

01/25/2007

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

RIGHT NUMBER: 35-13531
NAME AND ADDRESS: J HENRY OLSEN
1005 W HWY 26
BLACKFOOT ID 83221

SOURCE: GROUND WATER
QUANTITY: 0.190 CFS
44.000 AFY

TRIBUTARY:

The rights listed below are limited to a total combined diversion rate of 5.57 cfs. Combined Right Nos.:35-13531, 35-2384, and 35-7092.

The rights listed below are limited to a total combined annual diversion volume of 1324 af. Combined Right Nos.:35-13531, 35-2384, and 35-7092.

PRIORITY DATE: 07/11/1978

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T01S R33E S35 NWNESE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.190 CFS 44.00 AFY

PLACE OF USE:

<u>IRRIGATION in BINGHAM County</u>					
T01S R33E S26	SESE	16.00	T01S R33E S35	NENE	39.00
T01S R33E S35	NWNE	40.00	T01S R33E S35	SWNE	40.00
T01S R33E S35	SENE	39.00	T01S R33E S35	NESE	39.00
T01S R33E S35	NWSE	40.00	T01S R33E S35	SWSE	39.00
T01S R33E S35	SESE	39.00			

331 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 331 acres in a single irrigation season. Combined Right Nos.:35-13531, 35-2384, and 35-7092.

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.

This right is based upon an enlargement of Right No. 35-2384 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The following rights are also diverted through point of diversion described above:35-13531, 35-2384, and 35-7092.

This right is for an enlargement of 11 acres within the place of use described for this right.



Idaho Department of Water Resources

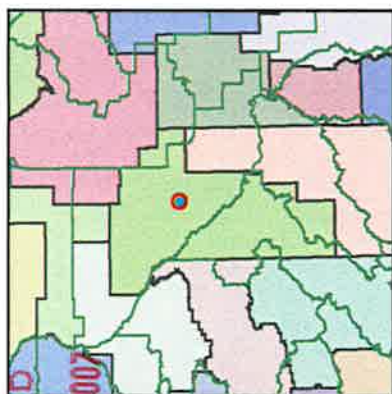
SRBA Recommendation:

35-13531

(Irrigation)

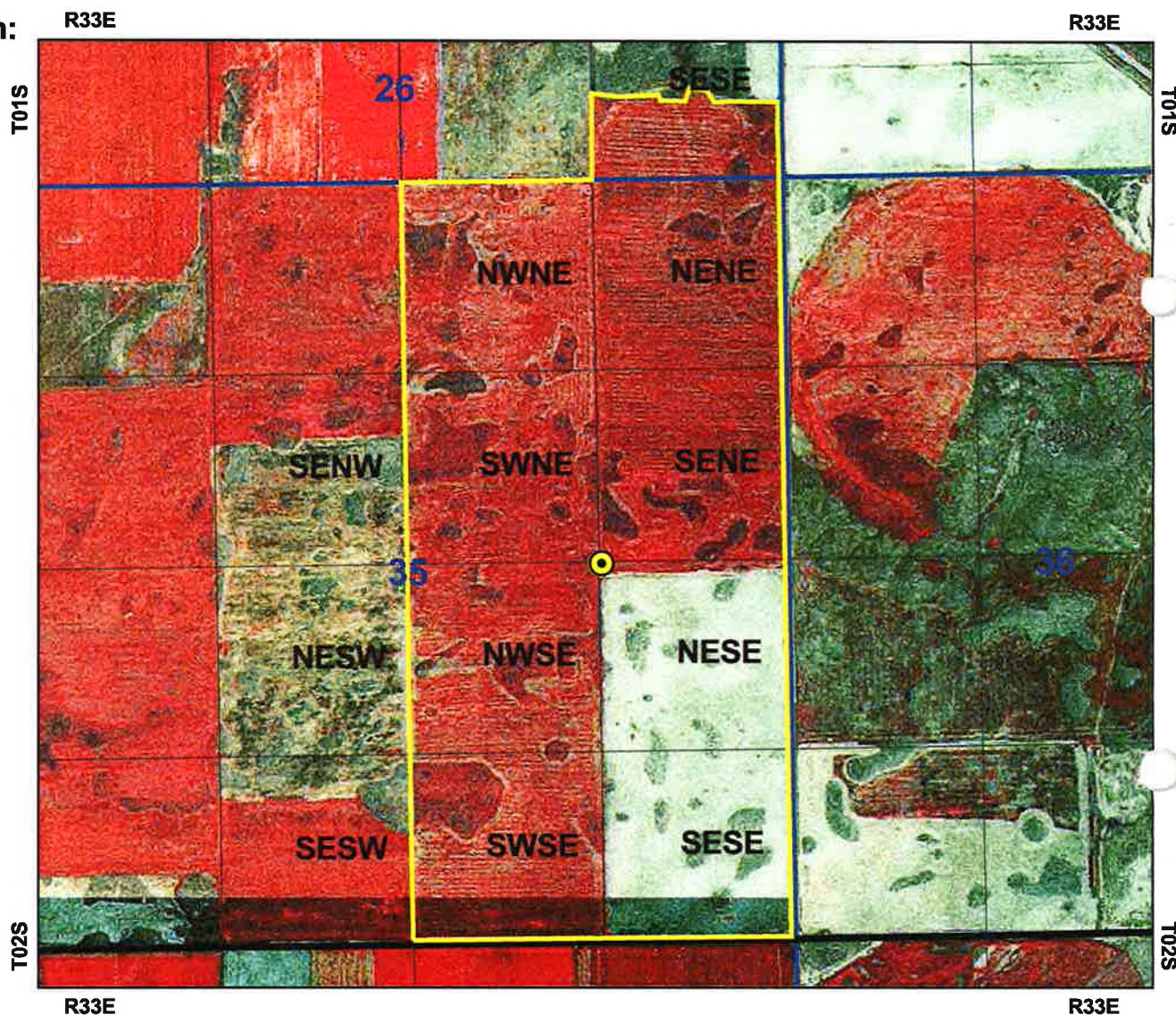
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Bingham County
IDWR Basin 35

Prepared by A. Golart
On Thursday, January 25, 2007
1987/88 Aerial Photography



0 0.5 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 35-13531

WATER RIGHT NUMBER: 35-13531

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J HENRY OLSEN 1005 W HWY 26 BLACKFOOT, ID 83221 (208)526-0946

Priority Date: 07/11/1978
 Basis: Beneficial Use
 Status: Temporary

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.360 CFS	63.00 AF
	<u>Total Diversion:</u>	0.360 CFS	63.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4SE1/4	Sec. 35, Twp 01S, Rge 33E, B.M.
BINGHAM County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	26																	18.0
01S	33E	35	39.0	40.0	40.0	39.0									39.0	40.0	39.0	39.0	315.0

Total Acres: 333

Conditions of Approval:

1. This claim is based on an enlargement of 35-2384 that occurred on July 11, 1978, when the 18 acres in the SESE Sec 26 was irrigated from the well in Sec 35.

Claim Received Date: 4/15/2005

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-2384

WATER RIGHT NUMBER: 35-2384

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J HENRY OLSEN 1005 W HWY 26 BLACKFOOT, ID 83221 (208)526-0946

Priority Date: 08/06/1954

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	4.500 CFS	
	<u>Total Diversion:</u>	4.500 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4SE1/4	Sec. 35, Twp 01S, Rge 33E, B.M.
BINGHAM County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	26																7.0	7.0
01S	33E	35	39.0	40.0	40.0	38.0									39.0	40.0	39.0	38.0	313.0

Total Acres: 320

Conditions of Approval:

1. C18 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.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-07092 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.57 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1280 AF.
4. RIGHT NO. 35-07092 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
5. USE OF THIS RIGHT WITH RIGHT NO. 35-07092 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 320 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-2384

Remarks:Comments:

1. DCARLSON 2/25/1992 COPIED FROM REMARKS

Comment: 20 ACRES IN SECTION 26 WERE CLAIMED TO THIS RIGHT RATHER THAN FILING A CLAIM FOR PORTIONS OF THE OTHER EXISTING RIGHTS COVERING THIS PROPERTY.

2. AJU10-DS 7/16/1998 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C12 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3. kpickett 12/2/2005 POD

Comment: Correlated PODID 500322 from SpatialDataID 366909 to SpatialDataID 228850

Dates and Other Information:

Licensed Date:

Decreed Date: 6/28/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.57	1280	320

Combined Water Rights: 35-7092 , 35-2384

SubCase:

SubCase Number: 35-2384

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date: 5/13/2004

Attorney Assigned: SARA C DENISTON

Adjudication Agent:

Basis of Claim: License

Date Filed: 11/20/1998 Objection Status: Active

Date Filed: 11/20/1998 Objection Status: Active

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-7092

WATER RIGHT NUMBER: 35-7092

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J HENRY OLSEN 1005 W HWY 26 BLACKFOOT, ID 83221 (208)526-0946

Priority Date: 08/05/1969

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 9/30	1.070 CFS	
	<u>Total Diversion:</u>	1.070 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4SE1/4	Sec. 35, Twp 01S, Rge 33E, B.M.
BINGHAM County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	26																7.0	7.0
01S	33E	35	39.0	40.0	40.0	38.0									39.0	40.0	39.0	38.0	313.0

Total Acres: 320

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT NO. 35-02384 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-02384 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.57 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1280 AF.
4. USE OF THIS RIGHT WITH RIGHT NO. 35-02384 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 320 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-7092

5. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER SEPTEMBER 30 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
6. C18 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.

Remarks:Comments:

1. DCARLSON 2/25/1992 COPIED FROM REMARKS

Comment: THIS RT. WHEN COMBINED WITH RT. 25098/35-2384 SHALL NOT EXCEED 3.5 AFA/AC. 20 ACRES IN SECTION 26 WERE CLAIMED TO THIS RIGHT RATHER THAN FILING A CLAIM FOR PORTIONS OF THE OTHER EXISTING RIGHTS COVERING THIS PROPERTY.

2. AJU10-DS 7/16/1998 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C12 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3. kpickett 12/2/2005 POD

Comment: Correlated PODID 227975 from SpatialDataID 366909 to SpatialDataID 228850

Dates and Other Information:

Licensed Date:

Decreed Date: 2/15/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.57	1280	320

Combined Water Rights: 35-7092 , 35-2384

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 35-7092

SubCase:

SubCase Number: 35-7092
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 11/13/2001
Attorney Assigned: SARA C DENISTON
Adjudication Agent:
Basis of Claim:
Date Filed: 11/20/1998 Objection Status: Active
Date Filed: 11/20/1998 Objection Status: Active

Water Supply Bank:

SRBA

SUBCASE SUMMARY REPORT 35-13531

[Return to SRBA Home Page](#)

SRBA
01-19-2007

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 35-13531 FILE#: 02218
CLAIMANT: OLSEN, J HENRY
1005 W HWY 26BLACKFOOT ID 83221
STATUS: LATE CLAIM TO IDWR SPECIAL MASTER: MELANSON, JOHN M
WATER SOURCE:****** PARTIES INVOLVED ******

J HENRY OLSEN

C PRO SE

****** ROA ENTRIES ******

04-18-2005	MOTION TO FILE LATE/AMENDED NOTICE OF CLAIM	MG	07-25-2005
04-18-2005	HEARING SET - MOTION TO FILE LATE CLAIM	HS	07-19-2005 0130
04-18-2005	NOTICE SETTING HEARING - LATE CLAIM	HS	07-19-2005 0130
04-18-2005	NOTICE OF CLAIM TO A WATER RIGHT		
07-19-2005	HEARING HELD ON MOTION FOR LATE CLAIM	HH	07-19-2005 0130
07-20-2005	MINUTES -- MOTION FOR LATE CLAIM		
07-25-2005	ORDER CONDITIONALLY GRANTING MOTION TO FILE LATE NOTICE OF CLAIM		
07-25-2005	LATE CLAIM FORWARDED TO IDWR		07-25-2005

[Return to SRBA Home Page](#)

No receipt found.

2007 1 8 1PM

Receipt Details for ID C078684

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
7/26/2005 1:53:40 PM	7/26/2005 2:00:12 PM	STATE	\$100.00	Check
Payer		J. HENRY OR BARBARA OLSEN		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1586			
Card Expiration Date	Credit Card Transaction #		

Comment NOTICE OF CLAIM FOR A WATER RIGHT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	ADJUDICATION FILING FEE	41503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
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Print Report

Claim no. 35-13531

Claimant Contact Log

Date	Remarks	Agent initials
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WR 35-2384	4.5 cfs 320 acres	= $\phi. \phi 141 \frac{\text{cfs}}{\text{acre}}$
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WR 35-7092	1.07 cfs 320 acres	= $\phi. \phi \phi 334 \frac{\text{cfs}}{\text{acre}}$
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35-2384	$\phi. \phi 141 \frac{\text{cfs}}{\text{acre}}$	RPA = 35-13531 = $\phi. \phi 174 \frac{\text{cfs}}{\text{acre}}$
35-7092	+ $\phi. \phi \phi 334 \frac{\text{cfs}}{\text{acre}}$	
$\phi. \phi 174 \frac{\text{cfs}}{\text{acre}}$		

35-13531	330 acres
35-2384 and 35-7092	320 acres
	10 acres

11 acres * $\phi. \phi 174 \frac{\text{cfs}}{\text{acre}}$	= $\phi. 1914 \text{ cfs}$
11 acres * $4. \phi \frac{\text{AFH}}{\text{acre}}$	= 44 AFH

1280 AF	35-2384 / 35-7092
+ 44 AF	35-13531
<u>1324 AF</u>	

SCANNED

MAY 31 2007