

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: A74-00837
Date Received: 4/17/1990
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: V DON OLSON 208-756-3062
Address: RT1 BOX 11A
SALMON ID 83467
OR
Name: KATHLEEN OLSON 208-756-3062
Address: RT1 BOX 11A
SALMON ID 83467
2. Date of Priority: DEC 31, 1894
3. Source: LEMHI RIVER Trib. to: SALMON RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 21N | 23E | 33 | NW | NW | | | LEMHI |
5. Description of diverting works:
HEAGATES/ DITCHES TO FLOOD IRRIGATION
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 6.100 | | |
7. Total Quantity Appropriated is:
6.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 507.5 Acre Feet Per Annum.
9. Non-irrigation uses:
S/ 350 HEAD CATTLE 12 HORSES

Microfilm
NOV 15 1990

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
21N	22E	13	SW		NW		IRR	28.0
			SE		NW		IRR	5.0
			NE		SW		IRR	20.0
			NW		SW		IRR	35.0
			SW		SW		IRR	23.0
			SE		SW		IRR	19.0
			Section Acres					130.0
		14	SE		NE		IRR	9.0
			NE		SW		IRR	9.0
			Section Acres					18.0
		24	NE		NW		IRR	36.0
			SE		NW		IRR	19.0
			Section Acres					55.0
			Total Acres					203.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

*THIS RIGHT WAS AMENDED TO REFLECT TRANSFER #4530 2-1-96 GJT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

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: A74-00837
Date Received: 4/17/1990
Receipt No: X999999
Received By: JC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: V. DON OLSON 208-756-3062
Address: RT1 BOX 11A
SALMON, ID 83467

OR

Name: KATHLEEN OLSON 208-756-3062
Address: RT1 BOX 11A
SALMON, ID 83467

2. Date of Priority: DEC 31, 1894

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
21N	22E	24	SW SE		LEMHI

5. Description of diverting works:
HEAGATES/ DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.100		

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

8. Total consumptive use is 507.5 Acre Feet Per Annum.

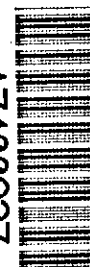
9. Non-irrigation uses:
S/ 350 HEAD CATTLE 12 HORSES

A74-00837

Page 1

Date: 04/17/90

A7400837



MICROFILMED

DEC 14 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	13	SW	NW		IRR	28.0
			SE	NW		IRR	5.0
			NE	SW		IRR	20.0
			NW	SW		IRR	35.0
			SW	SW		IRR	23.0
			SE	SW		IRR	19.0
			Section Acres				130.0
		14	SE	NE		IRR	9.0
			NE	SW		IRR	9.0
			Section Acres				18.0
		24	NE	NW		IRR	36.0
			SE	NW		IRR	19.0
			Section Acres				55.0
			Total Acres				203.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

AC. IRR. = 203.4.

CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER
COURT-AUTHORIZED STIPULATION.
DIV. L-5.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

A74-00837

Page

2

Date: 04/17/90

MICROFILMED

DEC 14 1992

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: 0

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): V. Dan Olsen Date: April 17, 1990
Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of April 19 90 Dane Carls
Notary Public

Seal

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

E-ADJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 4530
WATER RIGHT NO. 74-00837

AMENDED

This is to certify that: V DON OLSON
KATHLEEN OLSON
RT 1 BOX 11A
SALMON ID 83467

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	6.10 CFS	710.5 AF
<u>SOURCE</u>	<u>TRIBUTARY OF</u>		
LEMHI RIVER	SALMON RIVER		

Priority: 12/31/1894

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 33, Township 21N, Range 23E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
21N	22E	13	SWNW 28	SESW 5	NESW 20	
			NWSW 35	SWSW 23	SESW 19	130
		14	SENE 9	NESW 9		18
		24	NENW 36	SESW 19		55
Total number of acres irrigated:						* 203

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

RECEIVED
NOV 1 1995

JUN 27 1995

Department of Water Resources
Eastern District Office

AMENDED

TRANSFER NO. 4530
WATER RIGHT NO. 74-00837

AMENDED

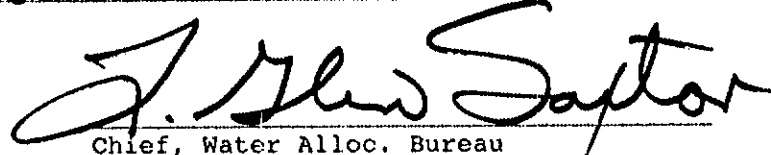
CONDITIONS/REMARKS:

4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Irrigation of 203.4 acres is authorized under Right No. 74-00837.

Dated this 23rd day of

June

, 1995.



Chief, Water Alloc. Bureau

RECORDED
NOV 15 1995

ADJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4530
WATER RIGHT NO. 74-00837

RECEIVED

APR 10 1995

Department of Water Resources
Eastern District Office

This is to certify that: **V DON OLSON**
KATHLEEN OLSON
RT 1 BOX 11A
SALMON ID 83467

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	6.10 CFS	710.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LEMHI RIVER	SALMON RIVER

Priority: 12/31/1894

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 33, Township 21N, Range 23E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
21N	22E	13	SWNW 28	SENE 5	NESW 20	
			NWSW 35	SWSW 23	SESW 19	130
		14	SENE 9	NESW 9		18
		24	NENW 36	SENE 19		55
Total number of acres irrigated:						* 203

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

RECORDED
NOV 15 1990

TRANSFER NO. 4530
WATER RIGHT NO. 74-00837

CONDITIONS/REMARKS:

4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 8. Irrigation of 203.4 acres is authorized under Right No. 74-00837.

Dated this 27th day of march, 1975.

J. Glenn Saylor
Chief, Water Alloc. Bureau

RECEIVED
NOV 15 1980

T # 4530
74-00837

- _____ PULL ORIGINAL ADJUDICATION CLAIM
- ☒ _____ MAKE COPY ORIGINAL TRANSFER APPLICATION
- ☒ _____ GET COPY OF APPROVED TRANSFER
- ☒ _____ PROOF REPORT OF WATER RIGHT FROM "WR"
- ☒ _____ SPLIT RIGHT (YES _____ NO ☒)
- ☒ _____ NEED CHANGE OF OWNERSHIP (YES _____ NO ☒)
- ☒ _____ GIVE TO AGENT
- ☒ _____ CHECKED AND DATA ENTERED
- ☒ _____ RECEIVED BACK FROM AGENT
- _____ SEND LETTER TO CLAIMANT
- _____ FILE IN "P" FILE

RECORDED
NOV 15 1974

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4530

RECEIVED
1-3-95
pf

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant V. DON AND/OR KATHLEEN OLSON Phone (208) 756-3062
Post Office address Route #1 Box 11A Salmon ID 83467

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes consolidation of points of diversions
to eliminate one Lemhi River diversion

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|-------------------|-----------------------|-------------------|-----------------------------|
| <u>74-00837</u> | <u>12/31/1894</u> | <u>6.1 cfs</u> | <u>irrigation</u> | <u>3-15</u> to <u>11-15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 6.1 cfs cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Lemhi River tributary to Salmon River
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system Rock berm in river, headgate, delivery system
to place of use.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

consolidation of these POD(s) will enhance fish habitat
and fish passage on this portion of the Lemhi River

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-00937 Decreed to William D. Clark
In case of STATE of IDAHO vs. William D. Clark
dated 6/17/1971 in IDAHO county of Lemhi
- b. License No. _____ Issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Lemhi River tributary to Salmon River

4. Date or priority 12-31-1894

5. Water is used for the following purpose:

amount 6.1 cfs for irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 6.1 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	24	21N	22E	Lemhi	L-5

8. Lands Irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
21N	22E	13							28.0	5.0	20.0	35.0	23.0	19.0					130.0
21N	22E	14				9.0					9.0								18.0
21N	22E	24					36.0		19.0										55.0

Total acres 203.0

9. Describe any other water rights used for the same purpose as described above none

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE:
ATTACHMENT 1



NOV 15 1990

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

V. Dan Olson

(Signature of Applicant)

Subscribed and sworn to before me this

3

day of

January, 19 95

DONNA L. GODFREY
NOTARY PUBLIC
STATE OF IDAHO

Donna L. Godfrey

(Notary Public)

My commission expires

May 1995

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by

WM

Date

1/4/95

Protest filed by

Prelim. check by

HJ

Fee

\$100.00

Received by

HJ# 2020601

Date

1-4-1995

Published in

Recorder Herald

Copies of protest forwarded by

Pub. dates

Jan. 19 1995-95

Hearing held by

Date

Watermaster recommendation requested on

Recommended for

☐

approval

☐

denial

rec'd.

by

Copy of transfer sent to lien holder

FEBRUARY 1, 1995

V DON OR KATHLEEN OLSON
RT 1 BOX 11A
SALMON ID 83467

RE: TRANSFER

Dear Mr. Olson:

Our office has received notice of your approved transfer #4530 of water right #74-00837. The Snake River Basin Adjudication claim filed on this right has been amended pursuant to the approved transfer.

Please review the enclosed notice carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notice, please place the copies with your records.

Respectfully submitted,

Gregory J Taylor
Sr. Water Resource Agent
Adjudications Bureau

GJT:sc

RECORDED
NOV 15 1996

PERSONAL REPRESENTATIVE'S AND TRUSTEE'S DEED

THIS DEED, Made by VERDELL OLSON, as Trustee of the WILLIAM D. CLARK TRUST and the MINNIE C. CLARK ESTATE, Grantor, to V. DON OLSON, whose current addresse is Rt. 1, Box 11A, Salmon, Idaho 83467, Grantee;

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number P-1582 in Lemhi County, Idaho; and

WHEREAS, Grantor is also the duly authorized, acting and qualified Trustee of the William D. Clark Trust;

NOW, THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee all of the interest of said estate in and to the following described real property in Lemhi County, Idaho:

See Exhibit "A" attached hereto and made a part hereof.

EXECUTED this 11th day of June, 1992.

Verdell Olson personal rep
Verdell Olson, Personal
Representative of the Estate
Minnie C. Clark, Deceased, and
Trustee of the William D. Clark
Trust.

STATE OF IDAHO,)
 : ss.
County of)

On this 11th day of June, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared VERDELL OLSON, known to me to be the person whose name is subscribed to the within instrument, as personal representative of the Estate of Minnie C. Clark, and the Trustee of the William D. Clark Trust, and acknowledged to me that he executed the same as such personal representative and Trustee.

James R. Smith
Notary Public for Idaho
Residing at: Challis, Idaho
My Comm. Expires: NOV 13 93
NOV 15 1990

EXHIBIT "A"

All of the estate's interest, the same being a one-half undivided interest in and to the following property, to-wit:

All of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and all of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 21 North, Range 22 East, Boise Meridian, Lemhi County, Idaho, lying east of Lemhi River, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, Township 21 North, Range 22 East, Boise Meridian, Lemhi County, Idaho.

SUBJECT TO the Order of the Court, dated February 8, 1992, in Case Numbers P-1519 and P-1582, in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Lemhi, Magistrates Division.

State of Idaho)
County of Lemhi)

ss No. 216598

This instrument was filed for record at
the request of Lemhi Title
at 3:00 o'clock p m 10-13 19 92
and duly filmed and indexed in the
records of Lemhi County

Alberta Wiederclok

Ex-Officio Recorder

By Terri J. [Signature] Deputy

Fees: 60

