

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

RECEIVED

DEC 1 1989

Ident. Number: A37-02153

Date Received: 11/06/1989

Receipt No: C011928

Received By: [Signature] 11/20/89

Department of Water Resources

Southern Region Office NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES J. OLSON 208-587-3729
Address: RT. 1 BOX 777E
MOUNTAIN HOME, ID 83647
OR
Name: DORIS J. OLSON 208-587-3729
Address: RT 1, BOX 777E
MOUNTAIN HOME, ID 83647

2. Date of Priority: SEP 29, 1909

3. Source: UNNAMED STREAM Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	11E	8	SW	NE		R	ELMORE
			SW	NW			ELMORE

5. Description of diverting works:
PIPELINE, SOME UNDERGROUND, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	5.600		
STOCKWATER	01/01	12/31	0.090		
IRRIGATION STORAGE	01/01	12/31			120.00
IRRIGATION FROM STORAGE	04/15	10/15			120.00

7. Total Quantity Appropriated is:
5.600 C.F.S. (and/or) 120.00 A.F.A.

8. Total consumptive use is 700.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 HD CATTLE

A37-02153

Page 1

Date: 11/06/89

MICROFILMED

FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres	
02S	11E	5	NE		SW		IRR	30.0	
			SE		SW		IRR	35.0	
			NE		SE		IRR	30.0	
			NW		SE		IRR	40.0	
			SW		SE		IRR	40.0	
			SE		SE		IRR	40.0	
			Section Acres						215.0
		8	NE		NE		IRR	35.0	
			NW		NE		IRR	30.0	
			Section Acres						65.0
			Total Acres						280.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

TRANS. 2827.

LIC. IDENTIFIES SOURCE AS SPRING CREEK RESERVOIR.

WATER DIVERTED UNDER THIS TRANSFER SHALL BE USED FOR IRRIGATION AND STOCKWATER.

ADDED IRRIGATION STORAGE AND IRRIGATION FROM STORAGE AS USES.

15. Basis of Claim: LICENSE
Water Right Number: 5254

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): Charles J. Olson Date: 11-16-89
Doris J. Olson Date: 11-16-89

State of Idaho)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this 16th day

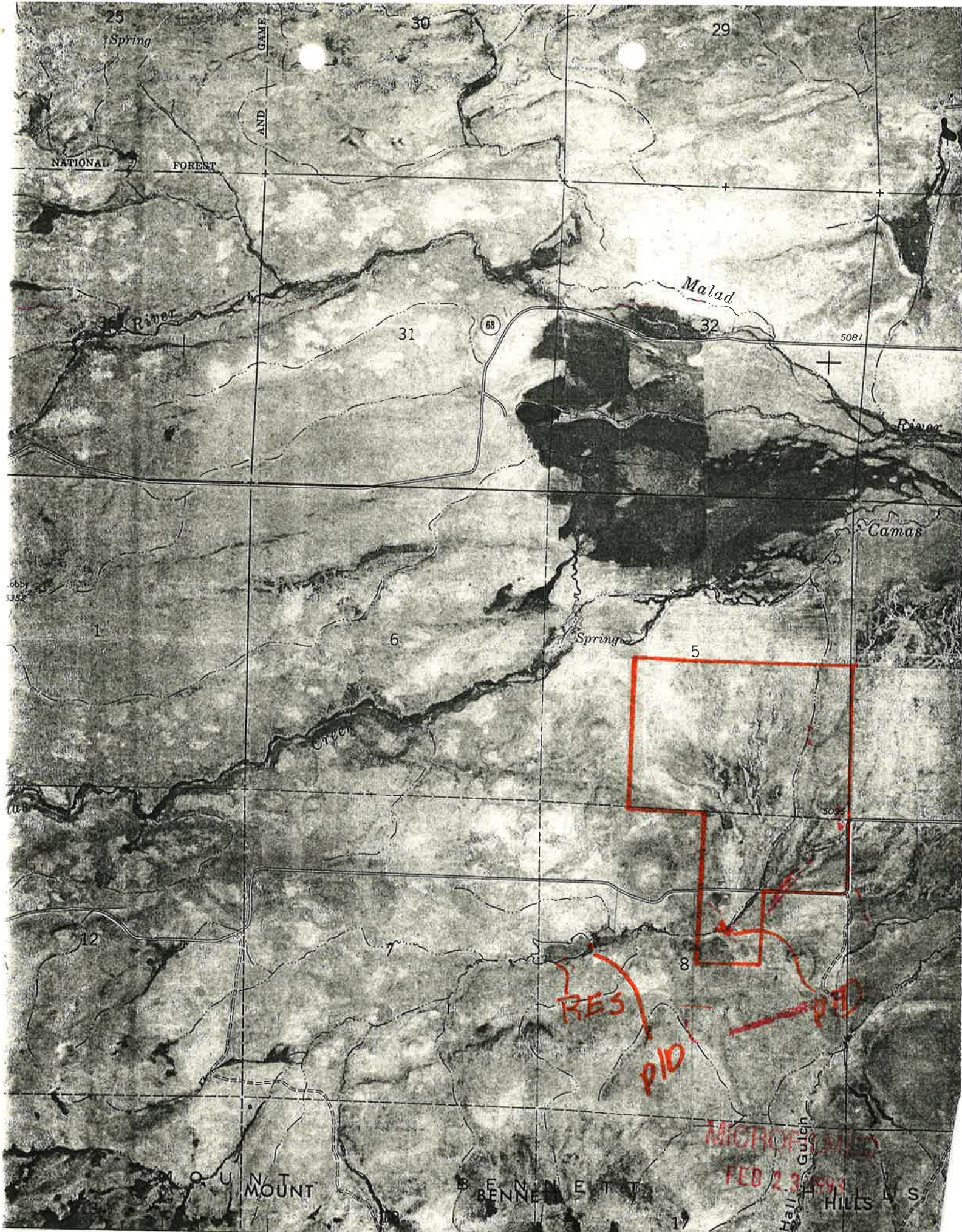
of November 19 89

Linda M. Ramsey
Notary Public

Seal

Residing at Mtn. Home, Id.

My Commission Expires 12-6-91



645

12' 30"

646

T2S, R11E, Sec 5 & 8

SCALE 1:24,000

648

AGI-02153 & AGI-807

MICROFILMED
FEB 23 1993
Hills

11/01/2006

NOTICE OF ERROR
REPLY

RECEIVED
NOV 21 2006
DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 21, 2006

Water right number: 37-2153

DORIS J OLSON
RT 1 BOX 777E
MOUNTAIN HOME ID 83647
Telephone Number: (208)587-3729

CHARLES J OLSON
RT 1 BOX 777E
MOUNTAIN HOME ID 83647
Telephone Number: (208)587-3729

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-17-06

SIGNATURE: Charles J Olson

Please print your name: Charles J. Olson

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (800)451-4129

SCANNED
NOV 24 2006

04/18/2006

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

RIGHT NUMBER: 37-2153

NAME AND ADDRESS: DORIS J OLSON
RT 1 BOX 777E
MOUNTAIN HOME ID 83647

CHARLES J OLSON
RT 1 BOX 777E
MOUNTAIN HOME ID 83647

SOURCE: UNNAMED STREAM

TRIBUTARY: CAMAS CREEK

QUANTITY: 5.600 CFS

PRIORITY DATE: 09/29/1909

POINT OF DIVERSION:

T02S R11E S8 NWSWNE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.090 CFS
IRRIGATION	04/15 10/31	5.600 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T02S R11E S05	NESW	30.00	T02S R11E S05	SESW	19.00
T02S R11E S05	NESE	41.00	T02S R11E S05	NWSE	41.00
T02S R11E S05	SWSE	41.00	T02S R11E S05	SESE	41.00
T02S R11E S08	NENE	40.00	T02S R11E S08	NWNE	30.00
T02S R11E S08	SWNE	17.00			

STOCKWATER Within ELMORE County

T02S R11E S05	NESW	T02S R11E S05	SESW
T02S R11E S05	NESE	T02S R11E S05	NWSE
T02S R11E S05	SWSE	T02S R11E S05	SESE
T02S R11E S08	NENE	T02S R11E S08	NWNE
T02S R11E S08	SWNE		

300 ACRES TOTAL

This right is limited to the irrigation of 280 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



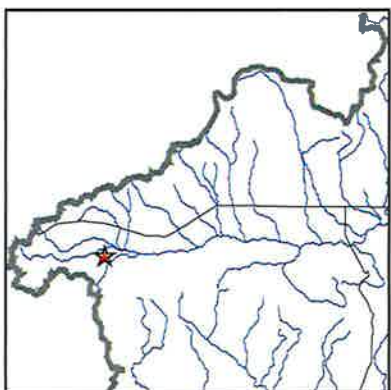
Idaho Department of Water Resources

Adjudication Claim:

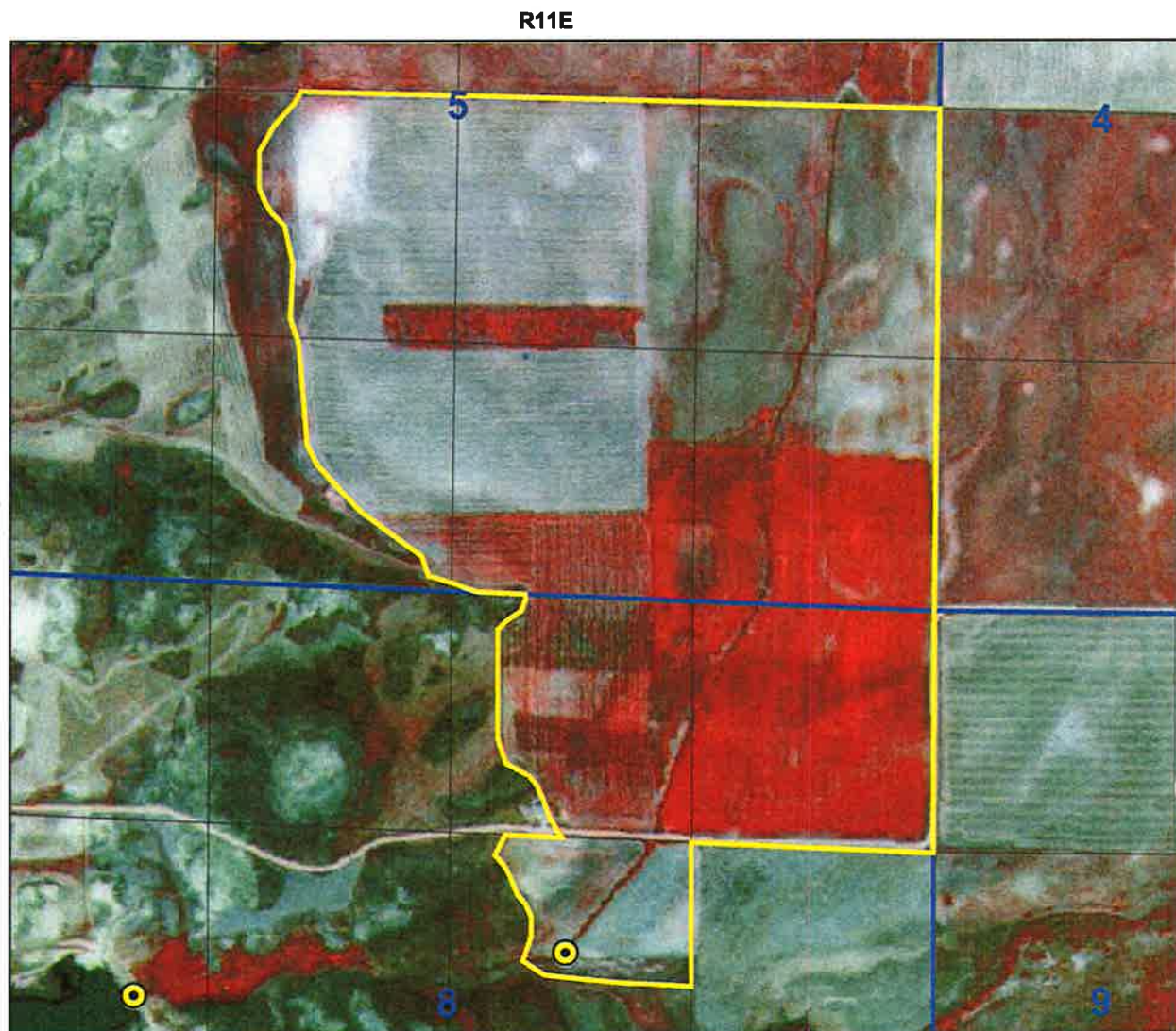
37-2153
37-21657

Legend

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



Elmore County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Tuesday, April 18, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-2153, 37-21657

Background Data

37-2153

- Source is Unnamed Stream tributary to Camas Creek
- Licensed for 5.6 cfs for Irrigation of 280 acres
- Stockwater added to license by Transfer No. 2827
- Claimed 5.6 cfs for Irrigation of 280 acres
- Claimed 0.09 cfs for Stockwater
- Claimed 120 AF for Irrigation Storage
- Claimed 120 AF for Irrigation From Storage

37-21657

- Beneficial Use Claim
- Source is Unnamed Stream tributary to Camas Creek
- Claimed 120 AF for Irrigation Storage
- Claimed 120 AF for Irrigation From Storage

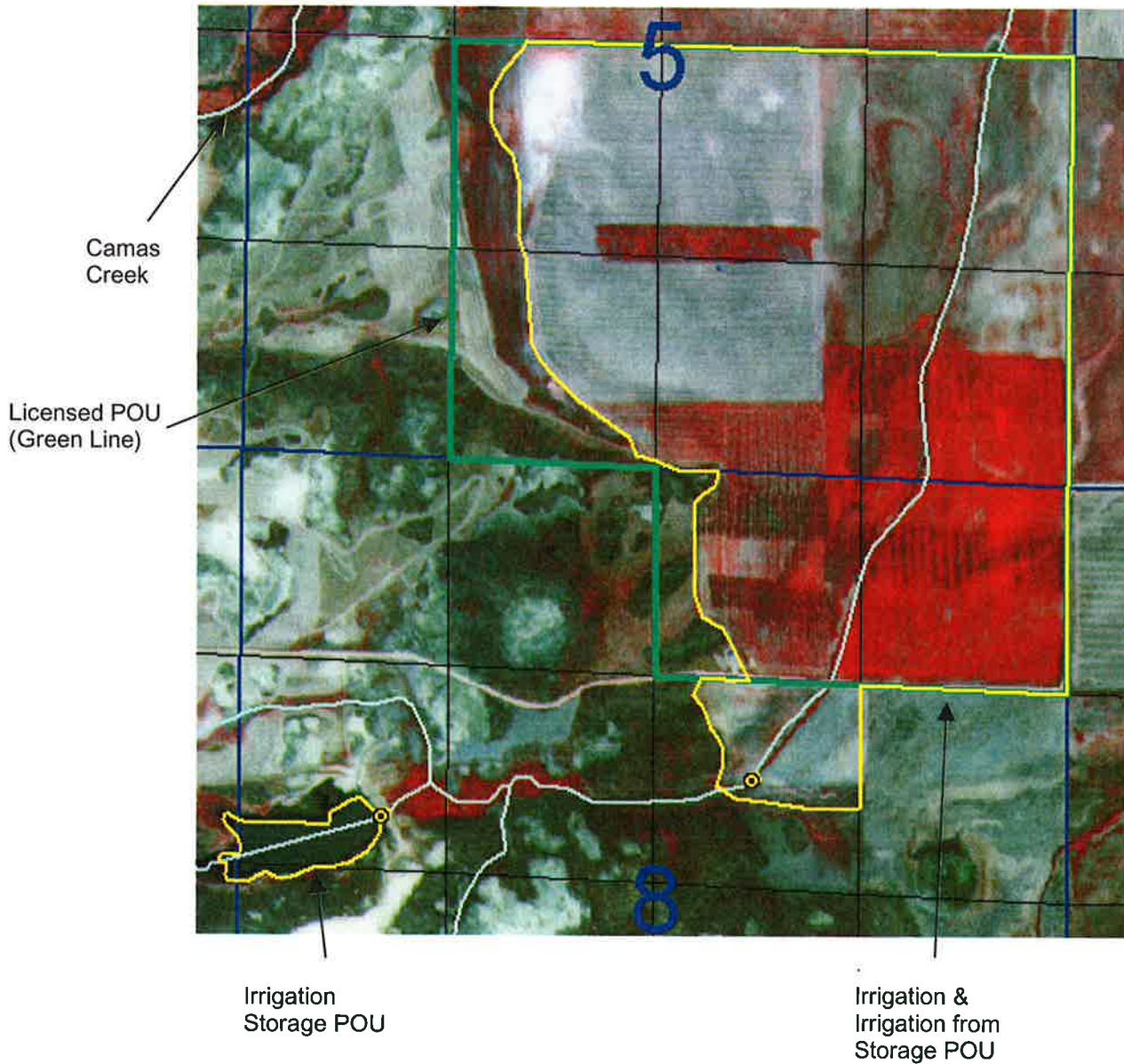
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



Notes

T2S R11E Sections 5 & 8

- Claimant had obtained permit 37-8072 for the storage water behind the dam. The SRBA review determined that evidence of priority supporting 9/13/1910 for the storage water was available in the license documents for 37-2153, so the claimant filed SRBA claim 37-21657 for the storage water
- 37-2153 is licensed for 280 acres. The field exam for permit 37-8072 determined that 300 acres was being use for the Irrigation from Storage water.
- Recommendation:
 - 37-2153 – Recommend Irrigation for 5.6 cfs and Stockwater for 0.09 cfs, but the total diversion should be 5.6 cfs; the POU is the 300-acre PPU, limited to 280 acres.
 - 37-21657 – Recommend priority date of 9/13/1910 (beneficial use claim – first documented time when water storage behind dam); 120 AF for Irrigation Storage and 120 AF for Irrigation from Storage; POU is the 300-acre PPU.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

2/9/06
SEC

37-2153

37-8072 permit

AS claim not needed - proof in 1991
EXAM 1998

Trans #2827 approved 1-9-84

POU: GIS acres = 300 acres for total P.P.U.
Exam found 299.5 ac.

Source is not named on USGS (Y67SE 1998) Y67 Topo

POD: claimed 2 POD's
old lic should only list SWNE point (S.8)
since it did not cover historic storage
at the res. site.

★ Suggestion was made that the claimants file
a new SRBA claim to cover the storage
under an 1909-10 right. Later they can
withdraw the permit 37-8072.

2/22/06 Called to Doris J. Olson to come
file SRBA claim for storage uses

NEW CLAIM = 37-21657

 Spring Creek Reservoir *
 Elmore County *
 5.6 second feet **
 Irrigation & domestic *
 Priority 9-29-09 *

S T A T E _ _ O F _ _ I D A H O

Water License No. 5254

WHEREAS, On the 29th day of September, A.D. 1909, CORA HUTTON, of Taft, County of Elmore, State of Idaho, duly made application (No. 7606) to me for a permit to use 6 cubic feet per second of the waters of Spring Creek Reservoir, County of Elmore, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 29th day of September, A.D. 1909, Permit No. 5254, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 29th day of September, A.D. 1912, and for the application to beneficial use of said water on or before the 29th day of September, A.D. 1912, and

WHEREAS, On the 20th day of August, A.D. 1910, CORA HUTTON, the holder of said permit duly made proof of the completion of adequate works for the diversion of 6 cubic feet per second of said waters, as evidenced by my Certificate No. 5254, dated November 22, 1910, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 6 cubic feet per second of said waters, with date of priority of September 29, 1909, and

WHEREAS, On the 20th day of August, A.D. 1910, CORA HUTTON, the holder of said permit duly made proof of the application to beneficial use of 5.6 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to CORA HUTTON, of Taft, County of Elmore, State of Idaho, the holder and owner of said Permit No. 5254, a perpetual right, dating from September 29, 1909, to the use of 5.6 cubic feet per second of the waters of SPRING CREEK RESERVOIR, in the County of Elmore, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned to be diverted at a point in the center of section 8, township 2 South of Range 11 East of the Boise Meridian, and conducted to and upon (30 acres in northeast quarter of southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), 40 acres in Northwest quarter of southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), 40 acres in southwest quarter of southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and 40 acres in southeast quarter of southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of section 5, 35 acres in southeast quarter of southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) and 30 acres in northeast quarter of southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), 35 acres in northeast quarter of northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) and 30 acres in northwest quarter of northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of section 8, Township 2 South of Range 11 East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 22nd day of November,
 A.D. Nineteen hundred and ten.

(SEAL)

Recorded November 22, 1910

D.G. Martin
 State Engineer

37-2153

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2153

WATER RIGHT NUMBER: 37-2153

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CORA HUTTON
	, ZZ
Current Owner	CHARLES J OLSON RT 1 BOX 777M MOUNTAIN HOME, ID 83647 (208)587-3729

Priority Date: 09/29/1909

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	5.600 CFS	
STOCKWATER	/ to /		
<u>Total Diversion:</u>		5.600 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	SW1/4NW1/4	Sec. 8, Twp 02S, Rge 11E, B.M.
ELMORE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
02S	11E	5	30.0	35.0	30.0	40.0	215.0
02S	11E	8	35.0	30.0			65.0

Total Acres: 280

STOCKWATER same as IRRIGATIONConditions of Approval:

1. 016 See remarks for additional conditions of approval.
2. TRANS. 2827.
LIC. IDENTIFIES SOURCE AS SPRING CREEK RESERVOIR.
WATER DIVERTED UNDER THIS TRANSFER SHALL BE USED FOR IRRIGATION AND STOCKWATER.

Remarks: