

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: A75-04361
Date Received: 10/ 2/1990
Receipt No: E015288
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: R DANA MERRILL 208-865-2266
Address: PO BOX 252
NORTH FORK ID 83466

Name: JULIE NOVA MERRILL 208-865-2266
Address: PO BOX 252
NORTH FORK ID 83466

2. Date of Priority: NOV 17, 1921

3. Source: SALMON RIVER, NORTH FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	28	SW	NW			LEMHI

5. Description of diverting works:
REFER TO REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	28	SW	SW		IRR	

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.3
					Total Acres	4.3

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:

#5 - WOODEN HEADGATE ON NORTH FORK RIVER DIVERTS WATER INTO
MOTICHKA DITCH AND THENCE TO P.O.U. HEADGATE & DITCH ARE ABOUT
2 FEET WIDE, 1 TO 1-1/2 FEET DEEP. DITCH IS APPROX. 3/8 OF A MILE
LONG.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 42-243

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: A75-04361
Date Received: 10/31/1990
Receipt No: E015288
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK K. OLSON 714-599-9716
Address: 842 CALLE SERRA
SAN DIMAS, CA 91773

2. Date of Priority: NOV 17, 1921

3. Source: SALMON RIVER, NORTH FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	28	SW	NW			LEMHI

5. Description of diverting works:
REFER TO REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	28	SW	SW		IRR	4.3

Section Acres 4.3

Total Acres 4.3

A75-04361

Page 1

Date: 10/31/90

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DEC 15 1992

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:

#5 - WOODEN HEADGATE ON NORTH FORK RIVER DIVERTS WATER INTO
MOTICHKA DITCH AND THENCE TO P.O.U. HEADGATE & DITCH ARE ABOUT
2 FEET WIDE, 1 TO 1-1/2 FEET DEEP. DITCH IS APPROX. 3/8 OF A MILE
LONG.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 42-243

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 _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 75-04361

Date Received

Receipt Number E015288

Reg. 54.34 fee 50.00

RECEIVED

OCT 1 1990

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWDepartment of Water Resources
Eastern District Office1. Name of Claimant(s) Mark K. Olson Phone (714) 599-9716Mailing Address 842 Calle Serra, San Dimas, California Zip 917732. Date of Priority (Only (1) per claim) November 17, 19213. Source of water supply (a) North Fork Riverwhich is tributary to (b) Salmon River

4.a. Location of existing

point of diversion is: Township 25N. Range 21E. Section 28,1/4 of SW 1/4 of NW, Govt. Lot, B.M., County of Lemhi

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of1/4 of 1/4 Govt. Lot B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. _____

Wooden headgate on North Fork River diverts water into Motichka Ditch
and thence to place of use. Headgate and ditch are about 2 feet wide,
1 to 1-1/2 feet deep. Ditch is approximately 3/8 of a mile long.

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A7504361

6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount .4 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 15 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP:RNG:SEC:	NE1/4	:	NW1/4	:	SW1/4	:	SE1/4	:TLS
:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:
25N:21E: 28:	' ' ' '	:	' ' ' '	:	' ' ' '4.34'	:	' ' ' '4.34	:
:	' ' ' '	:	' ' ' '	:	' ' ' '	:	' ' ' '	:
:	' ' ' '	:	' ' ' '	:	' ' ' '	:	' ' ' '	:
:	' ' ' '	:	' ' ' '	:	' ' ' '	:	' ' ' '	:
:	' ' ' '	:	' ' ' '	:	' ' ' '	:	' ' ' '	:
:	' ' ' '	:	' ' ' '	:	' ' ' '	:	' ' ' '	:
:	' ' ' '	:	' ' ' '	:	' ' ' '	:	' ' ' '	:

Total number of acres irrigated 4.34

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

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.
_____ or None (X)

14. Remarks:

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Last Name Olson Ident. Number 75-04361

15. Basis of Claim (Check one) Beneficial Use ☒ Posted Notice ☐
Permit ☐ Decree ☐ License ☐

If applicable provide IDWR Water Right Number 75-04361 (42-243--Claim to a
Water Right)

Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 1

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

Signature of Claimant(s) Mark K. Olson Date 9-26-90
Mark K. Olson

For Organizations: I do solemnly swear or affirm that I am _____ of _____, that I have signed the
Title Organization

foregoing document in the space below as _____ Title
of _____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of ~~Idaho~~ or California)
County of LOS ANGELES) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of September, 1990



Notary Public Judith Kelley
Residing at 1108 Via Verde
My Commission Expires 12-20-90

17. Notice of Appearance:

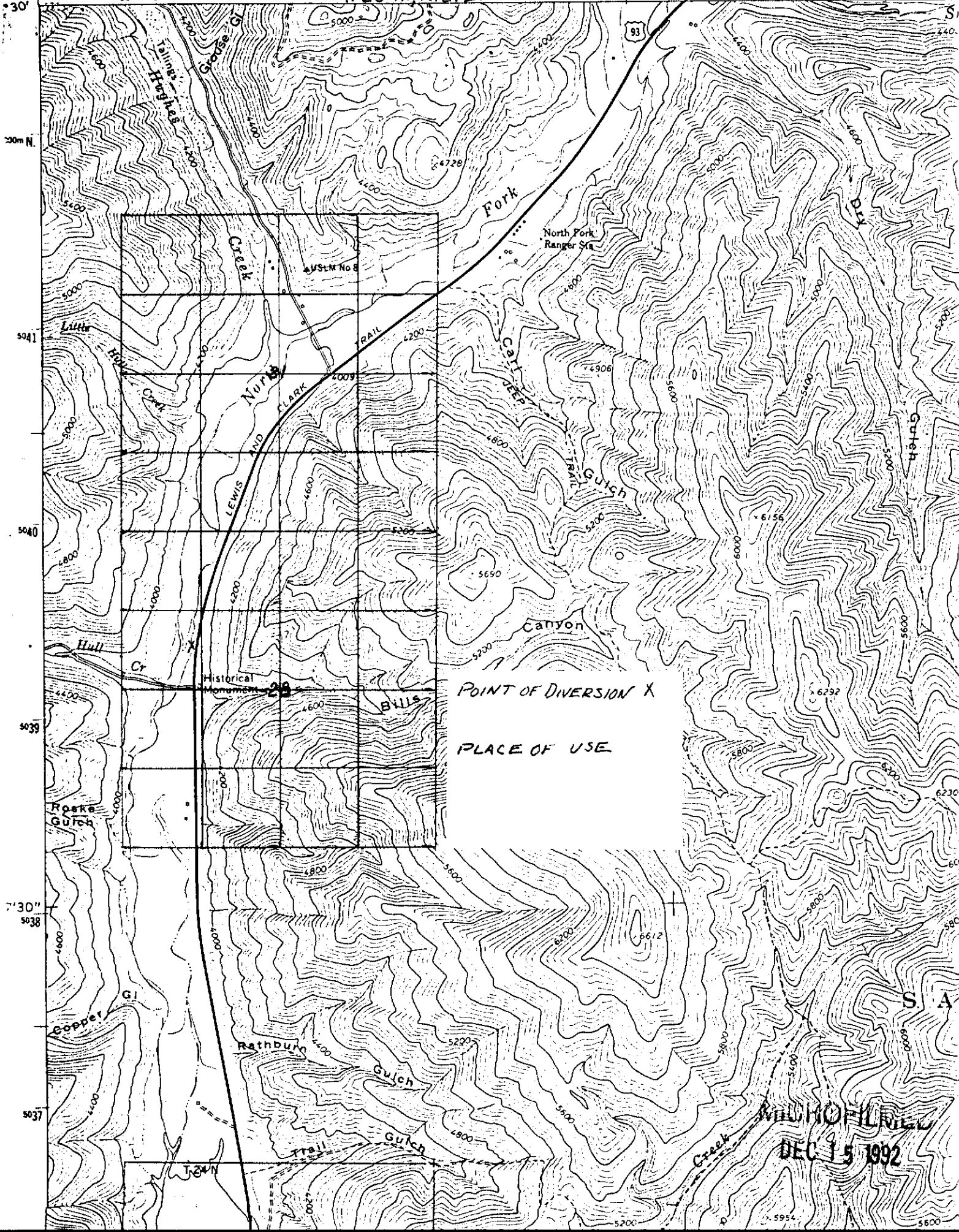
Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 10/1/90

Last Name Olson Ident. Number 74-04361 MICROFILMED
DEC 15 1992

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

114°00' 266000m E. T. 25 N. R. 21 E. 268 30" MISSOULA, MONT. 113 MI. 270 (GIBB) 3.
30" GIBBONSVILLE 4.2 MI.





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

OCTOBER 3, 1994

R DANA MERRILL
PO BOX 252
NORTH FORK ID 83466

RE: CHANGE IN OWNERSHIP FOR A75-04360 AND A75-04361

Dear Mr. Merrill:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

cc: ~~Bill Allen/copy letter~~

MICROFILMED
NOV 18 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

SEP 30 1994

DATE OF CLOSING: Sept. 23, 94

Department of Water Resources
Eastern District Office

LEGAL DESCRIPTION OF PROPERTY: Township 25 N Range 21 E
Section 28, SW 1/4 of SW 1/4 of 1/4 Govt. Lot, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

No "R" record

- ☐ Water Right Number(s)

Assigned by IDWR:

75-04360 and 75-04361

- ☐ Name and Address of Former Owner/Claimant(s)(Seller):

Mark K. Olson

842 Calle Serra,

San Dimas, Ca 91773

- ☐ New Owner/Claimant (Purchaser):

R. Dana Merrill and Julie Nova Merrill

- ☐ New Mailing Address:

P.O. Box 252

North Fork, Idaho 83466

- ☐ New Telephone Number:

(208) 865 - 2266

- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached:

Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s)

R. Dana Merrill

Date 9-29-94

Julie N. Merrill

Date 9-29-94

- ☐ Signature of Former Owner/Claimant(s):

Mark K. Olson

Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

NOV 18 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #1

CLAIMANT'S NAME

Olson Mark

CLAIM IDENT. NO.

75-04361

DATE RECEIVED

CK #

AMOUNT \$

YES

NO

Requires
Initial

1. Is the name and address complete with zip code? ☐
2. Is a priority date entered? ☐
3. 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: JSDate: 10/1/89Claim must be returned to claimant: ☐ YesClaimant must be notified of modifications: ☐ YesReceipt Prepared by: JSDate: 10/1/89Claim data entered by: JSDate: 10/1/89Sent to claimant by: JSDate: 10/1/89Checked by: JSDate: 10/1/89

Comments:

Code #3 Salmon River North Fork (TRB) Salmon River

DEC 15 1992

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
MARIE T. FEELEY
ROBERT M. FOLLETT

October 1, 1990

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

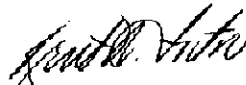
Gentlemen:

Enclosed for filing is one Notice of Claim on behalf of Mark K. Olson in Lemhi County, Idaho. We have also enclosed Mr. Olson's check in the amount of \$104.34 for the filing fees which are as follows:

\$50.00 Flat Fee
\$50.00 Late Fee
\$ 4.34 Variable Fee

Please direct any questions or concerns you may have to our office. Thank you for your assistance with this matter.

Yours very truly,



Kent W. Foster

#3693.01/srr

Enclosure

RECEIVED

OCT 1 1990

Department of Water Resources
Eastern District Office
MICROFILMED
DEC 15 1992