

RECEIVED

NOV 27 2006

DEPARTMENT OF  
WATER RESOURCES

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: 67-14492

PATRICIA HOLM  
2621 WEST FORK RD  
FRUITVALE ID 83612  
Telephone Number: (208)253-0248

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:

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

DATE:

11-24-06

SIGNATURE:

*Patricia Holm*

Please print your name:

*Patricia Holm*

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

SCANNED

NOV 28 2006

NOV 28 2006

11/14/2006

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

RIGHT NUMBER: 67-14492

NAME AND ADDRESS: PATRICIA HOLM  
2621 WEST FORK RD  
FRUITVALE ID 83612

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/29/1993

POINT OF DIVERSION:

T17N R01W S15 NWNWNW Within ADAMS County

PURPOSE AND  
PERIOD OF USE:

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

Domestic use is for 1 home.

PLACE OF USE: STOCKWATER in ADAMS County

T17N R01W S15 NWNW

DOMESTIC in ADAMS County

T17N R01W S15 NWNW

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.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 3 horses.

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14492 V1

WATER RIGHT NUMBER: 67-14492 V1

|                   |                                                                            |
|-------------------|----------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
| Current Owner     | PATRICIA HOLM<br>2621 WEST FORK RD<br>FRUITVALE, ID 83612<br>(208)253-0248 |

Priority Date: 10/29/1993  
 Basis: Beneficial Use  
 Status: Active

|               |                  |
|---------------|------------------|
| <u>Source</u> | <u>Tributary</u> |
| GROUND WATER  |                  |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| DOMESTIC              | 01/01 to 12/31          | 0.040 CFS             |                      |
| STOCKWATER            | 01/01 to 12/31          | 0.020 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.060 CFS             |                      |

Location of Point(s) of Diversion

|              |                 |                                 |
|--------------|-----------------|---------------------------------|
| GROUND WATER | NW1/4NW1/4NW1/4 | Sec. 15, Twp 17N, Rge 01W, B.M. |
| ADAMS County |                 |                                 |

Place of Use

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 17N | 01W | 15  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 17N | 01W | 15  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:

1. C18 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.

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-14492 V1

2. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
3. X01 Domestic use is for 1 home.
4. X02 Stockwater use is for 3 horses.
5. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:Comments:

1. dnelson 11/14/2006 Claim Review

Comment: These are standard domestic and stock claims, and will be recommended as claimed with basic n code conditions.

2. dnelson 11/14/2006 Text

Comment: This well was drilled in 1993 for Frank Baldan who owned the property at that time. Well Drilling Permit # 739115

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Contacts       | 11/14/2006 8:54:24 AM     | dnelson         |                           |                 | Active        |
| Priority Date  | 11/14/2006 8:55:05 AM     | dnelson         |                           |                 | Active        |
| POD            | 11/14/2006 8:55:31 AM     | dnelson         |                           |                 | Active        |
| Source         | 11/14/2006 8:55:51 AM     | dnelson         |                           |                 | Active        |
| POU            | 11/14/2006 8:56:17 AM     | dnelson         |                           |                 | Active        |
| Use            | 11/14/2006 8:56:36 AM     | dnelson         |                           |                 | Active        |
| Season         | 11/14/2006 8:57:10 AM     | dnelson         |                           |                 | Active        |
| Quantity       | 11/14/2006 8:57:38 AM     | dnelson         |                           |                 | Active        |
| Summary        |                           |                 | 11/14/2006                | dnelson         | Active        |

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14492 V1

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Summary        | 11/13/2006 2:13:49 PM  | cfritsch        | Bulk Copy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| POU            | 11/14/2006 2:25:04 PM  | dnelson         | Updated shape from PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| POU            | 11/14/2006 2:27:47 PM  | dnelson         | Updated shape from PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Contacts       | 11/14/2006 8:54:25 AM  | dnelson         | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: Standard domestic use subject to 42-111, no verification needed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| General        | 11/14/2006 8:55:05 AM  | dnelson         | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(No) 4. Is the basis of claim decree or license?<br>(No) 7. Is the basis of claim a Application or Permit?<br>(No) 8. Is the basis of claim a posted notice?<br>(No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use?<br>(Yes) 12. Does the claim file contain sufficient evidence of Priority Date?<br>(Yes) 15. Is the basis of claim coded correctly?<br>(No) 16. Is a Priority Date remark and/or condition required?<br>Description for Question 12/13 - Standard domestic use subject to 42-111, no verification needed. |
| POD            | 11/14/2006 8:55:31 AM  | dnelson         | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(No) 6. Is there evidence that there has been a change in the POD?<br>(Yes) 9. Does the file contain all the necessary information to verify the POD?<br>(No) 10. Is a POD remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                          |
| Source         | 11/14/2006 8:55:52 AM  | dnelson         | (No) 1. Is the basis of claim Decree or License?<br>(No) 2. Is the basis of claim an Application or Permit?<br>(No) 6. Is the basis of claim a Posted Notice?<br>(No) 7. Is there evidence that there has been a change in the source?<br>(Yes) 10. Does the file contain all the necessary information to verify the source?<br>(No) 11. Is a Source remark and/or condition required?<br>Description for Question 10 - Standard domestic use subject to 42-111, no verification needed.                                                                                                                                                                                                                       |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-14492 V1

|          |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------|-----------------------|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU      | 11/14/2006 8:56:18 AM | dnelson | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2b. Is the POU required?</p> <p>(No) 3. Is the basis of claim a Application or Permit?</p> <p>(No) 7. Is there evidence that there has been a change in the POU?</p> <p>(Yes) 13. Does the file contain all the necessary information to verify the POU?</p> <p>(No) 14. Is a POU remark and/or condition required?</p> <p>Description for Question 13 - Standard domestic use subject to 42-111, no verification needed.</p>                                                                                                                                                                                                        |
| Use      | 11/14/2006 8:56:37 AM | dnelson | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Purpose of Use?</p> <p>(Yes) 11. Does the file contain all the necessary information to verify the Water Use?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p> <p>Description for Question 10,11,12 - Standard domestic use subject to 42-111, no verification needed.</p>                                                                                                                                                                                                       |
| Season   | 11/14/2006 8:57:11 AM | dnelson | <p>(No) 1. Is the basis of claim Decree or License?</p> <p>(No) 2. Is the basis of claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Period of Use?</p> <p>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?</p> <p>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?</p> <p>(No) 15. Is irrigation claimed as a Purpose of Use?</p> <p>(No) 18. Is a Period of Use remark and/or condition required?</p> <p>Description for Question 15 - Standard domestic use subject to 42-111, no verification needed.</p> |
| Quantity | 11/14/2006 8:57:39 AM | dnelson | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is the basis of claim a posted notice?</p> <p>(No) 7. Is a flow measurement required?</p> <p>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?</p> <p>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?</p> <p>(Yes) 12. Is a Quantity remark or condition required?</p> <p>Description for Question 7 - Standard domestic use subject to 42-111, no verification needed.</p>                                                                           |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-14492 V1

|         |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------|-----------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Summary | 11/14/2006 8:58:37 AM | dnelson | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(Yes) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(No) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |
| POD     | 11/14/2006 2:24:26 PM | dnelson | Updated shape from PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| POU     | 11/14/2006 2:27:27 PM | dnelson | Updated shape from PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

Water Supply Bank:

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-14492

WATER RIGHT NUMBER: 67-14492

|                   |                                                                            |
|-------------------|----------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
| Current Owner     | PATRICIA HOLM<br>2621 WEST FORK RD<br>FRUITVALE, ID 83612<br>(208)253-0248 |

Priority Date: 10/29/1993  
 Basis: Beneficial Use  
 Status: Active

|               |                  |
|---------------|------------------|
| <u>Source</u> | <u>Tributary</u> |
| GROUND WATER  |                  |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| DOMESTIC              | 01/01 to 12/31          | 0.040 CFS             |                      |
| STOCKWATER            | 01/01 to 12/31          | 0.020 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.060 CFS             |                      |

Location of Point(s) of Diversion

GROUND WATER NW1/4NW1/4NW1/4 Sec. 15, Twp 17N, Rge 01W, B.M.  
 ADAMS County

Place of Use

DOMESTIC

Should be 5-15-  

| Twp | Rge | Sec | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|--------|
| 17N | 01W | 5   |    | X  |    |    |        |

STOCKWATER

| Twp | Rge | Sec | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|--------|
| 17N | 01W | 5   |    | X  |    |    |        |

Conditions of Approval:

1. This well was drilled in 1993 for Frank Baldan who owned the property at that time. Permit 739115

Remarks:

X-01 - 1 Horse  
 X-02 - 3 Horses  
 X-09  
 N-13.

MOU  
 TO  
 COMMENTS  
 ↑  
 add well  
 DRILLING  
 PERMIT #

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 67-14492  
Date Received: 9/20/2004  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PATRICIA HOLM Phone: (208)253-0248

2621 WEST FORK RD  
FRUITVALE ID USA 83612

2. Date of Priority: 10/29/1993

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    |    | County | Type |
|----------|-------|---------|-----------------------|----|----|--------|------|
| 17N      | 01W   | 15      | NW                    | NW | NW | ADAMS  |      |

5. Description of diverting works:

95 ft well, 6 inch casing. Casing depth 18 ft, 60 gallons per minute.

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:  
0.06 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:  
Number of other uses: 3 Horses

Number of homes: 1

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|----------|-------|---------|------------|-----|------------|-------|
| 17N      | 01W   | 5       | NW         | NW  | DOMESTIC   |       |
|          |       |         | NW         | NW  | STOCKWATER |       |

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

This well was drilled in 1993 for Frank Baldan who owned the property at that time. Permit 739115

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: \_\_\_\_\_

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 67-14492  
Date Received: 9/20/2004  
Receipt No: W032239  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PATRICIA HOLM Phone: (208)253-0248  
2621 WEST FORK RD  
FRUITVALE ID USA 83612

SCANNED  
NOV 03 2004

2. Date of Priority: 10/29/1993

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 17N      | 01W   | 15      | NW NW NW              | ADAMS  |      |

5. Description of diverting works:

95 ft well, 6 inch casing. Casing depth 18 ft, 60 gallons per minute.

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:

0.06 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 3 Horses  
Number of homes: 1