

Exchange No. 76294

RECEIVED

JAN 11 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXCHANGE OF WATER

Under the provisions of Section 42-240, *Idaho Code*, any person holding a surface water right may apply to exchange such water for the use of water from the same source or a different surface water source. Surface water right holders may also apply to exchange for the use of water authorized for diversion under one or more other valid water rights from the same source or a different surface water source.

1. INFORMATION ABOUT THE APPLICANT

Applicant Eugene and Carol Holman Telephone No: 208-788-3217
(Name of Applicant)
P.O. Box 1477 Sun Valley, ID 83353 Email: _____
(Mailing Address) (Zip Code)

Applicant's Water Right(s) to be exchanged Split portion of 37-1228E owned by applicant.
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

2. INFORMATION ABOUT THE CO-APPLICANT

Complete this portion if the applicant proposes to exchange for water diverted under a water right held by another party. The co-applicant is the holder of the right to be exchanged for the applicant's right. If more space is needed, please attach another sheet containing information about each co-applicant.

Co-applicant N/A. Telephone No: _____
(Name of Co-applicant)

(Mailing Address) (Zip Code) Email: _____

Co-applicant's Water Right(s) to be exchanged _____
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

3. EXCHANGE AGREEMENT – Attach a copy of the written agreement between the applicant and the co-applicant(s).
N/A.

4. EXCHANGE INFORMATION – Complete Part A or Part B to explain how the proposed exchange will operate.

Part A – For an exchange involving two or more water right holders.

The applicant proposes to divert _____ cfs and/or _____ acre feet per year of water authorized to be diverted under the co-applicant's water right(s) listed above at _____ ¼ of _____ ¼, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional points of diversion, if any: _____
In exchange for authorization to divert water as described above, _____ cfs and/or _____ acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (complete 1 or 2 below):

1. made available to the co-applicant for diversion at _____ ¼ of _____ ¼, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.
Additional points of diversion, if any: _____

OR

2. released from storage by the co-applicant into _____ at _____ ¼ of _____ ¼, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Part B-- For an exchange involving only the applicant's water right(s).

The applicant proposes to divert 0.07 cfs and/or _____ acre feet per year of water at NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____ Sec. 2 Township 01N Range 18E B.M., Blaine County. Additional points of diversion, if any: None.

In exchange for authorization to divert water as described above, 0.07 cfs and/or _____ acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (complete 1 or 2 below):

1. diverted from Un-named Spring at NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____ Sec. 2 Township 01N Range 18E B.M., Blaine County and injected into _____ at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

*See attached aerial photograph. **OR**

2. released from storage by the applicant into _____ at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional Explanation – Attach additional sheets if necessary.

Applicant seeks to split 37-1228E. 0.07 cfs for 1 acre is being proposed to be diverted from an un-named spring, tributary to Townsend Gulch Creek. Please see (2) concurrent water right transfer applications on file with IDWR numbers 76221 and 76222.

If this exchange is not intended to be a permanent arrangement, please describe the circumstances under which the proposed exchange will terminate. N/A.

5. MAPS – Attach two maps, one showing the water right(s) as it is (they are) now used, and another showing how the water right(s) will be used under the proposed exchange. Each map should be on an 8½"x11" sheet and should clearly identify the locations of the point(s) of diversion, injection, and re-diversion of water and the place(s) of use by 40-acre subdivisions, section, township and range of the public land survey. Photocopies of USGS 7½-minute topographic quadrangles are preferred as base maps.

SIGNATURE

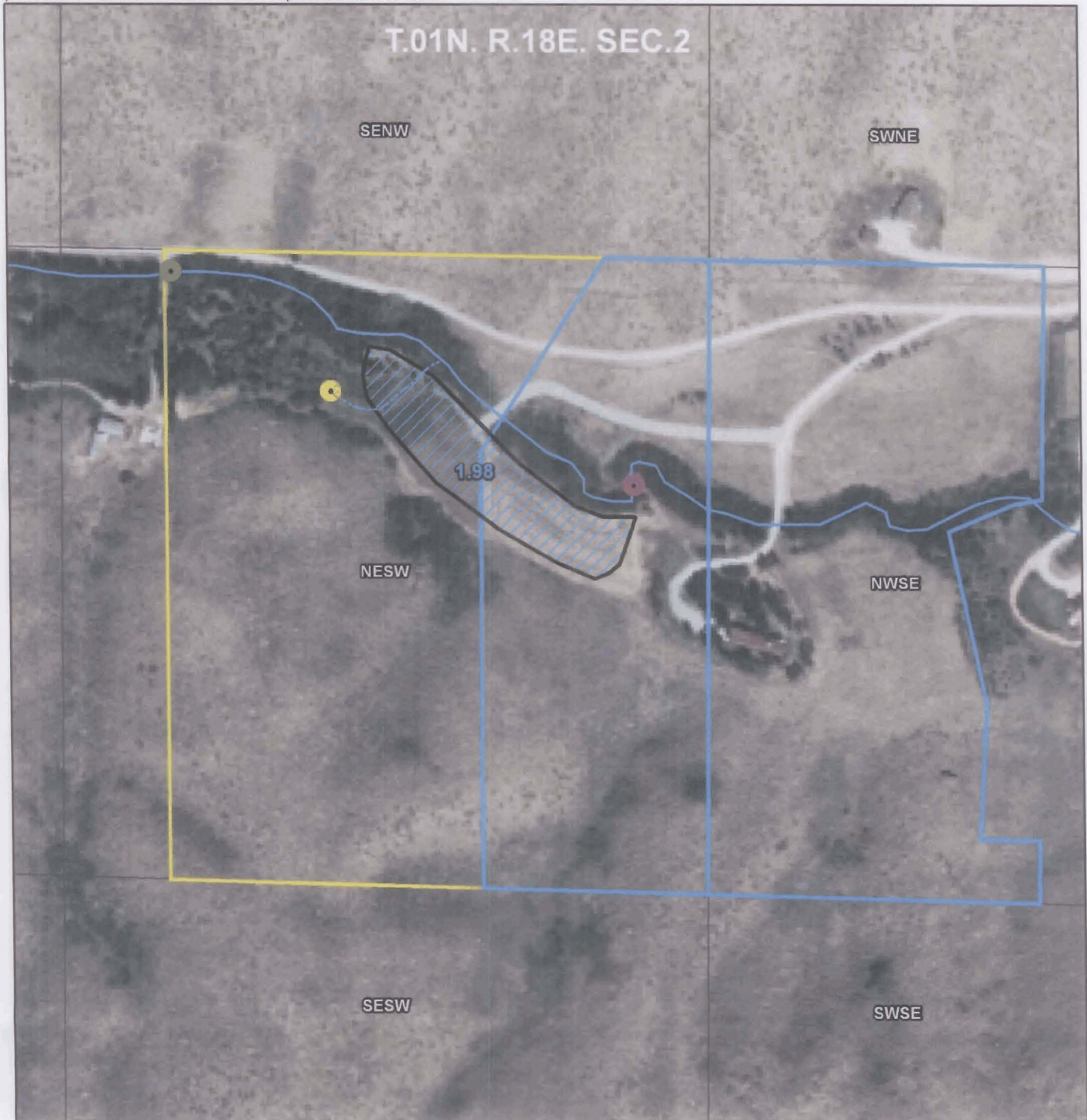
Applicant hereby asserts that no one will be injured by such exchange of water and acknowledges that the applicant and/or the co-applicant will be responsible for all actions taken pursuant to this exchange. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Charles E. Brockway
Applicant's Signature (and title if application is for an organization)
Charles E. Brockway- Power of Attorney

1/6/2010
Date

FOR DEPARTMENT USE ONLY

This exchange application contains _____ pages, including attachments.
Received by JR Date 1/11/10 Fee \$100.00
Received by Jreeder Date 1/12/2010 Receipt No. 5031223
Preliminary review by _____
Published in _____
Publication dates _____
Protests filed by _____
Copies of protests forwarded by _____
Watermaster recommendation requested on _____
Watermaster recommendation received on _____
Hearing held by _____ Date _____
Recommended for Approval _____ Denial _____ By _____



**CAROL D AND EUGENE HOLMAN JR
WATER RIGHT 37-1228E SPLIT- TRANSFER
2006 AERIAL PHOTO**

Attachment #7a



1 inch equals 300 feet

BROCKWAY ENGINEERING, PLLC
ALR - JULY 6, 2009
(ZL- 1/5/10)

Legend

Point of Diversion

- Spring Location
- Current POD Location- Pump from Creek
- Final IDWR Recommended POD

- Holman Spring
- Townsend Gulch Creek

Holman- POU's for Split Transfer QQ 12-4-09

- HOLMAN Proposed PPU
- HOLMAN Proposed PPU
- t01n18e
- Jones Recommended POU

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Gene and Carol Holman, hereby nominate and appoint
Charles E. Brockway as my attorney-in-fact with full authority to
 act for and on my behalf to undertake any and all acts or matters pertaining to water right
 transactions before the Idaho Department of Water Resources, described as follows:

All transactions related to water reset
37-1228E

in Blaine County, Idaho. Additionally, I hereby ratify and confirm any
 and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said
 instruments of writing that may be necessary or proper to carry into execution and effect the
 applications, and transfers above-mentioned. Further, I hereby declare that each and every
 application, transfer, agreement, receipt, or payment which shall be by my said agent given,
 made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had
 been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at
 all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or
 concerning the said premises by virtue of these present. This Limited Power of Attorney will
 become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 7th day of July, 2009.

Carol D. Holman
Eugene Holman

Signature

Signature

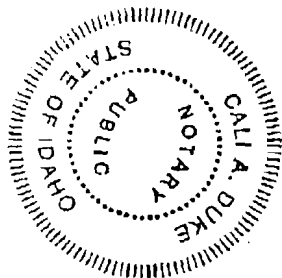
State of Idaho)

County of Blaine)

ss.

On this 7th Day of July, 2009, before me, a Notary Public
 in and for said County and State, personally appeared Gene and Carol Holman,
 known or identified to me to be the individual whose name and subscription 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 in this certificate first above written.

S
E
A
L

Chad A. Duke
 Notary Public
 In and for said State and County

10/10/12
 My Commission Expires