

AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-1288

RIGHT NUMBER: 45-11796

NAME & ADDRESS: JOHN L HOLYOAK
2240 OVERLAND
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1956

POINT OF DIVERSION: T10S R23E S27 NESW Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.06 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T10S R23E S27 NESW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 8KN010000010

Claim proofread by: CM

Date: 9-29

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: A45-11796
Date Received: 7/07/1989
Receipt No: S008453
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN L. HOLYOAK 208-678-7119
Address: 2240 OVERLAND
BURLEY, ID 83318

2. Date of Priority: DEC 31, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	23E	27	NE	SW			CASSIA

5. Description of diverting works:
WELL AND 1 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE & YARD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	23E	27	NE	SW		DOMEST	

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:
NONE

14. Remarks:

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 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 FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A45-11796

Date Received

Receipt Number 5008953 scRECEIVED NOTICE OF CLAIM
TO A
WATER RIGHTJUN 12 1989
Department of Water Resources
Southern Region Office

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) John L. Holyoak Phone (208) 678-7119Mailing Address 3240 Overland-Burley, Id. Zip 833182. Date of Priority (Only one per claim) 1925 1956 Month/Day/Year3. Source of water supply (Check one) (☒) Groundwater or Other () (a) _____

which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 10 Range 23Section 27, NE 1/4 of SW 1/4 of _____, Govt. Lot _____, DM.,County of Cassia - ~~Blaine~~ ~~60' deep~~ ~~the well was drilled~~Additional points of diversion if any: replaced by well 268 ft deep 1 hp motor powered5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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 6" casing 60 ft deep 1 hp motor powered to house and yard

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from 1/1 to 12/31 amount 0.06 (cfs)(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed 0.06 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 house and yard

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MAR 10 1993

Lot #1: 2nd Knight Subdivision

10. Place of use is: Township: P 10 Range 23

Section 27 NE 1/4 of 8 W 1/4 1/4, Govt. Lot _____, B.M.,

County of Cassia for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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 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.

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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) John L. Halyoak Date June 8, 89

Date _____

For Organizations: I do solemnly swear or affirm that I am 10

of _____, that I have signed the foregoing

document in the space below as 27 of 22

Title Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or Idaho } SS.

County of Cassia }

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

SEAL

Notary Public Janet Hasmussen

Residing at Burley, Cassia, Idaho

My Commission Expires Sept. 22, 1992

Last Name Halyoak Ident No. _____

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Copies: White-State, Yellow-Claimant

MAR 10 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

June 20, 1989

John L. Holyoak
2240 Overland
Burley, Idaho 83318

RECEIVED

JUL - 3 1989

Department of Water Resources
Southern Region Office

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim^{two} and your check # 703 for \$ 50.00 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
- [X] Item #4 Point of Diversion Legal Description
- [] Item #6 Uses descriptions
- [] Item #9 Description of Non-irrigation Uses
- [X] Item #10 Place of Use Legal Description
- [] Item #16 Signature & Notorization
- [] Improper fee (THE CORRECT FEE IS \$ _____)
- [] Other or Remarks

Please describe by Twp. ? Rge. ? Section- ? 1/4 ? 1/4 ?

The description you gave should go in remarks.
Item #7 first claim should be 0.12 instead of 0.012.

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.

Knight Tship 10 - Range 23 - Sec 27 - NW 1/4 of S 1/4
farm. Tship 10 Range 22 Sec 24 NW 1/4 of S 1/4

Sincerely,

Allen Merritt

Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

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MAR 10 1993

FROM: Allen Merritt

TO: FILE

SUBJECT: ACCEPTING CLAIMS WITHOUT LATE FEE.

BASED ON MY UNDERSTANDING OF THE WAY MAIL IS HANDLED IN THE BURLEY AREA I AM ACCEPTING CLAIMS AS BEING FILED TIMELY WITH A POSTMARK FROM TWIN FALLS WITH A DATE OF JUNE 9TH FOR CLAIMS FROM CASSIA COUNTY. (NOTE DEADLINE FOR CASSIA CO. IS JUNE 8TH)

BASED ON MY INVESTIGATION IT IS VERY LIKELY THAT CLAIMS WERE PLACED IN POST OFFICES IN THE BURLEY AREA ON JUNE 8TH AND NOT POSTMARKED UNTIL THE 9TH IN TWIN FALLS. THE ATTACHED LETTER FROM THE POST OFFICE EXPLAINS THIS SITUATION. THIS AFFECTS APPROX. 20 CLAIMS.

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MAR 10 1993



United States
Postal Service

June 14 1989

Mr. Merritt:

In regards to the conversation on this date concerning the reason for the June 9th post marks on filings due to you on the 8th of June.

My personal feeling is that they were mailed in the Burley area after 6 o'clock which is the cut off time for all mail in Burley. At that time all mail is

trucked to Twin Falls for processing. My feeling the mail was mailed on the 8th of June but after that time. Therefore the mail came to Twin Falls on the 9th and then was postmarked with the Date of 9 June 1989...

Respectfully

Maurice Miller
Maurice Miller

Supervisor Mails and Delivery Relief

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MAR 10 1993

From: DWR03::SHAFF 13-JUN-1989 14:24
To: DWR60::MERRITT
CC: SHAFF
Subj: POST MARKS

Lynne and I talked to Dave about this. Apparently a similar event happened with Bingham Co. The guideline, which will be a part of a memorandum update on its way, is a day late is OK if we have documented the processing by the Postal Service caused the late postmark. This rule for "we" applies where a group of claims falls in this category. Where the day late postmark is not within a group, but is instead an isolated instance, the claimant will be required to submit the documented proof the postal service caused the problem.

To get the jump on the memo, please write a conversation memorandum, if you talked to the postmaster/mistress about their procedures. Lynne wants tracks to explain, if it's necessary later, why the late postmarked claims were accepted without approved extensions or late fees.

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MAD 1 0 1003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3576

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Aug. 14, 1989

Re: A45-11796
A45-11795

JOHN L HOLYOAK
2240 OVERLAND
BURLEY ID 83318

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:

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MAR 10 1993

OLD (D) NUMBER -

+ - - AUDIT FIELDS - 07/07/89 CLELLAND

MICROFILMED
JUL 26 1994

WATER RIGHT NUMBER - A45-11798

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - - 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	- 07/05/1939	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	- S008453	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

BKN 010000010

DATA ENTRY
ENTERED 12-31-92
CHECKED 2/2/93

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
NOV 13 1991

PROOF
SEP 17 1991

CERTIFIED
DECEMBER 3 1991
WATER EXAMINER