

09/11/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4146
NAME AND ADDRESS: DON H OLSON
PO BOX 133
DOWNEY ID 83234

ALICE H OLSON
PO BOX 133
DOWNEY ID 83234

SOURCE: YAGO CREEK TRIBUTARY: PECK CREEK
QUANTITY: 0.63 CFS

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

PRIORITY DATE: 05/19/1876

POINT OF DIVERSION:

T11S R37E S3 SENESW Within BANNOCK County
T11S R37E S3 NESWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 11/01	0.020 CFS
IRRIGATION	04/01 10/31	0.630 CFS

PLACE OF USE: T11S R37E S03 NESW 9.3 T11S R37E S03 NWSW 8.3
T11S R37E S03 SWSW 3.3 T11S R37E S03 SESW 10.4

STOCKWATER same as IRRIGATION

31.3 ACRES TOTAL

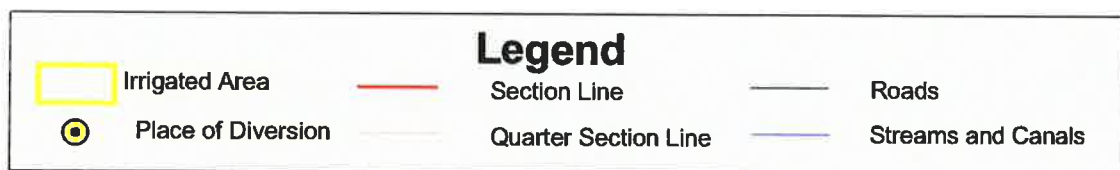
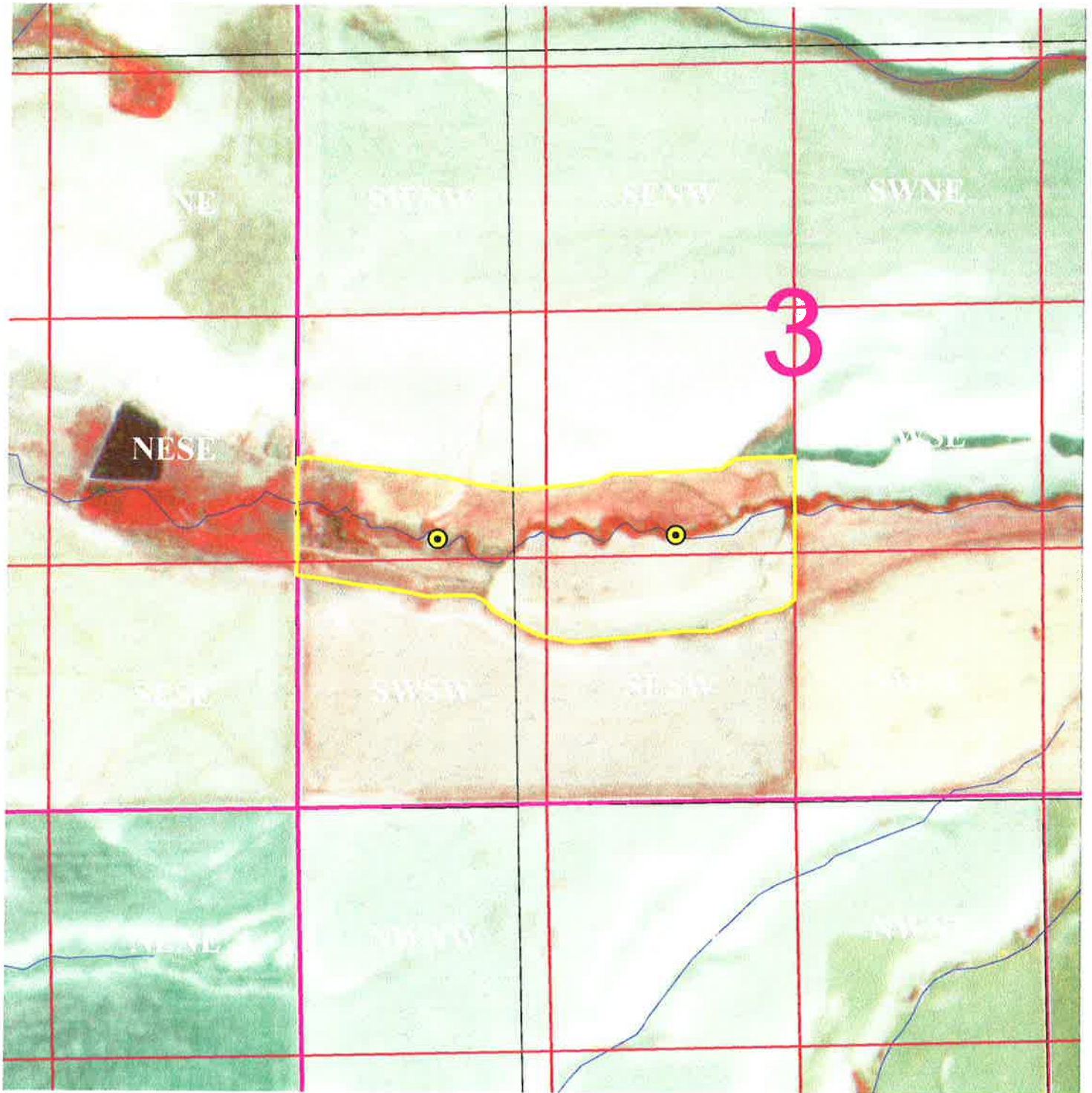
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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

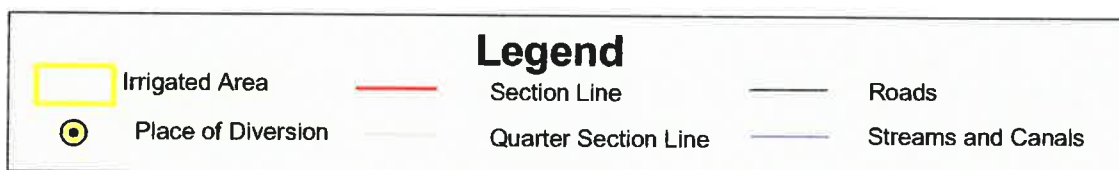
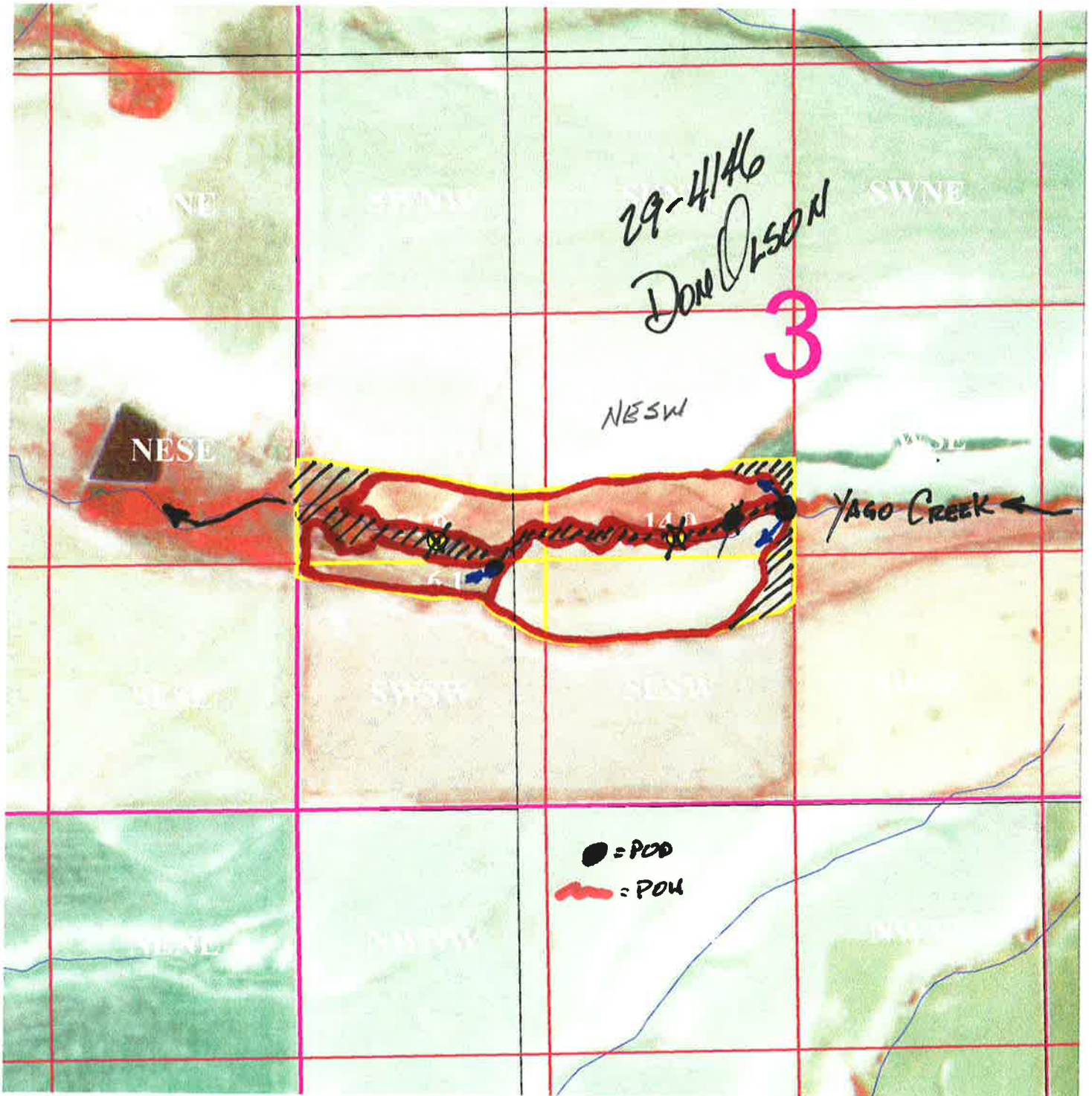
EXPLANATORY MATERIAL: Beneficial Use

Township , 11S37E



PROFILED

Township , 11S37E



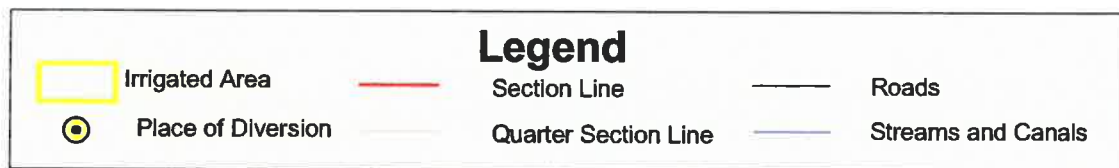
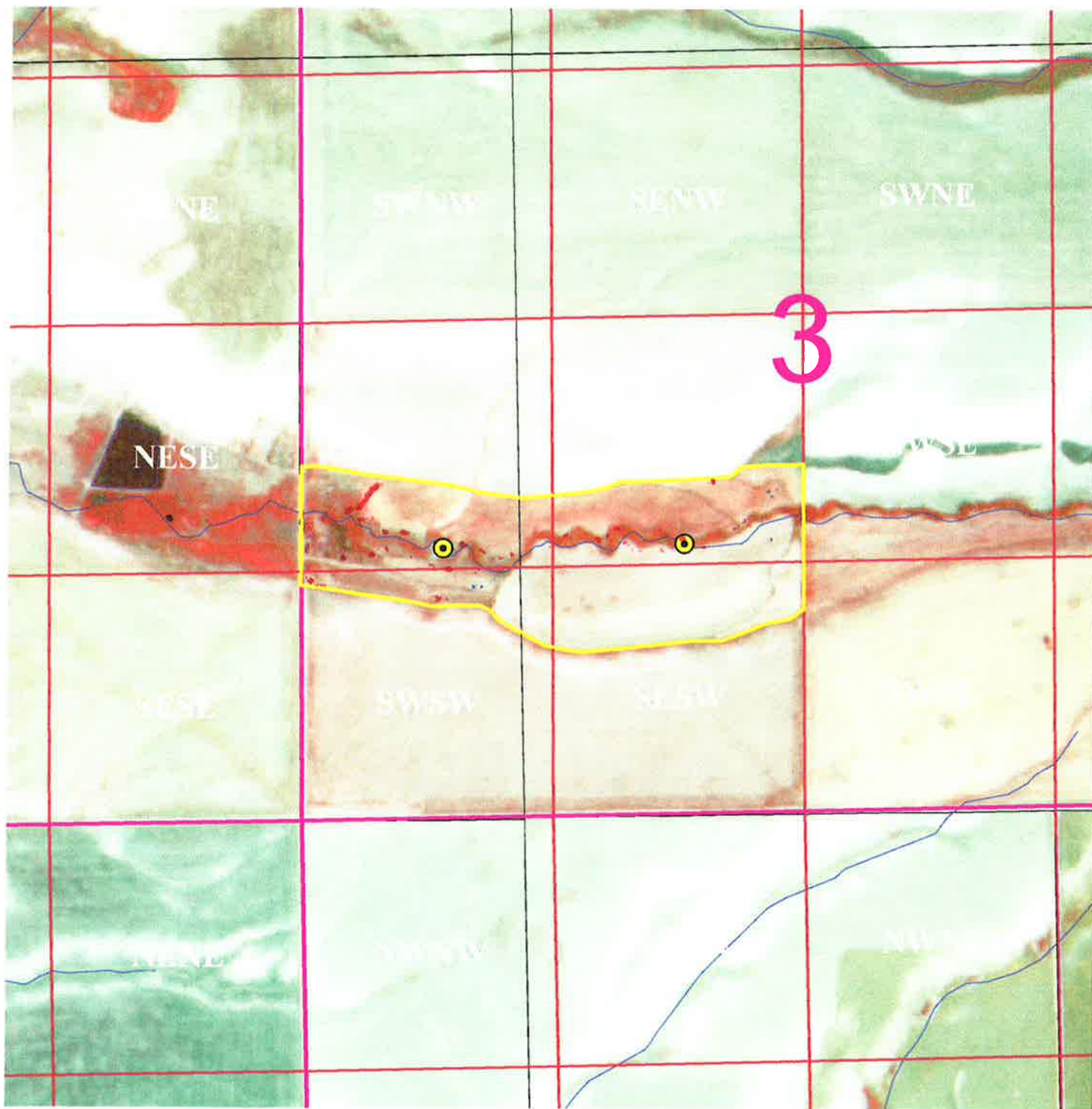
PROFILE

1000 0 1000 2000 Feet

SCANNED
FEB 25 2005

7/25/02
ASR

Township , 11S37E



PROFILED

SCANNED
FEB 25 2005



SCANNED
FEB 25 2005

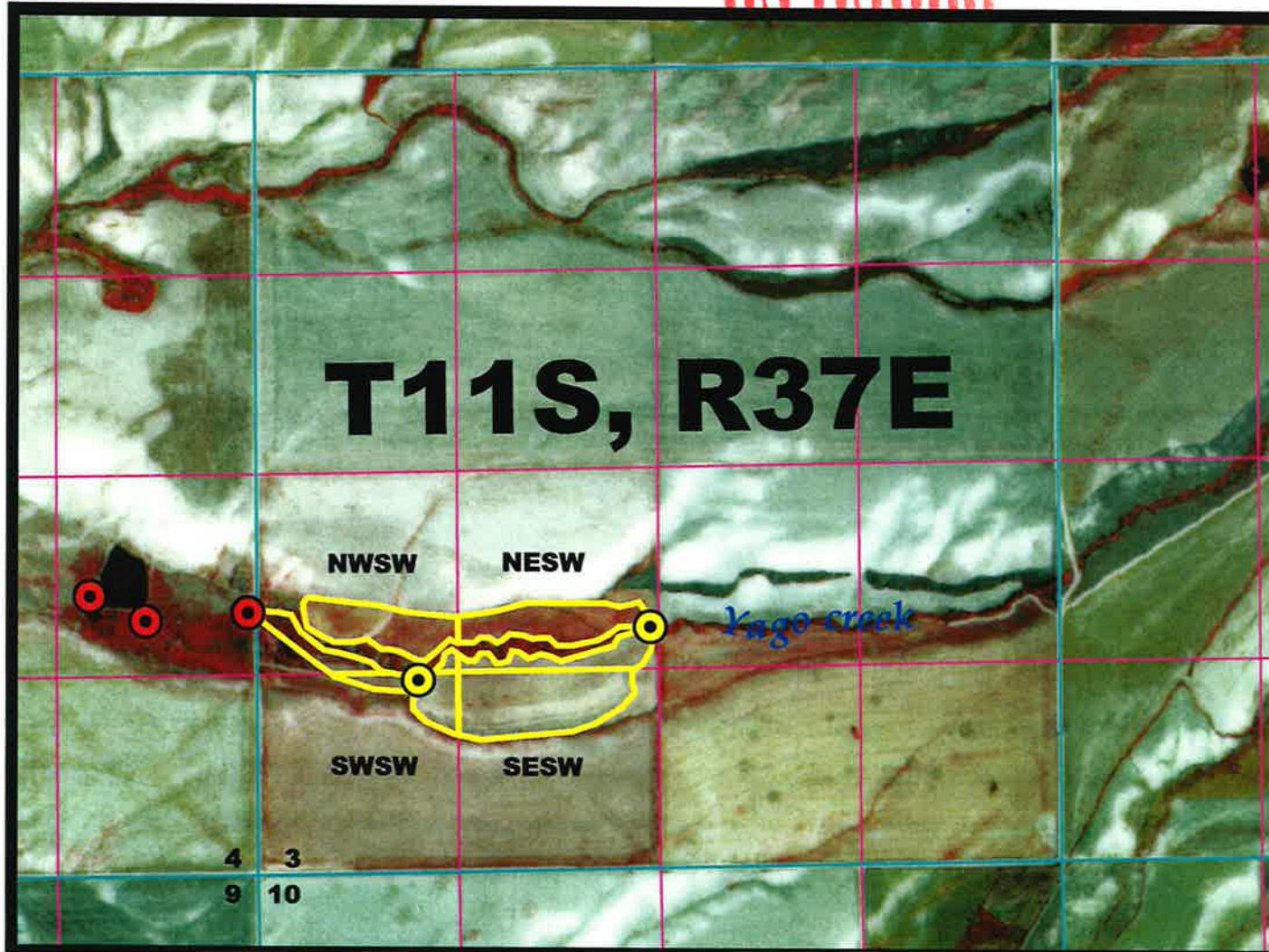
State of Idaho

Department of Water Resources

Eastern Region



PROFILED



Water Right(s):
29-04146

Place of Use: T11S, R37E
(parts of) Sec. 3 SW

Point(s) of Diversion: T11S, R37E
Sec. 3 SENESW, NESWSW



LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter

500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 Feet

T11S, R37E

$\frac{1}{2} = 3\frac{1}{2}$
M

Yago creek

NESW
9.3

SESW
10.4

NWSW
8.3

SWSW
3.3

4 3
9 10

PROFILED

CLAIM 29-4146
YAGO CREEK
T11S R37E
DON OLSON

Photo 1. Shows A
CONCRETE GATE THAT
BLOCKS YAGO CK FLOW
TO DIVERT NORTH
OR SOUTH TO FIELD

Photo 2. SHOWS
THE PASTURE HEAD
GATES FROM A DITCH
OFF YAGO CK (ON R
OF PHOTO).

SCANNED
FEB 25 2005



Photo 3. SHOWS AN
AREA ALONG NORTH
SIDE OF CREEK AND
SOUTH OF A FIELD
FENCE THAT IS TO
IRRIGATE. AS
CLAIMED.

Photos: 7/25/02 ASR

FEB 25 2005

SCANNED

PROFITED

29-04146 Bu Claim

GPS TAG #10012611
UPPER DIVISION

I. Claims 1876 priority DATE:

- A. Any DEEDS IN YACO CREEK None ? when found
- B. AGREEMENT DATES TO 11/23/1928: E. Thompson AND O. Thompson.

OK → C. WATER LOCATION DOCUMENT (DATED 1889) SPECIFICS 19 MAY 1876.
BKA. Pg 270, Bingham Co.

- II. D is DISCUSSED IN C. ABOVE AS: "... 200 INCHES..." "SOUND DISCUSSED IS W/AGREEMENT AND ALL TRIBUTARIES, A TRIBUTARY OF MURKIN CK.

III. INTERPID DRUG, MEASURES 1.77 cfs : CLAIMS 40 cfs on
5000 - 1001 5000 x .02 cfs = 1.0 cfs ⇒ Only 31 2/3 = 0.63 cfs
 1. Stockwater is NON-ADDITIVE VALUE, 500 GTS

LOCATION GPS TAG
SEE ABOVE

FE 7/25/02 VISITO PROPERTY; FOUND TWO POOLS; 10 SENSIN 20 SENSIN

MAPPER DEED - DIVISIONS DON'T LOOK TO BE USED
MUCH - AGREEMENT ATTRICED CONFORMS PRIORITY

AND REFLECTION AGREEMENT w/ O.T. Thompson.

CLARK WAS 'BASICALLY' ONLY DURING FE - IT

WOULD PROVIDE STOCKWATER BUT NOT ENOUGH
FOR IRRIG.



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID 29 4146
POD ID 200705
Quad Downey East
Claim Type L
Easting 654541
Northing 156467
GPSID A0012611 *ek*

Diversion Description

PRIVATE DITCHES. Check structure and headgates. Check can potentially generate 27" of head over 18" pipe, but pipe is fully silted in and ditches do not appear to have the capacity to carry that much water. Ground is in CRP. Check splits flow to parallel ditch systems on opposite sides of Yago Creek.

Assumptions

Scouring velocities in ditches are 2fps, ditches run at this velocity. Flow rate based on single ditch running bank full at 2 fps.

Invoice #

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin)
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked
Photos

OD ID 200705 01.JPG OD ID 200705 03.JPG OD ID 200705 05.JPG

OD ID 200705 02.JPG OD ID 200705 04.JPG

EPE (ft)	Date (M/D/Y)	Time	Flow Rate (CFS)
15	10/16/01	16.22	1.76625

Open Channel Flow ☒ Complete one box from both Area and Calculation sections

Cross Sectional Area

☒ **Circular Channel**

- ☐ Less than half full
☒ Half full
☐ More than half full
☐ Full

Diameter 1.5

Depth

☐ **Rectangular Channel**

Width

Depth

Flow Calculation

☒ **Continuity**

Velocity

2

☐ **Orifice**

(Use only for head over a pipe flowing full with free discharge)

Depth of Water
above orifice
centerline

☐ **Weir**

(Use only for water flowing freely over weir)

Height of water
above nappe

Width of weir

☐ **Manning** (If used, include photo of representative channel section)

Channel Slope 0

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

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SCANNED

FEB 25 2305

PROFILED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED
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 Don H. Olson
(Name of Claimant)
Downey, Idaho 83234 Telephone No. 897-5286
(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 Creek tributary to Marsh Creek

- (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>Jan. 1</u>	To <u>Dec. 31</u>
Quantity	<u>.02 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) 4.02 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 3 Sec. 3 Twp. 11S Rge. 37E B.M., County of Bannock
Additional points of diversion:
NW SW Sec. 3, 11S R. 37E.

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. Private Ditches

- (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.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
115	37E	3									8	15	7	20					50
								(Stock)			X	X	X	X					

No. of acres 50

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
20 herd dairy 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: AMERICAN

DATE: 04/24/00
PAGE: 106

Audit: 03/14/90 MEYER 07/19/94 THOMPSON 03/29/95 POST-STD

Party of the first part (Ewin Tillotson) to use all of such water until April 15 each and every year. Party of the second part (Thompson) to use all such water for seven and one half days.

Then Tillotson have a term until May first. Then Thompson have all such water until May tenth. Then Tillotson to have one 24 hour day out of every ten days thereafter until October first. Then the water of such creek to be divided equally for the remainder of the season.

MICROFILMED

NOV 13 1992

AGREEMENT

This Agreement the 23rd day of November, 1928 Between Edwin Tilletson of Virginia County of Banneock State of Idaho, The party of the first part, and Orville Thompson of Virginia County of Banneock State of Idaho, The party of the second part, Witnesseth: That the said party of the ^{first} ~~second~~ part in consideration of the covenants on the part of the said party of the second part hereinafter contained, hereby covenants with the said party of the second part that the said party of the first part will accept the following terms in the usage of the waters of the Yega Creek which is appropriated to the W. A.

Tilletson homestead, in the year 1878, and is recorded in Book *Jan. 16, 1887 7:00 a.m.*
of water locations Banneock County records.

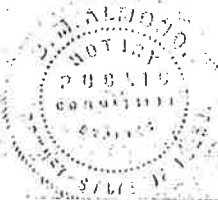
Party of the first part to use all of such water until April 15 each and every year. Party of the second part to use all of such water for a term of seven and one half days, (7½) Then party of the first part to have a term until May 1st. Party of the second part to have all of such water until May tenth. Party of the first part to have one 24 hour day out of every ten days thereafter until October 1. Then the water of such creek to be divided equally for the remainder of the season.

In witness whereof the said parties have hereunto set their hands the day and year above written.

Signed *Edwin Tilletson*

Edwin B. Tilletson *Orville Thompson*

Executed in presence of *[Signature]*



173768

RECORDED

CLERK OF DISTRICT COURT
COUNTY OF IDAHO

OCT 20 1931

(over)

At Request of
W. E. Linton
Recorder
Deputy

in Book 9
March page 119
Records of Bonanza County
State of Idaho

Grace R. Hall
Recorder

Clarence L. Mitchell
Deputy

Fee 40¢

At Request of

W. E. Linton

Deputy

Pl # 1
Br # 36



in Book 16

At Request of
W. E. Linton
Recorder
Deputy

Grace R. Hall
Recorder

Clarence L. Mitchell
Deputy

Fee 40¢

At Request of

W. E. Linton

Deputy

Pl # 1
Br # 36

(over)

... use on the tract
of land above described for agri-
cultural irrigation and other
useful purposes. said land being
situated in Bingham County Idaho
Territory.

Signed A. H. Hillotson
Recorded at the request
of A. H. Hillotson, Jan. 16 '1889
at 9 o'clock A. M.

Geo. W. Robethan, Recorder
By Jas. B. Miller, Deputy.

Transcribed from Book A of
Water locations Page 270 Records
of Bingham County Idaho.

Water location }
 A. W. Tillotson }

To all whom this may
 concern I hereby and by these pres-
 ents appropriate one half of the
 water of Yager Creek and all trib-
 utaries, a tributary of Marsh Creek
 in Bingham County Idaho Territory
 amounting to about 200 inches.
 said water so appropriated have
 been by me used heretofore ever
 since the 19th day of May 1876 on
 that certain tract of land lying
 and being about one half mile west
 of the Utah Northern Rail Road track
 where said R.R. crosses Yager Creek
 and running thence to within
 about 200 yards of Edward Tillotson's
 land. Said water heretofore appropriated

MAY 24 2001

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: A29-04146
Date Received: 3/14/1990
Receipt No: E012352
Received By: JEM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON H. OLSON 208-897-5286
Address: P. O. BOX 133
DOWNEY, ID 83234

OR
Name: ALICE H. OLSON 208-897-5286
Address: P. O. BOX 133
DOWNEY, ID 83234

2. Date of Priority: MAY 19, 1876

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	37E	3	NE	SW			BANNOCK
			NW	SW			BANNOCK

5. Description of diverting works:
PRIVATE DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.000		
STOCKWATER	05/01	11/01	0.020		

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

8. Total consumptive use is 125.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 20 HEAD DAIRY CATTLE

A29-04146

Page 1

Date: 03/14/90

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NOV 13 1992

A2904146



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	37E	3	NE		SW		IRR	15.0
			NW		SW		IRR	15.0
			SW		SW		IRR	5.0
			SE		SW		IRR	15.0
							Section Acres	50.0
							Total Acres	50.0

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:
N/A

14. Remarks:

This notice of claim includes flow from flood waters of Yago Creek which occur during spring of the year. See attached agreement concerning distribution of water between claimant and O. Thayne Thompson.

15. Basis of Claim: STATUTORY CLAIM

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 X 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): Don H Olson Date: MAR. 14, 1990

Date: _____

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of MARCH 19 90

[Signature]
Notary Public

Seal.

Residing at TRIMBLE FALLS
My Commission Expires 9-12-94

J18A

1949

28.7

33 34

CRP
F-7 53.7
(See M18-A for
info)

3 CRP 80-90
F-5 6.1

Thayne Thompson
CRP: CN 88-A
F-3 16.0

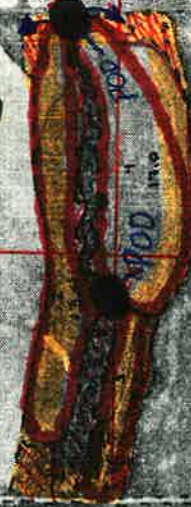
H928
Thayne Thompson
CRP: CN 88-A
80-90
F-28
39.9

Thayne Thompson
CRP 80-90
#828 CN 88-A
F-11 97.5

Thayne Thompson
CRP 80-90
#828 CN 88-A
F-25 226.5

T617
Don Olson
CRP 80-90
#907 CN 88-A
F-1 50.0

15 15
RE



5 15

Thayne Thompson
CRP 80-90
#828 CN 88-A
F-23 42.3

Thayne Thompson
CRP 80-90
#828 CN 88-A
F-22 88.5

9 10 TUBS
Nicksen + Sons
#783

T115
R37E

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NOV 13 1992

A29-04146