

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that O. Thayne Thompson
(Name of Claimant)
Downey Id. 83234 Telephone No. 897-5798
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 19 MAY, 1876

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Yago CK tributary to MARSH CK

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity <u>4.00 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>MAR 15</u>	To <u>NOV 15</u>
Quantity <u>.05 cfs</u>	Use <u>Stock</u>	Period of Use From <u>MAY 1</u>	To <u>NOV 1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 4.05 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 2 Twp. 11S Rge. 37E B.M., County of Bannock
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Cement diversion into private ditch 4'x3'

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11S	37E	10	40			40													80
11S	37E	11	51				40	40											80
			2																
			3																
			4																
			5																
			6																
			7																
			8																
			9																

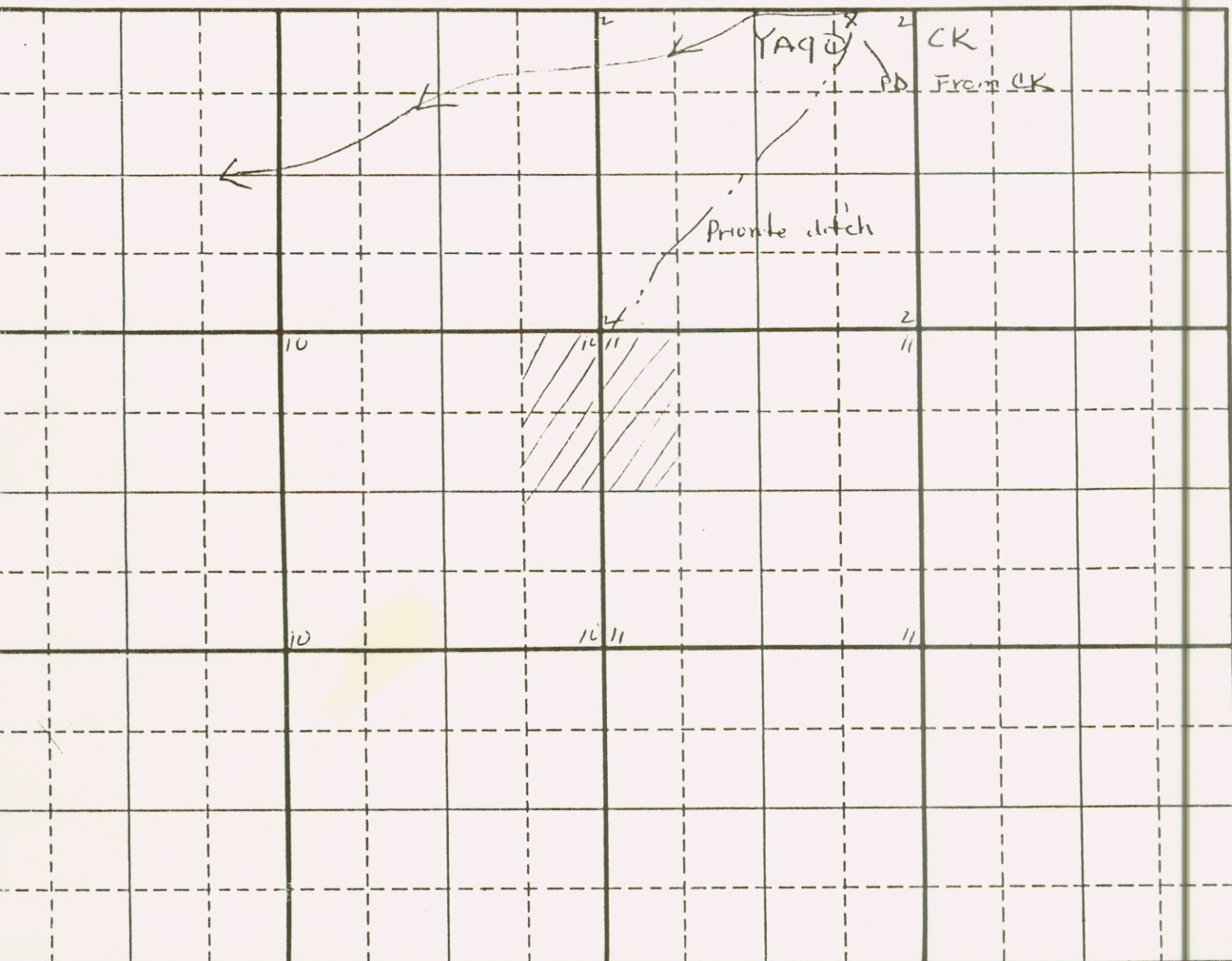
No. of acres 160

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic 200 Head Best CATTLE

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks Water diverted through the Yago-Cambridge ditch



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 Bonanza) 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 24th day of October, 1929.

Othman Thompson
(Claimant)

William Wray
Notary Public
Residing at Idaho Falls, Id.

My commission expires 6-15-31

FOR DEPARTMENT USE ONLY

Received by <u>Paul</u>	Date <u>10-24-29</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Paul</u>	Date <u>10-24-29</u>		claimant by:	
\$20.00 fee received by <u>Paul</u>	Date <u>10-24-29</u>			
Published in <u>Idaho State Journal</u>	<u>#13770</u>			
Dates <u>Nov 14-15-1929</u>				

IN THE MATTER OF:)

Water adjudication)
State of Idaho)
Yago Creek-Cambridge)
one-half)

AFFIDAVIT

State of Idaho)
County of BANNOCK)O. Thayne Thompson

being first duly sworn,

deposes and says:

This affidavit is in regard
to the use of the Cambridge share of the Yago
Creek water as it has been decreed.1. The ^{water} was used to irrigate hay, pasture and
small grains plus stockwater and domestic
yard use on the W $\frac{1}{2}$ NW $\frac{1}{4}$ S11 T11S R 37E
and E $\frac{1}{2}$ NE $\frac{1}{4}$ S10 T11S R 37E.2. This property was purchased by my grandfather
in 1904, later by my father and then his estate
one half interest to his son William O. Thompson. I later
purchased this interest, upon the death of our mother
her interest was given to the surviving children of
William O. Thompson. The property is now being
operated by Dennis Thompson a son of William O. Thompson.3. For the last 43 years I have been involved in its
operation and since 1930 have a personal knowledge
of its continue beneficial use, and I am certain
that it was so used from the time it was
homesteaded in the late 1890's by the Hancocks.1. purchased contract deed attached2. Minutes of Cambridge water users attachedO. Thayne Thompson
(Signature)Subscribed and sworn to before me this 2 day of March, 1995Paulina A. Byer
(Notary Public)Residing at Downy ID
My Commission Expires 12-22-99

POOR ORIGINAL

INS-REPORT NO. 282203

Minutes of meeting of the water users of Yago and Spring Creeks held April, 25th, 1932. For the purpose of discussing matters relative to general conditions of the same.

Fred Penrose was elected chairman of said meeting and Willis Brim was elected Secretary.

Orville Thompson then stated, "We should have a permanent organization".

Fred Penrose stated, "the special purpose for calling the meeting was the question of W. O. Thompson having early Water".

W. O. Thompson stated, that he had used the early water later in the spring previous to H. J. Wilding owning the Hy Bowman property, also he didn't feel he should loose one day for wetting the ditch.

Motion by H. J. Wilding, seconded by W. A. Dewey, that the Yago Water be taken by Cambridge users, April, 25th, and one day extra being allowed the party who takes first turn, motion carried unanimously.

Motion by H. J. Wilding, seconded by W. A. Dewey, that the water be taken at seven o'clock instead of eight and that the Yago water be taken from W. O. Thompson at five o'clock motion carried unanimously.

Orvill Thompson proposed, "That the water of both creeks be decreed."

W. O. Thompson was appointed to take care of the Cambridge half of Yago water relative to securing a court decree on said water.

The question of division was taken up. It was decided to construct a cement division gate.

Fred Penrose was appointed to set date for installation of division gate.

Motion by Willis Brim seconded by LerVon Newbold, that H. J. Wilding act as water master of Yago and Spring Creeks, motion carried unanimously.

Motion of adjournment by H. J. Wilding seconded by LerVon Newbold, Meeting adjourned.

APPROVED

W. O. Thompson
Orville Thompson
Willis Brim
Fred Penrose
H. J. Wilding
Secy'.

RECORDED JUN 18, 1951 3:05 PM, in Book 14 of Miscel, page 574. RECORDS OF BANNOCK COUNTY STATE OF IDAHO, At request of W. O. Thompson, Downey, Idaho

Anna Keefe, Recorder

Fee .75¢

NOV 13 1951

POOR ORIGINAL

This Indenture,

Made this

19

day of December

in the year of our Lord one thousand nine hundred and four

BETWEEN

William O. Thompson and his wife
Nancy Abi Thompson

of Downey, County of Bannock

State of Idaho

the parties of the first part, and Charles B. Hancock

of Downey, County of Bannock

State of Idaho

the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of

One thousand

DOLLARS,

lawful money of the United States of America, to them in hand paid by the said

party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold

and conveyed, and by these presents do grant, bargain, sell and convey, unto the said party of

the second part, and to his heirs and assigns forever, all that certain

lot, piece or parcel of land situate, lying and being in Downey, County

of Bannock and State of Idaho, and particularly described as follows, to-wit:

The East half (1/2) of the northeast quarter (1/4) of Section Ten (10) and the West half (1/2) of the northwest quarter (1/4) of Section Eleven (11) in Township Eleven (11) South of Range Thirty-seven (37) East of Boise meridian in Idaho containing one hundred and sixty acres together with all water rights in gage creek which is one third of one half less one day of every five days.

together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

POOR ORIGINAL

and also the amounts of all such payments of taxes, assessments, incumbrances or insurance as may have been made by said party of the second part, his heirs, executors, administrators or assigns, by reason of the permission hereinafter given, with the interest on the same hereinafter allowed, rendering the overplus of the purchase money, (if any there shall be), unto the said William O. Thompson and Nancy Abi Thompson parties of the first part, their heirs, executors, administrators, or assigns. And the said parties of the first part, do hereby further covenant, promise and agree, to and with the said party of the second part, to pay and discharge at maturity, all such taxes or assessments, liens or other incumbrances, now subsisting or hereafter to be laid or imposed upon said premises

or which may be in effect a prior charge thereupon to these presents, during the continuance hereof, and in default thereof the said party of the second part may pay and discharge the same, and may, at his option, keep fully insured against all risks by fire the buildings which are now or may be hereafter erected thereon, at the expense of the said parties of the first part, and the sums so paid shall bear interest at the rate of Eight per cent. per annum until paid, and shall be considered as secured by these presents and be a lien upon said premises, and shall be deducted from the proceeds of the sale thereof, above mentioned, with interest as herein provided.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

C. B. Hancock

W. O. Thompson (SEAL)
Nancy Abi Thompson (SEAL)

STATE OF IDAHO,

County of Bannock } ss.

On this 19

day of December

1904

before me, William Lamson, a Notary Public in and for said County, personally appeared

W. O. Thompson
and his wife Nancy Abi Thompson

known

to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same; and on this 19 day of December