

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: A29-10357  
Date Received: 3/01/1990  
Receipt No: E012128  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: SPENCER J. OLSON 208-254-3985  
Address: 190 WEST MEADOWVIEW  
ARIMO, ID 83214

2. Date of Priority: MAY 20, 1862

3. Source: CHRIS JENSEN SPRING Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 10S      | 36E   | 20      | SE     | NE     | NW     |     | BANNOCK |

5. Description of diverting works:  
SPRING BOX

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.190  |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/ ONE HOME S/ UP TO 300 HEAD CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use    | Acres |
|----------|-------|---------|--------|--------|-----|--------|-------|
| 10S      | 36E   | 20      | NE     | NW     |     | STOCK  |       |
|          |       |         | NE     | NW     |     | DOMEST |       |

A29-10357

Page 1

Date: 03/01/90

A2910357



MICROFILMED  
NOV 16 1992

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:  
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 \_\_\_\_\_ 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): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

4/11/1989

## SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Olson

CLAIM IDENT. NO.

A29-10357

DATE RECEIVED

2/22/90

CK #

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☐
2. Is a priority date entered? ☐  
Is the priority date acceptable in view of mandatory filing dates?  
See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☐  
(b) Is a tributary to entered? (if required) ☐ N/A
4. Is the legal description of the p.d. sufficient? ☐
5. Is there a description of the diverting works? ☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐  
Is the period of use included? ☐  
Is a quantity claimed for each use? ☐
7. Is a total quantity claimed entered? ☐
8. If required is a consumptive use entered? ☐ N/A  
Is the consumptive use correct? ☐ N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ N/A
10. Is (are) the place(s) of use and purpose(s) indicated? ☐
11. Is (are) the county(ies) entered? ☐
12. Is the ownership of p.u. checked? ☐
13. Are other water rights listed or "none" indicated? ☐
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ N/A
15. Is the basis of the claim indicated? ☐
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☐
18. Has the claim been signed, sealed, and dated by a notary? ☐
19. Was this claim filed on time, or was an extension granted? ☐
20. Is the fee enclosed correct? ☐ Exempt
21. If this claim is based on an existing water right, has the identification number been entered? ☐ N/A
22. Should this claim be data entered? ☐

Claim checked by:

DC

Date:

3/1/90

Claim must be returned to claimant:

(Yes) ☒ (No)

Claimant must be notified of modifications:

(Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

DC

Date:

Date:

Date:

3/1/90

Checked by:

Date:

Comments:

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NOV 16 1992

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

Identification No. A29-10357Date Received 2-22-90Receipt Number E012128

# NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW  
For Domestic and/or Stockwater Purposes  
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) SPENCER J. OLSON Phone (208) 254 3985  
Mailing Address 190 West Meadowview, Arimo, Id Zip 83214
- Date of Priority (Only one per claim) May 20, 1862 Month/Day/Year
- Source of water supply (Check one) ( ) Groundwater or Other ( ) (a) Chris Jensen Spring  
which is tributary to (b) Sinks ~~Domestic Water~~  
Name or kind of source
- Location of point of diversion is: Township 10 S Range 36 E  
Section 20 ~~10~~, SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_, BM.,  
County of Bannock SW 1/4 160 AC.
- Additional points of diversion if any: \_\_\_\_\_
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well - 6" casing 250' deep Windmill - water  
line - water TANK
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)  
For Domestic/stock uses from Jan 1 to Dec 31 amount .30 04 (cfs)  
For Stock purposes from Jan 1 to Dec 31 amount .19 (Both dates are inclusive)
- Total quantity claimed .30 23 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic give number of households served if single owner and Number of livestock) 1 Household - 300 cattle

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NOV 16 1992

1b. Place of use is: Township: 10S Range 36E

Section 20, SE 1/4 of NE 1/4, Govt. Lot \_\_\_\_\_, B.M.,

County of Bannock for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any \_\_\_\_\_

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. None ( )

14. Remarks: Water was developed with The Homestead Act  
May 20, 1862

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

By signing I/We acknowledge reading the notice on the back of this claim form.

16. Signature (s) \_\_\_\_\_

I/We wish to receive for a small annual fee monthly copies of the docket sheet.

Number of Attachments \_\_\_\_\_

YES \_\_\_\_\_ NO X

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Spencer J. Olson Date Jan 27, 1990

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing

document in the space below as \_\_\_\_\_ of \_\_\_\_\_

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ } SS.

County of Bonneville }

Subscribed and sworn (or affirmed) before me this 22nd day of Feb 1990

SEAL

Notary Public Betty J. Thompson

Residing at \_\_\_\_\_

My Commission Expires 6-30-94

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

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NOV 16 1992

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: A29-10357  
Date Received: 2/22/1990  
Receipt No: E012128  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SPENCER J. OLSON 208-254-3985  
Address: 190 WEST MEADOWVIEW  
ARIMO ID 83214

2. Date of Priority: MAY 20, 1862

3. Source: CHRIS JENSEN SPRING Trib. to: SINKS

4. Point of Diversion:

| Township                         | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------------------------------|-------|---------|--------|--------|-----|-----|---------|
| Beginning Point of Instream Flow |       |         |        |        |     |     |         |
| 10S                              | 36E   | 20      | SE     | NE     | SW  |     | BANNOCK |
| Ending Point of Instream Flow    |       |         |        |        |     |     |         |
| 10S                              | 36E   | 20      | SE     | NW     | SE  |     | BANNOCK |

5. Description of diverting works:  
INSTREAM STOCKWATER

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.190  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
STOCKWATER, UP TO 300 HEAD CATTLE

MICROFILMED

APR 13 1994

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 10S      | 36E   | 20      | NE     | SW  |     | STOCK |       |
|          |       |         | NW     | SE  |     | STOCK |       |

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:

NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 \_\_\_\_\_ 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): Spencer J. Olsen Date: Jan 14, 1994  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Bonneville ) ss.

MICROFILMED

APR 13 1994

Subscribed and sworn (or affirmed) before me this 14 day  
of Jan 19 94 Wane C. B.  
Notary Public

Seal

Residing at Heise, Id  
My Commission Expires 2/26/96

Legals of Mr. Olsons  
property:

40 acres (All section 20)  
(each)

NE of SW

SW of SW

SE of SW

40 acres in NE  $\frac{1}{4}$

SW of SE

40 in NW

REFILMED

NOV 13 1950



# 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

*Austin A Marley*  
*Armo ID 83214*

MAILING DATE: *Jan 7, 1994*

RESPONSE DATE: *Jan 24, 1994*

RE: NOTICE OF CLAIM NO(S): *A29-10357*

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

*254.3985: Spencer J Olson*  
*190 W Meadowview*  
*Armo ID 83214* } *Did not sell any property to Marley. Please call.*

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the Response Date indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

*Donald V. Shaff*  
Donald V. Shaff  
Manager Adjudication Section

state:region

Enclosures:

Change of Ownership Form

Change of Address Form

MICROFILMED

NOV 13 1990



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

October 7, 1997

RECEIVED

PHILIP E. BATT  
GOVERNOR

OCT 16 1997

KARL J. DREHER  
DIRECTOR

SPENCER J OLSON  
190 N MEADOWVIEW DR  
ARIMO ID 83214

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA) / ✓ /  
Water Right No. A29-07275, A29-10356, A29-10358, A29-10363, & A29-12847  
Change of Address

A 29-10357

Dear Water Right Holder:

IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office postmarked by October 22, 1997. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

**If your mail delivery address changes in any form, please contact us in writing so we can update our records.**

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office toll-free at 1-800-451-4129 to obtain a form to make this required change to the water right records.

Yours truly,

Danni M. Smith  
SRBA Sr. Secretary

\*\*\*\*\*

The address is correct as shown above or as otherwise changed.

  
Signature of water right claimant

OK SVH 1-5-99

**STATE OF IDAHO**  
**IDAHO DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) A29-07275, A29-07158, A29-10356, A29-10357

Adjudication Claim Number(s) \_\_\_\_\_

2. The following REQUIRED information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) SPENCER J. OLSON & SHARA OLSON  
190 N MEADOWVIEW, ARIMO ID 83214  
P.O. BOX 156, ARIMO, ID 83214 (208) 2543985

4. New Owner/Claimant(s) PECK PROPERTIES, L.C.  
Name correction (Check one): ☐ AND ☐ OR ☐ AND/OR  
 New Mailing Address 1495 EAST 900 NORTH, LEHI, UTAH 84043

City, State and ZIP Code \_\_\_\_\_

New Telephone Number (801) 768-3922

5. Date you acquired the property 11-19-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 451 Number and type of stock \_\_\_\_\_

Diversion rate in CFS 7.74 Number of homes 1 Other uses \_\_\_\_\_  
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) [Signature] Date 10-29-98  
[Signature] Date 10-29-98

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



AJ0749NP  
No. A29-10357

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 01/11/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                        | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | PECK PROPERTIES LC<br>1495 E 900 N<br>LEHI UT 84043<br>(801) 768-3922 | 05/20/1862       | STOCKWATER | 01-01 12-31           | 0.19 CFS          |                     |
| TOTAL DIVERSION: |                                                                       |                  |            |                       | 0.19 CFS          |                     |

Water Source: CHRIS JENSEN SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T10S R36E S20

SENESE

BANNOCK County

Point(s) of Ending Stream Reach: T10S R36E S20

SENESE

BANNOCK County

Place of use Legal Description for: STOCKWATER

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |   |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 10S | 36E | 20 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |
|     |     |    | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |

POU County: BANNOCK

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: GEN CHANGE OF ADDRESS 10/23/97 DMS  
CHANGE OF OWNERSHIP 1-5-99 SVH

EXP STOCKWATER, UP TO 300 HEAD CATTLE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:  
Presumption Flag:



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr. Ste. A, Idaho Falls, Idaho 83402

Phone: (208) 525-7171 FAX: (208) 525-7177 [www.idwr.state.id.us/idwr/idwrhome.htm](http://www.idwr.state.id.us/idwr/idwrhome.htm)

**DIRK KEMPTHORNE**  
Governor

January 11, 1999

**KARL J. DREHER**  
Director

PECK PROPERTIES LC  
1495 E 900 N  
LEHI UT 84043

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP  
NOTICE OF CLAIM TO A WATER RIGHT A29-07158,  
A29-07275, 29-10356, A29-10357

Dear Mr. Peck:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

**Please keep this report for your records.**

Respectfully yours,

Jennifer Hoagland  
Technical Records Specialist

Enclosure

RIGHT NUMBER: 29-10357

NAME AND ADDRESS: PECK PROPERTIES LC  
1495 E 900 N  
LEHI UT 84043

SOURCE: CHRIS JENSEN SPRING

TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 05/20/1862

POINT OF DIVERSION:

T10S R36E S20 SENESW Begin of Stream Flow Within BANNOCK County

T10S R36E S20 SENWSE End of Stream Flow Within BANNOCK County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01/01 12/31          | 0.020 CFS       |

PLACE OF USE:

STOCKWATER Within BANNOCK County

|               |      |               |      |
|---------------|------|---------------|------|
| T10S R36E S20 | NESW | T10S R36E S20 | NWSE |
|---------------|------|---------------|------|

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.  
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER, 300 CATTLE  
PARCEL NO. R4265015600



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr. Ste. A, Idaho Falls, Idaho 83402

Phone: (208) 525-7171 FAX: (208) 525-7177 [www.idwr.state.id.us/idwr/idwrhome.htm](http://www.idwr.state.id.us/idwr/idwrhome.htm)

January 11, 1999

*Remove Peck  
back to Petersen  
file*

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

PECK PROPERTIES LC  
1495 E 900 N  
LEHI UT 84043

*NOTED*

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP  
NOTICE OF CLAIM TO A WATER RIGHT (A29-07158)  
A29-07275, 29-10356, A29-10357

*Merna C Markle*

*PO Box 56*

*ARIMO 83214*

*0036*

Dear Mr. Peck:

*BACK TO  
OLSEN*

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

*Jennifer Hoagland*

Jennifer Hoagland  
Technical Records Specialist

Enclosure

# ALLIANCE

TITLE & ESCROW CORP.

RECEIVED

NOV 23 1998

Department of Water Resources  
Eastern Region

NOVEMBER 20, 1998

SCOTT VAN HOFF  
DEPT. OF WATER RESOURCES  
900 N. SKYLINE DRIVE, SUITE A.  
IDAHO FALLS, ID 83402

RE: TRANSFER WATER CERTIFICATES

DEAR SCOTT,

ATTACHED, YOU WILL PLEASE FIND THE TRANSFER FOR WITH STOCK CERTIFICATE NUMBERS FOR THE TRANSFER OF WATER STOCKS IN BANNOCK COUNTY, IDAHO. PLEASE TRANSFER THE CERTIFICATES INTO THE NEW OWNERS NAME. IF YOU HAVE ANY QUESTIONS OR NEED FURTHER DOCUMENTATION, PLEASE DON'T HESITATE TO CALL ME AT 235-4317.

THANK YOU VERY MUCH,

RUTH M. RUBEL  
CLOSING OFFICER  
1-69521A & B



312 WEST CENTER • P.O. BOX 1176 • POCATELLO, ID 83204

208.232.6163 • FAX 208.233.0212 • 1.800.657.9409

c.k. sub 1-2-97

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) A29-07275, A29-07158, A29-10356, A29-10357

Adjudication Claim Number(s) \_\_\_\_\_

2. The following REQUIRED information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (Formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) SPENCER J. OLSON & SHARA OLSON  
190 N MEADOWVIEW, ARIMO ID 83214  
P.O. BOX 156, ARIMO, ID 83214 (208) 2543985

4. New Owner/Claimant(s) PECK PROPERTIES, L.L.C.  
Name corrector (Check one): ☒ AND ☐ OR ☐ AND/OR  
New Mailing Address 1495 EAST 900 NORTH, LEHI, UTAH 84043

City, State and ZIP Code \_\_\_\_\_

New Telephone Number (801) 768-3922

5. Date you acquired the property 11-19-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 451 Number and type of stock \_\_\_\_\_

Diversion rate in CFS 7.74 Number of homes 1 Other uses \_\_\_\_\_  
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) [Signature] Date 10-29-98  
[Signature] Date 10-29-98

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)  
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



## WARRANTY DEED

For Value Received

SPENCER OLSON AND SHARA OLSON, husband and wife

the grantor(s), do hereby grant, bargain, sell and convey unto

PECK PROPERTIES L.C.

whose current address is

1495 EAST 900 NORTH

LEHI, UT 84043

the grantee(s), the following described premises, in BANNOCK County IDAHO, to wit:

SEE ATTACHED "EXHIBIT A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, and their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee(s), that they are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 23, 1998

Spencer Olson  
SPENCER OLSON

Shara Olson  
SHARA OLSON

STATE OF IDAHO, COUNTY OF BANNOCK  
On this 23 day of OCTOBER, 1998  
before me, a Notary Public in and for said State, personally  
appeared

SPENCER OLSON &  
SHARA OLSON

RUTH M. RUBEL

NOTARY PUBLIC  
STATE OF IDAHO

known to me to be the person(s) whose name(s) I have written  
subscribed to the within instruments and acknowledged to me  
me that they executed the same.

Ruth M. Rubel  
Notary Public,

Residing at POCA TELLO, ID  
Comm. Expires 4-14-1999

98023291

NO. \_\_\_\_\_  
RECORDED AT REQUEST OF  
ALLIANCE TITLE & ESCROW  
'98 NOV 19 PM 3 47

OFFICIAL RECORD BOOK NO. 725  
BANNOCK COUNTY IDAHO  
LARRY W. LAMM RECORDER  
FEE 6.00 DEPUTY LC

## PARCEL 1:

LOTS 1 AND 2, WEST MEADOWVIEW ADDITION, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF BANNOCK COUNTY, IDAHO.

ALSO: BEGINNING AT THE NORTHWEST CORNER OF LOT 1, WEST MEADOWVIEW ADDITION TO THE CITY OF ARIMO, BANNOCK COUNTY, IDAHO; THE SAME BEING IN THE SW $\frac{1}{4}$ SE $\frac{1}{4}$  OF SECTION 7, TOWNSHIP 10 SOUTH, RANGE 37 EAST, BOISE MERIDIAN; THENCE SOUTHWESTERLY ALONG THE WEST BOUNDARY LINE OF SAID WEST MEADOWVIEW ADDITION 109.10 FEET; THENCE AT RIGHT ANGLES IN A WESTERLY DIRECTION 161 FEET MORE OR LESS TO THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY I-15, THENCE NORTHWESTERLY ALONG THE EAST BOUNDARY LINE OF SAID RIGHT OF WAY LINE 109.10 FEET MORE OR LESS TO THE POINT THAT WOULD BE AN EXTENSION OF THE NORTH LINE OF LOT 1, IN THE WEST MEADOWVIEW ADDITION AS ABOVE DESCRIBED; THENCE EASTERLY AT RIGHT ANGLES ALONG THE EXTENSION OF THE NORTH BOUNDARY LINE OF LOT 1, 185 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

TOGETHER WITH: ONE HALF (1/2) THE PLATTED ROAD EASEMENT ON THE SOUTH END OF LOT 16, FIRST ADDITION TO THE WEST MEADOWVIEW ADDITION A SUBDIVISION IN THE CITY OF ARIMO THIS HALF BEING THE SOUTH HALF OF THE ROAD EASEMENT.

## WARRANTY DEED

For Value Received

SPENCER OLSON AND SHARA OLSON, husband and wife

the grantor(s), do hereby grant, bargain, sell and convey unto

PECK PROPERTIES L.C.

whose current address is

1495 EAST 900 NORTH

LEHI, UT 84043

the grantee(s), the following described premises, in BANNOCK County IDAHO, to wit:

SEE ATTACHED "EXHIBIT A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, and their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee(s), that they are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 28, 1998

Spencer Olson  
SPENCER OLSON

Shara Olson  
SHARA OLSON

STATE OF IDAHO, COUNTY OF BANNOCK  
On this 28TH day of OCTOBER, 1998  
before me, a Notary Public in and for said State, personally  
appeared

SPENCER OLSON &  
SHARA OLSON

RUTH M. RUBEL  
NOTARY PUBLIC  
STATE OF IDAHO

known to me to be the person(s) whose names are subscribed to the within instruments and acknowledged to me that they executed the same.

Ruth M. Rubel  
Notary Public,  
Residing at POCA TELLO, ID  
Comm. Expires 4-14-1999

NO 98023292

RECORDED AT REQUEST OF  
ALLIANCE TITLE & ESCROW  
98 NOV 19 PM 3 47

OFFICIAL RECORD BOOK NO 725  
BANNOCK COUNTY IDAHO  
LARRY W. LIAH RECORDER  
FEE 60 DEPUTY 16

2-2  
"EXHIBIT A"

98023292

PARCEL 2:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, THENCE NORTH 0°9' WEST, ALONG THE WEST LINE OF SECTION 3, 808.5 FEET; THENCE NORTH 89°51' EAST 33 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF JENSEN ROAD SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE CONTINUING NORTH 89°51' EAST, 1039.50 FEET, THENCE SOUTH 0°09' EAST 513.50 FEET THENCE DUE EAST, 264.05 FEET; THENCE DUE SOUTH 247.50 FEET TO A POINT ON THE NORTHERLY R.O.W. LINE OF GLOVER ROAD, SAID POINT BEING 33 FEET NORTH OF THE WEST 1/16 CORNER ON THE SOUTH LINE OF SAID SECTION 3; THENCE NORTH 89°16' EAST, ALONG SAID NORTHERLY R.O.W. LINE OF GLOVER ROAD 1335.91 FEET TO A POINT ON THE MERIDIONAL CENTERLINE OF SAID SECTION 3, SAID POINT BEING NORTH 0°11' WEST AND 33 FEET DISTANT FROM THE SOUTH 1/4 CORNER OF SAID SECTION 3; THENCE NORTH 0°11' WEST, ALONG THE MERIDIONAL CENTERLINE, 2614.55 FEET TO THE CENTER 1/4 CORNER OF SAID SECTION 3; THENCE SOUTH 89°17' WEST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 3, 1648.1 FEET; THENCE SOUTH 0°09' EAST, 1378.60 FEET; THENCE SOUTH 89°51' WEST, 989.00 FEET TO A POINT ON THE EASTERLY R.O.W. LINE OF JENSEN ROAD. THENCE SOUTH 0°09' EAST, ALONG SAID EASTERLY R.O.W. LINE OF JENSEN ROAD, 471.50 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3:

TOWNSHIP 10 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO,

SECTION 20: SE 1/4 NW 1/4, E 1/4 SW 1/4, W 1/4 SE 1/4, NE 1/4 SE 1/4

SECTION 29: NE 1/4 NW 1/4, NW 1/4 NE 1/4, BEGINNING AT THE NORTHEAST CORNER OF NW 1/4 NW 1/4 OF SAID SECTION, THENCE SOUTH 330 FEET, THENCE AT RIGHT ANGLES WEST 132 FEET, THENCE AT RIGHT ANGLES NORTH 330 FEET, THENCE 132 FEET EAST TO THE POINT OF BEGINNING.

PARCEL 4:

TOWNSHIP 10 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO,

SECTION 19: SE 1/4 SE 1/4

SECTION 20: SW 1/4 SW 1/4

SECTION 29: NW 1/4 NW 1/4, EXCEPT, BEGINNING AT NORTHEAST CORNER OF NW 1/4 NW 1/4 OF SECTION 29, THENCE RUNNING SOUTH 330 FEET, THENCE AT RIGHT ANGLES WEST 132 FEET; THENCE AT RIGHT ANGLES NORTH 330 FEET; THENCE 132 FEET EAST TO THE TRUE POINT OF BEGINNING.

SECTION 30: NE 1/4

W.S.B.  
10/1/96

C/O - UNDO

29-10357 - BACK TO OLSEN

Merna C Marley  
PO BOX 56  
Armo, Id 83214  
owns it

~~A29-7158 - BACK TO PREVIOUS  
OWNERS PETERSEN  
PAGE  
CASHMORE  
JENKINS~~

LEAVE AS  
PECK

(A29-10363 - <sup>TO</sup> PECK)

CHANGE TO ↑

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 29-10357  
Date Received: 2/22/90  
Receipt No: E012128  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

SPENCER J OLSON Phone: (208)254-3985  
190 N MEADOWVIEW  
ARIMO ID USA 83214

2. Date of Priority: 05/20/1862

3. Source: CHRIS JENSEN SPRING Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type            |
|----------|-------|---------|-----------------------|---------|-----------------|
| 10S      | 36E   | 20      | SE NE SW              | BANNOCK | Beginning Point |
| 10S      | 36E   | 20      | SE NW SE              | BANNOCK | Ending Point    |

5. Description of diverting works:

INSTREAM STOCKWATER

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| STOCKWATER | 1/01 | 12/31 | 0.19   |            |

7. Total Quantity Appropriated is:  
0.19 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot | Use        | Acres |
|----------|-------|---------|----------------|------------|-------|
| 10S      | 36E   | 20      | NE SW          | STOCKWATER |       |

NW

SE

STOCKWATER

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:

14. Remarks:

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

CHANGE OF ADDRESS 10/23/97 DMS CHANGE OF OWNERSHIP 1-5-99 SVH

STOCKWATER, UP TO 300 HEAD CATTLE

15. Basis of Claim: Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

March 7, 2001

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

PECK PROPERTIES LC  
1495 E 900 N  
LEHI UT 84043

RE: OWNERSHIP CHANGE FOR 29-10357

Dear Mr. Peck:

In January 1999, our office changed the ownership on the above-referenced claim from Spencer Olson to Peck Properties. This change was made in accordance with a request signed by Carole S. Peck, Manager on 10-29-98.

We have since discovered this change was made in error. We have changed our records back to reflect Mr. Olson as owner. We are aware this property has been sold again and are following up on this matter.

If you have questions about this matter, please contact Senior Water Agent Dave Carlson at (208) 525-7161.

Sincerely,

Jennifer Crabtree  
Technical Records Specialist

cc: Spencer Olson

MAR - 8 2001

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern District Office  
900 N. Skyline Dr.  
Idaho Falls, ID 83402-1718

*No more  
longer file*

RETURNED  
TO  
SENDER

OLSON

SPENCER J OLSON  
190 N MEADOWVIEW  
ARIMO ID 83214

MAR 10 2001

29-10357 (stockwater)  
changed ownership  
back from Peck  
to Olson

RECEIVED  
MAR 09 2001  
Department of Water Resources  
Eastern Region

WATER RIGHT NUMBER - A29-10357

PREFIX TRANSLATION: ADJUDICATION CLAIM

GLD (C) NUMBER -

+ - - - - - LAST NAME - - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
OLSON

SPENCER J.

1 - 190 WEST MEADOWVIEW

2 -  
3 -

CITY- ARIMO

STATE- ID ZIP- 83214

PHONE - 208-264-3985

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +  
05/20/1962 15 EASTERN J - BENEFICIAL USE+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +  
CHRIS JENSEN SPRING SINKS+ - - - - - POINT OF DIVERSION - - - - - +  
TWN RNG SEC TRACT LUT RPLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

10S 36E 20 SE NE NW ( 5 ) BANNOCK

+ - - - - - WATER USE - - - - - +  
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER

01/01

12/31

0.190

43 - DOMESTIC

01/01

12/31

0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +  
0.230 0.0+ - - - - - PLACE OF USE - - - - - +  
TWN RNG SEC TRACT LUT ACRES CODE DESCRIPTION COUNTY

10S

36E

20

NE NW

04 STOCKWATER

( 5 ) BANNOCK

10S

36E

20

NE NW

43 DOMESTIC

( 5 ) BANNOCK

+ - - DIVERSION MEANS - SPRING BOX

+ - - NON-IRRIGATION USE - 3/ ONE HOME 3/ UP TO 300 HEAD CATTLE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +  
NO REMARKS FOUND.+ - - - - - ALL WATER RIGHT NUMBERS - - - - - +  
NO ALL WATER RIGHT NUMBERS FOUND.+ - - - - - DIVISIONS OF APPROVAL - - - - - +  
NO DIVISIONS OF APPROVAL FOUND.+ - - - - - DECREE PLAINTIFF - - - - + + - - - DECREE DEFENDANT - - - - + + - DECREE DATE - +  
00/00/0000

WATER RIGHT NUMBER - A29-10357

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - AUDIT FIELDS - 03/01/90 DCARLSON

-----COMMENTS-----  
NO COMMENTS FOUND

-----ADJUDICATION RIGHTS DATES AND FLAGS AREA-----

|                        |              |                       |              |                         |         |
|------------------------|--------------|-----------------------|--------------|-------------------------|---------|
| COURT REPORT FILING    | - 00/00/0000 | FIELD INSPECTION MADE | - 00/00/0000 | CIVIL CASE NUMBER       | - 39576 |
| OBJECTION FILED DATE   | - 00/00/0000 | FIELD INSPECTION FLAG | -            | OLD CASE NUMBER         | -       |
| RESPONSE FILED DATE    | - 00/00/0000 | VERIFIED DATE         | - 00/00/0000 | OLD JUDICIAL DISTRICT   | -       |
| CLAIM RECEIVED DATE    | - 02/22/1990 | LAST AMENDED DATE     | - 00/00/0000 | TEMPORARY RIGHT         | - P     |
| PROOF DUE DATE         | - 00/00/0000 | PROOF MADE DATE       | - 00/00/0000 | WATER DISTRICT          | -       |
| LICENSED DATE          | - 00/00/0000 | RECEIPT NUMBER        | - E012128    | FEDERAL/STATE INDICATOR | - S     |
| CLAIMS TAPE ERROR FLAG | -            | PDU OWNERSHIP FLAG    | - Y          | PRESUMPTION FLAG        | -       |
| FEE EXEMPT FLAG        | -            | NAME CONNECTOR        | -            | NOTICE OF ERROR FLAG    | -       |

R4265015600

CHANGE OF OWNERSHIP  
LETTER SENT 1-6-94

Marley, Austin A  
Armo 83214

CERTIFIED  
AUG 23 1993  
WATER EXAMINER

DATA ENTRY

ENTERED 9-22-93

CHECKED 12/4/93

"Verified By"  
Topo Map/Ortho-PQ  
AEG Map  
Watermaster Records  
NAFF Photos  
Field Exam  
Other (See Remarks)  
County Records  
Witness Statement  
Project Records  
IDWR Records

VERIFIED  
AUG 23 1993

PROOF  
OCT 03 1991

MICROFILMED  
APR 13 1994