

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 37-4301
Date Received: 11/7/1989
Receipt No: M005152
Received By: CB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

See
Receipt
CO81124
25
764-2588

1. Name of Claimant(s)

KAREN Y OLSON
PO BOX 136
HILL CITY ID USA 83337

Phone: (208) 587-3985

CLARE M OLSON
PO BOX 136
HILL CITY ID USA 83337-0136

Phone: (208) 587-3729

2. Date of Priority: 01/01/1912

3. Source: SPRINGS , SPRINGS , SPRINGS , SPRINGS , SPRINGS Trib. to: SPRING CREEK
, SPRING CREEK , SPRING CREEK , SPRING CREEK , SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	10E	12	NE NW SE	ELMORE	
02S	10E	12	SW NW SE	ELMORE	
02S	10E	12	NE SW SE	ELMORE	
02S	10E	12	SE NW SE	ELMORE	
02S	10E	12	SE SE SE	ELMORE	

5. Description of diverting works:

PIPELINE, HEADBOX, TROUGHS, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	1.14	
STOCKWATER	1/01	12/31	0.05	

7. Total Quantity Appropriated is:
1.19 C.F.S.

SCANNED

MAY 04 2006

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02S	10E	12	NE	SE		STOCKWATER	
			NW	SE		STOCKWATER	
			SE	SE		STOCKWATER	
			NE	SE		IRRIGATION	8
			NW	SE		IRRIGATION	7
			SW	SE		IRRIGATION	2
			SE	SE		IRRIGATION	10
02S	11E	7	NW	SW	3	IRRIGATION	10
			SW	SW	4	IRRIGATION	20
			NW	NW		STOCKWATER	
			SW	NW		STOCKWATER	
			NW	SW		STOCKWATER	
			SW	SW		STOCKWATER	
			SE	SW		STOCKWATER	
						Total Acres	57

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:

14. Remarks:

THERE ARE 3 SPRINGS. CHANGED THE LOCATION OF ONE SPRING. WAS LISTED WRONG IN PREVIOUS FILING.

ALTERNATE PHONE NO.=764-2588

15. Basis of Claim: Statutory Claim

SCANNED

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.

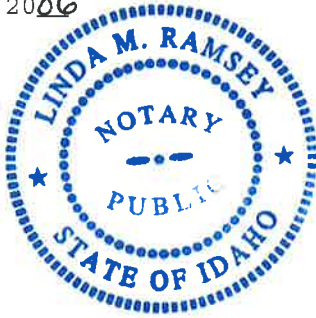
Signature of Claimant(s): *Chloe McQuay* Date: *4/29/06*
Taren J. Don *4/29/06* Date: _____

State of Idaho)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this *29th*
of April 2006 *Linda M. Ramsey*

Notary Public

Residing at Mountain Home
My commission Expires 12-30-09



Idaho Department of Water Resources Receipt

Receipt ID C081125

Payment Amount \$0.00 Date Received 5/2/2006 12:08:45 PM Region State Status
Payment Type Check Check Number 1368

Payer OLSON, CHARLES AND DORIS

Comment NOTICE OF CLAIM TO A WATER RIGHT FOR 37-4301

pt 2 of 2

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$0.00	ADJUDICATION FILING FEE	0337		41503	1155


Signature Line (Dept. Representative)

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: A37-04301
Date Received: 11/07/1989
Receipt No: M 5153
Received By: EW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLARE M. OLSON 208-587-3985
Address: P. O. BOX 136
HILL CITY, ID 83337

OR
Name: KAREN Y. OLSON
Address: P. O. BOX 136
HILL CITY, ID 83337

208-587-3985
RECEIVED

2. Date of Priority: JAN 01, 1912

NOV 15 1989

3. Source: SPRINGS

Trib. to: SPRING CREEK
Department of Water Resources
Southern Region Office

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	10E	12	NW	NW	SE		ELMORE
			SE	NW	SE		ELMORE
			SW	SE	SE		ELMORE

5. Description of diverting works:
PIPELINE, HEADBOX, TROUGHS, 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	1.140		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 142.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 RANGE

A37-04301

Page 1

Date: 11/07/89

MICROFILMED
FEB 24 1988

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	10E	12	NE	SE		IRR	8.0
			NW	SE		IRR	7.0
			NW	SE		STOCK	
			SW	SE		IRR	2.0
			SE	SE		IRR	10.0
			SE	SE		STOCK	
						Section Acres	27.0
	11E	7	NW	SW	3	IRR	10.0
			SW	SW	4	IRR	20.0
						Section Acres	30.0
						Total Acres	57.0

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:
THERE ARE 3 SPRINGS. CHANGED THE LOCATION OF ONE SPRING. WAS
LISTED WRONG IN PREVIOUS FILING.
ALTERNATE PHONE NO.=764-2588

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 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Clare M. Olson Date: 11/7/89
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of Nov. 19 89 Linda A. Werner
Notary Public

Seal

Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994
My Commission Expires _____

RECEIVED

NOV 15 2006

11/01/2006

NOTICE OF ERROR
REPLY

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: 37-4301

KAREN Y OLSON

PO BOX 136

HILL CITY ID 83337

Telephone Number: (208) ~~587-3985~~ 764-2588

CLARE M OLSON

PO BOX 136

HILL CITY ID 83337-0136

Telephone Number: (208) ~~587-3729~~ 764-2588

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:

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

DATE: 11-9-06 SIGNATURE: Clare Olson

Please print your name: Clare Olson

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

SCANNED
NOV 16 2006

10/14/2006

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

RIGHT NUMBER: 37-4301
NAME AND ADDRESS: KAREN Y OLSON
PO BOX 136
HILL CITY ID 83337

CLARE M OLSON
PO BOX 136
HILL CITY ID 83337-0136

SOURCE: SPRING TRIBUTARY: UNNAMED STREAM

QUANTITY: 0.470 CFS
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/15/1939

POINT OF DIVERSION:
T02S R10E S12 SWNWSE Within ELMORE County
T02S R10E S12 SENWSE Within ELMORE County
T02S R10E S13 NWNENE 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	0.020 CFS
IRRIGATION	04/15 10/31	0.450 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T02S R10E S12	SWNE	1.00	T02S R10E S12	SENE	0.40
T02S R10E S12	NESE	3.00	T02S R10E S12	NWSE	7.60
T02S R10E S12	SESE	3.40	T02S R11E S07 Lot 3	NWSW	2.30
T02S R11E S07 Lot 4	SWSW	12.00	T02S R11E S07	SESW	0.30

STOCKWATER Within ELMORE County

T02S R10E S12	SWNE	T02S R10E S12	SENE
T02S R10E S12	NESE	T02S R10E S12	NWSE
T02S R10E S12	SESE	T02S R11E S07 Lot 2	SWNW
T02S R11E S07 Lot 3	NWSW	T02S R11E S07 Lot 4	SWSW
T02S R11E S07	SESW		

30 ACRES TOTAL

This right is limited to the irrigation of 22.5 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 30 acres in a single irrigation season. Combined Right Nos.: 37-4301 and 37-21732.

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.

10/14/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



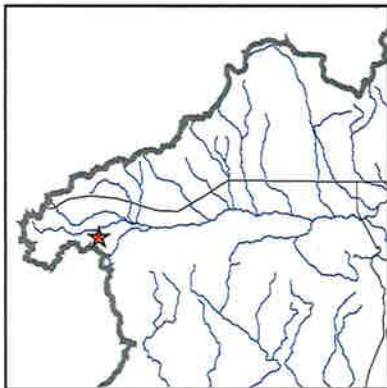
Idaho Department of Water Resources

SRBA Recommendation:

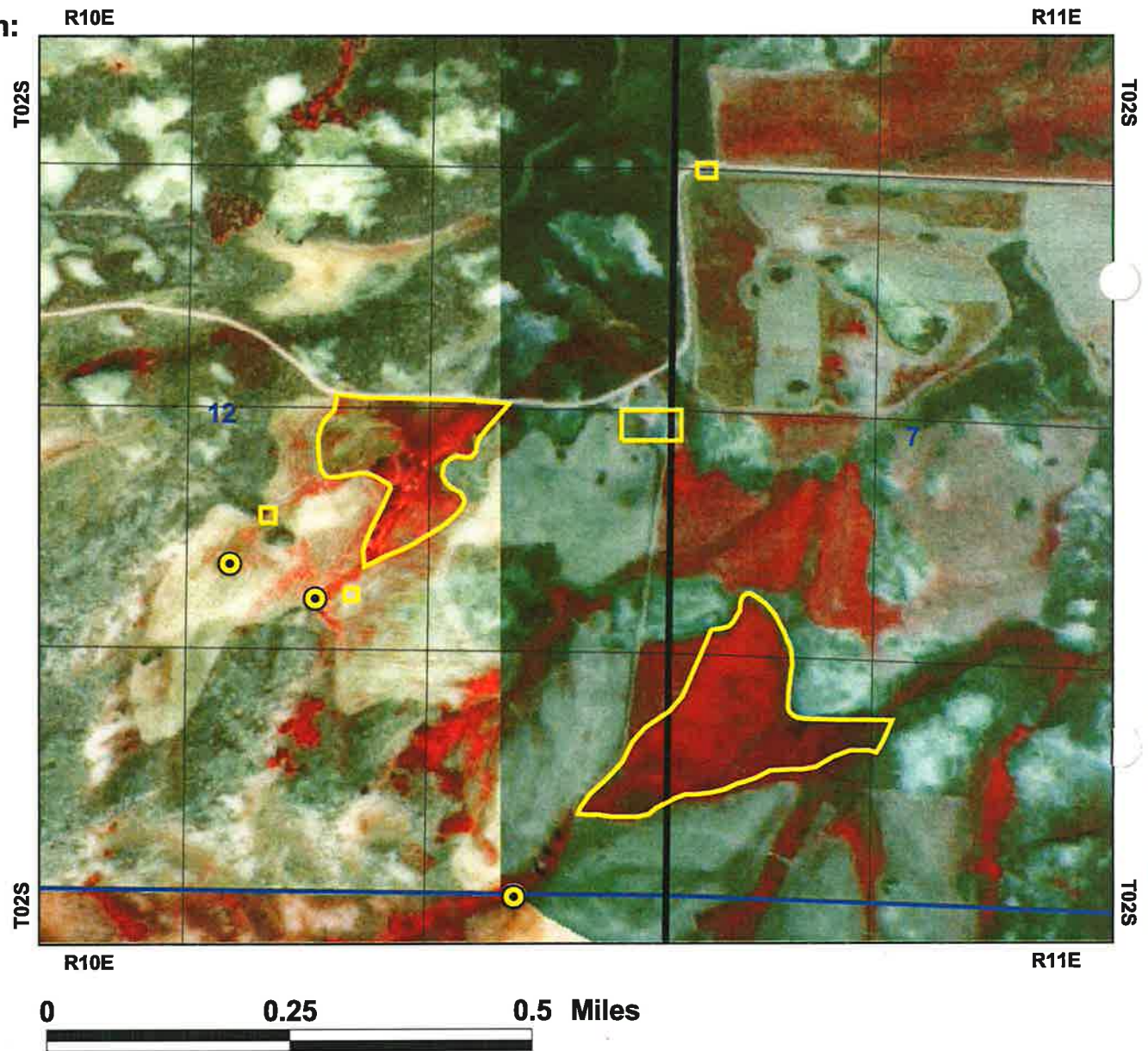
37-4301
37-21732

Legend

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



Elmore County
IDWR Basin 37



Prepared by M. Anders
On Saturday, October 14, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-4301, 37-41732

Background Data

37-4301

- Beneficial Use Claim
- Source is Springs tributary to Spring Creek
- Claimed 1.14 cfs for Irrigation of 57 acres
- Claimed 0.05 cfs for Stockwater

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

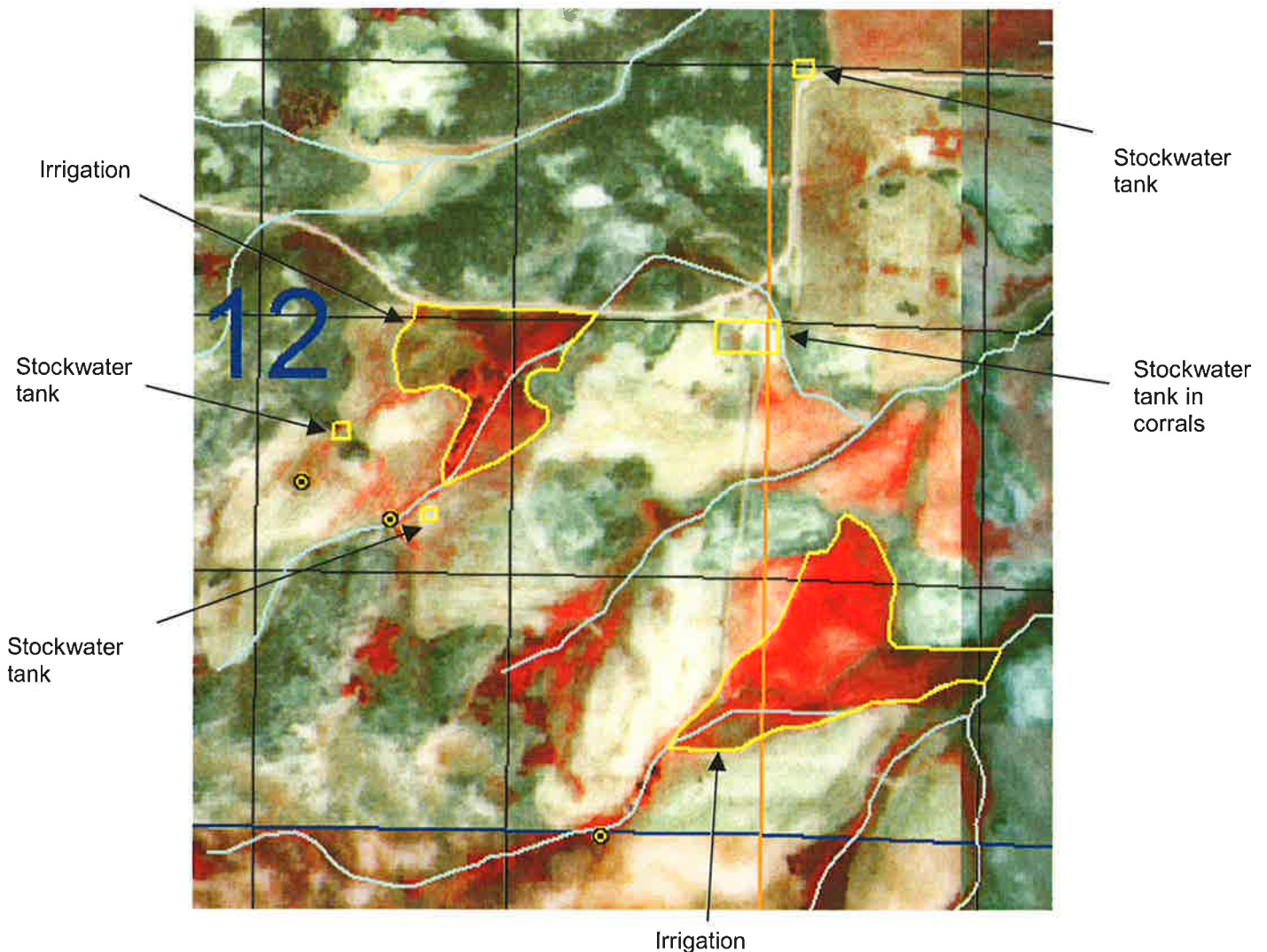




Photo of SE spring taken during field exam.



Photo of SE spring taken during field exam.



Photo of SW spring taken during field exam.



Photo of water from SW spring taken during field exam.



Photo of NW spring taken during field exam.



Photo of water from NW spring taken during field exam.

Notes

T2S R10E Section 12; T2S R11E Section 7

- Found 30 acres for Irrigation
- 2/22/06 Talked with Clare Olson on telephone (208-764-2588). The evidence of priority submitted by Charles Olson does not clarify a date back to when he first remembers the water being used. I requested that Mr. Clare submit additional evidence of priority that clarifies a date and discussed possible types of evidence. Mr. Clare plans to submit additional evidence of priority.
- 2/23/06 – Met with Clare's brother at my office to discuss what Clare needs for evidence of priority.
- 4/13/06 – Meeting with Charles Olson (Clare's father) at my office. Mr. Olson identified the location of the irrigation, stockwater use, and points of diversion on a 1987 aerial photo. Mr. Olson provided the following history of water use:
 - He remembers the springs being used for irrigation and livestock back to 1939, the year of the San Francisco World's Fair, although water was used prior to that.
 - In 1965 he upgraded the springs and he estimates that he was able to get 25% more water and irrigate 25% more land.
 - After 1965, but before 1987, he added 4 stockwater tanks: 2 tanks in the NWSE and 1 tank in the corrals in NWSE Section 12 T2S R10E, and 1 tank NWNW and SWNW Section 7, T2S R11E. The piping and tanks were added to get water to cattle easier, especially in drought years, and all the tanks water the same cattle are they are rotate around the grazing land during the year. The tanks did not result in more cattle being grazed on this land.
 - Mr. Olson had a hand written update of his evidence of priority that supported 1939 and 1965, said he would type his updated evidence of priority and send it to me in the next few days. I told Mr. Olson that I would amend 37-4301 to represent the water use that started in 1939, create a new claim for the spring upgrades in 1965, and send them to him along with a letter and a map for review.
- Field Exam
 - 2 of the claimed PODs NWSE were actually the end of pipes from the springs in that QQ. So there are only 3 PODs
 - SE irrigation is ~20 acres. The ditch from the spring was dry, but it was 3.5 ft wide and 0.75 ft deep. The ditch has the capacity to deliver 0.40 cfs to the 20 acres in this irrigated area.
 - NW irrigation is ~12 acres. Water is delivered from two springs in underground pipes. The diameter of the pipes is 4 in. The claimant estimates that one pipe delivers 0.04 cfs and the other delivers 0.20 cfs. A theoretical calculation indicates that to get 1.0 cfs from a horizontal 4-inch pipe, the stream of water will drop 1 ft at 32 inches from the pipe. The pipes are only under gravity pressure, but it seems that a 4-inch pipe could deliver 0.20 cfs. Also, the land appears irrigated on the 1987 aerial and there is no evidence disproving this portion of the claim.

➤ Recommendations:

- Source should be spring tributary to unnamed stream
 - 37-4301
 - recommend a priority date of 1939 for 0.45 cfs for irrigation of 22.5 acres and 0.02 cfs for stockwater. Limit to 22.5 acres within PPU.
 - 37-21732
 - recommend a priority date of ^{Sept 31} 1965 for 0.15 cfs for irrigation of 7.5 acres and 0.02 cfs for stockwater. Recommend for all 30 acres of PPU.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

File No.
37-4301 - 21732

Clare & Karen Olson
P O Box 136
Hill City , Id

10/5/06

I finally was able to contact Clare and made an apt, with him to review this file and get his POD & etc. so this morning I went to Hill City and met him at their ranch. We then went West to the area where these rights are located and he marked on the photo where the piping and stock tanks are then up the hills we went to locate the springs. At no. 1 he showed me the spring and ditch to the property on photo, when there is water he sub irrigates this land by way of the ditch but as you can see by photo 1030315 there is no water so Clare and I measured the ditch as is on the mea. Chart, we were approx 5 to 6 foot below where I GPS the POD so I did not GPS this spot. Then off to # 2 where there was no way to measure any water a 4" pipe is in the spring and totally covered, this pipe goes down the hill to the stock tank at # 3 POD then reduced down to 1 1/2 " pipe all the way to the stock tank at the middle of the photo then on North to the tank , Clare said there is approx. 10" from # 2 spring. No 3 POD is overflow water from the stock tank and excess from # 2 pipe reducing the 4" pipe to a 1 1/2" this water just subs out across the lands marked yellow there is no designated ditch to measured and no way to measure this pipe it is all underground. POD # 4 is also under ground 4" pipe in the closed spring to a stock tank with no way to measure but Clare thought it is flowing approx 2" then from the tank with 1 1/2" pipe to No. 5 which subs out from pipe across the land but at this date there is no water , the land around where Clare said was at the end of this pipe was dry.

I also observed that during spring thaw water just flows all over this land down the low area in the pasture but no definite ditches.

All of the piping on photo is underground .

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Spring 1	Clar	1	2401982	1340198	None
" 2	"	2	2401653	1340694	1030314-315 mea S
" water	"	3	2401757	1340775	" 316 South
Spring # 4	"	4	2401511	1340751	" 302 N
" water	"	5	2401704	1340923	" 317 S
					" 301 NE

Lee R. Peterson

Lee R. Peterson

1224

21732
-41732

Background Data

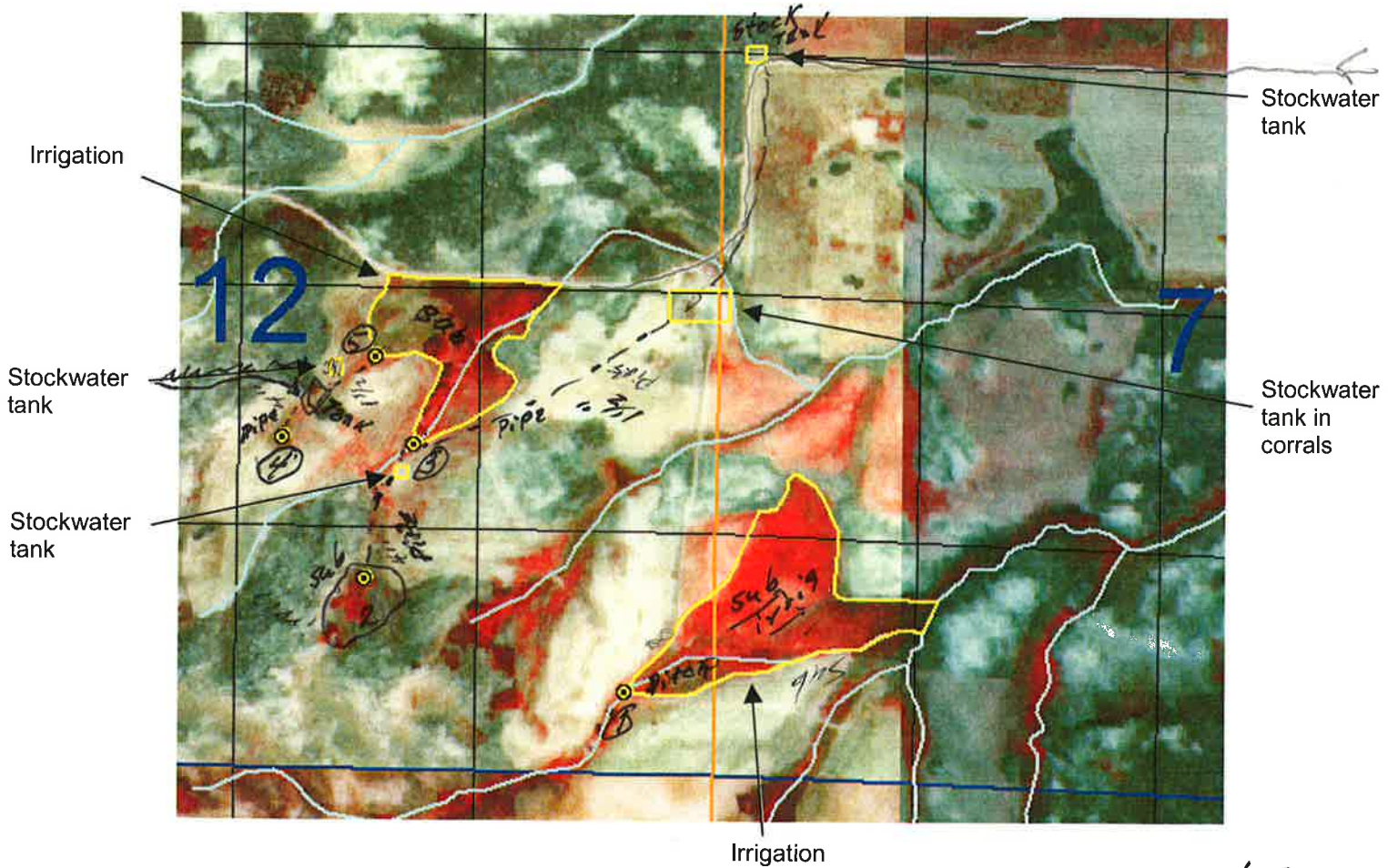
37-4301

- Beneficial Use Claim
- Source is Springs tributary to Spring Creek
- Claimed 1.14 cfs for Irrigation of 57 acres
- Claimed 0.05 cfs for Stockwater

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



To do for field exam:

- 1) Measure discharge from all springs
- 2) GPS PODs

All pipe was underground PVC

Water Right No.
(if applicable)

A. GENERAL INFORMATION

1. Name of stream or ditch: Spring 5 .92
2. Location: Sec 12 025 10F E/More Co. .92
3. Person conducting measurement: LSE Peterson & Clare Olson .94
4. Date and time of measurement: 10/5/06 .94
5. Accompanied by: Clare .96
6. Measuring device size and ID no.: Tape .96
7. Spin test before measurement OK? _____ after measurement OK? _____ .97
8. Purpose of measurement: estimate max flow .98

B. MEASUREMENT DATA

[illegible]

C. DIAGRAMS

1. Measurement Location

Scale: _____ = _____

2. Cross-Section of Measurement

Scale _____ = _____

D. SUMMARY INFORMATION

1. Measurement rated

_____ excellent

_____ good

_____ fair

_____ poor

2. Remarks: _____

3. Width: _____

Area: _____

Discharge in cubic feet per second: _____

DATE _____

SIGNATURE OF PERSON CONDUCTING MEASUREMENT _____

1 May 2006

Charles J. Olson
Route 1 Box 777E
Mountain Home ID 83647

Matt Anders
Idaho Department of Water Resources
322 East Front Street
P.O. 83720
Boise ID 83720-0098

RE: Snake River Adjudication Claims 37-4301 and 37-2176

I am a native of this area being born in Fairfield on January 14, 1931. I can remember accompanying my father to the springs and the meadows in 1939 as we cut the wood of the aspen trees to heat our home and cook our meals. I observed cattle grazing on the meadows that were irrigated from the springs. The year 1939 was a year to remember for me as the family attended the World's Fair in San Francisco California, which was quite a special trip. The hauling of wood was done from 1936-1945 when we moved to Fairfield for the school year. However we still hauled wood to the ranch in the summer.

In September of 1965, I made improvements on the spring area, clearing off the brush and putting in a spring box and structures to keep the livestock out of the springs. At this time we also cleared most of the land except the meadows, and seeded the ground to domestic hay and grasses. At this time ditches were put in to carry some of the water to irrigate these improved pastures. With the clearing of the land around the spring areas resulted in the irrigation of 25 % more land.

The quantity of water used varied with the time of year; as long there were snow drifts on

SCANNED

MAY 04 2006

the ridges, the spring would produce 1.140 cfs but the production would lessen as the lands dried out during the year. The extent of use also followed the seasons with little use as the lands were saturated from winter snow cover and early spring rains. As the land became drier no water would leave the above described water rights.

If the above scenario isn't satisfactory to establish proof of beneficial use on the dates of 1939 and 1965, I would be happy with the recommendations of Matt Anders. Thank You.

Sincerely,



Charles J. Olson

SCANNED

MAY 04 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 14, 2006

Clare & Karen Olson
PO Box 136
Hill City, ID 83337

Charles Olson
Rt. 1, Box 777E
Mountain Home, ID 83647

RE: Snake River Basin Adjudication claims 37-4301 & 37-21732

Dear Mr. & Mrs. Olson,

Yesterday I met with Charles Olson regarding Snake River Basin Adjudication (SRBA) claim 37-4301. Mr. Olson identified the location of the irrigation, stockwater use, and points of diversion on a 1987 aerial photo. Mr. Olson provided the following history of water use:

- o He remembers the springs being used for irrigation and livestock back to 1939, the year of the San Francisco World's Fair, although the water was likely used prior to that.
- o He upgraded the springs in 1965 and he estimates that he was able to get 25% more water and irrigate 25% more land.
- o He added piping and 4 stockwater tanks between 1965 and 1987: 2 tanks in the NWSE and 1 tank in the corrals in NWSE Section 12 T2S R10E, and 1 tank NWNW and SWNW Section 7, T2S R11E. The stockwater tanks were added to get water to cattle easier, especially in drought years. All the tanks water the same cattle as they are rotated around the grazing land during the year. The tanks did not result in more cattle being grazed on this land.

Mr. Olson had some hand written notes that document beneficial use of the water from the springs for irrigation and stockwater since 1939 and additional water use for irrigation and stockwater starting in 1965.

Based on my understanding of your water use, it appears claim 37-4301 actually represents two water rights. One right with a priority date of 1939 for 0.45 cfs for irrigation of 22.5 acres and 0.02 cfs for stockwater, and another right with a priority date of 1965 for 0.15 cfs for irrigation of 7.5 acres and 0.02 cfs for stockwater. To ensure that your water uses are decreed in the SRBA correctly, I propose that you: 1) amend claim 37-4301 and use it to represent the water with the 1939 priority date, and 2) file a new SRBA claim that represents the additional water and irrigated acres that resulted from upgrading the springs in 1965.

At the request of Charles Olson, I have enclosed the following:

- 1) A 1987 aerial photo with your irrigation place of use, stockwater place of use, and points of diversion identified.
- 2) Amended claim 37-4301
 - I added two additional points of diversion for the diversions to the stockwater tanks
 - I updated the stockwater place of use to include the locations of the stockwater tanks.
 - I have left the acreage and diversion rate as they were claimed, but this claim actually represents a water right with a priority date of 1939 for 0.45 cfs for irrigation of 22.5 acres and 0.02 cfs for stockwater.
 - **You need to submit updated evidence of priority.**
 - **You need to sign and notarize the amended claim 37-4301 and return it.**
- 3) New claim 37-21732
 - This new claim represents a water right with a priority date of 1965 for 0.15 cfs for irrigation of 7.5 acres and 0.02 cfs for stockwater.
 - **You need to submit updated evidence of priority.**
 - **You need to sign and notarize claim 37-21732 and return it.**
 - **You need to submit a check for \$50.00.** (This is the claim filing fee. We waived the late claim fee and the per acre change was paid for when you filed claim 37-4301)

Feel free to contact me at (208) 287-4937 if you have any questions.

Sincerely,



Matt Anders

GIS Specialist – Snake River Basin Adjudication

Stockwater &
Irrigation
Place of Use

Stockwater
Place of Use



Stockwater
Place of Use

Stockwater
Point of
Diversion

Stockwater
Place of Use

Stockwater
Point of
Diversion

Stockwater &
Irrigation
Place of Use

Irrigation = 30 acres

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 37-4301
Date Received: 11/7/1989
Receipt No: M005152
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

KAREN Y OLSON
PO BOX 136
HILL CITY ID USA 83337

Phone: (208)587-3985

CLARE M OLSON
PO BOX 136
HILL CITY ID USA 83337-0136

Phone: (208)587-3729

2. Date of Priority: 01/01/1912

3. Source: SPRINGS , SPRINGS , SPRINGS , SPRINGS , SPRINGS Trib. to: SPRING CREEK
, SPRING CREEK , SPRING CREEK , SPRING CREEK , SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	10E	12	NE NW SE	ELMORE	
02S	10E	12	SW NW SE	ELMORE	
02S	10E	12	NE SW SE	ELMORE	
02S	10E	12	SE NW SE	ELMORE	
02S	10E	12	SE SE SE	ELMORE	

5. Description of diverting works:

PIPELINE, HEADBOX, TROUGHS, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	1.14	
STOCKWATER	1/01	12/31	0.05	

7. Total Quantity Appropriated is:
1.19 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02S	10E	12	NE	SE		STOCKWATER	
			NW	SE		STOCKWATER	
			SE	SE		STOCKWATER	
			NE	SE		IRRIGATION	8
			NW	SE		IRRIGATION	7
			SW	SE		IRRIGATION	2
			SE	SE		IRRIGATION	10
						Section Acres	27
02S	11E	7	NW	SW	3	IRRIGATION	10
			SW	SW	4	IRRIGATION	20
			NW	NW		STOCKWATER	
			SW	NW		STOCKWATER	
			NW	SW		STOCKWATER	
			SW	SW		STOCKWATER	
			SE	SW		STOCKWATER	
						Section Acres	30
						Total Acres	57

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:

14. Remarks:

THERE ARE 3 SPRINGS. CHANGED THE LOCATION OF ONE SPRING. WAS LISTED WRONG IN PREVIOUS FILING.
ALTERNATE PHONE NO.=764-2588

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 _____ 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
of _____ 20__

Notary Public

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 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 37-21732
Date Received: 4/14/2006
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

CLARE M OLSON
PO BOX 136
HILL CITY ID USA 83337-0136

Phone: (208)587-3729

KAREN Y OLSON
PO BOX 136
HILL CITY ID USA 83337

Phone: (208)587-3985

2. Date of Priority: 04/15/1965

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	10E	12	NE NW SE	ELMORE	
02S	10E	12	SW NW SE	ELMORE	
02S	10E	12	SE NW SE	ELMORE	
02S	10E	12	NE SW SE	ELMORE	
02S	10E	12	SE SE SE	ELMORE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.15	
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.17 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02S	10E	12	SW	NE		IRRIGATION	0.7
			SE	NE		IRRIGATION	0.5
			NE	SE		IRRIGATION	3
			NW	SE		IRRIGATION	7.6
			SE	SE		IRRIGATION	3.4
			SW	NE		STOCKWATER	
			SE	NE		STOCKWATER	
			NE	SE		STOCKWATER	
			NW	SE		STOCKWATER	
			SE	SE		STOCKWATER	
						Section Acres	15.2
02S	11E	7	NW	NW		STOCKWATER	
			SW	NW		STOCKWATER	
			NW	SW		STOCKWATER	
			SW	SW		STOCKWATER	
			SE	SW		STOCKWATER	
			NW	SW		IRRIGATION	2.3
			SE	SW		IRRIGATION	0.5
			SW	SW		IRRIGATION	12
						Section Acres	14.8
						Total Acres	30

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:

14. Remarks:

This claim is related to 37-4301 and represents an upgrade of the springs in 1965 that made additional water available and allowed irrigation of additional acres.

15. Basis of Claim: Beneficial Use

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
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

Adjudication Claim Notes

Claim(s): 37-4301

Background Data

- Beneficial Use Claim
- Source is Springs tributary to Spring Creek
- Claimed 1.14 cfs for Irrigation of 57 acres
- Claimed 0.05 cfs for Stockwater

Place Of Use Data

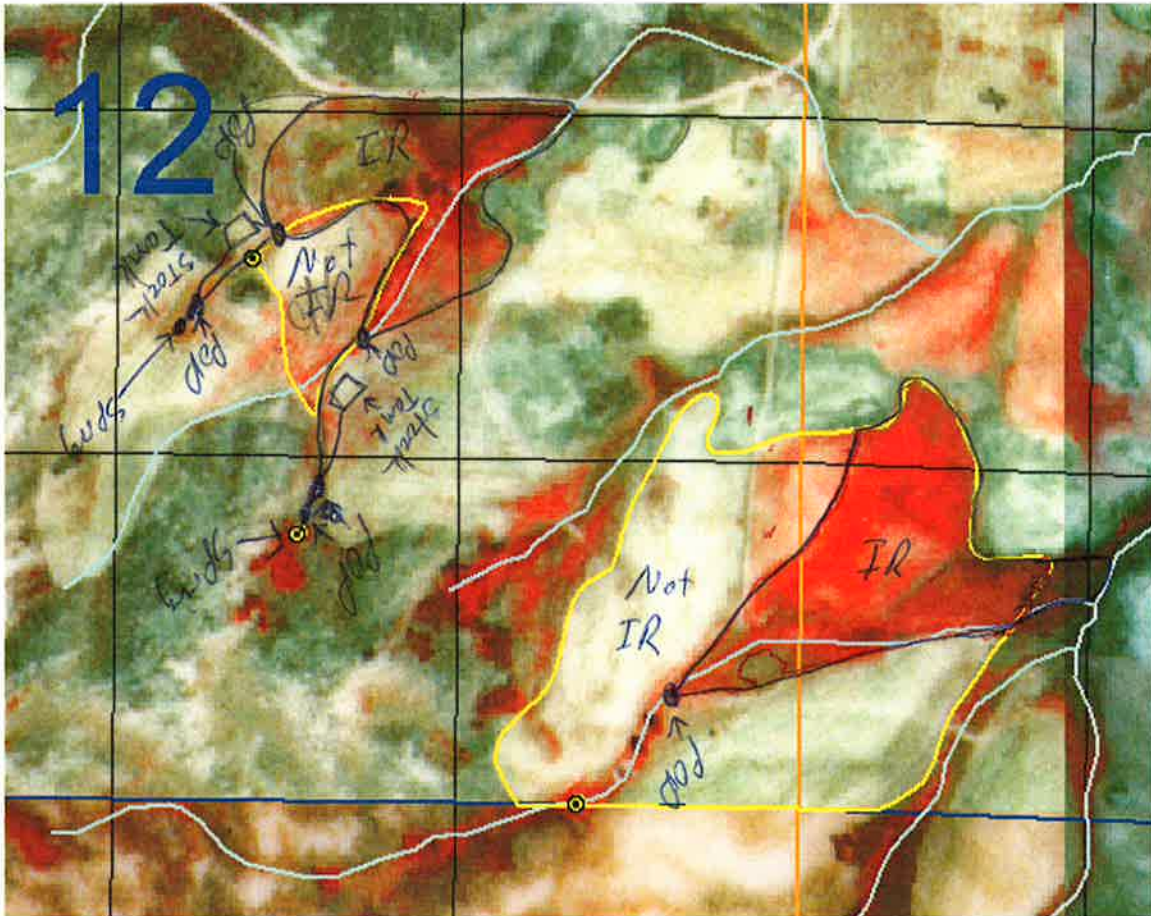
Yellow line is the draft Place of Use created by IDWR based on historical data and records.

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

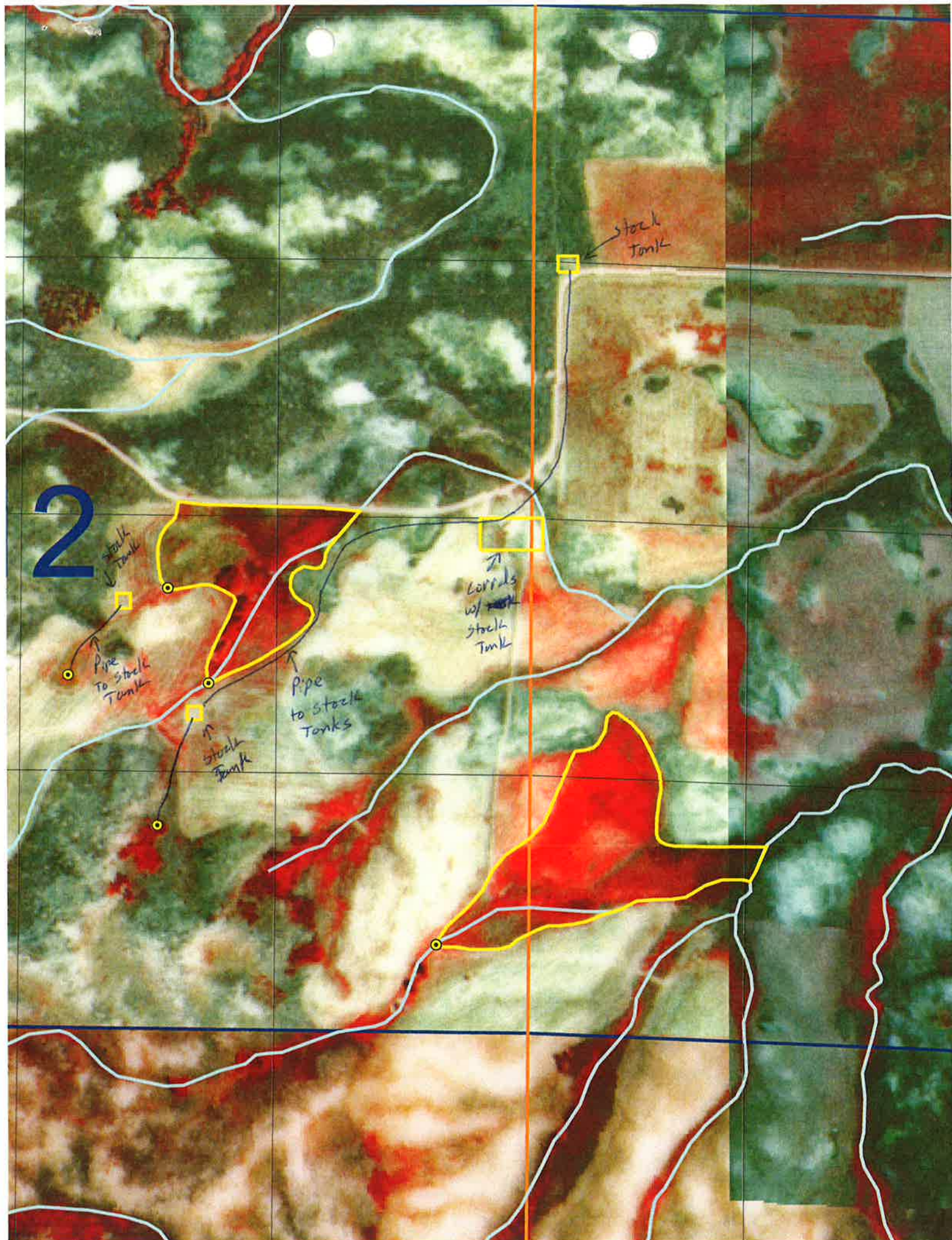
Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

*Notes
from meeting
w/ Charles Olson
4/13/06*

1987 Aerial Photo



*source is
unnamed streams*



Instrument No. 56740

4-1003

Hailey 016058 and 019528

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Julius Knudson has been established and duly consummated, in conformity to law, for the northeast quarter of the northeast quarter of Section Thirteen in Township two south of Range ten east and the Lot one, the northeast quarter of the northwest quarter, and the north half of the northeast quarter of Section eighteen and the southeast quarter of the southwest quarter and the south half of the southeast quarter of Section seven in Township two south of Range eleven east of the Boise Meridian, Idaho, containing three hundred thirteen and fifty-six-hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the United States unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Warren G. Harding, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the fourteenth day of July in the year of our Lord one thousand nine hundred and twenty-one and of the Independence of the United States the one hundred and forty-sixth.

By the President: Warren G. Harding
By M. P. LeRoy, Secretary
L. I. C. Lamar,
Recorder of the General Land Office

Recorded: Patent Number 814262

STATE OF IDAHO, }
COUNTY OF ELMORE, } ss.

I hereby certify that this instrument was filed for record at request of Charles Abbott at 10 minutes past 9 o'clock A. M., this 28th day of Jan. A. D. 1937 in my office, and duly recorded in Book 19 of Patents at page 171.

Fees, \$1.00

James A. O'Neill
Ex-Officio Recorder

SCANNED

APR 13 2006

Instrument No. 56750

Hailey 020539

4-1003

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting:

Whereas, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Amanda J. Knudsen has been established and duly consummated, in conformity to law, for the Lot Three, the northeast quarter of the southwest quarter, and the north half of the southeast quarter of section seven in Township two south of Range eleven east of the Boise Meridian, Idaho, containing one hundred fifty-three acres and fifty-two hundredths of an acre, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

In Testimony whereof, I, Warren G. Harding, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the fourth day of January in the year of our Lord one thousand nine hundred and twenty-three and of the Independence of the United States the one hundred and forty-seventh. 7 1923

SEAL

Recorded: Patent Number 892182

By the President: Warren G. Harding
By Viola B. Pugh, Secretary
M. P. LeRoy
Recorder of the General Land Office.

STATE OF IDAHO,)
COUNTY OF ELMORE,) ss.

I hereby certify that this instrument was filed for record at request of Chas. Abbott at 20 minutes past 9 o'clock A. M., this 1st day of Feb. A. D. 1937 in my office, and duly recorded in Book 19 of Patents at page 172.

Fees, \$1.00

J. A. O'Neill
Ex-Officio Recorder
By R. W. Grove, Deputy

SCANNED

APR 13 2006

Instrument #20205.

Hailey 04447.

4-1003.

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Amanda J. Knudson, formerly Amanda J. Nelson has been established and duly consummated, in conformity to law, for the Lot four of Section seven in Township two south of Range eleven east and the east half of the southeast quarter and the northwest quarter of the southeast quarter of Section Twelve in Township two south of Range ten east of the Boise Meridian, Idaho, containing one hundred fifty-three and thirty-eight-hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, William H. Taft President of the United States of America, Have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the SEVENTH day of DECEMBER in the year of our Lord one thousand nine hundred and TWELVE and of the Independence of the United States the One hundred and THIRTY-SEVENTH.

By the President: Wm. H. Taft,

U. S. Land Office Seal.

By M. P. LeRoy, Secretary.

H. W. Sanford,

SCANNED

APR 13 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 23, 2006

Clare & Karen Olson
PO Box 136
Hill City, ID 83337

RE: Snake River Basin Adjudication claims

Dear Mr. & Mrs. Olson,

In our conversation yesterday, Mr. Olson asked about the status of your water right claims in the Snake River Basin Adjudication (SRBA). Attached is a list of the water right claims I found in our database that have you listed as the owners. The status of each claim is listed in the "Comment" field. Claims 37-4301 and 37-7456 are the only claims still in the SRBA review process. As Mr. Olson and I discussed yesterday, 37-4301 requires additional information to support your claimed priority date of 1/1/1912.

Feel free to contact me at (208) 287-4937 if you have any questions or feel there are water rights missing from the attached list.

Sincerely,

A handwritten signature in cursive script that reads "Matt Anders".

Matt Anders
GIS Specialist – Snake River Basin Adjudication

Summary of Water Right Claims for Clare & Karen Olson
(2/23/06)

<u>WR Number</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Comment</u>
37-4301	1/1/1912	1.19	SPRINGS	IRRIGATION, STOCKWATER	Claim Under Review
37-7456	9/29/1975	4.94	GROUND WATER	IRRIGATION	Claim Under Review
37-8764	8/23/1991	0.13	SPRINGS	DOMESTIC, STOCKWATER	Permit
37-13262	9/29/1975	4.94	GROUND WATER	IRRIGATION	Claim Withdrawn
37-13264	8/20/1931	0.11	SPRINGS	DOMESTIC, STOCKWATER	Review Compete - Partial Decree in SRBA
37-13265	8/20/1962	0.08	SPRINGS	DOMESTIC, STOCKWATER	Review Compete - Partial Decree in SRBA
37-13266A	8/20/1906	0.1	SPRINGS	STOCKWATER	Review Compete - Partial Decree in SRBA
37-13272	8/20/1906	0.11	SPRING	DOMESTIC, STOCKWATER	Review Compete - Partial Decree in SRBA
61-10256	3/27/1980	0.04	GROUND WATER	DOMESTIC	Review Compete - Partial Decree in SRBA

May 20, 2005

Charles J. Olson
Route 1 Box 777E
Mountain Home, Idaho 83647

Idaho Department of Water Resource
1342 Fillmore Street, Suite 200
Twin Falls, Idaho 83301

RECEIVED

MAY 20 2005

Department of Water Resources
Southern Region

Re: Evidence of Priority

Dear Mr. Jones

The water covered under water right 37-4301 was first put to beneficial use when these lands were patented in the late 1800's or early 1900's when these lands were first settled. These springs were used to naturally irrigate the meadows below these springs. Some springs had some domestic uses for homestead homes on the land but the homes are no longer there.

I made improvement on these springs in the early 1970's by clearing all of the brush and scrub quaking aspen around these springs and putting in a spring box and structures to keep livestock out of the spring area. We cleared most of the land, except for the meadows, and seeded the ground to domestic hays and grasses. At this time ditches were put in to carry some of the water to irrigate the improved pastures.

The quantity of water used varied with the time of the year; as long as there was snow drifts on the ridges, the springs would produce the 1.140 cfs but the production would diminish as the environment dried out during the year. The extent of the use also followed the seasons with little use as long as the lands were saturated from winter snow cover and early spring rain, but as the environment became drier there is no water leaving the land described in this water right.

To summarize: it seems appropriate that this water right should be adjudicated with a

SCANNED

MAY 24 2005

priority date in the early 1900's with a quantity of 0.855 cfs (75% of 1.140 cfs), also an enlargement with a 1974 priority date and a quantity of 0.285 cfs (25% of 1.140 cfs). This would clearly represent how this water has been put to beneficial use over the years.

Thank you.

Sincerely,

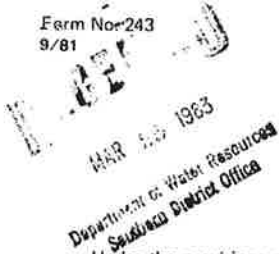


Charles J. Olson

cc: Clare Olson

SCANNED

MAY 24 2005



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 CLARE OLSON
(Name of Claimant)
Box 136, Hill City, ID 83377 Telephone No. 764-2588
(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) 1912

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)
SPRINGS (3) tributary to SPRING 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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
Quantity	<u>1.14 cfs</u>	Use <u>IRRIGATION</u>	Period of Use From <u>4/15</u> To <u>10/15</u>	
Quantity	<u>0.03 cfs</u>	Use <u>STOCKWATER</u>	Period of Use From <u>1/1</u> To <u>12/31</u>	
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 1.19 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
(2 PTS) SW 1/4 SE 1/4, Sec. 12 Twp. 25 Rge. 10E B.M., County of ELMORE

Additional points of diversion:
SE 1/4 SE 1/4, SEC. 12, T. 25, R. 10E, B.M.

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.
PERFORATED UNDERGROUND PIPELINES, HEADBOX & GRAVITY FLOW IRRIGATION. STOCK TROUGHS (2).

(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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>25</u>	<u>10E</u>	<u>12</u>																X (STOCK)	
<u>25</u>	<u>10E</u>	<u>12</u>																<u>9 7 2 10</u>	<u>27</u>
<u>25</u>	<u>11E</u>	<u>7</u>										<u>10</u>	<u>20</u>						<u>30</u>
												<u>173</u>	<u>14</u>						

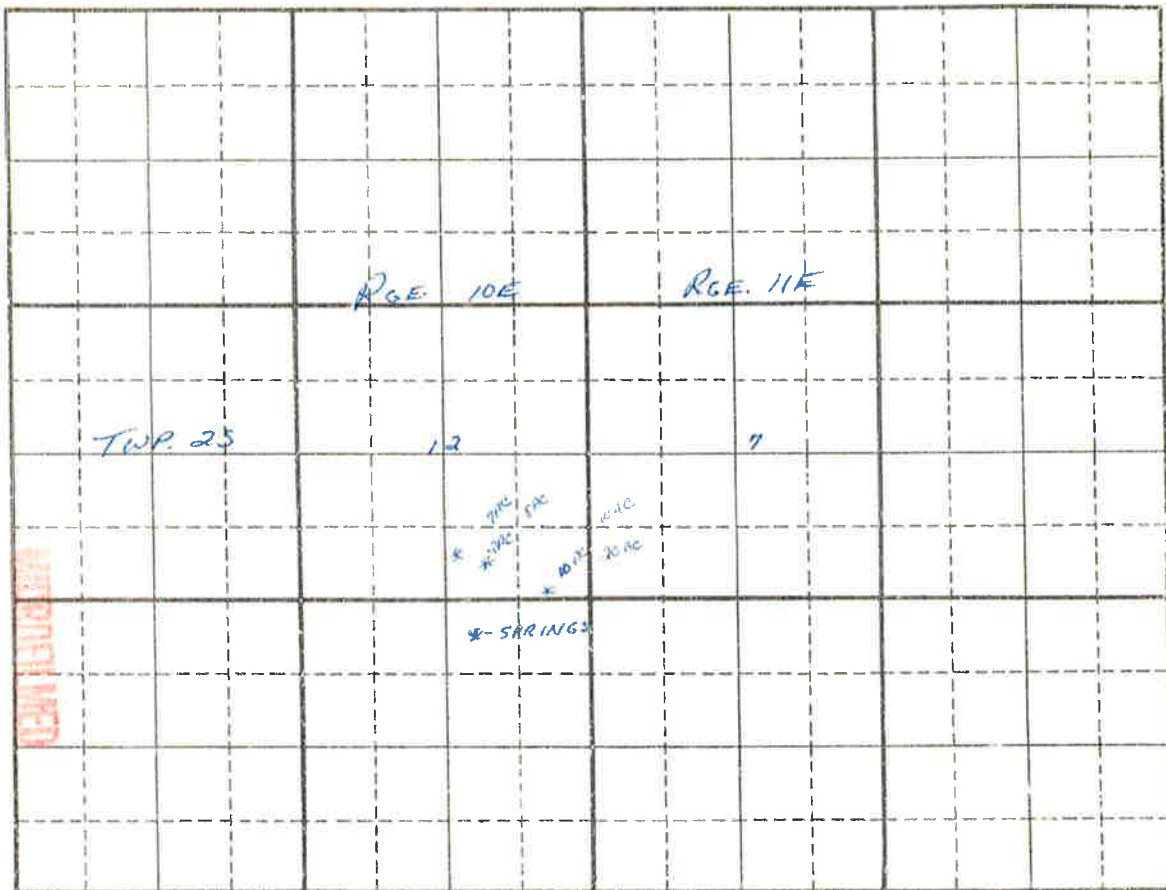
No. of acres 57

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
STOCKWATER - 300 HD.

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 _____



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 Ada) 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 23 day of March, 1988.

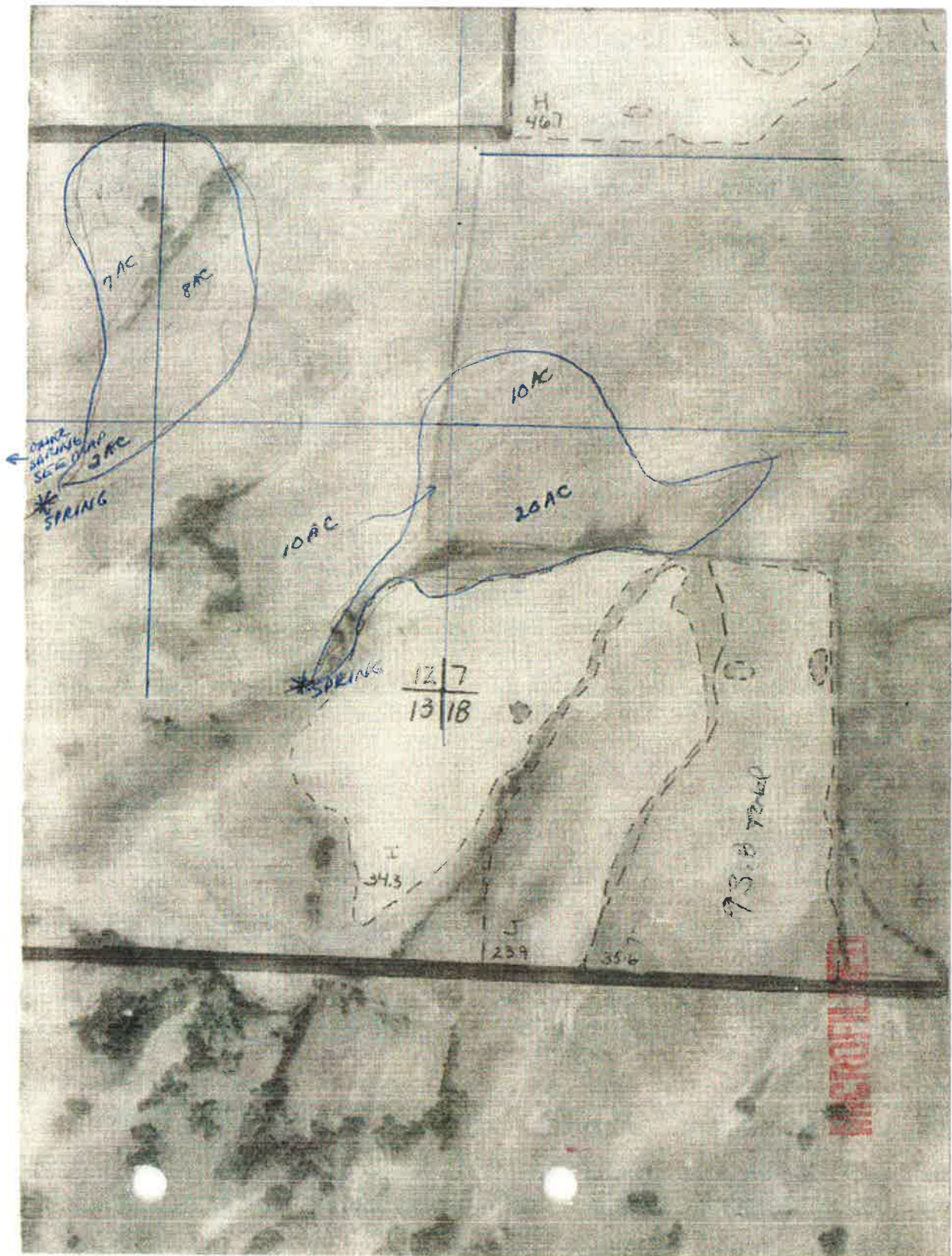
Core Elvorn
(Claimant)

Nancy M. Hathaway
Notary Public
Residing at Boise

My commission expires Life

2 50 43 FOR DEPARTMENT USE ONLY

Received by jc Date 3/23/83 Exception filed by: _____ Date _____
Prelim. check by jc Date 4-22-83 Forwarded to claimant by: _____
\$30.00 fee received by jc Date 3/23/83 # 27865
Published in Boise Times-News
Dates 5/19 + 5/26/83





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

RESPONSE DEADLINE
JUNE 17, 2005

Re: Evidence of Priority

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

MAR 23 1983

MAR 28 1964
Department of Water Resources
Southern District Office

APR 1965

Departments:

Notice is hereby given that CLARE OLSON (Name of Claimant)

Box 136, Hill City, ID 83337 Telephone No. 764-2588

(1) Date of priority: (When was the water first applied to a beneficial use) 1962

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

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

		(Both dates inclusive)			
(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)		(Mo., Day)	
Quantity <u>1.14 cfs</u>	Use <u>IRRIGATION</u>	Period of Use From <u>4/15</u>	To	<u>10/15</u>	
Quantity <u>0.05 cfs</u>	Use <u>STOCKWATER</u>	Period of Use From <u>1/1</u>	To	<u>12/31</u>	
Quantity _____	Use _____	Period of Use From _____	To	_____	
Quantity _____	Use _____	Period of Use From _____	To	_____	
Quantity _____	Use _____	Period of Use From _____	To	_____	

(4) 1.19 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A Point of diversion: (Location of point where water is diverted from its source)

2 PTS) SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12 Twp. 25 Rge. 10E B.M., County of ELMORE

Additional points of diversion:

SE 1/4 SE 1/4, SEC. 12, T. 25, R. 10E, B.M.

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. PERFORATED UNDERGROUND PIPELINES, HEADBOX & GRAVITY FLOW IRRIGATION. STOCK TROUGHS (2).

(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.

[illegible]

		TOTAL
WY%	SE%	

Quantity 1.14 CFS Use IRRIGATION Period of Use From 4/15 To 10/15
 Quantity 0.05 CFS Use STOCKWATER Period of Use From 1/1 To 12/31
 Quantity _____ Use _____ Period of Use From _____ To _____
 Quantity _____ Use _____ Period of Use From _____ To _____
 Quantity _____ Use _____ Period of Use From _____ To _____

(4) 1.19 CFS TOTAL QUANTITY USED.
 (cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

2 PTS SW 1/4 SE 1/4, Sec. 12 Twp. 25 Rge. 10E B.M., County of ELMORE

Additional points of diversion:

SE 1/4 SE 1/4, Sec. 12, T. 25, R. 10E, B.M.

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. PERFORATED UNDERGROUND PIPELINES, HEADBOX & GRAVITY FLOW IRRIGATION. STOCK TROUGHS (2).

(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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>25</u>	<u>10E</u>	<u>12</u>																	
<u>23</u>	<u>10E</u>	<u>12</u>																X (STOCK)	
<u>25</u>	<u>11E</u>	<u>7</u>													<u>8</u>	<u>7</u>	<u>2</u>	<u>10</u>	<u>27</u>
												<u>10</u>	<u>20</u>						<u>30</u>
												<u>13</u>	<u>44</u>						

No. of acres 57

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

STOCKWATER - 200 HD.

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:

MICROFILMED
 FEB 24 1993

A37-4301

T2S, R10 E, S.12
T2S, R11 E, S. 7

NATIONAL FOREST

35

30 River

31

Malad

32

5081

River

Camas

Lobby
5352

2

1

6

Spring

5

Creek

Camas

5095

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11

12

7

8

Stock

Stock

Int.

Stock
Int.

