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NOV 29 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT Department of Water Resources

A. GENERAL INFORMATION

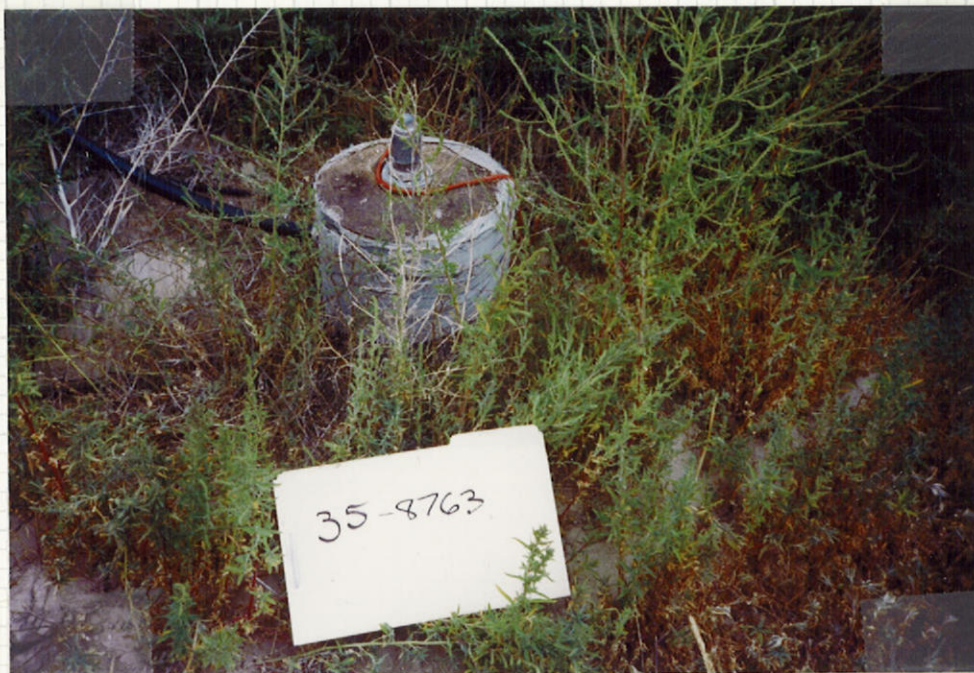
1. Owner: Paul C Helum Ltd Partnership Permit No. 35-8763
Current Address: Pox Box 2001 Idaho Falls, Idaho 83401 Phone No. 228-3611
2. Accompanied by: Mr Helum EXAM. DATE: 08-08-1991
Address: same Phone No. same
Relationship to Permit Holder: holder
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

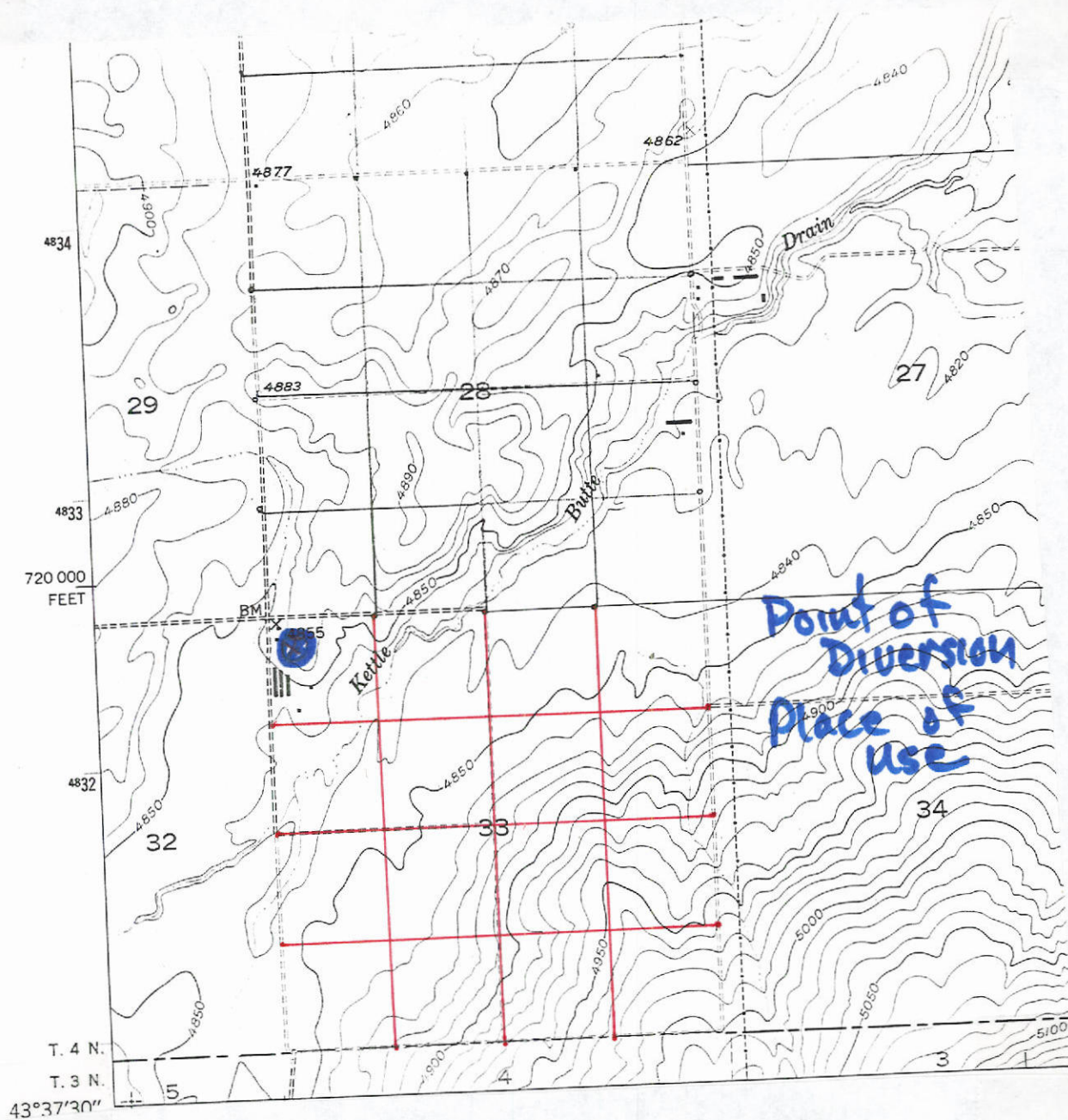
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

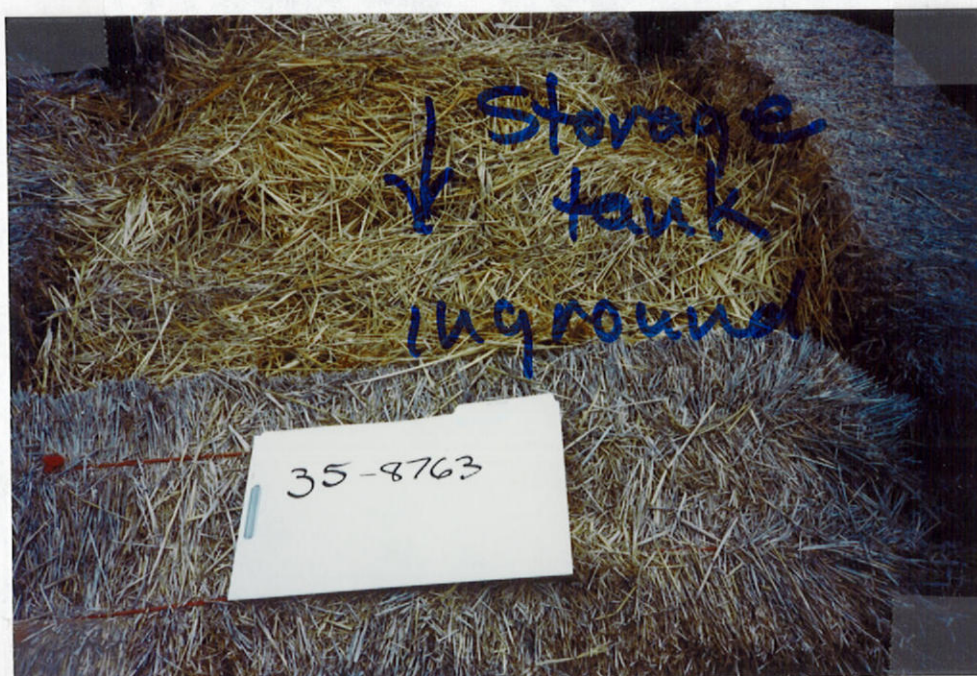
2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

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35-08763

LTD. PARTNERSHIP, PAUL C. HOLM
P.O. BOX 2001
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: NWNW Sec 33 T 04N R 36E

Use: STOCKWATER	(.440 CFS)
COMMERCIAL	(.020 CFS)
DOMESTIC	(.100 CFS)

Date Filed: 5/17/1989

In: T04N R36E S33

NWNW

35-08763
LTD. PARTNERSHIP, PAUL C. HOLM
P. O. BOX 2001
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNW Sec 33 T 04N R 36E
Use: STOCKWATER (.440 CFS)
COMMERCIAL (.020 CFS)
✓ DOMESTIC
Date Filed: 5/17/1989
In: T04N R36E S33 NWNW
The permit(s) will be subject to all
prior water rights. Protests may be sub-
mitted based on the criteria of Sec. 42-
203A, Idaho Code and/or the new public
interest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before AUGUST 7,
1989.
R. Keith Higginson, Director
Published in the Jefferson Star,
Rigby, Idaho, July 19 and 26, 1989.

*Called
about gallery
7-19-89*

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08763

Priority: May 17, 1989

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

1.8 AF

This is to certify, that PAUL C HOLM LTD PARTNERSHIP
PO BOX 2001

IDAHO FALLS ID 83401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 17, 1989; and has submitted Proof of Beneficial Use on October 30, 1990. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from a GROUNDWATER 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>
COMMERCIAL	01/01 to 12/31	0.02 CFS	0.6 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.06 CFS	1.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 33, Township 04N, Range 36E
JEFFERSON County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

04N 36E 33

NWNW

PLACE OF USE:

DOMESTIC, same as COMMERCIAL 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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Commercial use is for a potato cellar humidifier.
6. Domestic use is for 2 bunkhouses.

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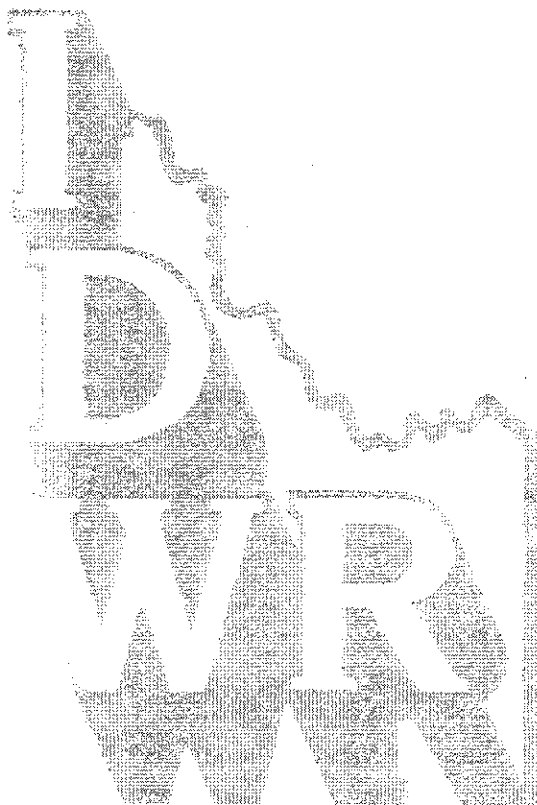
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08763

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 21st
day of FEBRUARY, 1997.


Acting for KARL J. DREHER, Director



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STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 100.00
Date 10-30-90
Receipt No. E015393
Received by RB

NOV 5 1990 DEPARTMENT OF WATER RESOURCES

Department of Water Resources PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-8763 Telephone No. 228-3611

Name(s) of Permit Holder(s): Paul C. Holm LTD. Partnership

Post Office Address: P.O. Box 2001 Idaho Falls, ID 83401

Source of Water: Groundwater

If ground water, well driller's name: Barrus Drilling Date drilled: 1972

Extent of Use: Domestic 2 (No. of households) Irrigation _____ (No. of acres)

Stockwater 200 (No. and type of stock) Other Commercial - Feed lot

Total rate and/or volume for which proof is submitted .56 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1972

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes XNo Installed? Yes No

OR

Flow Measurement Port: Required? Yes XNo Installed? Yes No

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

DeL Ray Holm 228-3611-523-0733
Name Telephone No.

2859 E 634 N ROBERTS
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

10-30-90 Paul C. Holm LTD Partnership DeL Ray Holm
Date Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08763

Proposed Priority: May 17, 1989

Maximum Diversion Rate:

0.56 CFS

This is to certify, that **PAUL C. HOLM LTD. PARTNERSHIP**
P.O. BOX 2001
IDAHO FALLS, ID 83401

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.44 CFS
COMMERCIAL	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.10 CFS
	Totals	0.56 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNW Sec. 33, Township 04N, Range 36E
JEFFERSON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04N 36E 33 NWNW

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Domestic use is for 2 homes, scale house, & a bunk house.
5. Commercial use is for 2 potato cellar humidifiers.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

5th day of October, 1989


R. Keith Higginson, Director

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Paul C. Holm, LTD. Partnership Phone 523-2785⁷³³⁴
Post office address P.O. BOX 2001, Idaho Falls, ID 83401
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NW 1/4 of NW 1/4, Govt. Lot _____
Sec. 33 Township 04N Range 36E B.M. Jefferson County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
- Amount 0.10 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.44 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.02 for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.56 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Well with 15 hp submersible pump,
pipeline and delivery system.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c. Proposed well diameter is 12 inches; proposed depth of well is 400 feet.
- d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 2000 beef cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 2 homes, scale house(residence) & bunk house
- e. Other; describe fully. C/2 potato cellar humidifiers

9. 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 the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
04N	36E	33					D	S/C											

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Well has been in use since 1966.

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13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R. 36E.

Well : Place of Use

T 4N.

33

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Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

PAUL G. Hahn by
s/ Del Ray Hahn
(Applicant)

(Applicant

Received by EMC Date 5-17-89 Time 12:20p Preliminary check by _____
Fee \$ 45.00 Receipted by EMC # E005378 Date 12-29-1988
Publication prepared by RB Date 7-13-89 Published in T Jefferson Star 7-20, 27, 89
Publication approved OW Date 8-23-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if 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 permit 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 permit.
- e. Other:

RECORDED

OCT 11 1989

PETE T. CENARRUSA
SECRETARY OF STATE
STATE CAPITAL
BOISE, IDAHO

NOV 23 9 43 AM '84

CERTIFICATE OF LIMITED PARTNERSHIP STATE

RECEIVED

for

SEP 5 1989

PAUL C. HOLM LIMITED PARTNERSHIP

Department of Water Resources
Eastern District Office

We, the undersigned, desiring to form a limited partnership pursuant to the Idaho Limited Partnership Act, Title 53, Chapter 2, Idaho Code, do hereby agree and certify:

1. Name.

The name of the limited partnership is: PAUL C. HOLM LIMITED PARTNERSHIP.

2. Character of Business.

The general character of the business of the partnership is:

To own, manage and operate real estate, including farms and ranches; to deal in personal property, and to own, manage and engage in investments of every kind and character and wherever situate, including shares of stock in banking corporations.

3. Registered Agent.

The name and address of the registered agent of the limited partnership, for service of process, as required by Idaho Code, Section 53-204, is:

Paul C. Holm
Roberts, ID 83444

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addresses.

(a) The names and business addresses of the General Partners are:

Paul C. Holm
Roberts, ID 83444

Zula W. Holm
Roberts, ID 83444

(b) The names and business addresses of the limited partners are:

Marna H. Adams	20 Stonegate Drive North Kingstown, R.I. 02852
----------------	---

Blake Newton Adams	20 Stonegate Drive North Kingstown, R.I. 02852
--------------------	---

Lexie Sue Adams	20 Stonegate Drive North Kingstown, R.I. 02852
-----------------	---

Barton Claren Adams	20 Stonegate Drive North Kingstown, R.I. 02852
---------------------	---

Sharon Mar Adams	20 Stonegate Drive North Kingstown, R.I. 02852
------------------	---

Claren P. Holm	842 Claire View Lane Idaho Falls, ID 83401
----------------	---

Corey D. Holm	842 Claire View Lane Idaho Falls, ID 83401
---------------	---

Layne Claren Holm	842 Claire View Lane Idaho Falls, ID 83401
-------------------	---

Valja RaKell Andrus	842 Claire View Lane Idaho Falls, ID 83401
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Eden Holm	842 Claire View Lane Idaho Falls, ID 83401
-----------	---

Del Ray Holm	Route 1 Roberts, Idaho 83444
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Lee Ann Holm	Route 1 Roberts, ID 83444
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Thomas Carl Holm	Roberts, ID 83444 Route 1 Roberts, ID 83444
James Scott Holm	Route 1 Roberts, ID 83444
Christopher Otto Holm	Route 1 Roberts, ID 83444
Jennifer Holm	Route 1 Roberts, ID 83444
Veneta H. Gustaveson	11635 West Arlington Drive Idaho Falls, Idaho 83401
Tracey Powell Wilkes	2342 Shattack Street Casper, WY 82601
Brian Don Gustaveson	11635 West Arlington Drive Idaho Falls, ID 83401
Jon Edward Powell	11635 West Arlington Drive Idaho Falls, ID 83401
Roy Lee Gustaveson	11635 West Arlington Drive Idaho Falls, ID 83401
Ronda Lou H. Wood	1701 Parley Drive Idaho Falls, ID 83401
Stephanie Angela Wood	1701 Parley Drive Idaho Falls, ID 83401
Andria Dawn Wood	1701 Parley Drive Idaho Falls, ID 83401
Theodore Jason Wood	1701 Parley Drive Idaho Falls, ID 83401
Hillary Wood	1701 Parley Drive Idaho Falls, ID 83401
Bradley Paul Wood	1701 Parley Drive Idaho Falls, ID 83401
Nelda H. Adams	2155 Richards Avenue Idaho Falls, Idaho 83401

Richard Paul Adams

351 Montcliff Street
Idaho Falls, ID 83401

Gregory Newt Adams

1841 North Cedar Court
Visalia, California 93277

Eric Mitchel Adams

4543 Chestergate
Spring, Texas 77373

Lindy Lou Romrell

3880 Payson Street
Boise, ID 83704

Kelley Norman Adams

Route 1, Box 201
Idaho Falls, ID 83401

Brett H. Adams

Route 1, Box 202
Idaho Falls, ID 83401

Jody Mar Stanger

709 No. Main Street, No. 3
Springville, UT 84563

5. Initial Contributions to Capital.

The amount of cash and a description and statement of the agreed value of other property or labor or services contributed by each partner are as follows.

The general partners, Paul C. Holm and Zula W. Holm, have transferred real property located in Jefferson County, Idaho, and have transferred 2,235 shares of the capital stock of the Bank of Commerce, an Idaho banking corporation with its principal office at Idaho Falls, Idaho 83401, to the limited partnership and were entitled to receive all partnership units herein in exchange therefor; but have given, and do hereby give to each of the other partners the units of partnership interest shown below, retaining the balance, also shown below, of the partnership units. The name of the partner and the partnership units owned by each partner, after said gifts, are as follows:

OCT 11 1989

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

I, Crystal Foster
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Notice of Application
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for Two (2)
consecutive issues, the first publica-

having been made on 7-19-89
and the last publication having been
made on 7-26-89.

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as least two hundred bona fide
subscribers living within the county
of publication; and that it has been
continuously and uninterruptedly
published in said county during a
period of seventy-eight consecutive
weeks prior to the first publication
of the said notice.

Crystal Foster

On this 14 day of Aug.
in the year of 1989, before
me, a Notary Public, personally ap-

peared Crystal Foster,
known or identified to me to be the
person whose name subscribed to
the within instrument, and being by
me first duly sworn, declared that
the statements therein are true, and
acknowledged to me that he ex-
ecuted the same.

Thomas Guthrie
Notary Public for Idaho
Residing at Shelley
My commission expires: 2-24-92

NOTICE OF APPLICATION
FOR WATER RIGHT

The following application (s) have
been filed to appropriate the public
waters of the State of Idaho:

31-07444

KNIGHT, ARLIN D.
HC 69 BOX 1970
HAMER, ID 83425
Source: GROUNDWATER
Diversion Pt: NWNW Sec 28 T 07N R 36E
Use: IRRIGATION (.820 CFS)
Date Filed: 7/01/1985
In: T07N R36E S29 SWNE SENE
41.0 ACRES TOTAL

This is a supplemental water right
application. Lands under this application
are irrigated with existing rights from
License 31-02291, which alleges com-
pletion of development and beneficial
use of water described above prior to
October 1, 1984.

35-08763

LTD. PARTNERSHIP, PAUL C. HOLM
P. O. BOX 2001
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNW Sec 33 T 04N R 36E
Use: STOCKWATER (.440 CFS)
COMMERCIAL (.020 CFS)
DOMESTIC (.100 CFS)

Date Filed: 5/17/1989
In: T04N R36E S33 NWNW

The permit(s) will be subject to all
prior water rights. Protests may be sub-
mitted based on the criteria of Sec. 42-
203A, Idaho Code and/or the new public
interest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before AUGUST 7,
1989.

R. Keith Higginson, Director
Published in the Jefferson Star,
Rigby, Idaho, July 19 and 26, 1989.

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AUG 16 1989

Department of Water Resources
Eastern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 24TH 1997

PAUL C HOLM LTD PARTNERSHIP
PO BOX 2001
IDAHO FALLS IDAHO 83401

RE: WATER RIGHT NO. 35-08763

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

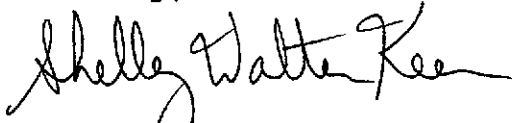
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SWK:vrr

c: Eastern Region

Enclosures

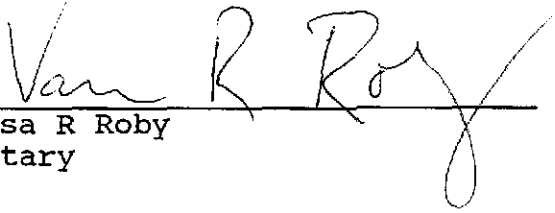
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FEB 25 1987

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of February, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 35-08763

PAUL C HOLM LTD PARTNERSHIP
PO BOX 2001
IDAHO FALLS IDAHO 83401



Vanessa R Roby
Secretary

MEMORANDUM

TO: File 35-08763

FROM: Sharla

DATE: February 11, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Right 35-08763 are based on the following:

H. RECOMMENDATIONS

Commercial	1/1 - 12/31	0.02 cfs	0.6 afa
Domestic	1/1 - 12/31	0.04 cfs	1.2 afa

Although the examiner did not fill in this portion of the exam report, there is sufficient information in the report to recommend a license. The commercial volume has been calculated as follows:

$36 \text{ gal/hr} \times 12 \text{ hrs/day} \times 365 \text{ days} / 325,850 = 0.5 \text{ af}$ (close to the volume normally allowed for in-house domestic use, so 0.6 afa has been given.

Examiner: Alan Paris
Exam Date: August 8, 1991

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FEB 25 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08763

DATE 2/10/97

REVIEWER: SHARLA

NAME Change OK Address Change NO
 SOURCE Change ✓ Is change clarification of originally intended source? NO
 POINT OF DIV Change ✓ If not, prepare Notice of Intent to Void NO
 PLACE OF USE Change ✓ Amendment required NO

Does map agree with written description? ✓ yes no

OVERLAPS NO P/D NO P/U

RATE OF DIV

Permitted Rate .56 cfs

Fee limit 1.0 cfs \$100⁰⁰

Measured — cfs

Theoretical .14 cfs

Recommended Total Div Rate .06 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use ✓

Comm. .02 Volume Calculation
 Dom. .04 .5 (as in house)
2 x .6 = 1.2 af

SUBTOTAL 1.8 af

Humidifier 36 gal/hr x 12 hrs/day
 x 365 days / 325,850 = .48
≅ .5 af

Flow rate .04 cfs X 365 days X 1.98^{af} = 29.0 af

Total volume recommended 1.8 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1 potato cellar humidifier
1/2 bunkhouse.

CONDITIONS — Watermaster Control WD# —

— GW Measurement/Measuring Device

— Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo blank

1st Amend Letter N/A

2nd Amend Letter N/A

NO GOVT LOTS

RECEIVED
NOV 29 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT Department of Water Resources

A. GENERAL INFORMATION

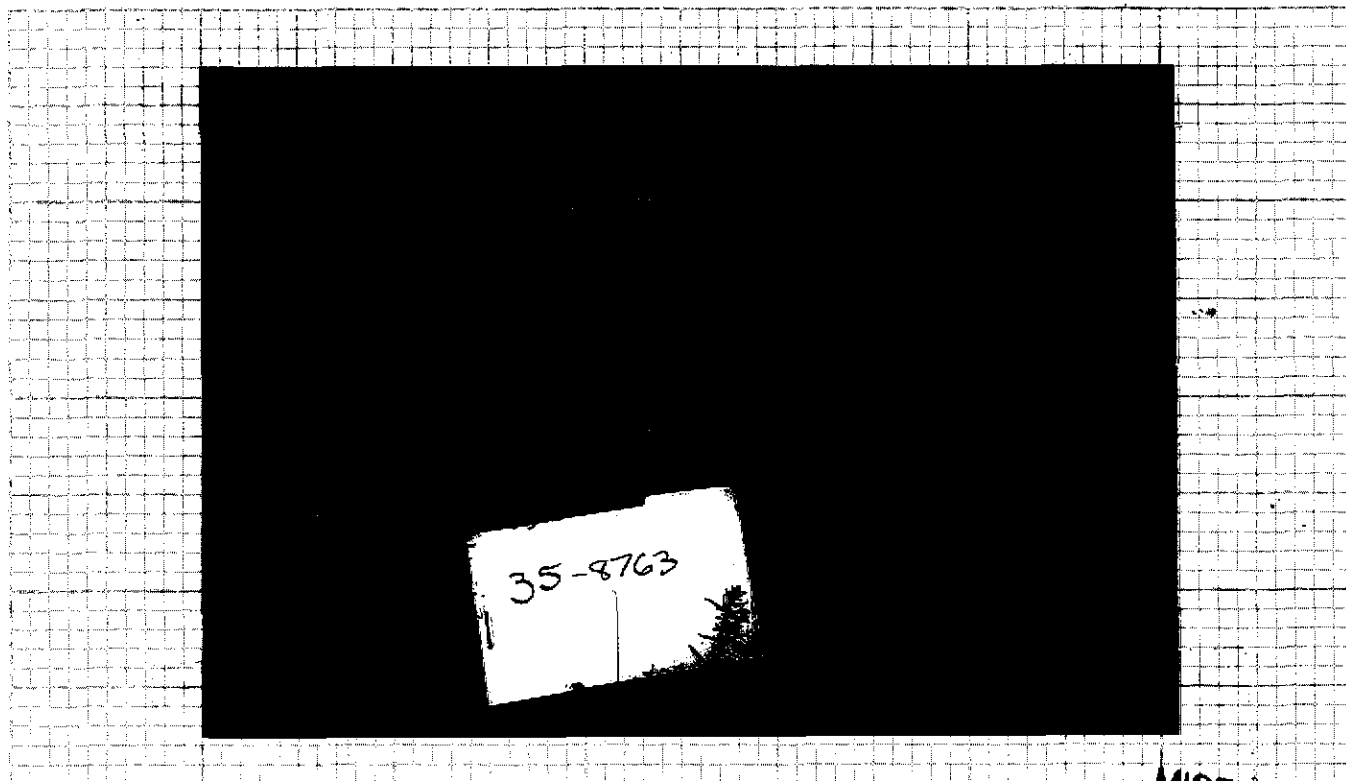
1. Owner: Paul C Helum Ltd Partnership Permit No. 35-8763
Current Address: PO Box 2001 Idaho Falls, Idaho 83401 Phone No. 228-3611
2. Accompanied by: Mr Helum EXAM. DATE: 08-08-1991
Address: same Phone No. same
Relationship to Permit Holder: holder
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well, pump, 2 bunkhouses, and potato cellar humidifier

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		10			

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
				NE 1/4	33	4N	36E	Jefferson	USGS QUAD and on site inspection

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	36E	33						20/c											

Do not use this space

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Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
pressure gage		Ashcroft			0-60 psig	

2. Measurements:

operating pressure - 34 psig (test gage)
 static water level - 350' (according to holder)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

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[illegible]

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Totals:				

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Field Examiner's Name Alan W. Davis
Signature Alan W. Davis
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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FEB 25 1997

$$Q = \frac{(10 \text{ HP}) (8.814) (.7)}{[(350 \text{ ft}) + (34 \text{ psi}) (2.309)]}$$

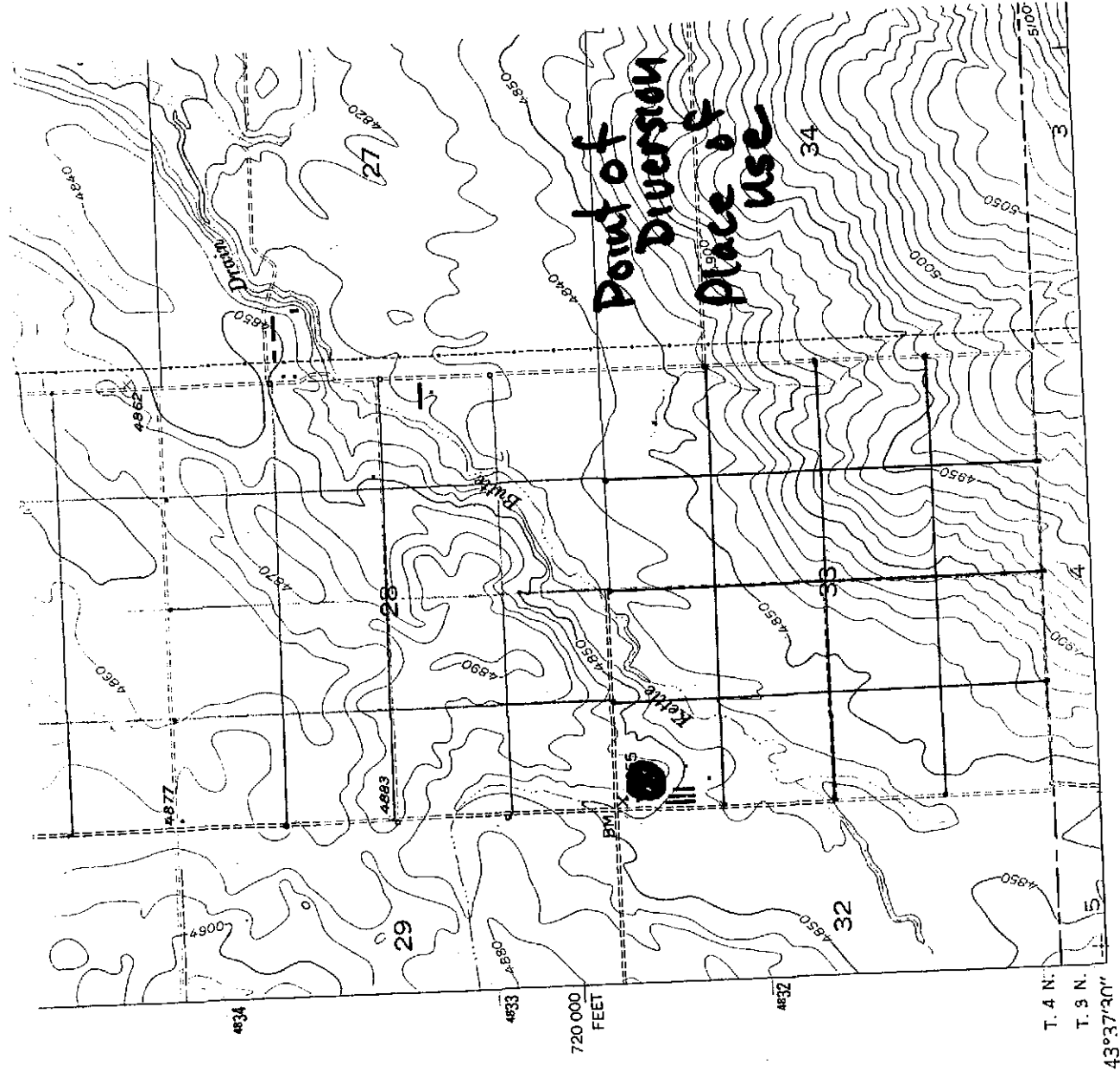
$$= 0.143995 \text{ cfs}$$

$$= 0.14 \text{ cfs}$$

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FEB 25 1987

35-8763



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FEB 25 1957

35-8763

Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 35-8763

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 4N, Rge 36E, Sec. 33, NW 1/4 NW 1/4 or Lot _____.

2. Owner: Paul C Holm Ltd Partnership

Address PO BOX 2001, city Idaho Falls st Id

3. Casing $\geq$ 12 inches above ground: Yes ☒ No _____

4. Access Port: Yes _____ No ☒
Pressure Gauge: Yes _____ No ☒
Flowing: Yes _____ No ☒

Static Water Level: 350' (according to holder)
Casing Diameter: 12"
Temperature: NA

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes _____ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: _____

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FEB 23 1997

35-8763

MICROFILMED
FEB 23 1977

November 23, 1990

PAUL C. HOLM LTD. PARTNERSHIP
P.O. BOX 2001
IDAHO FALLS, ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08763

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
DEC 11 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 35-8763

Date: 11-7-90

General Considerations:

4 Name same as permit
4 Signature the same as permit holder
1 Address change If yes, prepare a data entry
4 Proof received timely
No Reinstated - *Proof received on 10-30-90*

Source of Water:

4 Surface water
4 Groundwater
1. well log in file
2. drilling permit
A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

4 Rate of diversion appropriate for uses
4 Is rate or volume and fee appropriate?
4 Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

4 Is a measuring device or access port required?
4 Has one been installed?
4 Waiver or modification of measuring device requested

Remarks: *Well drilled in 1972*
Proof acceptable

4 Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	-
No. of days late	_____	=
Priority date	_____	+
NEW PRIORITY DATE	_____	=

JB
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138366
August 31, 1990

PAUL C. HOLM LTD. PARTNERSHIP
P.O. BOX 2001
IDAHO FALLS, ID 83401

PROOF DUE NOTICE

RE: PERMIT NO. 35-08763

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

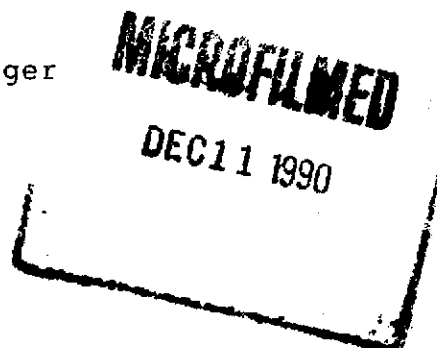
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures



S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
October 6, 1989

PAUL C. HOLM LTD. PARTNERSHIP
P.O. BOX 2001
IDAHO FALLS, ID 83401

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P35-08763

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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OCT 11 1989

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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OCT 11 1989

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWT DATE 7-7-89 APPLICATION NUMBER 35-8763

REQUIRED INFORMATION

HOLM

- ☐ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.) Done - HWT
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☐ No Field check required
- ☐ Yes ☐ No Field check by _____
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☐ No Critical groundwater area
- ☐ Yes ☐ No Groundwater management area
- ☐ Yes ☐ No Send dam safety information
- ☐ Yes ☐ No Send power requirement letter
- ☐ Yes ☐ No Send fish farm requirement letter
- ☐ Yes ☐ No Power residency affidavit
- ☐ Yes ☐ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED
SLIP 11

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 8-7-89
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01-P05
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information

Date of priority recommended 5-17-89
By HWT Date 9-5-89

STATE OFFICE REVIEW P23,P05 P16 46

See below for additional information

By kw Date 10-2-89

ADDITIONAL INFORMATION

App. in TRUST area - DCM I
Gary Helm
Mark Adams

18-July-1989

Paul C. Holm, LTD Partnership
P.O. Box 2001
Idaho Falls, ID 83401

RE: Application for Permit No. 35-8763

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Jefferson Star. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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OCT 11 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 17, 1989

THE JEFFERSON STAR
P.O. BOX 37
RIGBY, ID 83442

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 7, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

OCT 11 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

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OCT 11 1989

35-08763

LTD. PARTNERSHIP, PAUL C. HOLM
P.O. BOX 2001
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: NWNW Sec 33 T 04N R 36E

Use: STOCKWATER (.440 CFS)
COMMERCIAL (.020 CFS)
DOMESTIC (.100 CFS)

Date Filed: 5/17/1989

In: T04N R36E S33

NWNW

35-08763
LTD. PARTNERSHIP, PAUL C. HOLM
P. O. BOX 2001
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNW Sec 33 T 04N R 36E
Use: STOCKWATER (.440 CFS)
COMMERCIAL (.020 CFS)
✓ DOMESTIC
Date Filed: 5/17/1989
In: T04N R36E S33 NWNW
The permit(s) will be subject to all
prior water rights. Protests may be sub-
mitted based on the criteria of Sec. 42-
203A, Idaho Code and/or the new public
interest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before AUGUST 7,
1989.
R. Keith Higginson, Director
Published in the Jefferson Star,
Bigby Idaho, July 19 and 26, 1989.

*called
about
7-19-89*

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The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 7, 1989.

R. Keith Higginson, Director

Published 7/19/1989 & 7/26/1989

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OCT 11 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 3, 1989

Paul C. Holm, LTD Partnership
P.O. BOX 2001
Idaho Falls, ID 83401

Dear Mr. Holm:

The application for permit you filed on 12/29/88 was returned to me with the recommendation that commercial use be added to identify the water diverted thru the potato celler humidifiers.

For your convenience, I have prepared another application for permit listing commercial use.

Please sign the application and mail it to this office. Processing of the application can not begin until the signed application is returned.

Feel free to contact this office if you have any questions.

Sincerely,

Ernest M. Carlsen

EMC/rb
enclosure

Microfilm

OCT 11 1989

