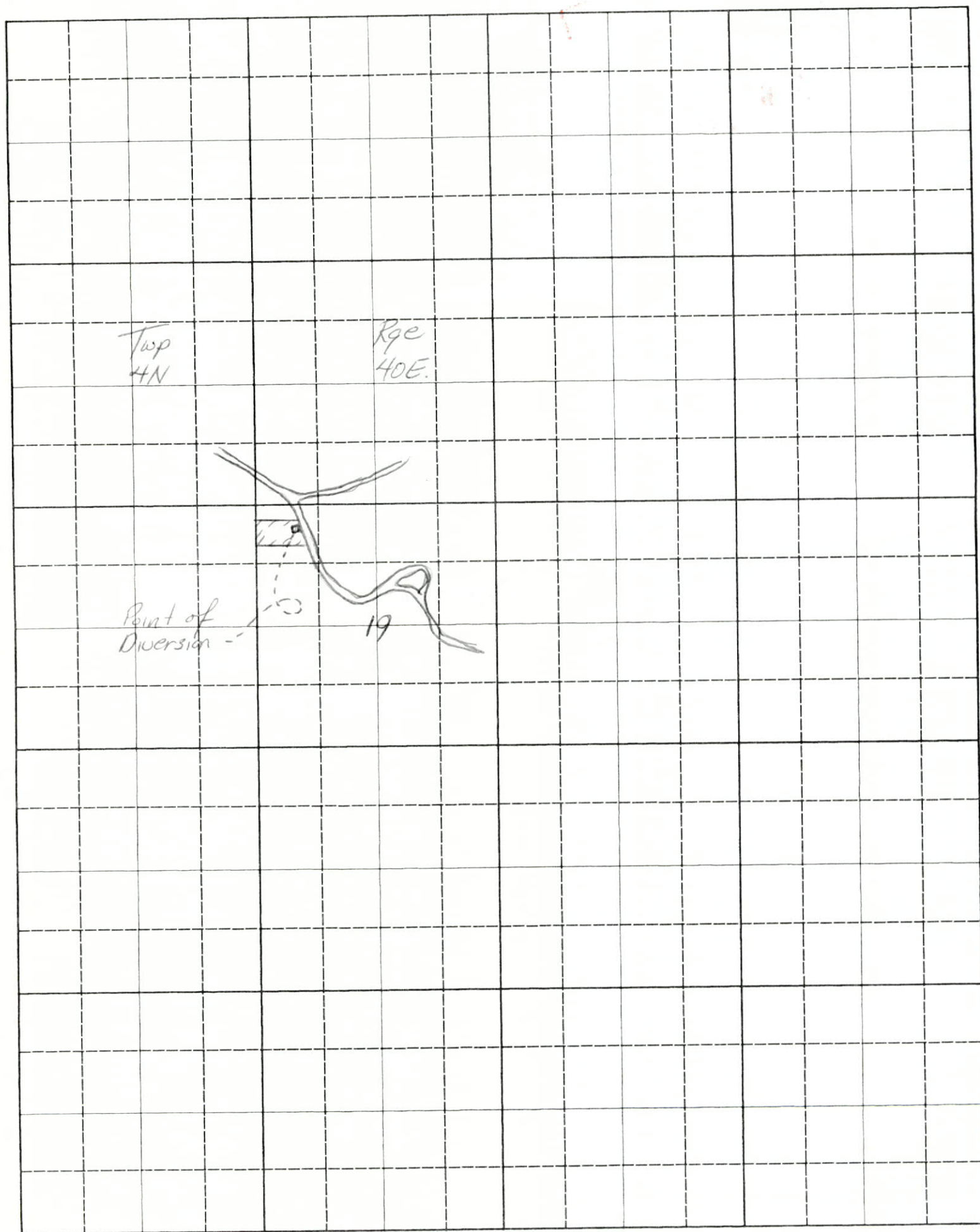


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED

JUN 16 1990

Gerald H. Halman
(Applicant)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

I, LaReena Lydon

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 (2) two
consecutive issues, the first publica-

having been made on 5/2/90
and the last publication having been

made on 5/9/90.

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.

LaReena Lydon

On this 10th day of May

in the year of 1990, before
me, a Notary Public, personally ap-

peared LaReena Lydon,
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.

Karen K. Tew
Notary Public for Idaho

Residing at Idaho

My commission expires: 10-23-91

RECEIVED
MAY 11 1990

Department of Water Resources

NOTICE OF APPLICATION FOR WATER RIGHT

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

25-07362

CLARK, JESSE
HOLMAN, GERALD
288 N. 4500 E.
RIGBY, ID 83442

Source: UNNAMED STREAM
Tributary: SNAKE RIVER
Diversion Pt: NWNW Sec 19 T 04N R
40E

Use: IRRIGATION (.140 CFS)
Total Diversion: (.140 CFS)

Date Filed: 6/23/1983

In: T04N R40E S 19 NWNW
7.0 ACRES TOTAL

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,
Statehouse Mail, Boise, Idaho 83720 on
or before MAY 21, 1990.

R. Keith Higginson, Director
Published in the Jefferson Star,
Rigby, Idaho, May 2 and 9, 1990.

OK
Ty Luke
5-18-90
MICROFILMED
JUN 18 1990

MODE SELECT
DATA SET

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

MODE SELECT
TO CHECK

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

06-14 14:00:00
+000.00 % RTZ

25-7362

R39E R40E

18

4940

Mile
845

BMS

BM 4931

4924

Lot 1

(48)

POINT OF DIVERSION

Lot 2

PLACE OF USE

BM 4934

19

4928

Lot 3

CANAL

Lot 4

CANAL

4943

4934

CANAL

CANAL

25-07362

T
4
N

Lower
BUT

BURGESS

IMPROVED
FED. PROJECT

2.1

③
2.0

④
3.8

13

18

24

19

983

Lot 1

PLACE OF USE

980

POINT OF DIVERSION



984

6

T
4
N

R40E

985

#2353

986

Lot 2

R39E

R40E

T
4
N

①
37.2

MICROFILMED
SEP 24 1937

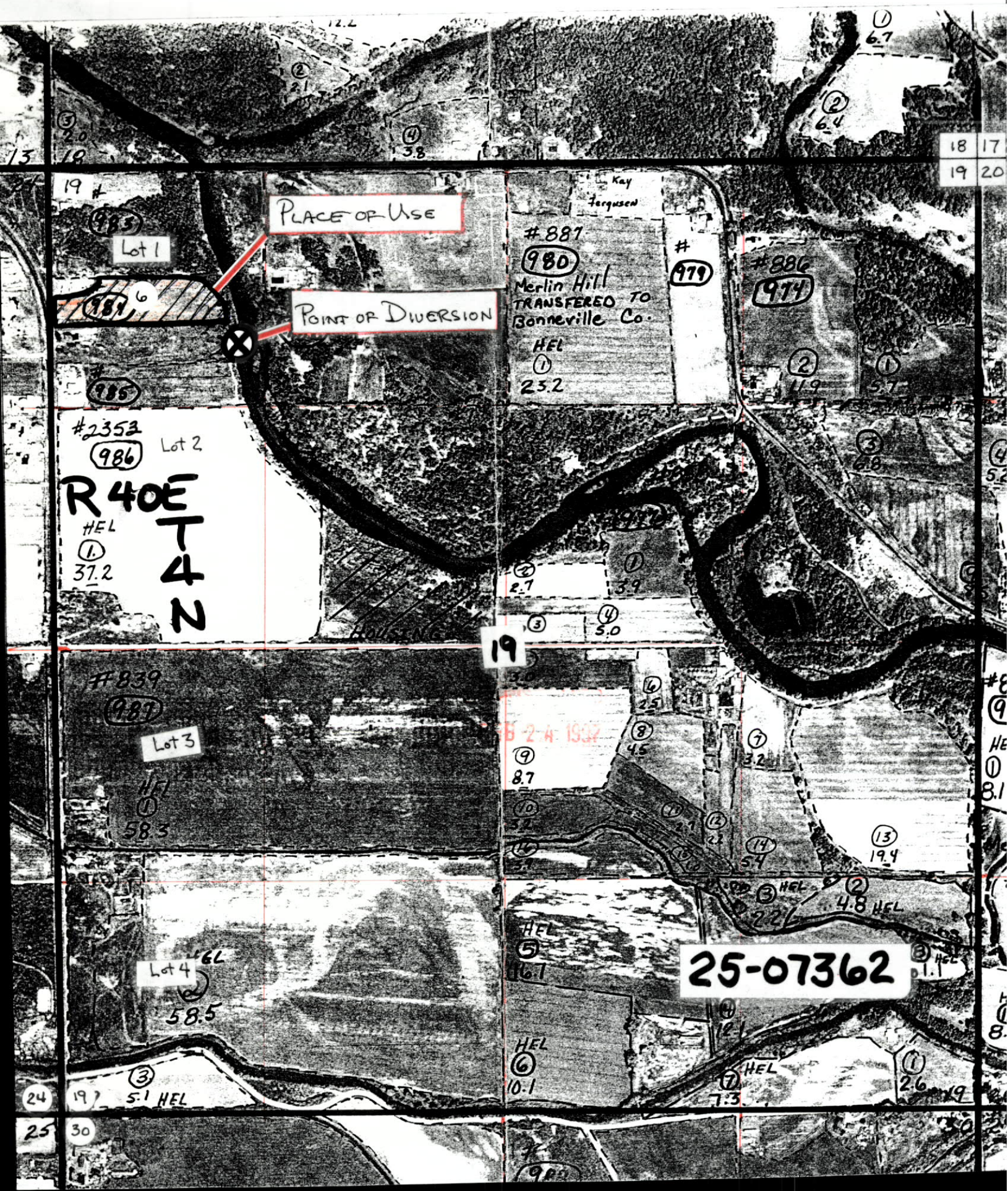
25-07362

Scale 16" = 1 mile

Lot 3

#839

987



ELECTRIC
Motor



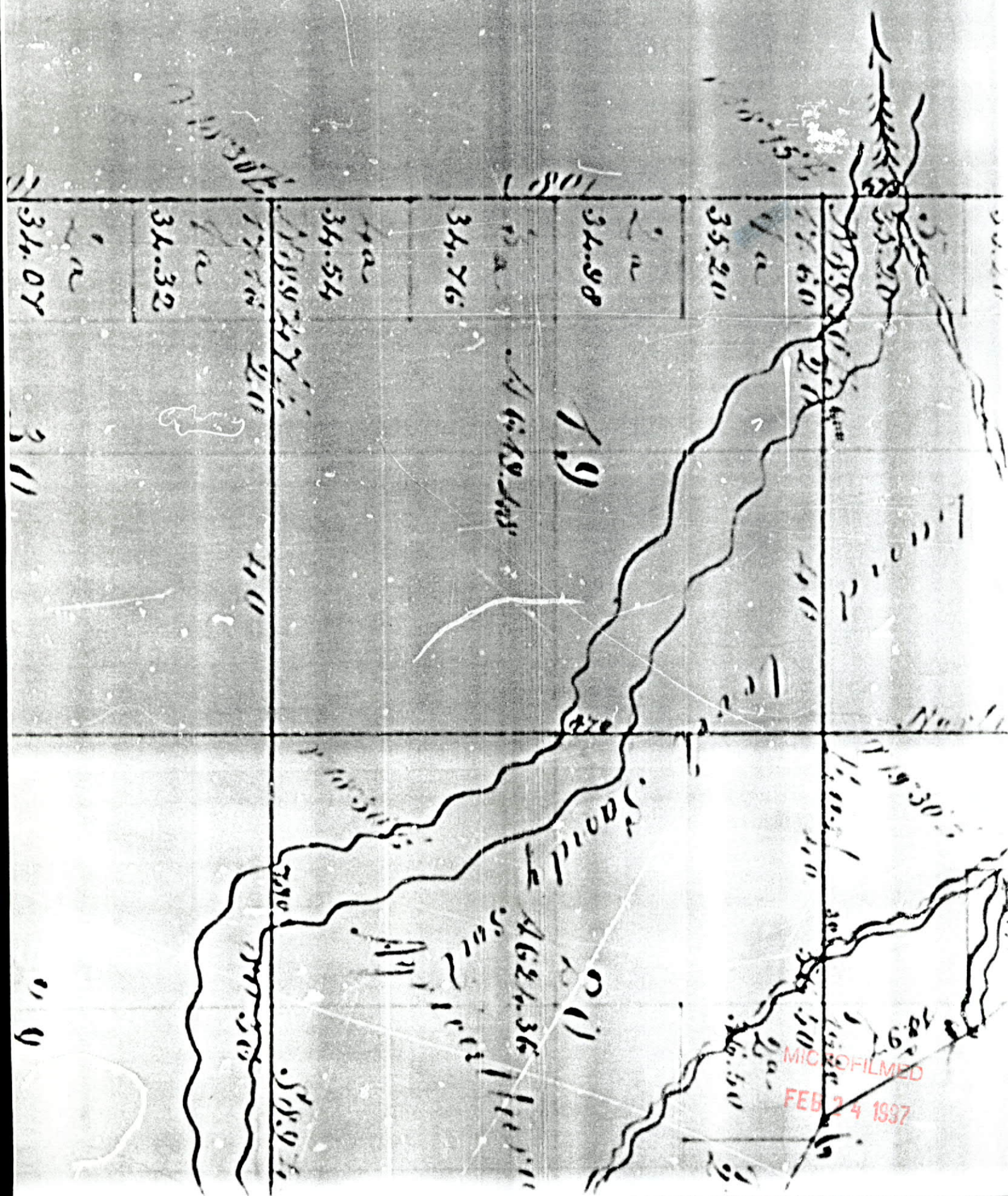
Point of diversion

Pump

25-07362

MICROFILMED

FEB 24 1987





State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 01-07130

Priority: June 23, 1983

Maximum Diversion Rate:

0.12 CFS

Maximum Diversion Volume:

24.0 AF

This is to certify, that JESSE CLARK
GERALD HOLMAN

288 N 4500 E

RIGBY ID 83442

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 23, 1983; and has submitted Proof of Beneficial Use on December 17, 1991. An examination indicates that the works have a diversion capacity of 1.480 cfs of water from:

SNAKE RIVER, DRY BED

tributary to SNAKE RIVER

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>
IRRIGATION	04/01 to 10/31	0.12 CFS	24.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1 (NWNW), Sec. 19, Township 04N, Range 40E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	40E	19	Lot 1 (NWNW)	6		6

Total number of acres irrigated: 6

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 that 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

MICROFILMED
FEB 24 1997

State of Idaho
Department of Water Resources

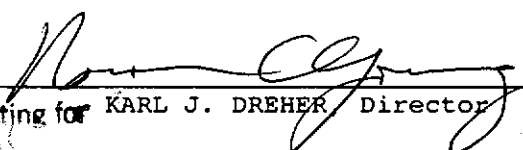
WATER RIGHT LICENSE

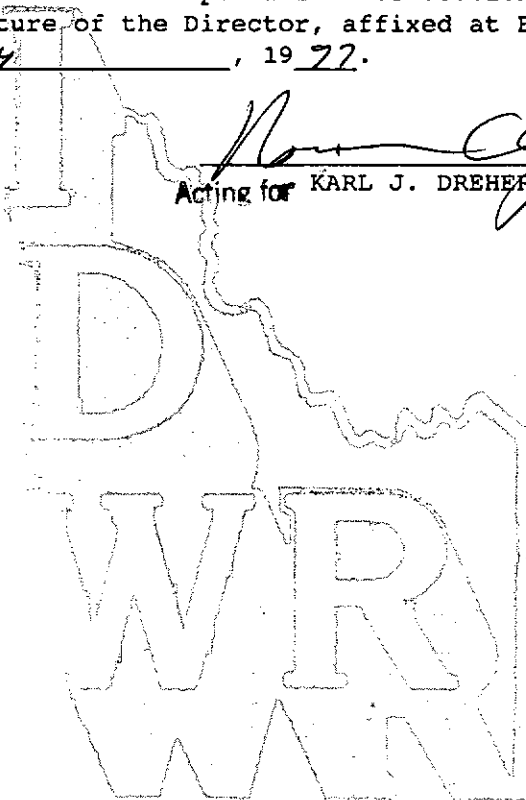
WATER RIGHT NO. 01-07130

CONDITIONS OF APPROVAL AND REMARKS

7. The right holder must obtain adequate supplemental water for the irrigation season that natural flow is not available.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

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 10TH day of FEBRUARY, 19 77.


Acting for KARL J. DREHER, Director



MICROFILMED

FEB 24 1977

RECEIVED
DEC 19 1991

For Office Use Only
Amt. of Fee \$ 50.00
Date 17 Dec 1991
Receipt No. ED16798
Received by SM

Department of Water Resources

STATE OF IDAHO
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. 25-7362 01-07130 Telephone No. 538-7147

Name(s) of Permit Holder(s): Gerald Holman

Post Office Address: 288 N 4500 E Rigby Idaho 83442-5859

Source of Water: Unnamed Stream Trib to Snake River

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation 7 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted .14 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 06-04-1990

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

Measuring device: Required? Yes ☒ No Installed? Yes ☐ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Gerald W Holman 538-7147
Name Telephone No.

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.

DEC 17, 1991
Date

Gerald W. Holman
Signature (and title if on behalf of a company or organization)

RECEIVED
DEC 23 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. ~~25-07362~~ 01-07130

Proposed Priority: June 23, 1983 Maximum Diversion Rate: 0.14 CFS

This is to certify, that **GERALD HOLMAN**
JESSE CLARK
288 N. 4500 E.
RIGBY, ID 83442

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of **SNAKE RIVER**

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>
IRRIGATION	04/01 to 11/01	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNW Sec. 19, Township 04N, Range 40E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	40E	19	NWNW	7		7

Total number of acres irrigated: 7

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1993.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. No water may be diverted under this permit until adequate supplemental water is obtained for the irrigation season when the natural flow is not available.
6. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
7. Use of water under this permit is subject to control by the watermaster of State Water District No. 01.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed cubic feet per second for each acre of land.

MICROFILMED

JUN 18 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

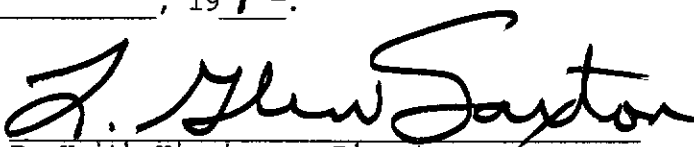
NO. 25-07362

CONDITIONS/REMARKS:

9. Source is actually a dry bed.

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

4th day of June, 1990.

for 
R. Keith Higginson, Director

MICROFILMED

JUN 18 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Gerald Holman or Jesse Clark Phone 538-7147

Post office address Rt. #2, Box 309J, Rigby, ID 83442

2. Source of water supply Dry Bed which is a tributary of Snake River

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 19 Township 4N

Range 40E B.M. Jefferson County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.14 cfs for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (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:

a. 0.14 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

MICROFILMED

JUN 18 1990

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	40E	19						7											7

Total number of acres to be irrigated 7

c. Describe any other water rights used for the same purposes as described above. 70 acre feet of storage water from Palisades Water Users

9. a. Who owns the property at the point of diversion Jesse Clark

b. Who owns the land to be irrigated or place of use Applicants

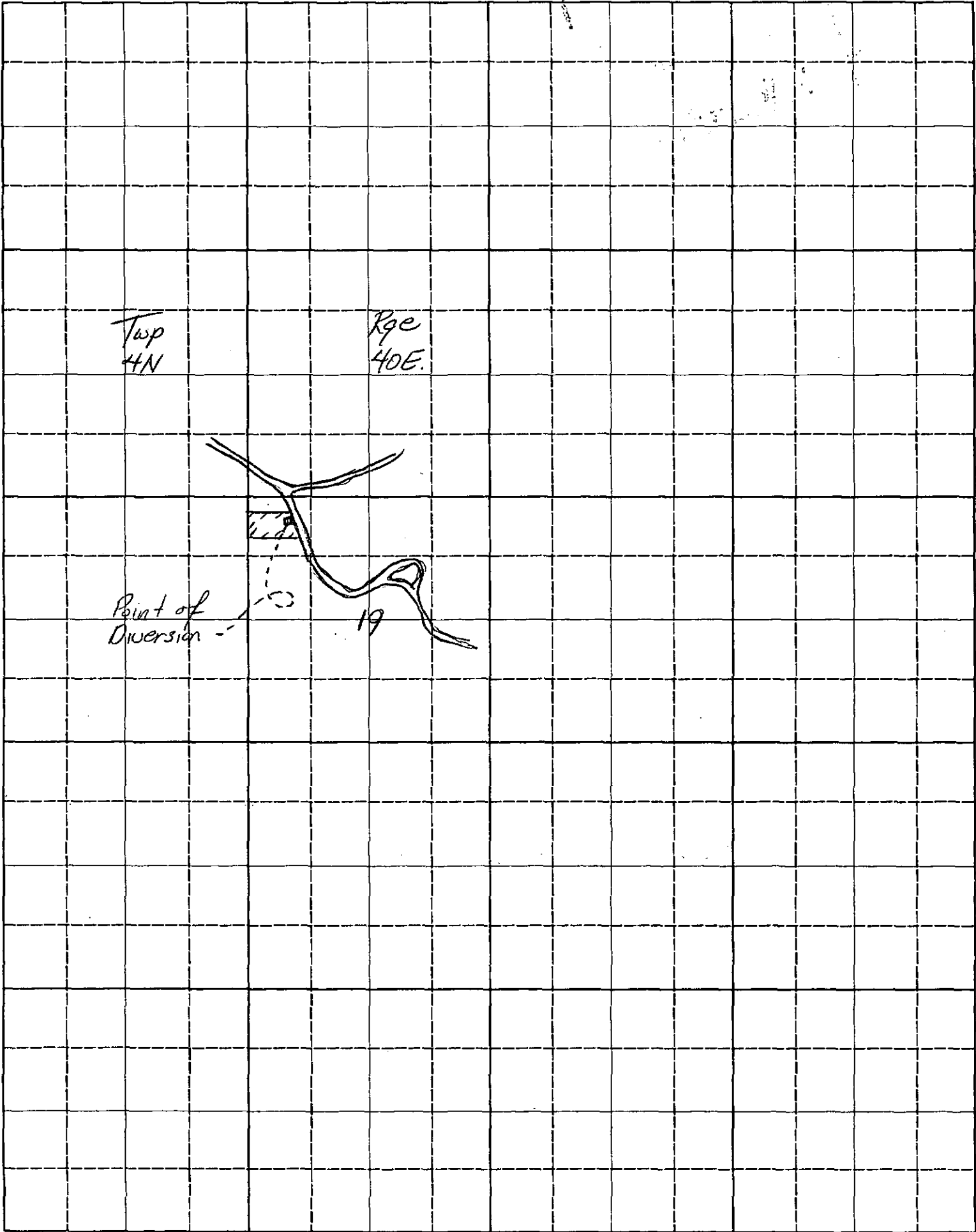
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

RECORDED

JUN 18 1990

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



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.

RECORDED
JUN 16 1990

Gerald H. Halman
(Applicant)

Received by EMC Date 6-23-83 Time 4:30

Preliminary check by JCM Fee \$ 30.00

Receipted by CW Date 6-23-83 # 30689

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CW

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. Other:

MICROFILMED
JUN 18 1990

AFFIDAVIT OF
PUBLICATION

RECEIVED
MAY 11 1990

Department of Water Resources

STATE OF IDAHO)

County of Jefferson) ss

I, LaReena Lydon

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 (2) two
consecutive issues, the first publica-

having been made on 5/2/90
and the last publication having been

made on 5/9/90

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.

NOTICE OF APPLICATION FOR
WATER RIGHT

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
25-07362

CLARK, JESSE
HOLMAN, GERALD
288 N. 4500 E.
RIGBY, ID 83442
Source: UNNAMED STREAM
Tributary: SNAKE RIVER
Diversion Pt: NWNW Sec 19 T 04N R
40E
Use: IRRIGATION (.140 CFS)
Total Diversion: (.140 CFS)
Date Filed: 6/23/1983
In: T04N R40E S 19 NWNW
7.0 ACRES TOTAL

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,
Statehouse Mail, Boise, Idaho 83720 on
or before MAY 21, 1990.

R. Keith Higginson, Director
Published in the Jefferson Star,
Rigby, Idaho, May 2 and 9, 1990.

On this 10th day of May
in the year of 1990, before
me, a Notary Public, personally ap-

peared LaReena Lydon
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.

Barbara K. Tew
Notary Public for Idaho
Residing at Fort

My commission expires: 10-23-94

RECEIVED
JUN 18 1990

OK
Ty Lake
5-18-90



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

February 11, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JESSE CLARK
GERALD HOLMAN
288 N 4500 E
RIGBY ID 83442

RE: WATER RIGHT NO. 01-07130

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.

MICROFILMED
FEB 24 1997

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:

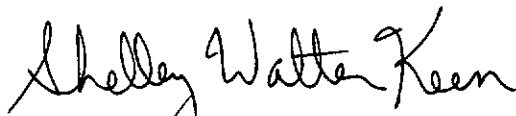
- i. A hearing was held,
- ii. The final agency action was taken,

- 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,



Shelley W. Keen
Water Rights Supervisor

SWK:pah

c: Eastern Region

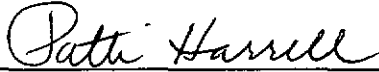
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 11th 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. 01-07130

JESSE CLARK
GERALD HOLMAN
288 N 4500 E
RIGBY ID 83442



Patti Harrell
Secretary

MICROFILMED
SEP 24 1997

MEMORANDUM

TO: File 25-07362

FROM: Sharla

DATE: January 28, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Right 25-07362 are based on the following:

H. RECOMMENDATIONS

Irrigation	4/1 - 10/31	0.12 cfs
------------	-------------	----------

The irrigation season for this area is 4/15 - 10/15. Although the examiner did not fill in this portion of the exam report, there is sufficient information in the report to recommend a license.

Examiner: Keith Wilson
Exam Date: June 14, 1995

MICROFILMED

FEB 24 1997

LICENSE REVIEW CHECKLIST

PERMIT NO 25-07362

DATE 1/30/97

REVIEWER: SHARLA

NAME

OK

Address Change NO

SOURCE

Is change clarification of originally ~~water source~~ stream or intended source? flowing in
If not, prepare Notice of Intent to Void dry bed

POINT OF DIV

Amendment required NO

PLACE OF USE

Amendment required NO

Snake R, dry bed
listed on USGS,
change to
Basin 01

Does map agree with written description? yes no

OVERLAPS

P/D

P/U

RATE OF DIV

Permitted Rate

.14 cfs

Fee limit

.20 cfs \$50.00

Measured

1.48 cfs

Theoretical

1.54 cfs

528.8 x 7/20 + (0) open discharge

Recommended Total Div Rate .12 cfs

ANNUAL VOLUME/
NATURE OF USES

Use

irr.

Volume Calculation

6 x 4.0 = 24.0 af

af

af

af

af

SUBTOTAL

Flow rate .12 cfs X 214 days X 1.9835 = 50.8 af

Total volume recommended 24.0 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

WB7 (24.0 af)

CONDITIONS

R01 Watermaster Control WD# 01

R02 GW Measurement/Measuring Device

Overlap

Use-specific conditions

source is not gwl
063-079, R18

Advancement of Priority Date Required yes no

SRBA Claim Filed

N/A
season
blanks

1st Amend Letter

2nd Amend Letter

N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 02 1997
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 25-7362

1. Owner: GERALD HOLMAN Phone No. 538-7147

Current Address: 288N 4500E RIGBY ID 83442

2. Accompanied by: GERALD HOLMAN EXAM DATE: 14 June 1995

Address: SAME Phone No. _____

Relationship to Permit Holder: _____

3. Source: DRY BED tributary to SNAKE RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: PALISADES WATER

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1	SE	NW	NW	19	4N	40E	Jefferson	USGS Map, aerial Photo, ON SITE

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	40E	19					6												6
							Lot 1												

MICROFILMED

FEB 24 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

Scale: 1" = _____

____ Copy of USGS 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)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Century	5	9NLR4642	UNKNOWN	

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Totalizing Meter	Acre Feet	Muesco		830161		

2. Measurements: 8.02" od. 0.061" thick (Mainline)

MICROFILMED

FEB 24 1997

E. NARRATIVE/REMARKS/COMMENTS

Electric Motor (5hp) with belt drive to pump submerged in head box, from Dry Bed, with discharge from pump into an 8" AL mainline with open discharge into ditch for flood irrigation

System has a totalizing meter installed in AL-mainline

Have conditions of permit approval been met? ☒ yes

☐ no

MICROFILMED

FEB 24 1997

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$Q = 665.185 \text{ gpm} = 1.48 \text{ cfs} \quad Q_{\text{LIMITED BY } Q} = 0.12 \text{ cfs}$$
$$0.02 \text{ cfs/acre}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

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

2. Recommended Amendments

____ 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

I. AUTHENTICATIONField Examiner's Name KEITH C. WILSON Date 14 June 1995

Reviewer _____ Date _____

SEAL

MICROFILMED

FEB 24 1997

PRINTER USE
2 YES
MODE SELECT
INPUT
OUTER DIAMETER
8.0201 IN
PIPE MATERIAL
AL.DY
WALL THICKNESS
0.0613 IN
INNER LINING
NO LING.
KIND OF FLUID
ANOTHER
SOUND VELOCITY
1478 M/S
SENSOR MOUNTING
U
TYPE OF SENSOR
SMALL
DATA CHANGE
NO
SPACING
5.648 IN
ZERO MODE
CLEAR
ZERO MODE
AUT. OFF
06-14 14:0400 *R
+662.270E 06PM
06-14 14:0400 *R
+662.88 X 972
06-14 14:0431 *R
+665.135E 06PM
MODE SELECT
TO CHECK
0207.0 MMSEC
100.10 % TO
06-14 14:0500 *R
+663.600E 06PM
06-14 14:0600 *R
+665.135E 06PM
06-14 14:0600 *R
+664.657E 06PM

25-7362

Q = 665.185 gpm

MICROFILMED
FEB 24 1997

25-07362

FLOW MEASUREMENT
TAPE

25-07362

100-100000-100000

100-100000-100000

100-100000-100000
100-100000-100000
100-100000-100000
100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

100-100000-100000

25-7362

R39E R40E

18

4940

Mile
845

BM

BM 4931

4924

Lot 1

48

POINT OF DIVERSION

Lot 2

PLACE OF USE

BM 4934

Loader
B.U.T

T
4
N

4928

Lot 3

19

BM

4939

CANAL

Lot 4

CANAL

4940

4943

4934

CANAL

25-07362

MICROFILMED

FEB 21 1987

CANAL

4935

13

③

2.0

18

④

3.8

24

19

983

Lot 1

PLACE OF USE

980

POINT OF DIVERSION



984

6

T
4
N
R40E

985

#2353

986

R39E

R40E

Lot 2

T
4
N

①

37.2

MICROFILMED

FEB 24 1937

25-07362

Scale 16" = 1 mile

Lot 3

#839



ELECTRIC
Motor



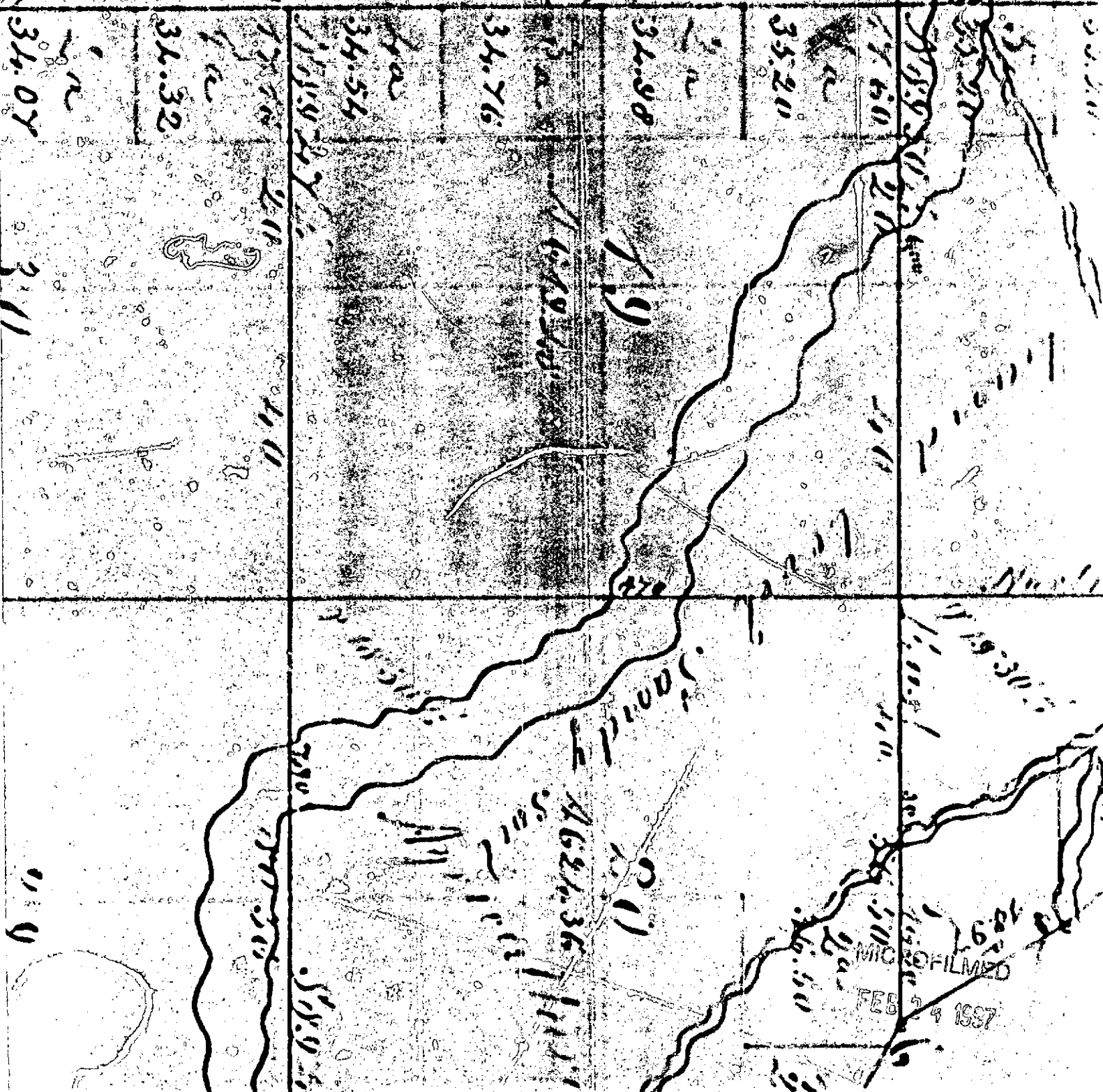
Point of diversion

Pump

25-07362

MICROFILMED

FEB 24 1997



December 20, 1991

JESSE CLARK
GERALD HOLMAN
288 N. 4500 E.
RIGBY ID 83442

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-07362

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.

I note that the permit issued to you by the department requires the installation of a lockable device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the lockable device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

UNRECORDED

DEC 23 1991

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 25-07362

Reviewed by Klg

Date 12/20/91

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
Ground water source
NA Drilling permit required?
/ Copy in the file? Drilling Permit No. _____
/ Amount paid for permit _____ Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due / -
No. of days late / =
Priority Date / +
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

proof acceptable lockable

DATA ENTRY

New Address _____

Proof Made 12/19/91
12/20/91 Klg

May 6, 1991

GERALD W. HOLMAN &
HELEN H. HOLMAN
288 NORTH 4500 EAST
RIGBY ID 83442-5859

Dear Mr. and Mrs. Holman:

Re: Permit No. 25-7362

The department received your check No. 1132 in the amount of \$50, a picture and the commencement of works postcard. I've included the picture and postcard with the water right filing and returning the check.

I understand the fee is to cover the license exam cost, however, the proof of beneficial use form must accompany the fee. Enclosed is proof of beneficial use form.

If you have any questions, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

DEC 23 1991



GERALD HELMAN

208 N 4500 E

RIGBY ID 83442

PLACE

RECEIVED

MAY 6 1991

Department of Water Resources



DEC 28 1991

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 25-07362

Name(s) of Permit Holder(s): GERALD W. HOLMAN

Post Office Address: 288 N. 4500 E.

RIGBY ID

Tel. No. 855-538-7147

☒ I hereby certify that construction of diversion works on the above referenced permit began on IS COMPLETE (date) (SEE PHOTO). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

MAY 3, '91
Date

Gerald W. Holman
Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 4, 1990

JESSE CLARK
GERALD HOLMAN
288 N. 4500 E.
RIGBY, ID 83442

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P25-07362

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.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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 into a license.

MICROFILMED

JUN 18 1990

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

JUN 18 1960

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: jam

APPLICATION NUMBER: 25 7362

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other WD#1

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☐ Yes ☐ No* In form for advertising.
Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: _____
☐ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☐ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 01
6-23-83 Date of priority recommended.
Special conditions of approval or cover letter. _____

Trust Water - EXEMPT
allow 3 yrs. for B/U development -

By: _____
STATE OFFICE REVIEW: POI, P17

Date: _____
26 04 05 (01) 11A 01H

- ☐ See attached sheet for more information.
By: kw

Date: 5-22-90 FEB 20 1990

Department of Water Resources

aw

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

APRIL 24, 1990

Rigby Star
P.O. Box 37
Rigby, ID 83442

Dear Legal Dept.:

Enclosed you will find legal notices 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 MAY 21, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.



NOTICE OF APPLICATION FOR WATER RIGHT

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

25-07362

CLARK, JESSE
HOLMAN, GERALD
288 N. 4500 E.
RIGBY, ID 83442

Source: UNNAMED STREAM

Tributary: SNAKE RIVER

Diversion Pt: NWNW Sec 19 T 04N R 40E

Use: IRRIGATION (.140 CFS)

Total Diversion: (.140 CFS)

Date Filed: 6/23/ 1983

In: T04N R40E S19 NWNW

7.0 ACRES TOTAL

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, Statehouse Mail, Boise, Idaho 83720 on or before MAY 21, 1990.

R. Keith Higginson, Director

Published 5/ 2/1990 & 5/ 9/1990

MICROFILMED

JUN 18 1990

MEMORANDUM

TO: FILE/APPLICATION NO. 25-7362

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 4-5-90

=====

The applicant has returned the trust water questionnaire and has indicated that land under this application has been irrigated prior to October, 1984. Applicant has noted that there is 70 acre-feet of storage from Pallisades Water Users Assoc. appurtenant to the same 7 acres under the application. Review of 1980 aerial photography at the department indicates that most of the land in the quarter-quarter section (lot 1) was irrigated. The IDWR remote sensing report shows 19 acres classified as irrigated for 1986. The remaining 15 acres in the lot appeared as non-irrigated or riparian vegetation in the 1980 photo.

Based on the data above, the statement from the applicant concerning prior development and the fact that this appears to be a supplemental filing on only 7 acres, I recommend that the Department accept the claim of prior development of this source.

It is further recommended that this application be exempt from the review requirements of Section 42-203C. Trust conditions are not applicable.

FILED

JUN 1 1990

PLACE OF USE 1/4 1/4 OVERLAP REPORT

04/03/90

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE			NW			SW			SE			SUM	
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
2507362																				
0100029	BURGESS CANAL & IRRIGA	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100030	BURGESS CANAL & IRRIGA	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100031	BURGESS CANAL & IRRIGA	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100032	BURGESS CANAL & IRRIGA	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100033	BURGESS CANAL & IRRIGA	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100130	NELSON	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100137	NORD	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100179	SUMMERS	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100226A	NORD	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:	35	
0100242	KITE & NORD DITCH	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100249	BURGESS CANAL & IRRIGA	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100262	HARRISON CANAL & IRRIG	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100299	BLOSH	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100303	CLARK & EDWARDS CANAL	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100305	CROFT	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
0100353	BURGESS CANAL & IRRIGA	D	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
2504151	CROFT	S	GROUNDWATER	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:	1	
2504194	EVANS	S	GROUNDWATER	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:	7	
2504271	BURGESS CANAL	S	DRY BED	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:		
2507362	HOLMAN	A	DRY RIVER,	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:	7	
2507462	MARSHALL	P	GROUNDWATER	04N	40E	19	:	:	:	:	:	:	:	:	:	:	:	:	1	
1986	MAPPING DATA	---	COUNTY 51 QUAD X	44	04N	40E	19	28	25	16	34	34	20	27	36	30	30	38	28	346

NOT FILMED

JUN 18 1990

PAGE: 1

PLACE OF USE LOTS OVERLAP REPORT

04/03/90

WR-NUMBER	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	LOT	+	SUM
-----------	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----	---	-----

2507362 T04N R40E S19

51 MAPPING: 1L19 2L9 3L25 4L31

84

JUN 18 1990

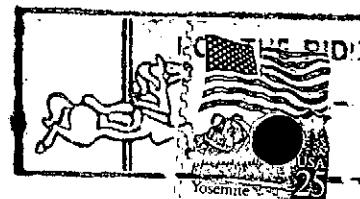
RECEIVED

GERALD HOLMAN
288 N 4500 E
RIGBY, IDAHO 83442

JUN 18 1990

MAIL OFFICE

~~UPDATE~~
ADDRESS



IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE MAIL

BOISE, IDAHO 83720

ATTN: TIM LYKE

RECEIVED
MAR 28 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE Department of Water Resources

Application No. 25-7362

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

- 1a. Are you the current owner of the land or place of use described under this application? Yes X No
b. If you are not the propoerty owner, please describe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes X No

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain restrictions and/or conditions. You may be asked to verify uses established prior to October, 1984.)

USED TO IRRIGATE APPROXIMATELY 7 ACRES
OF LAND.

3. Please state the number of acres you have irrigated under this application since October 1, 1984. 7

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. NA

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

40 ACRE FEET OF STORAGE WATER FROM PAUSADE WATER USERS

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Gerald H. Holman

Date 3/23/90

RECEIVED

JUN 18 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 26, 1990

Gerald Holman or Jesse Clark
Rt. 2, Box 309J
Rigby, ID 83442

Re: Application for Permit No. 25-7362

Dear Applicant(s):

NOTICE OF PENDING ORDER VOIDING APPLICATION

On June 23, 1983, you filed with the Department of Water Resources (Department) Application for Permit No. 25-7362 which proposed the diversion of 0.14 cubic feet per second from a dry bed tributary to the Snake River for the irrigation of 7 acres.

The Department mailed a letter and questionnaire to you on February 22, 1990 in connection with the application. The letter provided notice that the Department was reviewing the application in connection with development which was not complete prior to October 1, 1984.

This letter also requested that you return the Department's questionnaire concerning your present possessory interest in the place of use, any prior development under the application and/or your plans for pursuing completion of the proposed project. The letter notified you that failure to complete and return the questionnaire within thirty (30) days of the date of the letter was cause for the Department to void the application.

The purpose of this letter is to provide a second and final opportunity for you to submit the requested information. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order voiding the application pursuant to Water Appropriation Rule 4,5,1.

If no development has been completed as proposed by the application, and you are no longer interested in pursuing the development, please complete and return the enclosed withdrawal form. Please note, if you are using water without an approved permit, the Department may issue an order requiring you to cease diverting the water.

Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

MICROFILMED

JUN 18 1990

Enclosure
cc: Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 22, 1990

RE: APPLICATION FOR PERMIT NO. 25-7362

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

MICROFILMED

JUN 18 1990

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

JUN 18 1990



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

August 12, 1985

RE: Application for Permit No. 25-7362

Gerald Holman
Jesse Clark
Rt. 2, Box 309-J
Rigby, Idaho 83442

Gentlemen:

In October of 1984, Idaho Power Company and the State of Idaho signed an agreement stating the Company's water rights would be subordinated to those persons who beneficially used water prior to October 1, 1984, and who filed an application or claim for said use by June 30, 1985.

To insure proper consideration of your application pursuant to the above agreement, follow the directions on the enclosed form and return it to this office when completed. For your benefit in identifying the point of diversion and place of use, included on the form is a description of the major items contained on the application.

Your cooperation in returning the completed form and supplemental documentation will expedite future administrative action on your application when processing of applications above Swan Falls resumes.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

JUN 18 1990

25-2362-

HOLMAN, GERALD
CLARK, JESSE

RT. 2, BOX 309J, RIGBY, ID 83442

Source: SNAKE RIVER DRY BED trib. to SNAKE RIVER

Date Filed: 06/23/1983

Diversion Pt: NWNW Sec 19 T 04N R 40E

Use: IRRIGATION (0.14 CFS)

In: NWNW Sec 19 T 04N R 40E FOR 7 ACRES

MICROFILMED

JUN 18 1990