

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

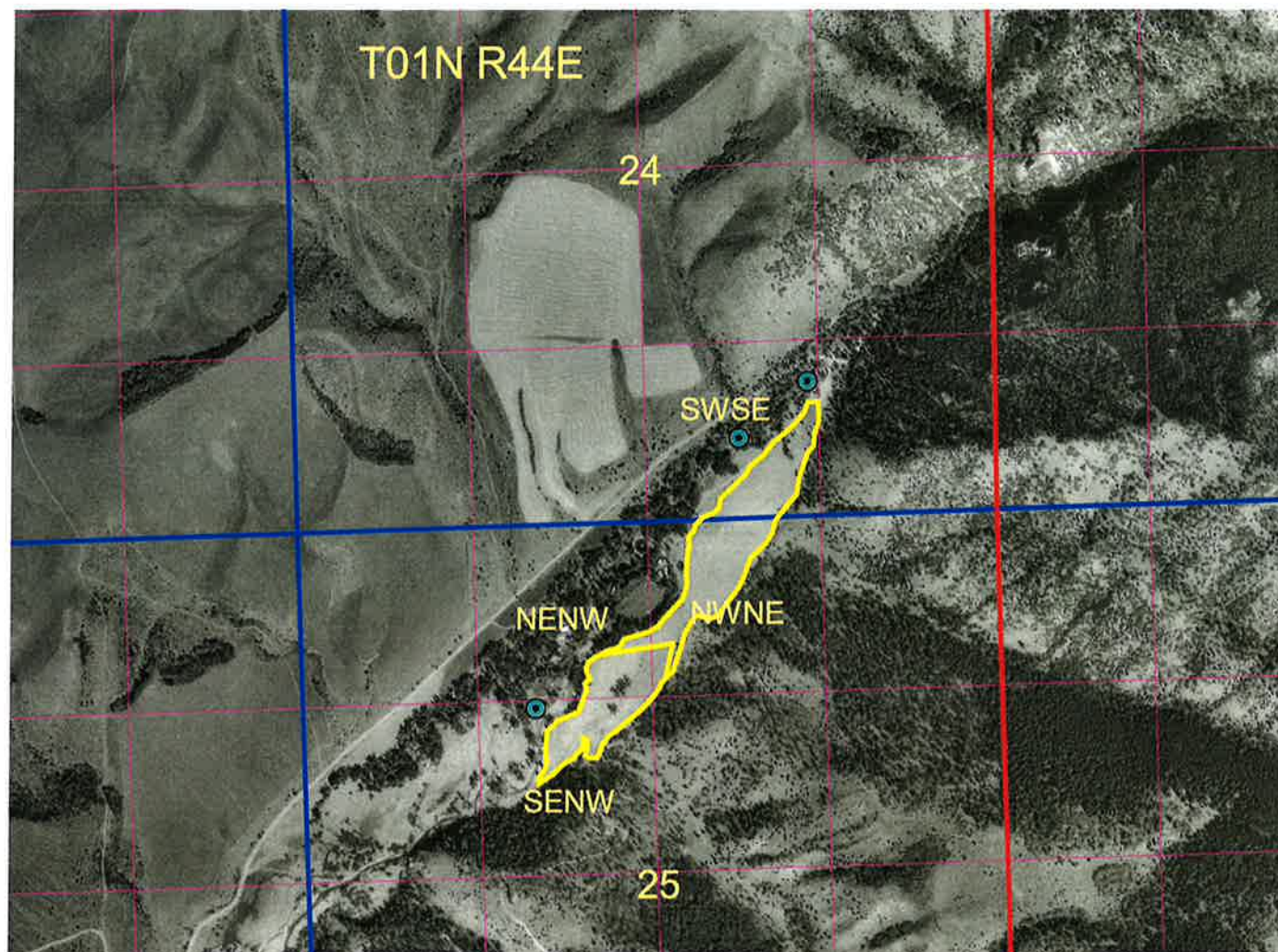
26.6 ACRES TOTAL

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.

1

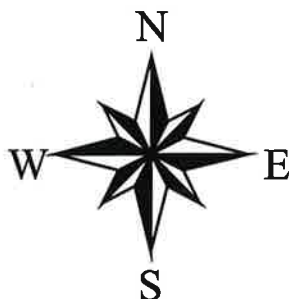
DEPARTMENT OF WATER RESOURCES

Claim No.: 23-11326



0 1320 2640 3960 5280 Feet

-  Point of diversion.shp
-  Place of use.shp
-  Township/Range
-  Sections
-  QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: ☐ December 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 20, 2004

KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: Recommendation on late claim 23-11326

Dear Kent:

Enclosed for review is a recommendation on late claim 23-11326 and associated layout. This right was originally assigned decree number 01-311. However, since the water is diverted from Palisades Creek, the right was renumbered.

This mailing represents your notification of the Department's findings concerning this water right and replaces the customary Preliminary Director's Report. It is our intention to include this recommendation in the annual Late Claims Director's Report scheduled to be submitted to the SRBA Court in February 2005.

Please let me know if there are concerns or questions.

Respectfully yours,

Ernest Carlsen
Water Rights Supervisor

Enclosures (2)

emc

Carlsen, Ernie

From: Carlsen, Ernie
Sent: Monday, December 20, 2004 11:47 AM
To: Shaff, Don
Subject: FW: Late Claim 23-11326

Don, This number did not appear in your table because it was originally filed as 01-311. We discovered the number error after the B23 Director's Report. So I presume it will need to be reported in the Late Claims Report under the B23 number. I believe the number is now added to your table. You should check my data entry and make sure it is correct.

Thanks
Ernie

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

From: Carlsen, Ernie
Sent: Monday, December 20, 2004 11:34 AM
To: Shaff, Don
Subject: Late Claim 23-11326

Don, I have completed the recommendation on late claim 23-11326. I am notifying you by email because this number did not appear in the tables in the access query.

Thanks
Ernie

Claim no. A01-00311

Claimant Contact Log

Date	Remarks	Agent initials
------	---------	----------------

WJF

This exam was done on 8-25-2004 with David Cromwell, Caretaker + Farmer on the William S. Holden Trust ground.

This claim is number as an "01" right on Snake River but the actual source is Palisades Creek and should be a Basin 23 claim.

Photo's #1 + #2 show diversion File # 01311. This is an open ditch with no headgate or measuring device.

Photo #3 is diversion File # 01311A. This is an open ditch with no headgate or measuring device.

Photo #4 is diversion File # 01311B. This is an open ditch with no headgate or measuring device. This ditch cannot be used unless water is considerably higher in the creek.

The black + white map attached shows the outline of the irrigated ground as provided by David Cromwell - phone # 208-483-3844

An additional contact is William T. Holden at 483-3845 or 522-7724

Exam was done by Harold Jones of Water Rights Contracting Services.

GPS data file: 01-311 2725397
1358444

(Ryan's project)

GPS data file: 01-311A 2725555
1358574

GPS data file: 01-311B 2724934
1357822



Palisades Creek diversion #01311

Claim A01-00311



Palisades Creek Diversion #01311

Claim A01-00311



Palisades Creek diversion # 01311A

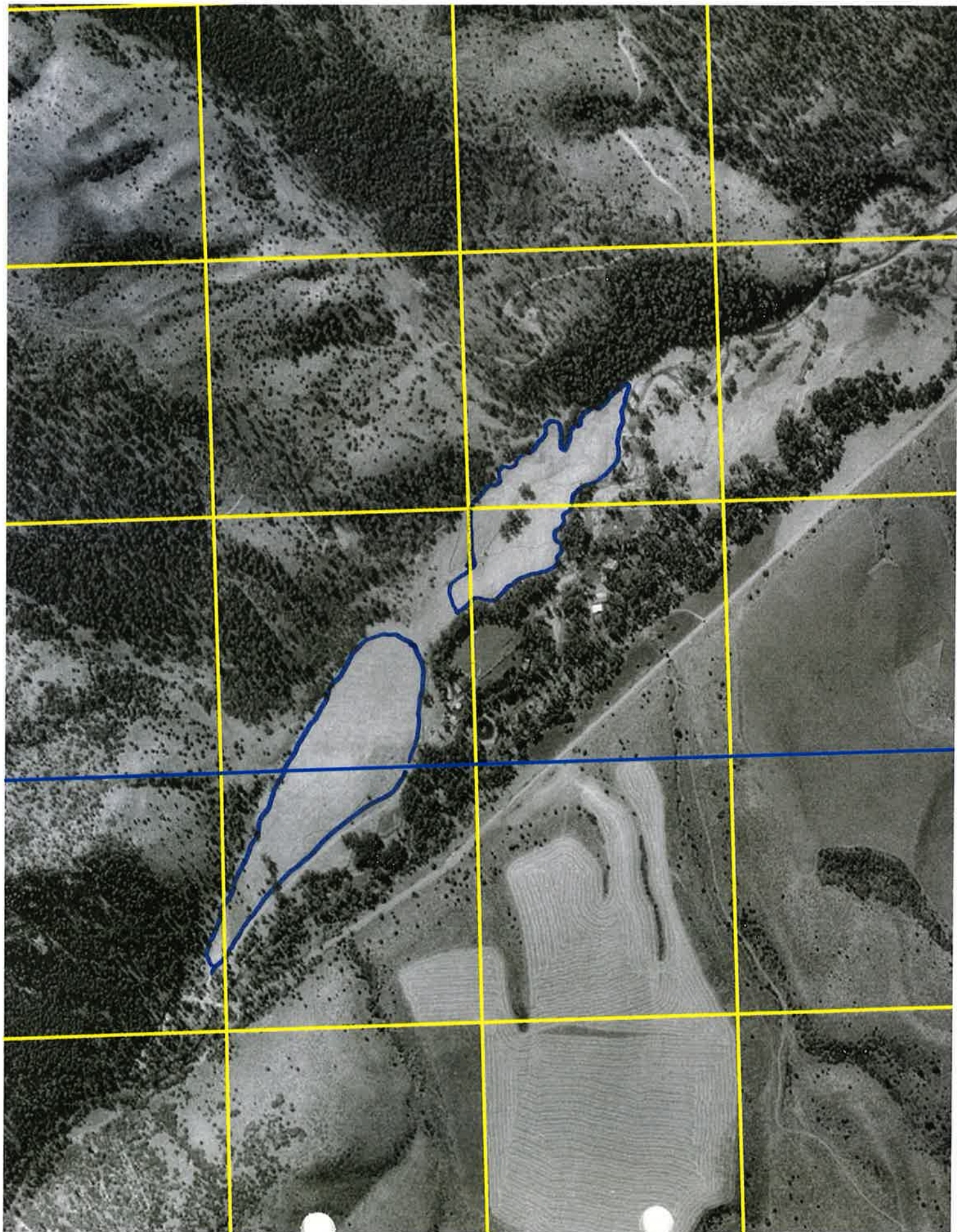
Claim A01-00311

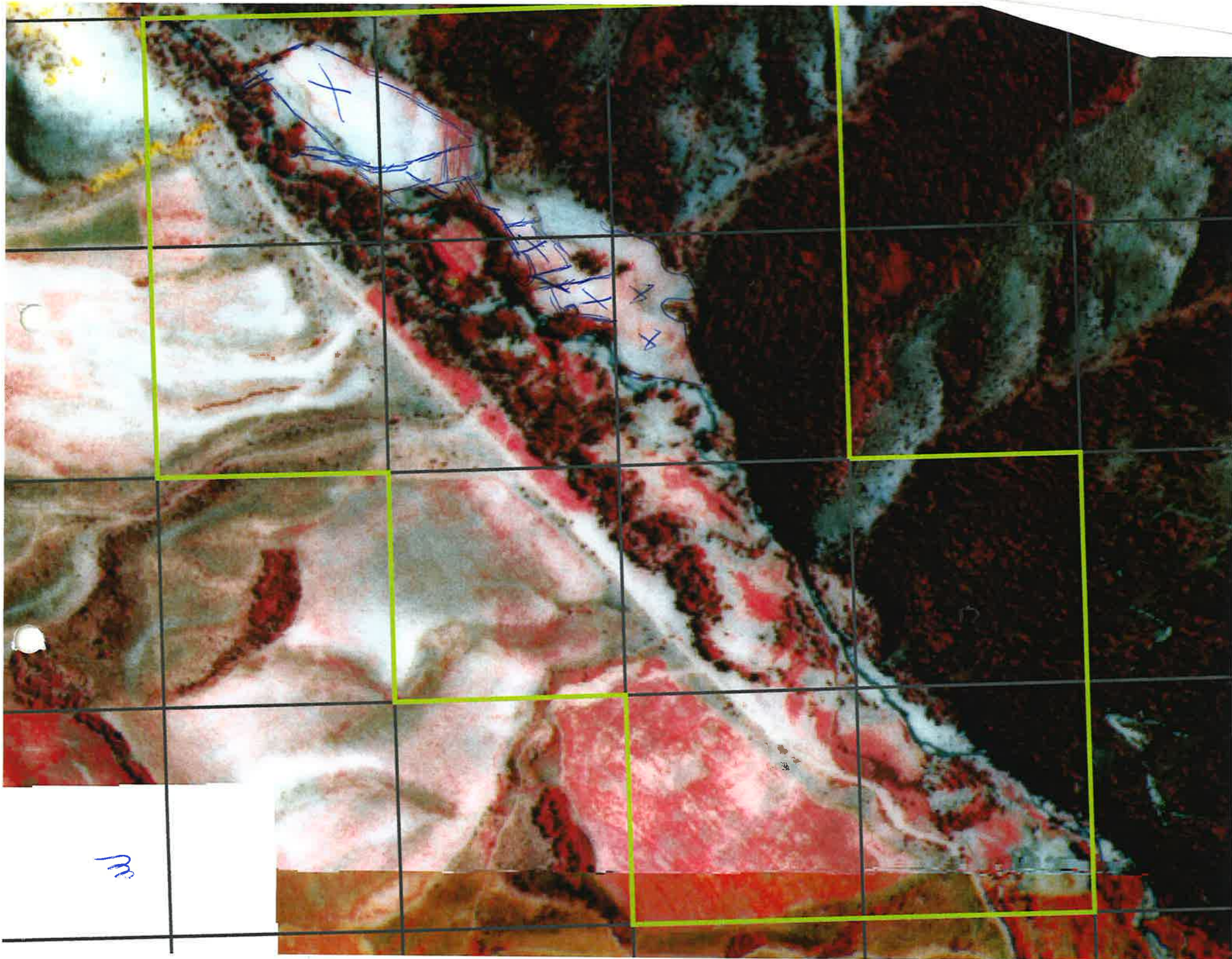


Palisades Creek diversion # 01311B

Claim A01-00311

A01-06311 P&U. outline





AUG 22 2001

Date: 5-15-00

From: Craig L. Saxton

Subject: Addition of a pond.

Mr. Holden came into today to inquire about building another pond on his property. I asked Bryce Contor for help in this matter. After researching his water rights, we found that there are several steps that need to take place.

- 1) Water rights 23-10165 and 01-00311 need to have the ownership change to Mr. Holden and his sister. 01-00311 will need to be split to represent each of the claimants respective portions. Mr. Holden was given a change of Ownership application. When he completes it he will bring it back in.
- 2) Once the ownership is changed, the ADJ claim for right 23-10165 needs to be amended two list that two ponds exist on the property. Not just one, which is how the claim currently reads.
- 3) Need to apply for a transfer to convert part of the licensed irrigation acres for right 01-00311 to pond use.

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
MARIE T. FEELEY
ROBERT M. FOLLETT

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)
R. VERN KIDWELL, OF COUNSEL

September 12, 1990



Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

Gentlemen:

We are enclosing for filing a late claim on behalf of the William S. and Ida T. Holden Trust. We have enclosed our check in the amount of \$300.00 which represents \$50.00 for the flat fee, \$50.00 for the late fee, and \$200.00 for the acreage fee.

Yours very truly,

Kent W. Foster

#9701.00/srr

Enclosure

MICROFILMED
OCT 19 1992

4/18/1989

SRA CLAIMS RECEIVING CHECKLIST #2

CLAIM IDENT. NO. 01-00311

CLAIMANT'S NAME Ada H. ~~den~~

DATE RECEIVED _____ CK # _____ AMOUNT \$ _____ YES _____ NO _____ Requires Info: _____

1. Is the name and address complete with zip code? _____
2. Is a priority date entered? _____
3. Is the priority date acceptable in view of mandatory filing dates? _____
- See Adjudication Memos #1 and #4 to determine if a Permit is required. _____
3. (a) Is a source entered? _____
- (b) Is a tributary to entered? (if required) _____ N/A _____
4. Is the legal description of the p.d. sufficient? _____
5. Is there a description of the diverting works? _____
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. _____
- Is the period of use included? _____
- Is a quantity claimed for each use? _____
7. Is a total quantity claimed entered? _____
8. If required is a consumptive use entered? _____ N/A _____
- Is the consumptive use correct? _____ N/A _____
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. _____ N/A _____
10. Is (are) the place(s) of use and purpose(s) indicated? _____
11. Is (are) the county(ies) entered? _____
12. Is the ownership of p.u. checked? _____
13. Are other water rights listed or "none" indicated? _____
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) _____ N/A _____
15. Is the basis of the claim indicated? _____
16. If the claimant requested a monthly docket sheet, is payment enclosed? (if yes, describe payment status in "Comments" below.) _____ N/A _____
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. _____
18. Has the claim been signed, sealed, and dated by a notary? _____
19. Was this claim filed on time, or was an extension granted? _____
20. Is the fee enclosed correct? _____ Exempt: _____
21. Is this claim based on an existing water right, has the identification number been entered? _____ N/A _____
22. Should this claim be data entered? _____

Claim checked by: _____ Date: _____

Claim must be returned to claimant: _____ (Yes) _____

Claimant must be notified of modifications: _____ (Yes) _____

Receipt Prepared by: _____ Date: _____ Checked by: _____ Date: _____

Claim data entered by: _____ Date: _____

Sent to claimant by: _____ Date: _____

Comments: OK/ERCEnter attorney in name screen Code A.

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OCT 19 1992

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 23-11326
Date Received: 8/27/2004
Receipt No:
Received By:

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

1. Name of Claimant(s)

WILLIAM S HOLDEN TRUST Phone: (208)523-0620
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID USA 83405

2. Date of Priority: 04/01/1939

3. Source: SNAKE RIVER , SNAKE RIVER Trib. to: COLUMBIA RIVER , COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
01N	44E	24	SW	SE		BONNEVILLE	
01N	44E	25	SW	NW		BONNEVILLE	

5. Description of diverting works:

DITCHES AND HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	01/01	11/01	8	

7. Total Quantity Appropriated is:
8 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
01N	44E	24	SE	SW	IRRIGATION	6

			SW	SE	IRRIGATION	30
					Section Acres	36
01N	44E	25	NW	NE	IRRIGATION	25
			SW	NE	IRRIGATION	5
			NE	NW	IRRIGATION	30
			NW	NW	IRRIGATION	7
			SW	NW	IRRIGATION	29
			SE	NW	IRRIGATION	25
			NW	SW	IRRIGATION	15
					Section Acres	136
01N	44E	26	SE	NE	IRRIGATION	8
			NE	SE	IRRIGATION	20
					Section Acres	28
					Total Acres	200

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

RENUMBERED FROM 01-311

15. Basis of Claim: Decreed

SCANNED

AUG 22 2001

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: ~~A01-00311~~ *Renumbered to 23-11326*

Date Received: 10/11/1990 *JC*

Receipt No: E015229 *8-27-04*

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM S. HOLDEN TRUST 208-523-0620
Address: P.O. BOX 50130
IDAHO FALLS, ID 83405

AND/OR

Name: IDA T. HOLDEN TRUST
Address: IDAHO FALLS, ID 83405

2. Date of Priority: APR 01, 1939

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	44E	24	SW	SE			BONNEVILLE
		25	SW	NW			BONNEVILLE

5. Description of diverting works:
DITCHES AND HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	11/01	8.000		

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

8. Total consumptive use is 700.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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OCT 19 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	24	SE	SW		IRR	6.0
			SW	SE		IRR	30.0
			Section Acres				36.0
		25	NW	NE		IRR	25.0
			SW	NE		IRR	5.0
			NE	NW		IRR	30.0
			NW	NW		IRR	7.0
			SW	NW		IRR	29.0
			SE	NW		IRR	25.0
			NW	SW		IRR	15.0
			Section Acres				136.0
		26	SE	NE		IRR	8.0
			NE	SE		IRR	20.0
			Section Acres				28.0
			Total Acres				200.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
STORAGE/PALISADES RES. THROUGH PALISADES WATERUSERS, INC.

14. Remarks:

15. Basis of Claim: DECREED

Water Right Number: 010311

Case Number: 6117

Court :

Decree date: 3/12/1969

ABERDEEN-SPRINGFIELD CANAL CO.
Decree Plaintiff

vs

HENRY EAGLE
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ 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 _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name

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 _____

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

Ident. Number 01-0311

Date Received

Receipt Number ED 15 229/10RECEIVED
SEP 12 1990NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWDepartment of Water Resources
Eastern District Office

A0100311

1. Name of Claimant(s) William S. Holden and Ida T. Holden Trust Phone (208) 523-0620Mailing Address P.O. Box 50130, Idaho Falls, Idaho Zip 834052. Date of Priority (Only (1) per claim) April 1, 19393. Source of water supply (a) Snake Riverwhich is tributary to (b) Columbia River

4.a. Location of existing

point of diversion is: Township 1N. Range 44E. Section 24,
1/4 of SW 1/4 of SE, Govt. Lot, B.M., County of BonnevilleAdditional points of diversion if any: T.1N, R.44E, S.25, SW1/4 NW1/4.

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.

Ditches and headgates.

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OCT 19 1992

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 04/01 to 11/01 amount 8.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 8.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 700 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 instruction for standard symbols.

TWP:RNG:SEC:	NE1/4	:	NW1/4	:	SW1/4	:	SE1/4	:TLS
:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:
1N:44E: 24:	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	6:	' ' ' ' :	30'	: 36
' : 25:	' 25' 5' :	' 30' 7' 29' 25:	' 15' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	:136
' : 26:	' ' ' ' 8:	' ' ' ' :	' ' ' ' :	' ' ' ' :	20'	' ' ' ' :	' ' ' ' :	: 28
' : :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	:
' : :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	:
' : :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	:
' : :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	' ' ' ' :	:

Total number of acres irrigated 200

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

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.

Storage in Palisades Reservoir through Palisades Waterusers, Inc. or None ()

14. Remarks:

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Last Name Holden Ident. Number 01-031 **001 19 1992**

15. Basis of Claim (Check one) Beneficial Use ☐ Posted Notice ☐
Permit ☐ Decree ☒ License ☐

If applicable provide IDWR Water Right Number 01-0311
Court Fremont County District Case Number 6117 Decree Date 03/12/1969
Plaintiff vs Defendant Aberdeen-Springfield Canal Co. v. Henry Eagle

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 1

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 _____

For Organizations: I do solemnly swear or affirm that I am Trustee of William S. & Ida T. Holden Trust, that I have signed the
Title Organization

foregoing document in the space below as Trustee
Title

of said trust and that the statements contained in the
Organization

foregoing document are true and correct.

Signature of Authorized Agent *Ida T. Holden*

Title and Organization Trustee, William S. & Ida T. Holden Trust Date 09/12/90

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12th day of September, 1990.

Notary Public *Kent W. Foster*
Residing at Idaho Falls, Idaho
My Commission Expires 11/10/92

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster 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 *Kent W. Foster*
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 09/12/90

Last Name Holden Ident. Number 01-0311

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OCT 19 1992

