

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: A29-11419
Date Received: 4/18/1990
Receipt No: EO13263
Received By: DA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: O. THAYNE THOMPSON 208-897-5798
Address: 18526
S. OLSON RD.
DOWNEY, ID 83234
OR
Name: BETTY M. THOMPSON 208-897-5798
Address: 18526
S. OLSON RD.
DOWNEY, ID 83234

A2911419



2. Date of Priority: MAY 01, 1965

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

4. Point of Diversion:

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

5. Description of diverting works:
HEADGATES IN STREAMS TO DITCHES. PUMP FROM DITCHES TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	09/15	2.260		

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

8. Total consumptive use is 282.5 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING FOR 150 HEAD OF RANGE CATTLE

A29-11419

Page 1

Date: 04/18/90

MICROFILMED

NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	4	NE	NW		IRR	40.0
			NW	NW		IRR	38.0
			SW	NW		IRR	15.0
			SE	NW		IRR	16.0

Section Acres 109.0

Total Acres 109.0

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:
MARSH VALLEY IRRIGATION CO.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

(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.

NOV 16 1954

A29-11419

185

4744

2.33

33

34

Johnson Creek
L. 4.2

3

4

3

120

2.65.7

T
R37E

YAGO

176

YAGO

T. 6.1.6
110

2

5.5

4

140

5

13.2

1

10.5

2

16.5

3

11.3

MICROFILMED

NOV 16 1962

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
A29-11419	11S 37E	4	NE	SE	NW			BANNOCK		
A29-11419	11S 37E	4	NW	NW	SE			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A29-04144 29-11420
A29-11420

WR RECORDS IN SAME 40 ACRE TRACT

29-04144

SOURCE: YAGO CREEK
UNNAMED STREAM

TRIB: MARSH CREEK
YAGO CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

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	4	NE	SE	NW			BANNOCK		
11S	37E	4	NW	NW	SE			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

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

A. ROOT WATER RIGHT NUMBERS: A29-11419

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	37E	4	NE	NW		THOMPSON, O THAYNE	A29-11419 / 40.0	- /			
			NE	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 40.0	- /			
			NE	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 40.0	- /			
			NE	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 40.0	- /			
			NE	NW		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 40.0	- /			
			NE	NW		THOMPSON, ORVILLE		29-02446 / 40.0			
11S	37E	4	NW	NW		THOMPSON, O THAYNE	A29-11419 / 38.0	- /			
			NW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 38.0	- /			
			NW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 38.0	- /			
			NW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 38.0	- /			
			NW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 38.0	- /			
			NW	NW		THOMPSON, ORVILLE		29-02446 / 40.0			
11S	37E	4	SW	NW		THOMPSON, O THAYNE	A29-11419 / 15.0	- /	6.0		
			SW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 25.0	- /			
			SW	NW		THOMPSON, O THAYNE	A29-04144 / 25.0	29-04144 / 8.0			
			SW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 25.0	- /			
			SW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 25.0	- /			
			SW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 25.0	29-04060 /			
			SW	NW		THOMPSON, ORVILLE		29-02446 / 10.0			
11S	37E	4	SE	NW		THOMPSON, O THAYNE	A29-11419 / 16.0	- /	30.0		
			SE	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 38.0	- /			
			SE	NW		THOMPSON, O THAYNE	29-11420 /	- /			
			SE	NW		THOMPSON, O THAYNE	A29-11420 /	- /			
			SE	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 38.0	- /			
			SE	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 38.0	- /			
			SE	NW		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 38.0	29-04060 /			
			SE	NW		THOMPSON, O THAYNE	A29-04144 / 22.0	- /			
			SE	NW		THOMPSON, ORVILLE		29-02446 / 40.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-11419	109.00	36.00
-------------	-----------	--------	-------

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

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-11419	YAGO CREEK	THOMPSON, O THAYNE	2.260	0.020		
A29-00052	UNNAMED STREAM					
A29-00052	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO	176.850	0.034		
A29-00053	TOPONCE CREEK	PORTNEUF MARSH VALLEY CANAL CO	164.430	0.032		
A29-00589	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			16410.00	3.23
A29-04060	TOPONCE CREEK					
A29-04060	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			21834.00	4.30
A29-04144	YAGO CREEK	THOMPSON, O THAYNE	4.000	0.014		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
29-11420	STOCKWATER	THOMPSON, O THAYNE	FROM 01-01 TO 12-31	0.070 CFS	
A29-11420	STOCKWATER	THOMPSON, O THAYNE	FROM 01-01 TO 12-31	0.070 CFS	

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: MARSH VALLEY IRRIGATION CO.

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()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

Log for claim A29-11419

Spatial Dynamics TWB

6/2/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	4	NENW	40	41	
11s37e	4	NWNW	38	40	
11s37e	4	SWNW	15	29	
11s37e	4	SEnw	16	18	
Totals:			109	128	

AJ5809NP
No. A29-11419

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 176

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	O THAYNE THOMPSON	05/01/1965	IRRIGATION	04-15 09-15	2.260 CFS	
C	BETTY M THOMPSON					
	18526 S OLSON RD				2.260 CFS	
	DOWNNEY ID 83234			TOTAL DIVERSION:		282.50 AFA
	(208) 897-5798			CONSUMPTIVE USE:		

Water Source: YAGO CREEK
UNNAMED STREAM

Tributary to: MARSH CREEK
YAGO CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R37E S04 NESENW NWNWSE BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
---	---	---		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
11S	37E	4	:					:	40	38	15	16	:					:					:	109.0	
																							TOTAL ACRES	109.0	

POU County: BANNOCK

Non-Irrigation Uses: INCIDENTAL STOCKWATERING FOR 150 HEAD OF RANGE CATTLE

Other Rights: MARSH VALLEY IRRIGATION CO.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-04144

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00052 A29-00053 A29-00589 A29-02446 A29-04060 A29-04144

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 04/18/90 VERNER 09/07/94 JTHOMPSO 03/29/95 POST-STD

IN THE MATTER OF:

SDWA adjudication
Yago Creek

AFFIDAVIT

Downey
State of Idaho
County of BannockO. Thayne Thompson being first duly sworn,

deposes and says: In reference to the use
of Yago Creek water on portions of the
north western quarter of Section 4 Township 11S
Range 37E, NW 1/4 S 4 11S R 37E, for irrigation,
it is based on the fact if water is available.
This doesn't not occur very often and the
land has not been tased as irrigated but
equipment is available if water is there to use.
The drought of several years has prevented that use.
Irrigation of small grains was primary use. I
would to protect my potential ability to make
this use.

O. Thayne Thompson
(Signature)Subscribed and sworn to before me this 2 day of March, 1955.Pauline A. Byler
(Notary Public)Residing at Downey Id
My Commission Expires 12-22-99