

11/14/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-7074

CLAUDIA J HOLMES
450 S WEISER ST
MIDVALE ID 83645
Telephone Number: (208)355-2288

THOMAS E HOLMES
450 S WEISER ST
MIDVALE ID 83645
Telephone Number: (208)355-2288

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 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-29-06 SIGNATURE: Thomas E Holmes

Please print your name: _____

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC 14 2006

06/16/2006

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

RIGHT NUMBER: 67-7074

NAME AND ADDRESS: CLAUDIA J HOLMES
450 S WEISER ST
MIDVALE ID 83645

THOMAS E HOLMES
450 S WEISER ST
MIDVALE ID 83645

SOURCE: SPRING

TRIBUTARY: WEST PINE CREEK

QUANTITY: 0.040 CFS
29.500 AFY

PRIORITY DATE: 06/15/1974

The water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

POINT OF DIVERSION:

T15N R04W S19 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	01/01 12/31	0.040 CFS
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: POWER Within WASHINGTON County

T15N R04W S20 SWNW

DOMESTIC Within WASHINGTON County

T15N R04W S20 SWNW

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

The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after September 1, 2004. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the rights may be exercised.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

06/16/2006

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

This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

Idaho Department of Water Resources

2004 NAIP



Claim Number: 67-7071
T15N R04W S19

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67_7074_rec_pou.shp
GCDBQuarter Lines

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 67-7074
Date Received: 9/11/1989
Receipt No: W005836
Received By:

AMENDED CLAIM TO REFLECT LICENSE (approved on 7-3-1998)

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

1. Name of Claimant(s)

CLAUDIA J HOLMES Phone: (208)355-2288

450 S WEISER ST
MIDVALE ID USA 83645

THOMAS E HOLMES Phone: (208)355-2288

450 S WEISER ST
MIDVALE ID USA 83645

2. Date of Priority: 06/15/1974

3. Source: SPRING Trib. to: WEST PINE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	04W	19	SE NW	WASHINGTON	

5. Description of diverting works:

PIPELINE & HOLDING TANK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
POWER	01/01	12/31	0.04	
DOMESTIC	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 29.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

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: A67-07074
Date Received: 9/11/1989
Receipt No: 4005836
Received By: RDL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS E. HOLMES 208-355-2288
Address: RT. 1 BOX 84
MIDVALE, ID 83645

OR

Name: CLAUDIA J. HOLMES 208-355-2288
Address: RT. 1 BOX 84
MIDVALE, ID 83645

2. Date of Priority: MAR 13, 1972

3. Source: SPRING Trib. to: WEST PINE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	04W	19	SW	NW			WASHINGTON

5. Description of diverting works:
PIPELINE & HOLDING TANK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
POWER	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.020		

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:
DOMESTIC 1 HOME, & POWER FOR HOME

A67-07074

Page 1

Date: 09/11/89

SCANNED
MAY 10 2004

MICROFILMED
OCT 02 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	04W	20	SW	NW		POWER	
			SW	NW		DOMEST	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:
LICENCE FEE FOR THIS CLAIM IS BEING PAID TODAY. 9/11/89.

15. Basis of Claim: PERMIT

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 X 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): Thomas C Holmes Date: Sept 11-1989

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of Sept 19 89
Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-07074

Priority: June 15, 1974

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

29.5 AF

This is to certify, that THOMAS E HOLMES

450 S WEISER ST

MIDVALE ID 83645

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 13, 1972; and has submitted Proof of Beneficial Use on September 5, 1984. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

SPRING

tributary to **WEST PINE CREEK**

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
POWER	01/01 to 12/31	0.04 CFS	28.9 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.04 CFS	29.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 19, Township 15N, Range 04W
WASHINGTON County

PLACE OF USE: POWER

TWN RGE SEC

15N 04W 20

SWNW

PLACE OF USE:

DOMESTIC, same as POWER use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

MICROFILMED

AUG 10 1998

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 67-07074

CONDITIONS OF APPROVAL AND REMARKS

*Keep whatever
category
the license
has*

*6.
P23*

*Keep
as is*

type

6. The water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

7. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after September 1, 2004. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 3rd day of July, 1998.

[Signature]
Acting for KARL J. DREHER, Director

MICROFILMED
AUG 10 1998