

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04146
Date Received: 3/14/1990
Receipt No: 6012352
Received By: DEM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON H. OLSON 208-897-5286
Address: P. O. BOX 133
DOWNEY, ID 83234

OR
Name: ALICE H. OLSON 208-897-5286
Address: P. O. BOX 133
DOWNEY, ID 83234

2. Date of Priority: MAY 19, 1876

3. Source: YAGO CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	37E	3	NE	SW			BANNOCK
			NW	SW			BANNOCK

5. Description of diverting works:
PRIVATE DITCHES

6. Water is used for the following purposes:

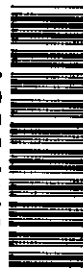
Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.000		
STOCKWATER	05/01	11/01	0.020		

7. Total Quantity Appropriated is:
4.020 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 125.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 20 HEAD DAIRY CATTLE

A2904146



A29-04146

Page 1

Date: 03/14/90

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	3	NE	SW		IRR	15.0
			NW	SW		IRR	15.0
			SW	SW		IRR	5.0
			SE	SW		IRR	15.0
						Section Acres	50.0
						Total Acres	50.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
N/A

14. Remarks:

This notice of claim includes flow from flood waters of Yago Creek which occur during spring of the year. See attached agreement concerning distribution of water between claimant and O. Thayne Thompson.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Alon H. Olson Date: MAR. 14, 1990
Date:

State of Idaho)
County of BOISEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of MARCH 19 90
[Signature]
Notary Public

Seal

Residing at IDAHO FALLS
My Commission Expires 9-12-94

J18A

25.7



4828
THAYNE THOMPSON
CAP CN #88-A
86-96
F-28
39.9

4828
Thayne Thompson
CAP CN #88-A
86-96
F-28
17.0

CAP
F-7 53.7
(See J18-A for info)

THAYNE THOMPSON
CAP #86-96
#828 CN #88-A
F-11 97.5

THAYNE THOMPSON
CAP #86-96
#876 CN #88-A
F-25 326.5

7617
DAN OLSON
CAP #86-96
#807 CN #88-A
F-1 50.6

THAYNE THOMPSON
CAP #86-96
#828 CN #88-A
F-11 13.6

THAYNE THOMPSON
CAP #86-96
#828 CN #88-A
F-22 42.8

THAYNE THOMPSON
CAP #86-96
#828 CN #88-A
F-23 42.3

DAN OLSON
CAP #86-96
#807 CN #88-A
F-1 59.4

Telle
Dan Olson
#807

102085
Nielson & Sons
#783

T11S
R376

NOT FILMED

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A29-04146

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-04146	11S 37E	3		NE	SW			BANNOCK		
A29-04146	11S 37E	3		NW	SW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: YAGO CREEK

TRIB: MARSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-04146	11S 37E	3		NE	SW			BANNOCK		
29-04146	11S 37E	3		NW	SW			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: YAGO CREEK

TRIB: MARSH CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
11S	37E	3		NE	SW			BANNOCK		
11S	37E	3		NW	SW			BANNOCK		

SOURCE: YAGO CREEK

TRIB: MARSH CREEK

REVIEWED BY: DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A29-04146

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	37E	3	NE	SW		OLSON, ALICE H	A29-04146 / 15.0	29-04146 / 8.0			
11S	37E	3	NW	SW		OLSON, ALICE H	A29-04146 / 15.0	29-04146 / 15.0			
11S	37E	3	SW	SW		OLSON, ALICE H	A29-04146 / 5.0	29-04146 / 7.0			
11S	37E	3	SE	SW		OLSON, ALICE H	A29-04146 / 15.0	29-04146 / 20.0			

ADDITIONAL POU FOUND

TOTAL ACRES A29-04146 50.00 50.00

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: N/A

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

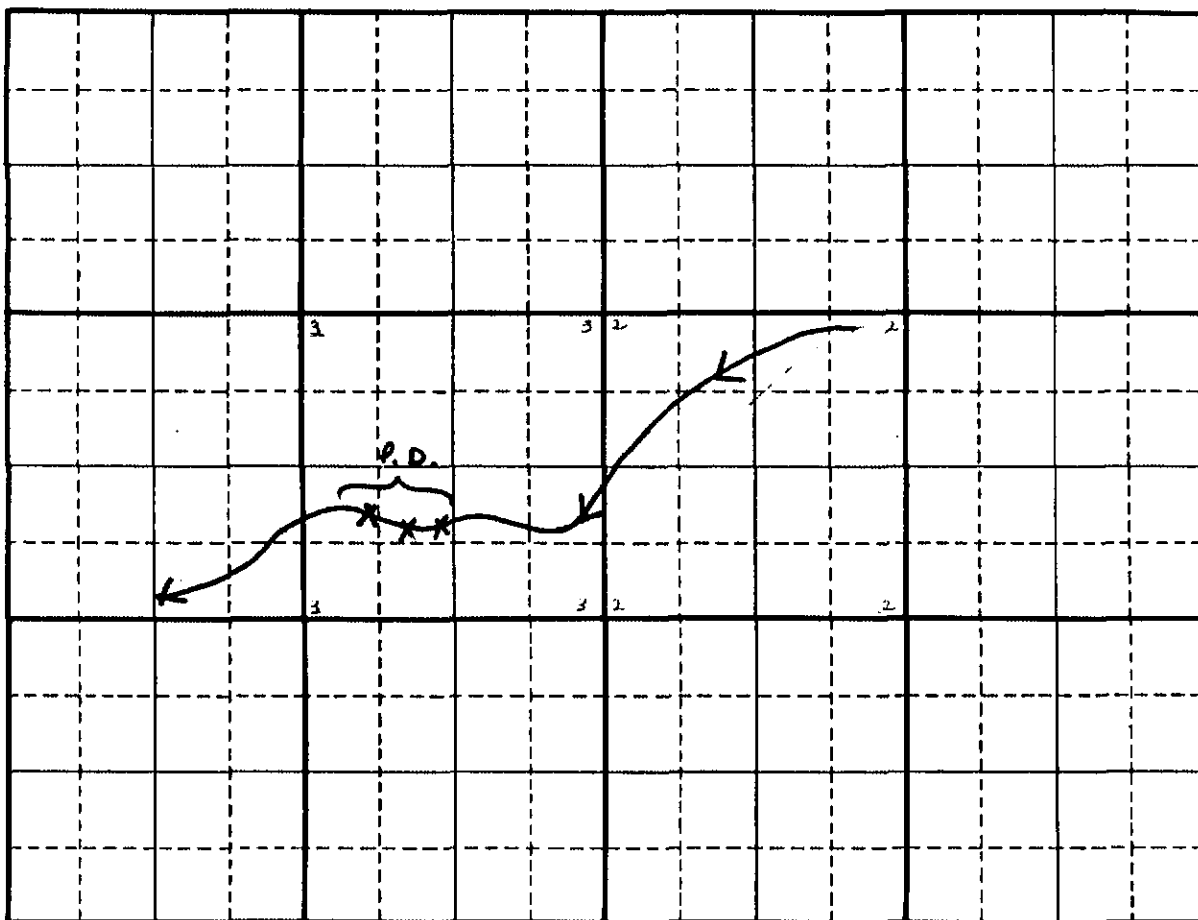
Log for claim A29-04146

Spatial Dynamics TWB

5/25/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	3	NESW	15	14	
11s37e	3	NWSW	15	14	
11s37e	3	SWSW	5	6.1	
11s37e	3	SESW	15	12	
11s37e	36	NESW	0	0	POD placement?
11s37e	36	NWSW	0	0	POD placement?
Totals:			50	46.1	

(8) Remarks Claimant purchased property from Edwin Tilletson.
See attached explanation.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bannock) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 28 day of Dec

Don H. Olson
(Claimant)

1979.

Lesley Stenard
Notary Public
Residing at Pattee Idaho

My commission expires 12/24/80

FOR DEPARTMENT USE ONLY

Received by EW Date 11/29/79 Exception filed by: _____ Date _____
Prelim. check by ENC Date _____
\$20.00 fee received by none Date _____
Published in The Idaho State Journal
Dates 12/13 & 12/20/79.

AJ5809NP
No. A29-04146

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 106

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALICE H OLSON	05/19/1876	IRRIGATION	03-15 11-15	4.000 CFS	
C	DON H OLSON		STOCKWATER	05-01 11-01	0.020 CFS	
	PO BOX 133					
	DOWNNEY ID 83234			TOTAL DIVERSION:	4.020 CFS	
	(208) 897-5286			CONSUMPTIVE USE:		125.00 AFA

Water Source: YAGO CREEK

Tributary to: MARSH CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T11S R37E S03

NESW

NWSW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
11S	37E	3	:											15	15	05	15			:	50.0
																				TOTAL ACRES	50.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER FOR 20 HEAD DAIRY CATTLE

Other Rights: N/A

Remarks: GEN This notice of claim includes flow from flood waters of Yago Creek which occur during spring of the year. See attached agreement concerning distribution of water between claimant and O. Thayne Thompson.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 03/14/90 MEYER 07/19/94 THOMPSON 03/29/95 POST-STD

Party of the first part (Lewin Tillotson) to use all of such water until April 15 each and every year. Party of the second part (Thompson) to use all such water for seven and one half days.

Then Tillotson have a term until May first. Then Thompson have all such water until May tenth. Then Tillotson to have one 24 hour day out of every ten days thereafter until October first. Then the water of such creek to be divided equally for the remainder of the season.

MICROFILMED

NOV 13 1992

AGREEMENT

This Agreement the 23rd day of November, 1928 Between Edwin Tilletson of Virginia County of Bannock State of Idaho, The party of the first part, and Orville Thompson of Virginia County of Bannock State of Idaho, The party of the second part, Witnesseth: That the said party of the ^{first} part in consideration of the covenants on the part of the said party of the second part hereinafter contained, Heroby covenants with the said party of the second part that the said party of the first part will accept the following terms in the usage of the waters of the Yega Creek which is appropriated to the W. A. Tilletson homestead, in the year 1875, and is recorded in Book *Jan. 16, 1887 7:00 a.m.* 1 Page of water locations Bannock County records.

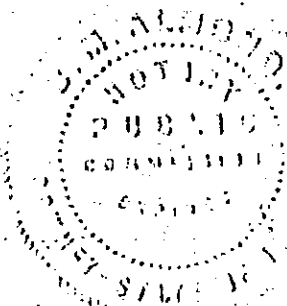
Party of the first part to use all of such water until April 15 each and every year. Party of the second part to use all of such water for a term of seven and one half days. (7½) Then party of the first part to have a term until May 1st. Party of the second part to have all of such water until May tenth. Party of the first part to have one 24 hour day out of every ten days thereafter until October 1. Then the water of such creek to be divided equally for the remainder of the season.

In witness whereof the said parties have hereunto set their hands the day and year above writon.

Signed

Edwin Tilletson
Orville Thompson

Executed in presence of



W.E. Jilbertson

in Book 16

of Documents page 163
Records of Blaine County
State of Idaho

Recorder

Deputy

Fee 4.00

At Request of
W.E. Jilbertson

(over)

173788

RECORDED

CLERK OF COURSE & RECORDS
BLAINE COUNTY IDAHO

9:20
OCT 10 1911

in Book 9

Miss page 179
Records of Blaine County
State of Idaho

James H. Wells

Recorder

Deputy

Fee 4.00

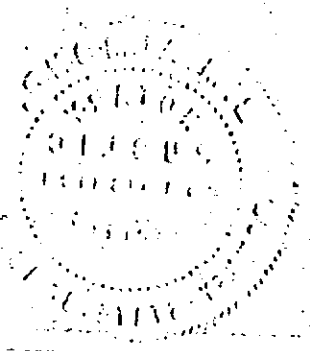
At Request of

W.E. Jilbertson

Downing Pt # 1

Box 56

(over)



Water location }
A. W. Hillotson }

29

To all whom this may concern I hereby and by these presents appropriate one half of the water of Yager Creek and all tributaries, a tributary of Marsh Creek in Bingham County Idaho Territory amounting to about 200 inches, said water so appropriated have been by me used heretofore ever since the 19th day of May 1876 on that certain tract of land lying and being about one half mile west of the Utah Northern Rail Road track where said R.R. crosses Yager Creek and running thence to within about 200 yards of Edward Fillo's land. Said water hereby appropriated is to be used on the tract of land above described for agricultural irrigation and other useful purposes, said land being situated in Bingham County Idaho Territory.

Signed A. W. Hillotson

Recorded at the request
of A. W. Hillotson, Jan. 16th 1889
at 9 o'clock A. M.

Geoff. Robethan, Recorder
By Jas. B. Miller, Deputy.

Transcribed from Book A of
Water Locations Page 270 Records
of Bingham County Idaho.

Transcribed from Book A of
Water Locations Page 270 Records