

FOR OFFICE USE ONLY
 Amt. of Fee \$: 50.00
 Receipt No.: 031790
 Receipt By: RT
 Date Received: 12-7-94

RECEIVED

DEC 7 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 29-08123 Telephone No. 785-4700

2. Name(s) of Permit Holder(s): Daxle or Carol Holm

3. Mailing Address: 524 W 37 S Blackfoot ID 83221

4. Source of Water: Surface If GROUNDWATER (well), Date Drilled: mo. / yr.

a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____

b. **OPTIONAL:**

Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Recreation Pond

6. Total rate of diversion and/or volume for which proof is submitted: ~~0.72~~ cfs OR .2 acre feet

7. **Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)**
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No ☒
Has the measuring device been installed? Yes _____ or No ☒

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No X
Has the measurement port been installed? Yes _____ or No X

8. Fee Enclosed: \$ _____ (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Doyle & Carol Holm Telephone Number: 785-0772

Address: 524 W 37 S Blackfoot ID 83221

10. The information given on this form 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.

Signature of permit holder: C. Doyle Holm (Carol Holm) Date: 11-29-94-
(include your title, if on behalf of company or organization)

DEC 29 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
29-08123 IN THE NAME OF)
CAROL HOLM AND DAYLE HOLM)
_____)

ORDER

This matter having come before the Idaho Department of Water Resources (department), the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On December 29, 1993, the department issued Permit No. 29-08123 to Carol Holm and Dayle Holm (permit holder) authorizing the impoundment of 0.2 acre feet of water from an Unnamed Stream tributary to Dempsey Creek to be used for recreation storage within Section 5, T10N, R38E, BM, Bannock County.

2. Condition of Approval No. 4. of the permit requires the permit holder to permanently install measuring devices to measure water diverted to and released from the storage impoundment.

3. Subsequent to issuance of the permit, the permit holder contacted the department and provided information to show that Condition of Approval No. 4. is not needed and that it would be difficult for the permit holder to comply with the condition.

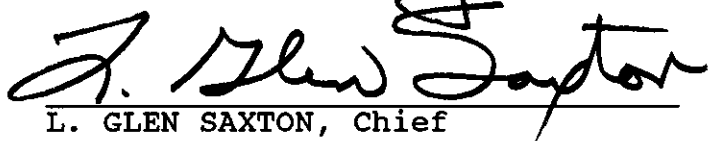
CONCLUSIONS OF LAW

1. The department should remove Condition of Approval No. 4 as a condition of approval of Permit No. 29-08123.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Condition of Approval no. 4. is hereby **REMOVED** as a condition of approval of Permit No. 29-08123 in the name of Carol Holm and Dayle Holm.

Dated this 18th day of January, 1994.



L. GLEN SAXTON, Chief
Water Allocation Bureau



DEC 29 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-08123

Proposed Priority: September 2, 1993

Maximum Storage Volume:

0.2 AF

This is to certify, that **CAROL HOLM**
DAYLE HOLM
524 W 37 S
BLACKFOOT ID 83221

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of **DEMPSEY CREEK**

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>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31		0.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 5, Township 10S, Range 38E
BANNOCK County

PLACE OF USE: RECREATION

TWN RGE SEC

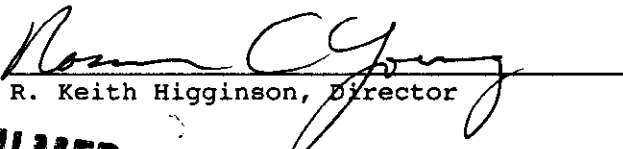
10S 38E 5 NWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1995**.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 29.
4. Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
5. Use of water under this right may be affected by an agreement between the protestant and the right holder.
6. Use of water under this right shall be non-consumptive.

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

29TH day of DECEMBER, 1993.


R. Keith Higginson, Director

MICROFILMED

JAN 10 1994

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DEC 20 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 29-8123

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant Dayle or Carol Helm Phone 785-0772
Post office address 524 W. 37 South Blackfoot, ID 83221
2. Source of water supply unnamed stream which is a tributary of Dempsey Creek ~~West Creek~~
3. Location of point of diversion is _____ 1/4 of NW 1/4 of SW Govt. Lot _____
Sec. 5 Township 10S Range 38E B.M. Bannock County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.23^{af} for Recreation 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)
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 is (a) _____ and/or (b) 0.23
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 small ponds; located on stream
with overflow pipes from one pond to another then flows
downstream. Pond dimensions do not exceed 35'x50'
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 NA inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) NA
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year).

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JAN 10 1994

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. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. 2 small ponds adjacent to my summer home

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	
10S	38E	5									R								

Total number of acres to be irrigated _____

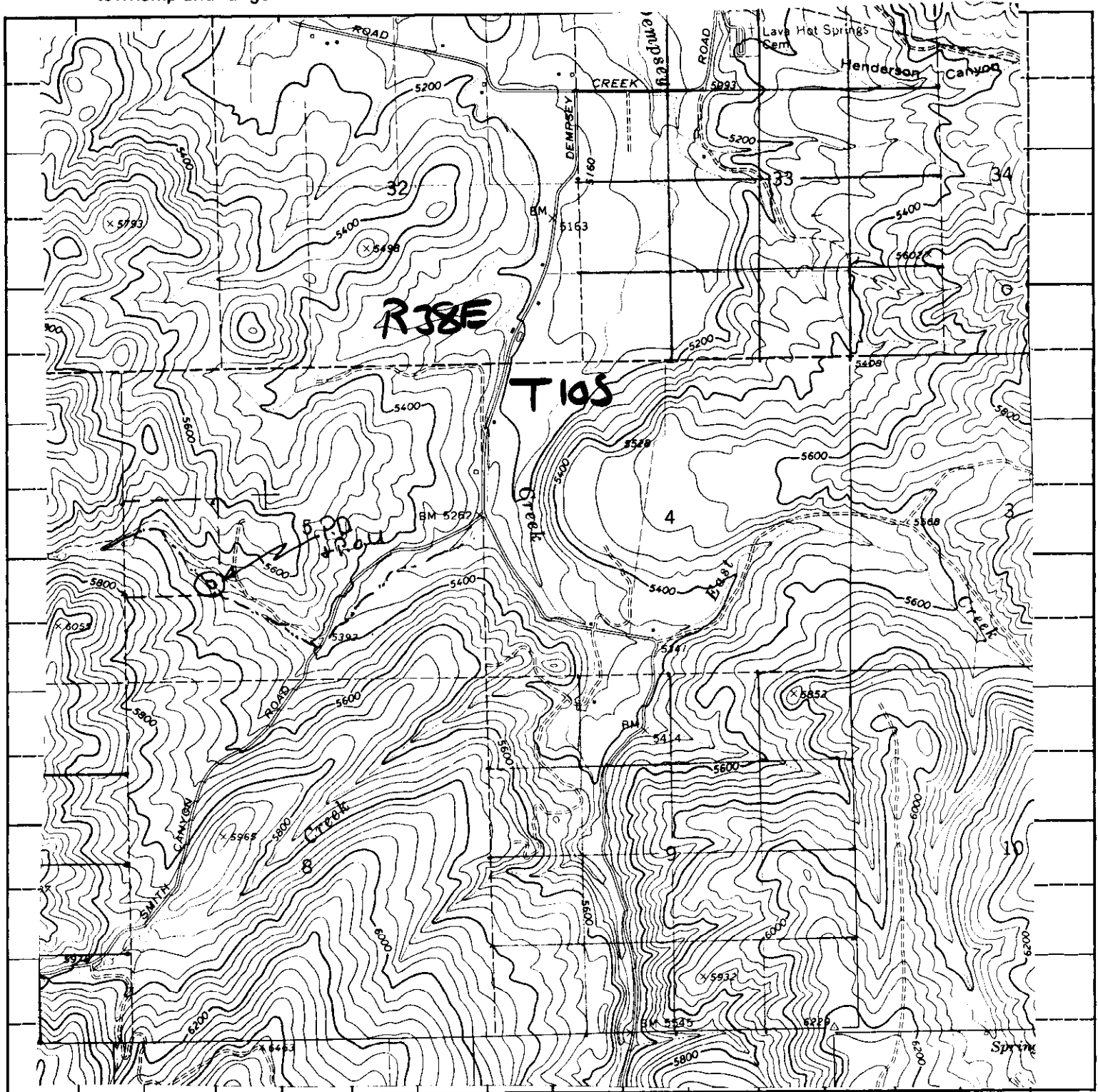
10. Describe any other water rights used for the same purposes as described above. None

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: _____

JAN 10 1994

13. 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.

C. Doyle Holm
(Applicant)

JAN 10 1994

Received by WM Date 9/2/93 Time 1:45pm CK#3031 \$30.00 Preliminary check by _____
Fee \$ 30.00 Received by HWT # EO19101 Date 9-2-93
Publication prepared by RB Date 9-16-93 Published in ID State Trn 1
Re Ad 10-7-93
Publication approved RB Date 10-25-93

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
JAN 10 1994

BLASER, SORESENSEN & HANSEN, *Chartered*

Attorneys at Law
(208) 785-4700
FAX No. 785-7080

Stephen J. Blaser
Murray Jim Sorensen
Scott H. Hansen

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DEC 7 1994

Department of Water Resources

285 N.W. Main
MAILING ADDRESS:
P.O. Box 1047
Blackfoot, Idaho 83221

December 5, 1994

Department of Water Resources
ATTN: Julie L. Yarbrough
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

RE: Permit No. 29-08123
Dayle and Carol Holm

Dear Julie:

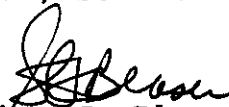
Per your letter of October 31, 1994, and the above permit number, I enclose the Proof of Beneficial Use, which has been executed by my clients, and a check for \$50.00 for that fee.

Further, it is my understanding that someone from your office will be contacting them this next summer to come out and inspect their application for beneficial use.

Thank you for your assistance.

Yours very truly,

BLASER, SORESENSEN & HANSEN, Chrt.


Stephen J. Blaser
Attorney at Law

SJB/sb/931236e.1tr
Enclosures
cc: Dayle Holm



DEC 29 1994

December 16, 1994

CAROL HOLM
DAYLE HOLM
524 W 37 S
BLACKFOOT ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-08123

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,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

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DEC 29 1994

October 31, 1994

CAROL HOLM
DAYLE HOLM
524 W 37 S
BLACKFOOT ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 29-08123

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 January 1, 1995. (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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

DEC 29 1994

CERTIFIED MAIL

NO. 141697



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 18, 1994

Carol and Dayle Holm
524 W. 37 S.
Blackfoot, ID 83221

RE: Water Right Permit No. 29-08123

Dear Permit Holder:

Enclosed is a copy of the Order removing the measuring device condition from permit no. 29-08123.

If you have any questions or we can be of any assistance, please feel free to contact the Department.

Sincerely,

A handwritten signature in cursive script, reading 'Julie L. Yarbrough', is written over the typed name.

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: Stephen Blaser, William Becker, IDWR - E. Region

RECORDED

DEC 29 1994

JOHNSON OLSON, CHARTERED
P. O. BOX 1725
POCATELLO, IDAHO 83204-1725

L. CHARLES JOHNSON, III
L. CHARLES JOHNSON
SCOTT L. BURNHAM
WILLIAM W. BECKER
OF COUNSEL:
GERALD W. OLSON
CALLIS CALDWELL

THIRD FLOOR OF KEY BANK BLDG.
CORNER OF CENTER AND ARTHUR

TELEPHONE: 208/232-7926
FAX: 208/232-8161

January 11, 1994

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JAN 14 1994

Department of Water Resources

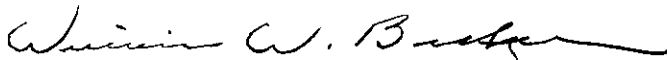
Mr. Jim Johnson
State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Permit No. 29-08123

Dear Mr. Johnson:

This is prompted by Stephen J. Blaser's January 10, 1994 letter addressed to you, referring to the above Permit. I agree with Mr. Blaser and believe that the hand-written agreement prepared at the conclusion of the hearing, protesting the above Permit, specifically stated that the matter would be controlled by the District Watermaster and monitored by him, if necessary. I do not have a copy of the appropriation permit referred to in the first paragraph of Mr. Blaser's letter, but concur with Mr. Blaser's statements.

Yours very truly,



William W. Becker

WWB/so

c: Glenn Perkins (w/enclosure)

RECEIVED

DEC 29 1994

BLASER, SORESEN & HANSEN, *Chartered*

Attorneys at Law
(208) 335-4700
FAX No. 335-7080

Stephen J. Blaser
Murray Jim Sorensen
Scott H. Hansen

285 N.W. Main
MAILING ADDRESS:
P.O. Box 1047
Blackfoot, Idaho 83221

RECEIVED

JAN 12 1994

Department of Water Resources

January 10, 1994

Mr. Jim Johnson
State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

RE: Permit No. 29-08123

Dear Jim:

I enclose a copy of the Permit to Appropriate Water, which has been prepared and signed by Mr. Higginson, the water director.

We only have one problem with that and would ask that it be modified accordingly. Item No. 4 indicates that permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

There was no agreement to this. In fact, the discussion was that it would be extremely difficult to place a permanent measuring device. That was the reason for us to place the use of the water right subject to the control of the water master, allowing him to measure it. Discussion was that under the circumstances, a stopwatch and a bucket would probably be about as good as any type of measuring device.

We would ask that Item No. 4 be stricken from the permit. I am sending a copy of this to counsel for the parties who originally opposed the permit. If my understanding is incorrect, I am sure that he will advise you of his understanding. Otherwise, we would request that the change be made. Thank you.

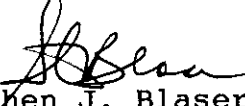
RECEIVED

DEC 29 1994

Jim Johnson
January 10, 1994
Page 2

Yours very truly,

BLASER, SORENSEN & HANSEN, Chrt.


Stephen J. Blaser
Attorney at Law

SJB/sb/931236c.1tr
Enclosure
cc: William W. Becker
Dayle Holm


DEC 29 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-08123

Proposed Priority: September 2, 1993

Maximum Storage Volume:

0.2 AF

This is to certify, that CAROL HOLM
DAYLE HOLM
524 W 37 S
BLACKFOOT ID 83221

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of DEMPSEY CREEK

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>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31		0.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 5, Township 10S, Range 38E
BANNOCK County

PLACE OF USE: RECREATION

TWN RGE SEC

10S 38E 5

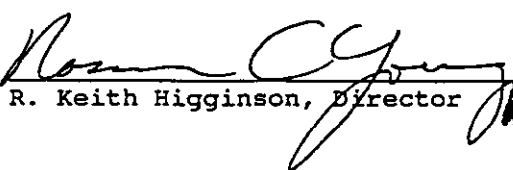
NWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1995.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 29.
4. Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
5. Use of water under this right may be affected by an agreement between the protestant and the right holder.
6. Use of water under this right shall be non-consumptive.

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

29TH day of DECEMBER, 1993.


R. Keith Higginson, Director

DEC 29 1994



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 4, 1994

DAYLE HOLM
CAROL HOLM
524 W 37 S
BLACKFOOT ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-08123

Dear Permit Holder(s):

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is 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 is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

MICROFILMED

JAN 10 1994

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
William W. Becker
PO Box 1725
Pocatello ID
83201-1725

4a. Article Number
1166

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery
11-29-93

5. Signature (Addressee)
JAN 10 1994

6. Signature (Agent)
Sharon Osterman

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ★ U.S.G.P.O. : 1992-307-530 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Dayle or Carol Holm
524 W 37 S
Blackfoot ID 83221

4a. Article Number
1165

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery
11-29-93

5. Signature (Addressee)
JAN 10 1994

6. Signature (Agent)
Bryan Holm

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ★ U.S.G.P.O. : 1992-307-530 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business

RECEIVED

NOV 30 1993

Department of Water Resources
Eastern District Office

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RECEIVED

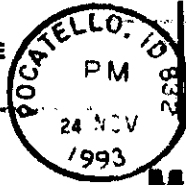
JAN 10 1994

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RECEIVED

NOV 29 1993

Department of Water Resources
Eastern District Office

JAN 10 1994

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

ok to advertise

Dist. for staffing 9-3-93
Submitted for advertising 9-7-93

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

29-8123

INITIAL REVIEW BY HWT DATE 9-7-93 APPLICATION NO. _____
Dayle or Carol Holm

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ 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
DEC 20 1993

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 29
☐ 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 10-4-93 10-25-93
☐ 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. _____
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 9-02-1993
By HWT Date 12-16-1993

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

Protest withdrawn;

Conditions, ~~under~~ This right will be under the control of
the water master of WD 29, Portneuf River

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other

Project impacts/implications report

COMMENTS

[illegible]

13-Sep-1993

ARLIN OLSON
WATER DIST 29
PO BOX 644
LAVA HOT SPRINGS ID 83246

RE: Application No.'s 29-08123

Dear Watermaster:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department as soon as possible.

If we may be of further assistance, please feel free to contact us.

Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Harold W. Jones *rb*
Water Right Supervisor

HWJ:rb
enc.

RECEIVED

JAN 10 1994

13-Sep-1993

IDAHO DEPT OF FISH & GAME
REGION 5
1345 S BARTON RD
POCATELLO ID 83201

RE: Application No. 29-08123

Dear Sir:

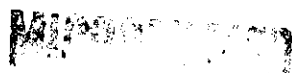
We are enclosing a copy of the application(s) that may be of interest to your department. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is 10-4-93 , and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,


Harold W. Jones
Water Right Supervisor

HWJ:rb
enc



JAN 10 1994

13-Sep-1993

DAYLE OR CAROL HOLM
524 W 37 S
BLACKFOOT ID 83221

RE: Application No. 29-08123

Dear Water Right Applicant:

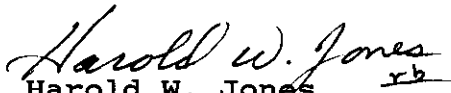
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the IDAHO STATESMAN on 9-16 & 23-93. The advertisement will be published for two consecutive weeks, and a period of ten days following the second 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 Right Supervisor

HWJ:rb

JAN 10 1994

IN THE MATTER OF)
APPLICATION FOR PERMIT)
29-8123 IN THE NAME)
OF DAYLE & CAROL HOLM)

STIPULATION

&

WITHDRAWAL OF
PROTEST

We have mutually agreed that the department of water resources should continue the processing of this application under the condition that; if approved it will be under the control of the watermaster of water district 29. It is further agreed that if the watermaster determines that the lower impoundment is impeding the flows to prior water rights the applicants will install an outlet structure within five (5) days of ^{notice of} such determination.

signed at Pocatello Idaho this
15th day of December 1993.

C. Dayle Holm
Carol Holm

Glenn Perkins
Mary O. Perkins
Jerry H. Perkins

NOV 10 1994

Dec. 15, 1993

Pre-hearing Conf. For Doyle Holm applic[#] 29-08123

- 1/ Stream (unnamed) is referred to as West Creek by Protestants.
- 2/ Invy. rt. Protestant has on (W. creek or unnamed stream) .72 cfs (A29-10830)
(29-00157)
(29 04364)
- 3/ Creek flows most of time & there are some contributing ~~stra~~ springs. First complaint was filed in 1988. Upper pond was always there & then house was built.
- 4/ Second pond was built recently.
- 5/ 1993 - no second crop was available because of lack of water in mid-July.
- 6/ Possible suggestion is measuring inflow v.s. outflow
- 7/ Request is for measuring device on outflow of each of two ponds
- 8/ Under water master control - Arlin Olson
- 6/ ~~Control release device on pond -~~
will call if inflow does not equal outflow
& outlet will be installed within 5 day of impedance of flow

* Send copies to each Party

JAN 10 1994

Officer: Ron Carlson

Name	Representing	Address
Stephen J Blaser	Doyle Holm	Po Box 1047 Blackfoot ID
DAYLE HOLM	SELF	524 W 37 S BLACKFOOT ID.
Carol Holm	self	524 W 37 S Blackfoot
William W. BECKER	PERKINS	321 VALLEYVIEW POCA
Glenn Perkins	self	Po Box 683 Pocatello
Mary J Perkins	Self	Po Box 683, Pocatello
Jerry Holm	Alm Perkins	Lava Hot Spr.

MICROFILMED

JAN 10 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 29-08123) NOTICE OF
IN THE NAME OF DAYLE OR CAROL) PREHEARING CONFERENCE
HOLM)
)

On September 2, 1993, Dayle or Carol Holm filed with the Department of Water Resources application for permit of water right No. 29-08123. The application was protested by William W. Becker of Johnson Olson, Chartered, on behalf of I. Glenn Perkins. The Department has scheduled the matter for conference on Wednesday, December 15, 1993, at 9:00 a.m. The conference will be held at the Pocatello Airport, Pocatello, ID, in accordance with the provisions of the adopted Rules of Procedure of the Department of Water Resources.

Agenda items for this prehearing conference will include:

1. Identify spokesman and/or counsel representing the protestant.
2. Review of the application.
3. Identify issues of protest.
4. Designate date for identifying witnesses.
5. Designate target date for conducting administrative hearing if resolution is not possible during the prehearing conference.

RECORDED
JAN 10 1994

The conference will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the Department within fourteen (14) days prior to the conference.

Dated this 23rd day of November 1993.


Regional Supervisor

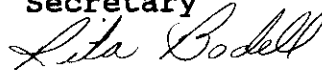
I hereby certify that on the _____ day of November, 1993, I mailed a true and correct copy, postage prepaid, of this document to the applicants(s) and protestants(s) listed below:

Certified Mail

DAYLE OR CAROL HOLM
524 W 37 S
BLACKFOOT ID 83221

I GLENN PERKINS
WILLIAM W. BECKER
JOHNSON OLSON, CHARTERED
PO BOX 1725
POCATELLO ID 83204-1725

Secretary




JAN 10 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

03-Nov-1993

DAYLE OR CAROL HOLM
524 W 37 S
BLACKFOOT ID 83221

RE: Application for Permit No. 29-08123

Dear Applicants:

Enclosed is a copy of a protest filed against the issuance of a permit. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protest. At a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for transfer (Sec. 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Is the proposed use contrary to conservation of water resources within the State of Idaho?

RECORDED

JAN 10 1994

Dayle or Carol Holm
Page 2

The applicant must be prepared to present evidence and/or testimony addressing each of the six items. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

If this office can be of further assistance, please contact us.

Sincerely,

Harold W. Jones

HAROLD W. JONES
Water Rights Supervisor

HWJ:rb

pc: IDWR - State Office
Enc.

RECEIVED
JAN 10 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

03-Nov-1993

WILLIAM W BECKER
JOHNSON OLSON CHARTERED
PO BOX 1725
POCATELLO ID 83204-1725

RE: Application for Permit No. 29-08123

Dear Mr. Becker:

Your protest against approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protest. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the applications for permit (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the applications for permit (Sec. 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Is the proposed use contrary to conservation of water resources within the State of Idaho?

RECEIVED

JAN 10 1994

William W. Becker
Page 2

The protestant must be prepared to present proof of allegations involving one or more of the six items.

If this office can be of further assistance, please contact us.

Sincerely,


HAROLD W. JONES
Water Rights Supervisor

HWJ:rb
pc: IDWR - State Office

JAN 10 1994

29-08123



JAN 10 1934



JOHNSON OLSON, CHARTERED
P. O. BOX 1725
POCATELLO, IDAHO 83204-1725

L. CHARLES JOHNSON, III
L. CHARLES JOHNSON
SCOTT L. BURNHAM
WILLIAM W. BECKER
OF COUNSEL:
GERALD W. OLSON
CALLIS CALDWELL

THIRD FLOOR OF KEY BANK BLDG.
CORNER OF CENTER AND ARTHUR
TELEPHONE: 208/232-7926
FAX: 208/232-9161

October 21, 1993

Harold W. Jones
Water Rights Supervisor
Department of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718

RECEIVED

OCT 25 1993

Department of Water Resources
Eastern District Office

RE: Application of Dayle and Carol Holm

Dear Mr. Jones:

This is written for I. Glenn Perkins, who, for himself and the other owners of the benefitted downstream properties, which have an appurtenant decreed right to the use of 0.72cfs of the waters of West Creek, tributary to the Portneuf River, to object to the above-referenced application for a permit to annually divert 0.23 acre feet of those waters in two upstream ponds for recreational use on the applicant's summer home property in the N.W. 1/4 of the S.W. 1/4 of Section 5, Township 10 South, Range 38 East, BM in Bannock County, Idaho.

The after-the-fact application is for the annual diversion of the requested amount of water to flood existing connecting ponds already constructed by the applicants for their recreational use. The application has been the subject of prior discussions and correspondence between us.

The diversion has been represented as a non-consumptive use, not impeding or diminishing the flow of water below the dammed ponds. This is contrary to the observations of the downstream user. Though this has been an unusual water year, the downstream user's flow of water was reduced to a comparative trickle of water, probably insufficient for the downstream users' purposes, despite the unusually heavy rainfall during the time the observations were made. From this, the non-consumptive character of the application is disputed. Further, there would appear to be a question as to whether the proposed diversion would be a beneficial use within the provisions of Article XV §3 of the Constitution of the State of Idaho.

It is requested that this be considered and treated as a protest under the provisions of §42-203A of the Idaho Code.

Respectfully submitted,

William W. Becker

William W. Becker

WWB/so

c: I. Glenn Perkins

RECORDED

JAN 10 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

29-Jul-1993

WILLIAM W BECKER
JOHNSON OLSON CHARTERED
PO BOX 1725
POCATELLO ID 83204-1725

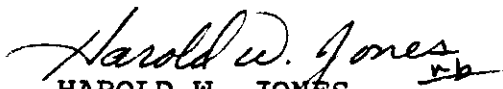
Dear Bill:

In response to your letter of June 24, 1993, about the pond on West Creek, I met with Arlin Olson to do an on site investigation. As per Mr. Perkin's complaint there is a second small pond below Dayle Holm's access road. There is adequate conduit pipe carrying the flow so that there does not appear to be impedance of the total stream flow.

Ordinarily, this type of structure would be approved if a permit were filed for Recreation (non-compsumptive) use. I think the only way to now approach this is for me to try to get Mr. Holm to file an application for permit and your client will have to protest and establish injury.

I will send Mr. Holm an inquiry letter and try to get this started.

Sincerely,


HAROLD W. JONES
Water Right Supervisor

APPROVED

JAN 10 1994

JOHNSON OLSON, CHARTERED
P. O. BOX 1725
POCATELLO, IDAHO 83204-1725

L. CHARLES JOHNSON, III
L. CHARLES JOHNSON
SCOTT L. BURNHAM
WILLIAM W. BECKER

THIRD FLOOR OF KEY BANK BLDG.
CORNER OF CENTER AND ARTHUR

TELEPHONE: 208/232-7926
FAX: 208/232-9161

OF COUNSEL:
GERALD W. OLSON
CALLIS CALDWELL

June 24, 1993

RECEIVED

JUN 28 1993

Department of Water Resources
Eastern District Office

Mr. Harold W. Jones
Water Resource Supervisor
Department of Water Resources
State of Idaho
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Dear Skip:

In August of 1989, you assisted my clients, Glenn and Mary Perkins, in removing a drain block that was interfering with the use of the Perkins's appropriated water in West Creek. Copies of our correspondence at that time are enclosed. These are: your letter to Perkins, dated January 5, 1988; my letter to you dated August 2, 1989; your reply, dated August 7, 1989; and my thanks to you, dated August 10, 1989.

Earlier this week, Glenn and Mary Perkins again called me to ask for help in removing a new obstruction interfering with their use of their decreed West Creek water. To my understanding Dayle Holm has again dammed the creek, limiting the water users below to overflow from that dam. Earlier, I believe that the Perkins's did register a complaint with Arlin Olson, the Watermaster in Lava Hot Springs. I understand the obstruction still exists.

I think the situation is almost identical to that in 1989 and will appreciate any help you can give to the Perkins, permitting them proper use of their decreed water.

If you have questions, or something further is needed, please call or write. Thank you.

Sincerely,

Bin

William W. Becker

WWB/cl
Enclosure
c: Glenn and Mary Perkins

MAILED

JAN 10 1994

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

Sandra K. Thompson

NOTICE OF
APPLICATION FOR
WATER RIGHT
The following applica-
tion was filed
for the purpose of
diversion of water
from the
HOLM, DAYLE
HOLM, CAROL
824 W 37 S
BLACKFOOT, ID 83221
Source: UNNAMED
STREAM Tributary: WEST
CREEK
Diversion Pt: NWSW
Sec 5 T 10S R 38E in
BANNOCK County.
Use: RECREATION
(230 CFS)
Total Diversion:
(230 CFS)
Date Filed: 9/2/1993
in: BANNOCK County
T10S R38E S05 NWSW
The permit(s) will be
subject to all prior
water rights. Protests
must be filed with the
Director, Dept. of Water
Resources, Eastern
Region, 800 N Skyline,
Boise Falls, Idaho 83402
on or before OCTOBER
25, 1993.
S. KEITH HOGGINSON,
Notary
Public
JAN 7, 14, 1993

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

<u>7 October</u>	<u>19 93</u>	<u>19</u>
<u>14 October</u>	<u>19 93</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning of
the laws of Idaho.

Sandra K. Thompson

STATE OF IDAHO

COUNTY OF Bannock

On this 14th day of October in the year of 1993,
before me, a Notary Public, personally appeared _____
Sandra K. Thompson, 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 executed the same.

Jeri L. Hansen
Notary Public for Idaho

Residing at Pocatello

My commission expires July 1997

JAN 10 1994

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

Sandra K. Thompson

NOTICE OF
APPLICATION FOR
WATER RIGHT
The Following applica-
tion(s) have been filed
to appropriate the public
waters of the State of
Idaho:
29-08123
HOLM, DAYLE
HOLM, CAROL
524 W 37 S
BLACKFOOT, ID 83221
Source: UNNAMED
STREAM Tributary: WEST
CREEK
Diversion Pt: NWSW
Sec 5 T 10S R 38E in
BANNOCK County.
Use: RECREATION
(.230 CFS)
Total Diversion:
(.230 CFS)
Date Filed: 9/2/1993
In: BANNOCK County
T10S R38E S05 NWSW
The permit(s) will be
subject to all prior
water rights. Protests
must be filed with the
Director, Dept. of Water
Resources, Eastern
Region, 900 N Skyline,
Idaho Falls, Idaho 83402
on or before OCTOBER
25, 1993.
R. KEITH HIGGINSON,
Director
October 7, 14, 1993
LN284

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

<u>7 October</u>	<u>19 93</u>	<u>19</u>
<u>14 October</u>	<u>19 93</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning of
the laws of Idaho.

STATE OF IDAHO

COUNTY OF Bannock

On this 14th day of October in the year of 1993,
before me, a Notary Public, personally appeared
Sandra K. Thompson, 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 executed the same.

[Signature]
Notary Public for Idaho

Residing at [Address]

My commission expires: August 1997

RECEIVED

SEP 29 1993

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Department of Water Resources

Eastern District Office

Amount Due

36.48

Account Number 100564		Identification NOTICE OF APPLICATION FOR WATER RIGHT	
Ordered By Rita Bodell	P.O. Number	Rate NT	Run Dates September 16, 23, 1993
State of Idaho Department of Water Resources Eastern Region 900 N. Skyline Idaho Falls, Idaho 83402		Estimated Inches.	Real Inches
		# Affidavits 1	Legal Number 5875

LEGAL NOTICE NOTICE OF APPLICATION FOR WATER RIGHT

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

29-08123

HOLM, DAYLE
HOLM, CAROL
524 W 37 S
BLACKFOOT, ID 83221
Source: UNNAMED STREAM
Tributary: WEST CREEK
Diversion Pt: NWSW

Sec 5 T 10S R 38E
in BANNOCK County.
Use: RECREATION (.230 CFS)
Total Diversion: (.230 CFS)
Date Filed: 9/02/1993
In: BANNOCK County

T10S R38E S05 NWSW
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N. Skyline, Idaho Falls, Idaho 83402, on or before OCTOBER 4, 1993.

R. KEITH HIGGINSON,
Director
September 16, 23, 1993 5875

CAROL PAYNE-CULPAN

, being duly

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of SEPTEMBER 16, 1993

and ending with the issue of SEPTEMBER 23, 1993

Carol Payne-Culpan

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 23RD day of SEPTEMBER in the year of 1993, before me, a Notary Public, personally appeared CAROL PAYNE-CULPAN, 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 she executed the same.

Notary Public for Idaho

Residing at BOISE, ID

My commission expires: 11-27-93

JAN 10 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 22, 1993

IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

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 OCTOBER 25, 1993.

Yours truly,

Rita Bodell
Secretary

Encl.

WATER RESOURCES

JAN 10 1994

NOTICE OF APPLICATION FOR WATER RIGHT

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

JAN 10 1994

29-08123

HOLM, DAYLE
HOLM, CAROL
524 W 37 S
BLACKFOOT, ID 83221

Source: UNNAMED STREAM

Tributary: WEST CREEK

Diversion Pt: NWSW Sec 5 T 10S R 38E in BANNOCK County.

Use: RECREATION (.230 CFS)
Total Diversion: (.230 CFS)

Date Filed: 9/ 2/1993

In: BANNOCK County
T10S R38E S05 NWSW

JAN 10 1994

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before OCTOBER 25, 1993.

R. KEITH HIGGINSON, Director

Published: 10/ 7/1993 & 10/14/1993

JAN 10 1994