84001
301

[] New Mailing Address: JAMES P. HOLMGREN SEC
HOLMGREN LAND & LIVESTOCK
785 N. 350 E. TREMONTON,
UT. 84337

New Telephone Number: () _____ 84337

[] Signature of Claimant: James P. Holmgren
Date: 08-15-1994

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: 08-15-94 By: JH

Further Action Needed:
Further Action Taken

Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____

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: A43-10534
Date Received: 8/24/1989
Receipt No: S008299
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOLMGREN LAND & LIVESTOCK 208-257-5539
Address: BEAR RIVER CITY, UT 84031

2. Date of Priority: OCT 04, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.000		

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

8. Total consumptive use is 600.0 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	NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0

A43-10534

Page 1

Date: 08/24/89

MICROFILM

MAR 05 1991

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	27E	4	SE	NW		IRR	40.0
						Section Acres	200.0
						Total Acres	200.0

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:
A43-00033, A43-00038.

14. Remarks:
ACRES PAID UNDER CLEAR CREEK P/U.

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 _____

My Commission Expires _____

MICROFILM
MAR 05 1999

Deep Well \$ 50 ft/acre

Form No. 42-1409 (2) 2/1/88

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 A43-10534 Date Received Receipt Number 5008299 SCC

RECEIVED

NOTICE OF CLAIM

JUN 12 1989

TO A

Department of Water Resources Southern Region Office

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) HUNGERFORD LAND & LIVESTOCK Phone (208) 257-5539

Mailing Address BEAR RIVER CITY UT Zip 84031

2. Date of Priority (Only one (1) per claim) 10-4-58

3. Source of water supply (a) GROUND WATER which is tributary to (b)

4. a. Location of existing point of diversion is: Township 16S Range 27E Section 5 SW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of Cassia

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. Well and Pump

MICROFILM

MAR 05 1989

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 3/15 to 11/15 amount 3 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3 (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:

- 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 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	
15S	27E	4	40	40	40	40	40	40	40	40	40								200

Total number of acres irrigated 200

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

12. Do you own the property listed above as place of use? Yes 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.
Decreed Clear Creek or None ()

14. Remarks: THIS LAND IS ALSO WATERED BY CLEAR CREEK
AND PAYMENT FOR ACRE'S HAS ALREADY BEEN PAID.

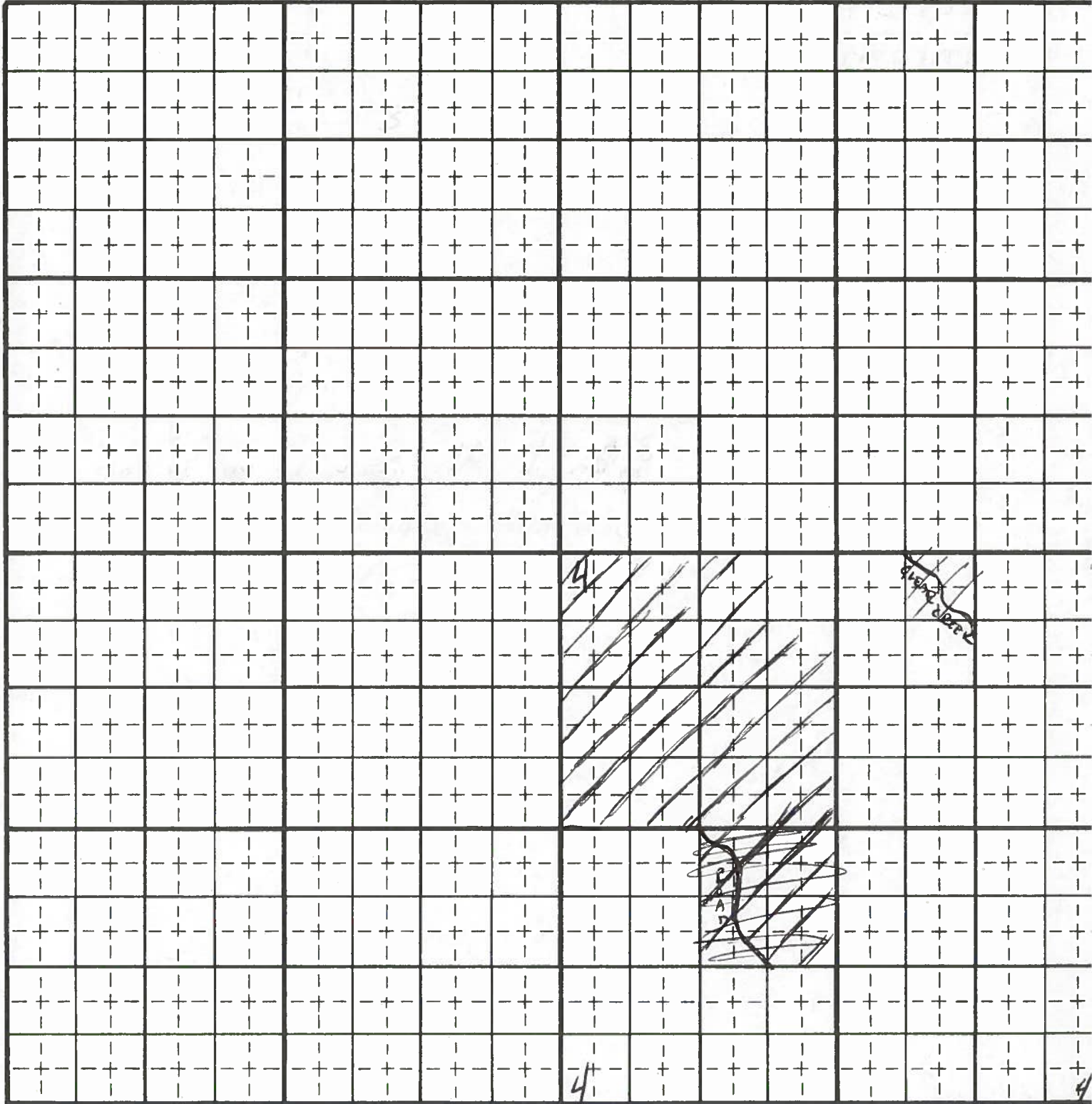
Last Name _____ Ident No. _____

Copies: White -State, Yellow -Claimant

MICROFILM
 MAR 05 1991

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____

Ident No. _____

Copies: White-State, Yellow-Clay

MICROFILM

MAR 05 1993

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

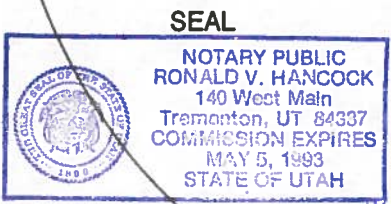
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.
Signature of Claimant (s) [Signature] Date [Signature]
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am SECRETARY Title
of HAMMERTON LAND & LIVESTOCK Organization, that I have signed the foregoing
document in the space below as SECRETARY Title of HAMMERTON LAND & LIVESTOCK Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization Sec. Hammerton Land & Livestock Date 6-8-89

State of Idaho/or UTAH)
County of BOX ELDER) SS.

Subscribed and sworn (or affirmed) before me this 8th day of JUNE 19 89



Notary Public [Signature]
Residing at _____
My Commission Expires _____
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 _____

MICROFILM
Copies White-State, Yellow-Claimant
MAR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

AUGUST 15, 1989

J. HOLMGREN
HOLMGREN LAND & LIVESTOCK
785 N. 350 E.
TREMONTON, UT 84337

RE: INCOMPLETE CLAIMS

DEAR MR. HOLMGREN,

YOU SUBMITTED SEVERAL ADJUDICATION CLAIMS TO OUR OFFICE IN TWIN FALLS, ID AND ON JUNE 19, 1989 THE FOLLOWING CLAIMS WERE RETURNED TO YOU FOR MORE INFORMATION:

A43-10534 A43-10527 A43-10528 A43-10529 A43-10530 A43-10531

DID YOU RECEIVE THESE CLAIMS? IF YOU HAVE NOT, WILL YOU PLEASE CONTACT OUR OFFICE? IF YOU HAVE RECEIVED THESE CLAIMS AND YOU STILL WISH TO FILE IN A TIMELY MANNER PLEASE RESPOND TO THIS LETTER WITHIN 30 DAYS TO AVOID THE LATE FEE OF \$50.00 PER CLAIM.

YOU SHOULD HAVE ALSO RECEIVED YOUR COPIES OF THESE CLAIMS:

A43-00033 A43-00038 A43-10532 A43-10533

THESE CLAIMS WERE ACCEPTED AND DATA ENTERED ON THE COMPUTER FILES.

PLEASE FEEL FREE TO CONTACT ME AT OUR OFFICE IN TWIN FALLS IF YOU HAVE ANY QUESTIONS OR NEED ASSISTANCE.

SINCERELY,

A handwritten signature in black ink that reads 'Steve Clelland'. The signature is written in a cursive, flowing style.

STEVE CLELLAND
WATER RESOURCE AGENT

MICROFILM
MAR 05 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

A43-10534
RECEIVED

AUG 21 1989

Department of Water Resources
Southern Region Office

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your ^{Receipt} check # 5008299 for \$ 1605.00 which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations. In checking your claim it appears that the following items need clarification:

- Item #2 Priority *DAY/MONTH/YEAR*
- Item #4 Point of Diversion Legal Description
- Item #6-7 Uses descriptions *Amount of Water Claimed?*
- Item #9 Description of Non-irrigation Uses
- Item #10 Place of Use Legal Description
- Item #16 Signature & Notorization
- Improper fee (THE CORRECT FEE IS \$ _____)
- Other or Remarks *Item #3 SOURCE?*

~~If you wish to continue to press your claim please find enclosed instructions and another claim form to use.~~ If you will make the necessary corrections and return your claim with the correct fee and a copy of this letter within 30 DAYS of the date of this letter, your filing will be considered timely and will not be assessed an additional late fee of \$ 50.00.

Sincerely,

Allen Merritt by Steve Callahan

Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

MICROFILME

MAR 05 1993

N. HANSEN

Remond & Linscott

785 N. SIDA AVE CITY UT 841

Remond JUN 4 3 37 PM '89

SAIT 1 AVE CITY UT 841

JUN 8 8 PM

MICROFILMED
MAR 05 1993



FIRST CLASS

FIRST CLASS

INDIA DEPARTMENT OF WATER RESOURCES
2148 1/2 AV. EAST
TWIN FALLS ID. 83301



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 19, 1989

HOLMGREN LAND & LIVESTOCK
BEAR RIVER CITY UT 84301

A43-10527
A43-10528
A43-10529
A43-10530
Re: A43-10531
A43-10532
A43-10533
A43-10534 ✓
A43-00033
A43-00038

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILM
MAR 05 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-10534
HOLMGREN LAND & LIVESTOCK

BEAR RIVER CITY UT 84031

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit.** The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILM
MAR 05 1992

January 21, 1992

RECEIVED

Water Right Number - A43-10534
Current Owner - Holmgren Land & Livestock
Bear River City, Utah 84031
Priority Date - 10/04/58

JAN 27 1992
Department of Water Resources
Southern Region Office

TO WHOM IT MAY CONCERN:

I, HAROLD A JONES, do hereby verify that this well was drilled October 4, 1958,
and pumped by diesel power beginning that date in T. 16 S., R. 27 E.,
Section 4, Tract Sw Ne Nw.

Date 1-21-92


Harold A. Jones


NOTARY

STATE OF IDAHO

COUNTY OF CASSIA

On this 21st day of January, 1992, before me, the undersigned
a Notary Public, personally appeared Harold A. Jones, known to
me to be the person whose name is subscribed to the within instrument,
and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, i have hereunto set my hand and affixed my official
seal, the day and year first above written.


Notary Public for the State of Idaho
Residing at Malta, Idaho
My Commission expires 04/06/93

MICROFILM
MAR 05 1992



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

RECEIVED
 JUN 20 2002
 Department of Water Resources
 Southern Region

CHANGE IN ADDRESS

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 initials]

All Contacts in # 270429

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: 43-10534
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

12/28/2000

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

RIGHT NUMBER: 43-10534

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

SOURCE: GROUND WATER

QUANTITY: 2.42 CFS
788 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 43-10813 AND 43-10814 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 05/29/1961

POINT OF DIVERSION: T16S R27E S4 NWNESW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	2.42 CFS 788.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T16S R27E S4	LOT 2	NWNE	39
T16S R27E S4	LOT 4	NWNW	38
T16S R27E S4		SENW	40
		T16S R27E S4	LOT 3
			NENW 38
			SWNW 39

194 ACRES TOTAL

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

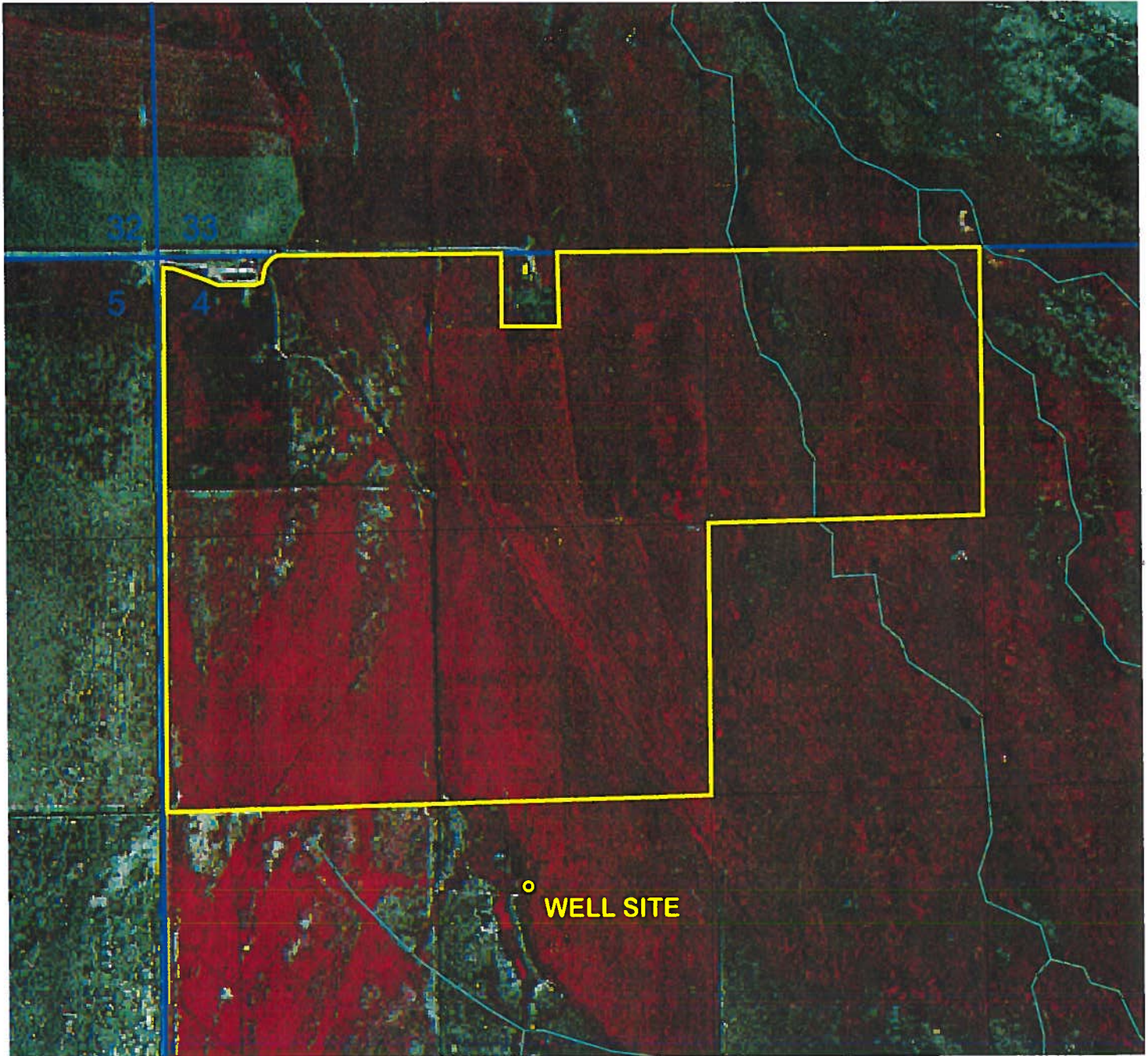
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.





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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT: 43-10534

RECOMMENDED PLACE OF USE
TWP 16S, RNG 27E,
Data entry on December 28, 2000



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



GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK

OWNER NAME & ADDRESS
C HOLMGREN LAND & LIVESTOCK

PRIORITY DATE WATER USE
10/04/1998 IRRIGATION

USE PERIOD FROM TO
03-15 11-15

DIVERSION RATE
3,000 CFS

DIVERSION VOLUME
2,422

5/29/1961
SSC valley
600.00 AFS
788 ac
pet cul papers

Water Source: GROUNDWATER
Point(s) of Diversion: T16S R27E S04
Tributary to: *SSC valley*
Stage: BENEFICIAL USE
CASSIA County

Place of use Legal Description for: IRRIGATION

T	R	S	NE			NW			SW			SE			SUM
			Ac	Lt	Ac	Ac	Lt	Ac	Ac	Lt	Ac	Ac	Lt	Ac	
15S	27E	4	40			40			40			40			200.0
			TOTAL ACRES			TOTAL ACRES			TOTAL ACRES			TOTAL ACRES			200.0

POU County: CASSIA
Other Rights: A43-00033, A43-00038.

Remarks: GEN ACRES PAID UNDER CLEAR CREEK P/U.
ADDRESS CHANGE MADE 8-17-94 BY TLB

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag: Presumption Flag:

C18
E 28 108 131
699
433
pet cul papers

RECOMMENDATION NOTES

From: Vikie Hancock

12/28/00

Regarding: 43-10534

This claim is for irrigation from ground water on 200 acres located in the Raft River Critical Groundwater Area.

POD verified by GPS data collected by Scott King on 6-8-2000.

POU acres found and calculated by GIS within claimed tracts

PRIORITY DATE verified by well log in file

DIVERSION RATE calculated from information provided by claimant 12-6-2000.

Note that there are issues of non-use of this right dating to 1987. See communication documentation with Jerry Udy of Raft River Electric concerning the non-use of power at the well site since 1987, which contradicts the claimants assertion in 2000 that (first) the well had been used this year and (second) the well had not been used within the last 3 to 4 years. This right is being recommended in accordance with SRBA direction to not toll forfeiture from commencement of the adjudication to the issuance of a decree.

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

December 4, 2000

Regarding:

Customer:

43-10534

Steve Holmgren

^^

I called Mr. Holmgren's number this date and left a message that he had not provided enough information to make a determination of what the historical diversion rate was through the well claimed as POD for the above claim. I asked him to please call me back to discuss the claim.

I also said that we had enough to verify the approximate date the well was drilled.

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

December 6, 2000

Regarding:

Customer:

43-10534

Steve Holmgren

^^

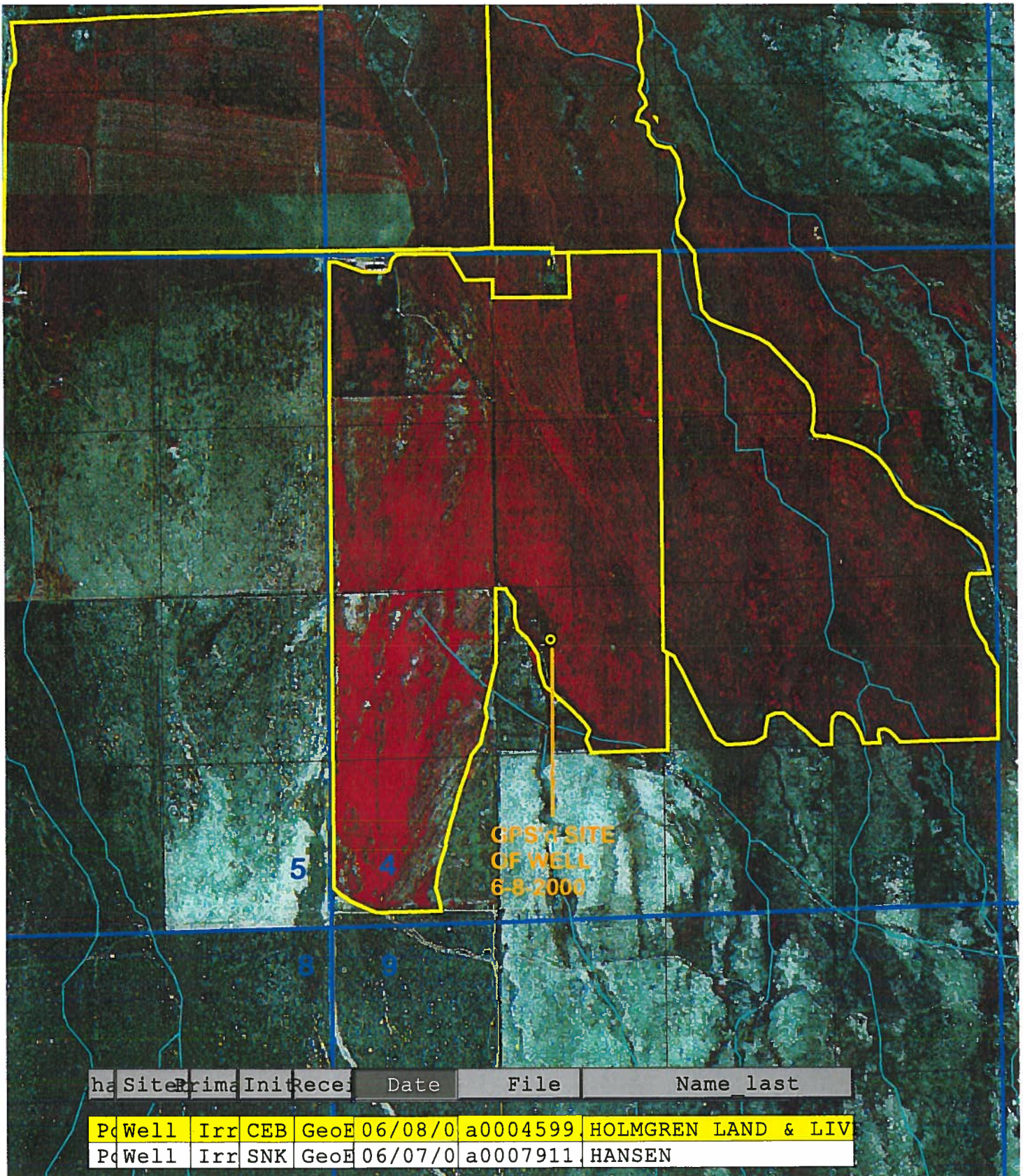
Claimant called back and said that, as far as he knew, no one had done a pump test on the well. He had no information as to the static water level, just that it was, as he said, a 150 hp motor and that it produced 60 psi. He said that his sprinkler lines were 1/4 mile lines. I suggested that he contact RRRE to see if they had done a pump test, as they often do. I told him that it would be to his best interest to provide that information, but baring anything further, I would base my recommendation on the information I had. Claimant again stated that they irrigated 200 acres and that the sprinkler system was put in to water new seeding hay as flood irrigating that ground when bare just washed it away.

6 quarter mile lines 5/32 nozzles @ 60 psi = 5.65 gpm
32 birds X 6 lines = 192 X 5.65 = 1084.8 gpm / 448.8 = 2.42 cfs

FILE NOTES

43-10534

TWP 16S RNG 27E



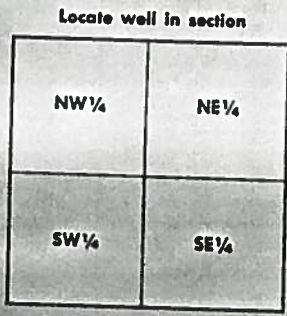
V. HANCOCK

1987 NAPP AERIAL PHOTOGRAPHY

**WELL LOG AND REPORT OF THE
STATE RECLAMATION ENGINEER OF IDAHO**

RECEIVED
NOV 30 2000
Department of Water Resources
Southern Region

Permit No. _____ Well No. _____ County Cassia,
 Owner Delbert Holmgren,
 Address Mailing address, Bear River Utah,
 Driller Waymon Yarbrough, By Keith Mc Kenzie,
 Address Alta Idaho, Rupert Idaho,
 Well location N 1/4 SW 1/4 Sec 4, T. 158 N/S, R. 27 E/W
 Size of drilled hole 8" From 630' TO 1125'
 Total depth of well 1125'



From SO
NA

Give depth to standing water from the ground _____ Water temp. _____ °Fahr.
 On "Pumping Test" delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet.
 Size of pump and motor used to make test _____
 Length of time of test _____ hours _____ minutes.
 If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____
 If flowing well, described control works _____
(TYPE AND SIZE OF VALVE, ETC.)
 Water will be used for Irrigation, Weight of casing per lineal foot _____
 Thickness of casing _____ Casing material _____
(STEEL, CONCRETE, WOOD, ETC.)
 Diameter, length and location of casing _____
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.

Number and size of perforations _____ located _____ feet to _____ feet from ground
 Date of commencement of well May 7 1951 Date of completion of well May 29 1951

NESW 5.4 16S 27E

WELL LOG

From Feet	To Feet	Type of Material	Water-bearing Permeation Ann. Yes or No	Casing Perforated Ann. Yes or No
630	642	Hard gray clay.		
642	646	gray sand stone		
646	680	gray clay.		
680	715	gray sandy clay.		
715	720	white clay & full shell rock,		
720	750	clay sandy clay and little hard sand stone,		
750	774	tan clay & sand sand stone,		
774	776	Hard tan sand stone.		
776	797	thin slates of clay and hard sand stone,		
797	805	very hard coarse cemented sand,		
805	810	alternated strates of pack sand & tan clay.		
810	812	Very hard coarse cemented sand,		
812	825	tan clay		
825	832	white clay,		
832	841	tan clay and a little sand,		
841	847	white clay.		
847	854	gray sandy clay.		
854	860	white clay.		
If more space is required use Sheet No. 2				

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed

Waymon Yarbrough

By Keith Mc Kenzi,

Dated August 19 61

License No. 118

**DEPARTMENT
WATER RESOURCES**

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

November 21, 2000

RECEIVED

NOV 24 2000

Department of Water Resources
Southern Region

To Vickie Hancock,

I am forwarding all the information regarding the deep well that was drilled in 1958. The well was pumped from 1958 to 1974 using a diesel-powered engine. During that time the water was run into open ditches and used to flood irrigate. In 1974 a 150HP electric motor was installed and 12-inch main line for sprinklers. Three ¼ mile wheel lines and three hand lines with 5/32 inch nozzles at 60psi were installed. The sprinkler lines were used to water approximately 200 acres of alfalfa. We were only able to pull 3,000 c.f. from the well and the cost of electricity got to be so high that we decided to go back to flood the ground with water out of Clear Creek. We still Honor the contract with Raft River Rural Electric and pay the minimum of \$750.00 per year. We feel that the Well Driller at the time went to deep and lost the water because listening down the well sounded like a waterfall. In the future, we would like to perhaps move the well to a different location and redrill thinking we could increase the flow.

It was a pleasure talking to you on the telephone and I hope this will clear up some of the concerns about the well. Please contact me at 435-279-8267 if I can be of any assistance.

Thank you

Yours truly,



Steve Holmgren

Vice President

Holmgren Land & Livestock

RECEIVED

NOV 24 2000

Department of Water Resources
Southern Region

WELL LOG AND REPORT OF THE STATE RECLAMATION ENGINEER OF IDAHO

Permit No. _____ Well No. _____ County _____

Owner ~~Robert~~ Holmgreen. Delbert.

Mailing add, Address _____ Bear River Utah, Well location, Bridge

Driller Waymon Yarbrough,

Address Malta Idaho,

Well location _____ 1/4 _____ 1/4 Sec. _____, T. _____ N/S, R. _____ E/W

Size of drilled hole _____

1125. _____ Total depth of well _____

Give depth to standing water from the ground _____ Water temp. _____ °Fahr.

On "Pumping Test" delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet.

Size of pump and motor used to make test _____

Length of time of test _____ hours _____ minutes.

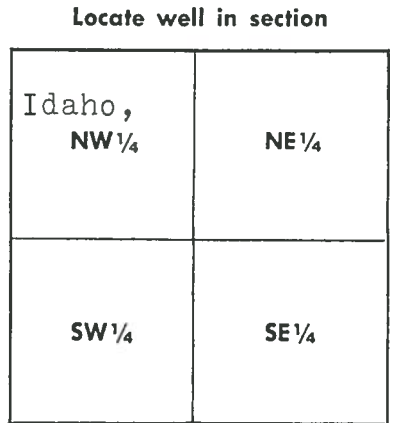
If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____
(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for _____ Weight of casing per lineal foot _____

Thickness of casing _____ Casing material _____
(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing _____
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)



CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.

WELL LOG

From Feet	To Feet	Type of Material	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
		This well was a deeping job. Was filled in from 630 to 538,		
630	642	Hard gray clay.		
642	646	gray sand stone,		
646	680	gray clay.		
680	715	gray sandy clay,		
715	720	white clay and a fue small rock.		
720	750	gray sandy clay & alittle hard sand stone,		
750	774	tan clay and some sand stone.		
774	776	hard tan sand stone		
776	797	thin statas of tan clay & hard sand stone about $\frac{1}{2}$ / $\frac{1}{2}$		
797	805	very hard course cemented sand,		
805	810	alternated stratas of pack sand and tan clay.		
810	812	825 very hard course cemented sand/.		
812	825	tan clay,		
825	832	tan clay and a little sand.		
832	841	tan clay and a little sand,		
841	847	white clay,		
If more space is required use Sheet No. 2				

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed _____

By _____

License No. _____

Dated _____, 19____.

WELL LOG

From Feet	To Feet	Type of Material	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
847	854	brown sandy clay		
854	865	white clay.		
865	884	blue gray sandy clay		
884	887	hard blue gray sand stone		
887	894	blue gray sandy clay,		
894	897	white clay		
897	902	blue gray clay		
902	924	tan sandy clay,		
924	925	sand stone,		
925	961	tan sandy clay		
961	965	sand stone		
965	979	hard tan clay,		
979	986	sand stone with a few soft spots may silt,		
986	988	hard tan clay,		
988	996	very hard coarse cemented sand.		
996	1004	sand stone and a little tan clay,		
1004	1006	pack gray sand.		
1006	1000	tan sandy clay		
1010	1029	dark gray sandy clay		
1029	1031	sandy brown clay.		
1031	1032	sand stone		
1032	1045	brown clay.		
1045	1055	alternate stratas of brown clay and sand stone,		
1055	1056	hard sand stone,		
1056	1057	sandy gray clay		
1057	1060	coursegrained gray sand stone,		
1060	1070	brown sandy clay more coarse sand than clay.		
1070	1072	sand stone.		

90464

AGREEMENT FOR PURCHASE OF POWER

35010

✓

THIS AGREEMENT, Made this 1st day of February, 1974, between the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and Holmgren Land & Livestock hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described real estate in the County of Cassia, State of Idaho particularly described as follows, to-wit:

RECEIVED

NOV 24 2000

Department of Water Resources
Southern Region

Section 4, Township 16 South, Range 27, East, of the Boise Meridian. And has a well on the NW 1/4 SW 1/4 of Section 4 of the said real estate and desires to irrigate the irrigable portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, THE SELLER agrees to sell and deliver to the Consumer on the above described real estate, electrical energy up to 150 HP KVA, and the Consumer agrees to purchase from the Seller all electrical energy used for pumping water from the well or wells upon said premises for irrigation purposes during the irrigation season of each year for a period of not less than eight years from the date of this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alternating current, three phase, sixty cycle, 480 volts.

2. Payment

The Consumer shall pay to the Seller for the electrical energy furnished at the rates and upon the terms and conditions set forth in Schedule IP-2 which is hereto attached and by reference made a part of this contract,

In the event that the Consumer uses no electrical energy upon the said premises or the amount of electrical energy used by the Consumer during any irrigation season at the purchase price or prices shown on Schedule IP-2 shall not equal \$ 600.00 to be paid during any irrigation season, then the Consumer agrees to a minimum charge of \$600.00 for the irrigation season

after the bill is mailed to the Consumer. If the Consumer shall fail to pay any such bill within such fifteen day period, the Seller may discontinue the service hereunder, by giving to the Consumer ten days notice in writing of its intention to do so.

3. The Consumer agrees that if at any time the rate under which the Seller purchases electrical energy at wholesale is modified, the Seller may make a corresponding modification in the rates for electrical energy furnished hereunder. If the rate to the Consumer be increased by such modification, the Consumer shall have the right to cancel this contract unless the Seller shall elect to furnish the electrical energy at the rates specified in Schedule IP-2 herein before referred to.

4. Continuity of Service

The Seller shall use reasonable diligent to provide a constant and uninterrupted supply of electrical energy. But if such supply shall fail, or be interrupted, or become defective, through the act of God, public enemy, by accident, strikes, labor troubles or the burning out of any transformer, generator, or other electrical equipment or for any other cause beyond the reasonable control of the Seller, the Seller shall not be liable to the Consumer for any damage that he may sustain by reason of such interruption in service.

5. Membership

The Consumer shall be come a member of the Seller, shall pay the membership fee and be bound by the provisions of the Articles of Incorporation and provisions of the By-Laws of the Seller and by such rules and regulations, as may from time to time be adopted by the Seller.

6. Term

This agreement shall become effective on the date of its execution and shall remain in effect for a period of eight years and thereafter until terminated by either party giving to the other four month's notice in writing of its or his desire to terminate the same.

7. This contract shall be and constitute a covenant running with the land and shall be binding upon and enure to the benefit of

Holmgren Land & Livestock Co
Albert Holmgren
(Consumer)

By _____
RAFT RIVER RURAL ELECTRIC COOPERATIVE, INC.
By Edwin C. Schlender
(Manager)

STATE OF IDAHO)
County of Cassia) ss

On this 1st day of February, 1974, before me, the undersigned,
a Notary Public in and for said State, personally appeared _____
Edwin C. Schlender, known to me to be the Manager of the Raft River
Rural Electric Cooperative, Inc., the corporation whose name is subscribed
to the within instrument, and acknowledge to me that such corporation
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal, the day and year in this certificate first above written.

Gene Burt
Notary Public for the State of Idaho,
residing at Malta, Idaho.
My Commission Expires life term

^{state}
STATE OF IDAHO)
County of Cassia) ss

On this 29 day of March, 1976, before me, the under-
signed, a Notary Public in and for said State, personally appeared _____
Orlisk Holmgren, known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that he executed
the same.

IN WITNESS WHEREOF, I Have hereunto set my hand and affixed my official
seal

Deep Well # 5071/acre

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
Date Received
Receipt Number

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

RECEIVED NOV 24 2000 Department of Water Resources Southern Region

Please type or print clearly

1. Name of Claimant (s) HOLMGREN LAND & LIVESTOCK Phone (801) 257-5539
Mailing Address BIRD RIVER CITY UT Zip 84031

2. Date of Priority (Only one (1) per claim) 6-12-70

3. Source of water supply (a)
which is tributary to (b)

4. a. Location of existing point of diversion is: Township 16S Range 27E Section 4
SW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of Cassia

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section 11 1/4 of 1 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. Well and Pump

RECEIVED

NOV 24 2000

Department of Water Resources
Southern Region

December 16, 1999

NAME
ADD
CITY

RE: Request for information on historic pumping rates

Dear Mr. :

The Idaho Department of Water Resources (IDWR) is preparing to recommend claims to water rights to the Snake River Basin Adjudication (SRBA) court for irrigation uses in the Raft River Basin. To facilitate this process, we are requesting data from you in order to estimate historic irrigation well pumping capacities. Specifically, we are requesting information regarding pumping flow rate for wells that have not been previously measured for water right licensing.

This request is made so that IDWR may estimate historic flow rate based on available information including: past flow measurements, pump curves or specifications, system characteristics such as motor horsepower, depth to water, discharge pressure, and irrigation system characteristics. The department understands that water levels throughout much of the Raft River Basin have been declining for many years, most often reducing the water users' ability to divert at the same rate as previously able. **The department is attempting to quantify the maximum rate of flow diverted and put to beneficial use in the years prior to November 1987.**

IDWR will use the information you submit to make recommendations to the SRBA court for your water right claims. Specifically, recommendations will be made for diversion rate (cfs). The enclosed form will help us reach conclusions pertaining to water quantity recommendations for adjudication claims based on historic beneficial use rather than a decree or license.

The goal of this project is to determine historic maximum diversion rates. It is expected that many irrigation systems change over time. Please detail the system configuration that produced the highest flow put to beneficial use. Since this is a general form, some parts may not apply to your system. Include any additional detail that may help in determining historic flow rates. If you have any questions regarding this data

request, or if you prefer to discuss these questions with us instead of completing the form, your call is welcomed. Contact either Scott King at (208) 327-7897 or Cindy Bird at (208) 327-5450. You may also dial the adjudication hotline (1-800-451-4129) and ask for Scott or Cindy. We can also be contacted by e-mail at sking@idwr.state.id.us and cbird@idwr.state.id.us

Please take a moment to complete the form or to give Cindy or I a telephone call. It would be most helpful if we could have this information by December 22, 1999.

Sincerely,

Scott King

Enclosure

December 6, 1999

Name: HOLMGREN LAND & LIVESTOCK
Point of Diversion: 16S 27E SEC 4 SW 1/4 OF NE 1/4 OF NW 1/4 CASSIA COUNTY
Claim No(s): ID # A43-10534

Data Submission for Estimating Well Pumping Capacity

This form is for documenting historic flow rate from a well based on available information including: flow measurements, pump curves or specifications, system characteristics such as motor horsepower, depth to water, discharge pressure, and irrigation system characteristics. The department is attempting to quantify the maximum rate of flow diverted and put to beneficial use in the years prior to November 1987.

If you have any questions regarding this data request, please contact either Scott King (208) 327-7897 or Cindy Bird (208) 327-5450. You may also dial the adjudication hotline (1-800-451-4129) and ask for Scott or Cindy. If you prefer to discuss these questions with us instead of completing the form, your call is welcomed. We can also be contacted by e-mail at sking@idwr.state.id.us and cbird@idwr.state.id.us

1) Rate of Flow measurements: 3.000 C.F.S. (cfs or gpm)

Please give approximate date, person or entity performing measurement, description of measuring device and any other applicable data. Examples may include measurements made as part of an energy efficiency survey, which are often provided as a service through your electric utility.

2) Pump characteristic curves or specifications: Please include copy of pump curve, or state designed pumping capacity, rated flow and head, and approximate year of pump installation. Other helpful items may include the pump manufacturer, model number, and number of stages.

3) Pumping system characteristics:

Diversion rate can be determined by using power, pumping lift, discharge pressure, and estimated pumping efficiency. If the system has changed over time, you can provide information for several system configurations.

Year	Well pump motor horsepower	Booster pump(s) motor horsepower	Depth to water, pump off (ft)	Depth to water, pump on (ft)	Discharge pressure (psi)
1974	150 HP				

4) Irrigation System:

Please provide description of the water delivery system. State number of lines and birds, nozzle size, and operating pressure(s) of impact-type sprinkler systems; designed rated flow for pivot systems. As above, if various systems have been used through the years, provide year as well. Example:

1963 to 1974 – Well pump open discharges to ditches for flood irrigation using 50 siphons per set. Siphons were 1.5 inch diameter, 5 feet long.

1975 to 1984 – Six wheel lines with 32 birds per line, 5/32 inch nozzles operating at 60 to 70 psi at the sprinklers.

1985 to present – Eight tower center pivot with impact sprinklers and end gun, no corner catcher, designed for 1150 gpm. Also solid set hand lines in corners which operate separate of the pivot, operating a total of 250 birds per set, 9/64 inch nozzles operating at 65 to 75 psi at the sprinklers.

3 WHEEL LINE AND 3 HAND LINES
 5/32 INCH NOZZLES AT 60 PSI

5) Other information:

Please also include any other information that you feel may indicate maximum historic diversion rate for your well.

THE PUMP HAS NOT BEEN USED FOR IRRIGATION IN THE LAST 3-4 YRS BECAUSE OF THE COST OF ELECTRICITY AND THE AMOUNT OF WATER PRODUCED, WE HAVE THOUGHT ABOUT DRILLING NEW WELL BECAUSE WE THINK THE WELL DRILLER WENT TO DEEP AND LOST THE WATER. YOU CAN HEAR A RIVER FLOWING DOWN THE CANYON. WE DO PAY RAFT RIVER ELECTRIC THE MINIMUM A.M.

January 21, 1992

RECEIVED

NOV 24 2000

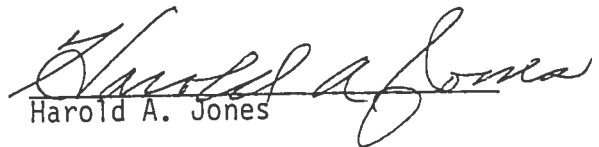
Department of Water Resources
Southern Region

Water Right Number - A43-10534
Current Owner - Holmgren Land & Livestock
Bear River City, Utah 84031
Priority Date - 10/04/58

TO WHOM IT MAY CONCERN:

I, HAROLD A JONES, do hereby verify that this well was drilled October 4, 1958,
and pumped by diesel power beginning that date in T. 16 S., R. 27 E.,
Section 4, Tract Sw Ne Nw.

Date 1-21-92


Harold A. Jones

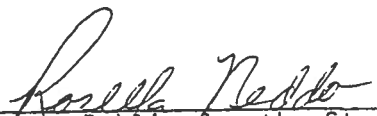
NOTARY

STATE OF IDAHO

COUNTY OF CASSIA

On this 21st day of January, 1992, before me, the undersigned
a Notary Public, personally appeared Harold A. Jones, known to
me to be the person whose name is subscribed to the within instrument,
and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, i have hereunto set my hand and affixed my official
sea, the day and year first above written.


Notary Public for the State of Idaho
Residing at Malta, Idaho
My Commission expires 04/06/93

Big Well

This Copy For Your Records
DO NOT RETURN

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

RECEIVED

NOV 24 2000

Ident. Number: A43-10534
Date Received: 8/24/1989
Receipt No: S008299
Received By: SCC

Department of Water Resources
Southern Region

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOLMGREN LAND & LIVESTOCK 208-257-5539
Address: BEAR RIVER CITY, UT 84031

2. Date of Priority: OCT 04, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.000		

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

8. Total consumptive use is 600.0 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	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	27E	4	SE	NW		IRR	40.0
Section Acres							200.0
Total Acres							200.0

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:
A43-00033, A43-00038.

14. Remarks:
ACRES PAID UNDER CLEAR CREEK P/U.

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.

This Copy For Your Records
DO NOT RETURN

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

CONVERSATION MEMO

Date: 11-14-00

Regarding: HOLMGREN LAND AND LIVESTOCK
43-10534

From: Vikie Hancock

Conversation with Steve Holmgren regarding the letter sent 11-7-00. He said that all correspondence regarding irrigated land should be sent to him at Box 78, Bear River, Ut. 84301.

He asked that I send him the forms that Scott and Cindy had sent out, as they went to his brother Jim and he never saw them. He said that he had used the well this year and has the electrical bill. I told him about the pictures taken in June, and he said that they used the well as little as possible because of the cost, but did use it later this summer. He didn't want to lose his permit to use the well.

I explained to him that, technically he had never had a right to irrigate from the well, just a claim that said he did, and that now the claim needed to be substantiated. I went over the elements of a water right that he needed to prove to us, such as priority date, diversion rate, number of acres irrigated. I mentioned the 1963 statutory requirement date. He said that he had papers and that he would send them. I told him that I would send him a copy of the form that Scott and Cindy had sent to his brother.



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

November 7, 2000

Holmgren Land and Livestock
785 North 350 East
Tremonton, Utah 84337

RE: Snake River Basin Adjudication (SRBA)
Claim No.: 43-10534

Dear Sirs:

In December 1999, and again in February of 2000, you were sent a request by the Idaho Department of Water Resources to provide information to substantiate your claim for the use of 3.0 cfs of ground water for the irrigation of 200 acres in the Naf area of Idaho. As of this date we have received no reply.

The specific place of use listed for claim 43-10534 is in Twp 16S, Rng 27E, Section 4, NW $\frac{1}{4}$ and NWNE. Surface water from Clear Creek is found to be the primary water source on this ground. The well is claimed in the SWNENW of Section 4, but was located by IDWR personnel in the SWNENW of Section 4.

There is one affidavit in the file attesting to the date the well was drilled, but no information substantiating the number of acres irrigated, the diversion amount or the duration of use. The well was found to be non-functional in June of 2000, and indications point to a period of non-use from this source. A handwritten notation by former agent Frank Hitchcock in 1994 states that groundwater is no longer used for irrigation.

Baring any further information from you, I will recommend this right be disallowed, as it is no longer being used. If you diverted from this well for irrigation in the recent past, please provide information to substantiate your claim. If you have any questions, please don't hesitate to call me at this office.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent

Hancock, Vikie

From: King, Scott
Sent: Monday, November 06, 2000 7:25 PM
To: Hancock, Vikie
Cc: Bird, Cindy
Subject: RE: 43-10534 Holmgren

Vikie,
I didn't get all my notes into the database on this one, but here is what I remember.

Cindy and I just stopped by one afternoon; Holmgren never responded to us from what I have noted. Found the farm operator cutting hay. He showed us where the well and pump was, and also said Holmgren was someplace in Utah. We gps'd, and found it to be located different from claim (at 16S27E4NW NESW). It wasn't running and hasn't been used for quite a while; seems like something was wrong with it. They use surface water, and stop growing hay when it's gone. I'd say from the description we got, perhaps this right has been forfeited. Although they do use surface water, the supply isn't reliable and they haven't been supplementing from the well when needed.

Send away.
Scott

-----Original Message-----

From: Hancock, Vikie
Sent: Monday, November 06, 2000 10:54 AM
To: King, Scott
Subject: 43-10534 Holmgren

Scott,

As far as I can tell, this outfit never responded to your requests for info and there is nothing about this well in our files. I am getting ready to send them the final "info or else" letter, but wanted to make sure that you hadn't heard anything from them recently before I did.

Vikie

GPS file A0004599 6-8-00



Photo taken 6-8-2000 By Scott King & Cindy Bred

Hancock, Vikie

From: Bird, Cindy
Sent: Tuesday, November 07, 2000 7:48 AM
To: Hancock, Vikie
Subject: Holmgren power pole



06080012.jpg

As you can see from the large birdnest on top the transformers. It's been a while since it's been used. T16S27E sec 4 SWNENW

Also note that no power is going to the transformer



photo taken 6-8-00 By Scott King & Cindy Bied



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

8 A43-10534

February 10, 2000

Second Notice

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HOLMGREN LAND & LIVESTOCK
785 NORTH 350 EAST
TREMONTON UT 84337

RE: Information about historical water diversion flow rate

Dear Wateruser:

This past December IDWR sent a letter to you requesting your assistance in providing information about flow rates from certain diversions (copy attached). These letters are being sent to claimants with identified rights that have not previously been confirmed (measured) either through the licensing process or by decree. IDWR desires to make the most accurate recommendation to the SRBA Court and this requires your participation and cooperation, pursuant Idaho Code §42-1410.

One advantage of providing good, verifiable information to us is that the flow rate that we recommend will be the full measure of your water right as developed. Another benefit is that disputes over the recommendation are minimized. Lastly, documentation for flow rate will likely be dated and may support evidence of priority determination.

In the absence of good information about historical diversion flow rates IDWR may conclude any of three less desirable alternatives:

- 1) Recommend disallowal of right.
- 2) Recommend a flow rate limited to a licensed rate, if a licensed diversion is part of the system, but with additional diversion volume if the use and diversion capacity is documented to have occurred before 1963.
- 3) Recommend the right as an expansion in a critical ground water area, §42-1416B I.C., which limits the flow rate AND volume to the licensed quantity. This provision also sets the priority at 6/30/1985, regardless of development date between 1963 and 1985.

Thank you for your attention to this matter and we look forward to your quick response and documentation relating to this request. Water Resource Agents from the department may be contacting you in the near future should field work be required to finalize recommendations. Inquiries related to this diversion rate information request should be made to Scott King or Cindy Bird at (208) 327-7900. Inquiries about other aspects of your claim should be made to the Southern Region Office (208) 736-3033.

Sincerely,

Scott King

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:34:45
07/12/99

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: 43-00347
349
350

LAST: HOLMGREN LAND & LIVESTOCK
ADDRESS: BOX 78
CITY: BEAR RIVER
PHONE NUMBER: 801-279-8267
STATE: UT ZIP: 84301
OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE FIELD EXAMINER
Y () N ()
CLAIM REMARKS: GEN SEE DECREE FOR RESTRICTIONS.
ADDRESS CHANGE MADE 7/9/96 BY TLB.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Steve Holmgren / Max Booth
DATE OF FIELD EXAM: 6/17/99 APPOINTMENT MADE: Y (X) N () TIME: 2:00 A () P (X)
ACCOMPANIED BY: 0 PHONE NUMBER: () SAME
RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Talked to Steve Holmgren by phone 6-16-99. He suggested I call farm mgr Max Booth. I made arrangement by phone to meet Max Booth at his home 6-17-99 at 2pm. When I called the Booth home at 1:30 6-17-99, his daughter informed me that Max was at the sale for the entire day. Assumed mis-communicator. Conducted field exam alone, 43-00347, 349, 350.
No field exam 43-10534 Ground water B.C. claim Sec 4



Department of Water Resources

222 Shoshone St. East, Twin Falls, ID 83301

FRANCIS G. HITCHCOCK
SR. WATER RESOURCE AGENT
SOUTHERN REGIONAL OFFICE
(208) 736-3033
FAX (208) 736-3037

COPY

FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
E COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

Ident. Number: **A43-10534**
Date Received: 6/19/1989
Receipt No: S008299
Received By: _____

*-10813
-10814*

OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

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

1. Name: HOLMGREN LAND & LIVESTOCK 801-257-5539
Address: 785 NORTH 350 EAST
TREMONTON UT 84337

2. Date of Priority:

3. Source: GROUNDWATER

MR. HOLMGREN:

08-25-94

4. Point of Diversion:

Township Range Se
16S 27E

5. Description of diver
WELL AND PUMP

6. Water is used for th

Purpose
IRRIGATION

*as promised, address
corrected on your claims.
Copies for your files, new
address claims to your file
here & on computer F. Hitchcock*

7. Total Quantity Appro. _____
3.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 600.0 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	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

in name of H.L.H.

LAST: HOLMGREN LAND & LIVESTOCK
ADDRESS: BEAR RIVER CITY
PHONE NUMBER: 208-257-5539

FIRST:

STATE: UT ZIP: 84031

OWNER CODE: C
FIELD EXAM REQUIRED? _____
VERIFICATION REQUIRED DUE TO REMARKS? _____
CLAIM REMARKS: ACRES PAID UNDER CLEAR CREEK P/U.

94x5: Ann. well
(45m) 5th. well
\$25 T16 dits well
\$31 T25

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: () - -
DATE OF FIELD EXAM: 08/15/04 APPOINTMENT MADE: Y() N() TIME: 10 : - A() P()
ACCOMPANIED BY: _____ PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / NOTES:

have been in family since 1948...

NOTE:

water meter... has delivered # 785 N. 350 E phone is at T- , UT. 84337

TELEPHONE MEMORANDUM

✓

Incoming Call

Outgoing Call

Returning Call

10¹⁰

TO:

H

DATE:

08-10-94

FROM:

HOLMWOOD L+L

FILE:

FILE NO:

SUBJECT:

FIELD EXAM

REMARKS:

GN hasn't been used -
too deep to use -

MON - NAF store - 10 AM

gave him my home #

08-15

address changed: send corrected claim

ROUTING INSTRUCTIONS:

NOTE: P/D legal change - 10813

CALENDAR DATES:

08-25

smt-su cc Cong.

TELEPHONE MEMORANDUM

✓

Incoming Call

Outgoing Call

Returning Call

10¹⁰

TO:

#

DATE:

08-10-94

FROM:

HOLMWOOD LTL

FILE:

FILE NO:

SUBJECT:

FIELD EXAM

REMARKS:

GN hasn't been used -
too deep to use -

MON - NAF store - 10 AM

gave him my home #

08-15

address changed: send corrected claims

ROUTING INSTRUCTIONS:

NOTE: P/D legal change - 10813

CALENDAR DATES:

08-25

smt - see cc Cong.

TELEPHONE MEMORANDUM

Incoming Call

Outgoing Call

315

Returning Call

TO:

H-L & L

801-257-5539

DATE:

08-06-84

FROM:

H

FILE:

FILE NO:

SUBJECT:

appt. - JAMES HOLMSTROM

REMARKS:

msg - w/ call again.

08-07: N/A

-09:

9³⁰

TT-CW - wife: 257-7700

Cellular: 279-6661

8 PM: @home

8³⁵

msg. again or call myself

ROUTING INSTRUCTIONS:

CALENDAR DATES:

08-22-24

10²⁰

Mon - VT. district

Kempster, Larry - Clean Creek Water Users
Kempster, Vern - ditch rider
Coryell, Bob - secretary (MONT)

Id. users have been given close of review.
Sundgren - watermaster (till 2 yrs ago)

3 decrees - VT decree 1)
Id " " 2)
tied together 3)

measurement @ ?

gaging station - same P/D as historic
site mentioned in de.
washed out 25 yrs ago
USGS came up machinery - in addition
to other equipment.
Cipolatti weir - trash sediment
some " " have been replaced.

Vern

ed. ditch has a weir -

when reaches 20 ft - goes to ID.

15 ft in or but couldn't dilute

has been moved downstream -

other diversion - approx 3-400' from

old gauging P/D

same as the Id. diversion

10' high weir.

in spring - 2 diversions until it
comes up

users have good runoff, soil

soaks up and evaporation has

good water in channel

knobs w/ sand around Vern's

Crude can surge 50-60' 24 hrs.

can freeze up

in 2 yrs can be to dry to some

normal in: 20' - then ID can get

thru sled

Campbell:
Sr. K: Filled in the old C. G. Channel
forming it. (approx. 1984)

(★) in ID. a while this year (Norm)

Roy's lawyer @ VT. mts.
"ID. guys have had enough
shimlidge"

reviewed degree
(map) Pot/summa/ mts. (w/ Campbell.)

3 out of ditch & ditch of K.'s house

25"	unclaimed -	H.L. & L.		
130"	"	"	- 1908 water	-05/01
60"	"	"	1910	05/21
26"	"	"	1911	01/17
75"	"	"	1912	07/14

Fredrickson - NAF store 1911 11/23

(★) Rice Cr. films to Round Mtn:
K. Sr. has the vts.

★ Gunnell - & delivery, & diversions
★ Olsen/ 1970s - abandoned @ Settlers.

Ray wants to run a pipeline from
Clear Cr

vt. users will get water and
would be injured

1994

April 22	6.0	20	17.0	17	8.0
23	8.	21	17.0	18	8.
24	9.	22	16.0	19	8.
25	9.5	23	15.0	20	8.
26	8.5	24	15.0	21	7.
27	7.5	25	17.0	22	7.
28	6.5	26	18.0	23	7.
29	5.5	27	18.0	24	7.
30	5.5	28	18.0	25	7.
MAY 1	5.0	29	18.0	26	6.0
2	4.5	30	18.0	27	went on furrows
3	4.0	31	18.0		
4	4.5	JUNE 1	17.0		
5	8.0	2	16.		
full depth	12.0	3	15.		
6	14.0	4	15.		
7	18.0	5	15.		
8	25.5	6	15.		
9	28.0	7	15.		
IDAHO 10	30.5	8	15.		
11	37.5	9	15.		
12	47.0	10	15.		
13	48.	11	15.		
14	35.	12	15.		
15	33.	13	13.		
16	35.	14	12.		
split 17	26.	15	12.		
18	20.	16	10.		
19					