

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: **A37-07456**
Date Received: 11/ 7/1989
Receipt No: M005152
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CLARE M OLSON 208-587-3985
Address: PO BOX 136
HILL CITY ID 83337
OR
Name: KAREN Y OLSON 208-587-3985
Address: PO BOX 136
HILL CITY ID 83337
2. Date of Priority: SEP 29, 1975
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	11E	11	NE	SE			ELMORE
		14	SW	SE			ELMORE
5. Description of diverting works:
440' DEEP, 16" CS, 200 HP PUMP, HANDLINES AND WHEEL-LINES
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.940		1631.00
7. Total Quantity Appropriated is:
4.940 C.F.S. (and/or) 1631.00 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	11E	11	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	39.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.0

Section Acres 475.0

14	NW	NE	IRR	39.0
	SW	NE	IRR	39.0
	SE	NE	IRR	1.0
	NE	NW	IRR	39.0
	SE	NW	IRR	13.0
	NE	SW	IRR	8.0
	NW	SE	IRR	35.0
	SW	SE	IRR	13.0

Section Acres 187.0

23	NW	NE	IRR	3.0
----	----	----	-----	-----

Section Acres 3.0

Total Acres 665.0

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:
A37-13262

14. Remarks:

SEE A37-13262 FOR EXPANDED PORTION OF LICENSE.
ALTERNATE PHONE NO.=764-2588.

PURSUANT TO APPROVED TRANSFER NO. 4320:

1. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE
FOR THE LANDS ABOVE.

14. Remarks: Continued

2. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
3. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
4. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.
5. PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RIGHT HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPARTMENT FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION.
6. THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANSFER NO. 4320 SHALL NOT EXCEED 4.94 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 1,631.0 AF.
7. RIGHT NO. A37-07456 IS LIMITED TO THE IRRIGATION OF 466 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: LICENSE

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: _____

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: A37-07456
Date Received: 11/07/1989
Receipt No: M5152
Received By: EW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

OR
Name: KAREN Y. OLSON 208-587-3985
Address: PO BOX 136
HILL CITY, ID 83337

2. Date of Priority: SEP 29, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

NOV 15 1989
Department of Water Resources
Southern Region Office
Lot County
ELMORE

Township	Range	Section	1/4 of	1/4 of	1/4	Lot
02S	11E	11	NE	SE		

5. Description of diverting works:
440' DEEP, 16" CS, 200 HP PUMP,

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.940		1398.00

7. Total Quantity Appropriated is:
4.940 C.F.S. (and/or) 1398.00 A.F.A.

8. Total consumptive use is 1165.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-07456

Page

1

Date: 11/07/89

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	11E	11	NE	SW		IRR	40.0
			NW	SW		IRR	39.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.0
						Section Acres	315.0
		14	NW	NE		IRR	39.0
			SW	NE		IRR	39.0
			SE	NE		IRR	1.0
			SE	NW		IRR	13.0
			NE	SW		IRR	8.0
			NW	SE		IRR	35.0
			SW	SE		IRR	13.0
						Section Acres	148.0
		23	NW	NE		IRR	3.0
						Section Acres	3.0
						Total Acres	466.0

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:
A37-13262

14. Remarks:
SEE A37-13262 FOR EXPANDED PORTION OF LICENSE.
ALTERNATE PHONE NO.=764-2588.

15. Basis of Claim: LICENSE

MICROFILMED
FEB 24 1993

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): X Chae M. Olson Date: X 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

Seal

Linda Werner
Notary Public

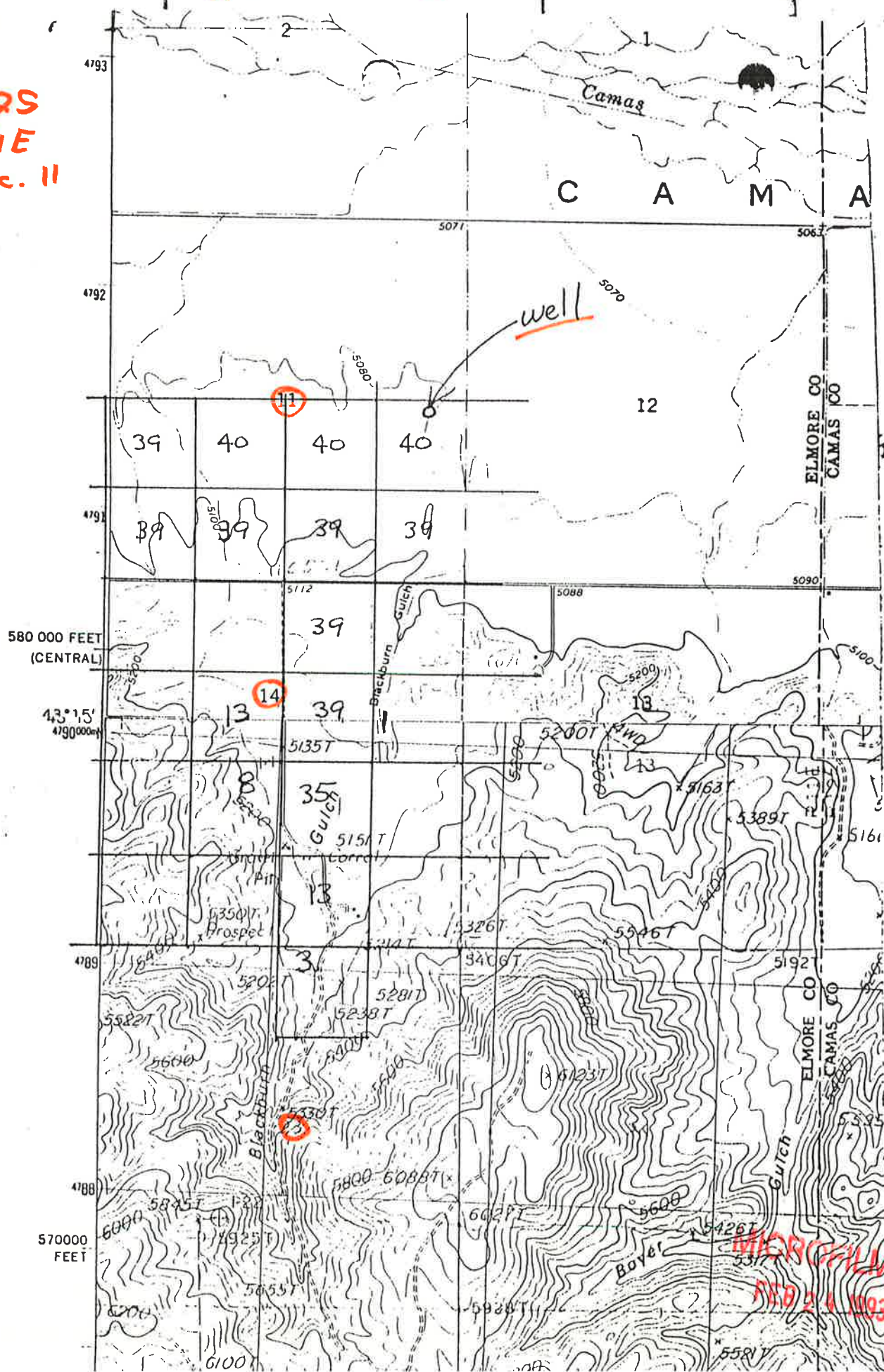
Linda A. Werner

Residing at _____
Residing at Boise, Idaho
My Commission Expires December 8, 1994
My Commission Expires _____

WATER RIGHT LICENSE

880502

T2S
RIIE
Sec. 11



267
531
MICROFILMED
FEB 24 1993

03/08/2006

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

RIGHT NUMBER: 37-7456

NAME AND ADDRESS: CLARE M OLSON
PO BOX 136
HILL CITY ID 83337-0136

KAREN Y OLSON
PO BOX 136
HILL CITY ID 83337

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.940 CFS
1,631.000 AFY

The total instantaneous diversion of water from all points of diversion under Transfer No. 4320 shall not exceed 4.94 cfs, nor total combined annual volume of 1,631.0 af.

PRIORITY DATE: 09/29/1975

POINT OF DIVERSION:

T02S R11E S11 NENESE Within ELMORE County

T02S R11E S14 NESWSE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

4.940 CFS
1,631.00 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 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.

PLACE OF USE:

IRRIGATION Within ELMORE County

T02S R11E S11	SWNE	40.00	T02S R11E S11	SENE	40.00
T02S R11E S11	SWNW	40.00	T02S R11E S11	SENE	40.00
T02S R11E S11	NESW	40.00	T02S R11E S11	NWSW	39.00
T02S R11E S11	SWSW	39.00	T02S R11E S11	SESW	39.00
T02S R11E S11	NESE	40.00	T02S R11E S11	NWSE	40.00
T02S R11E S11	SWSE	39.00	T02S R11E S11	SESE	39.00
T02S R11E S14	NWNE	39.00	T02S R11E S14	SWNE	39.00
T02S R11E S14	SENE	1.00	T02S R11E S14	NENW	39.00
T02S R11E S14	SENE	13.00	T02S R11E S14	NESW	8.00
T02S R11E S14	NWSE	35.00	T02S R11E S14	SWSE	13.00
T02S R11E S23	NWNE	3.00			

665 ACRES TOTAL

This right is limited to the irrigation of 466 acres in the place of use described above in a single irrigation season.

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

03/08/2006

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

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

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department from all authorized points of diversion which will allow determination of the total rate of diversion.

Failure to comply with the conditions of Transfer No. 4320 is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.



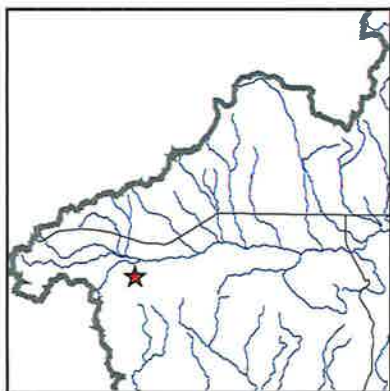
Idaho Department of Water Resources

Adjudication Claim:

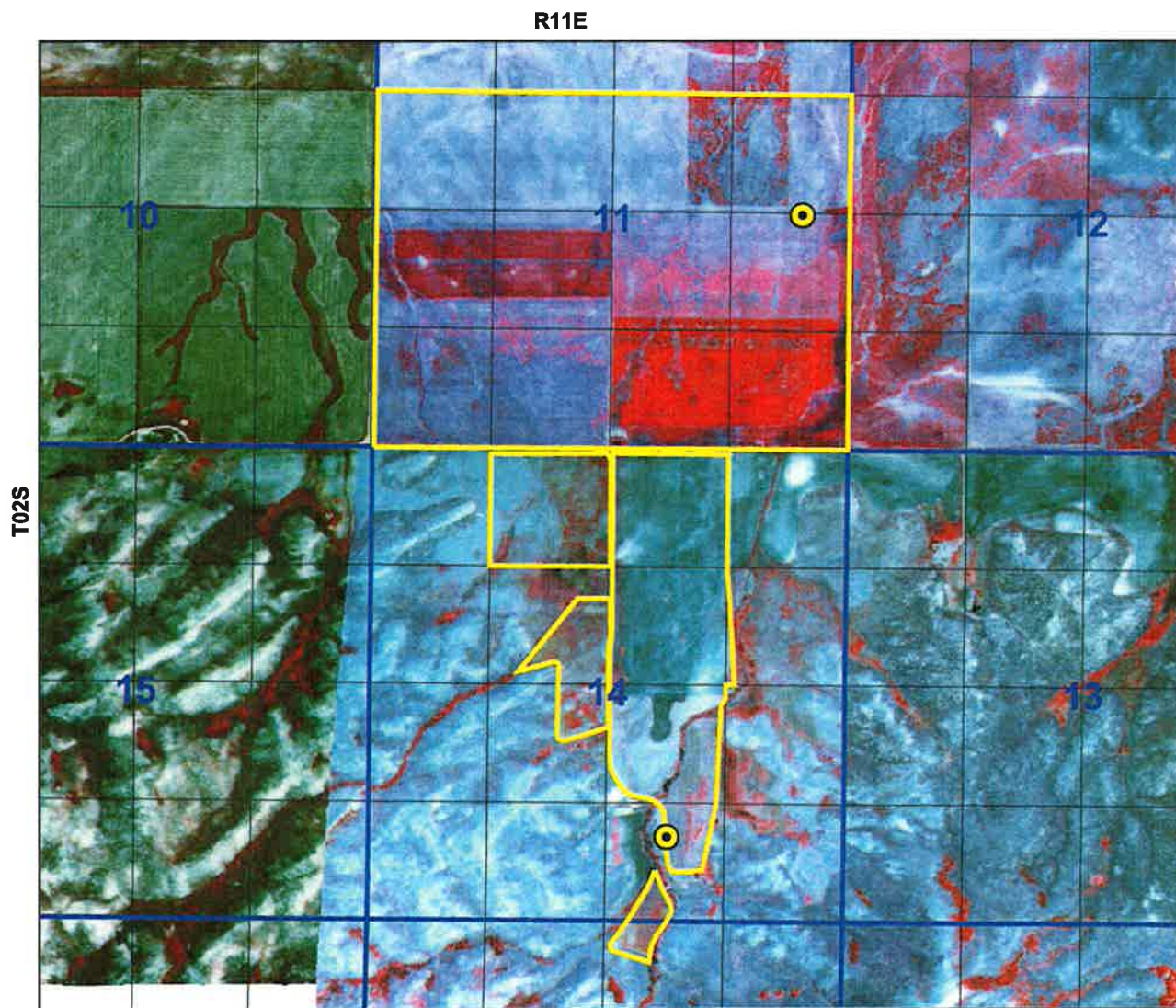
37-7456

Legend

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



Elmore County
IDWR Basin 37



Prepared by M. Anders
On Wednesday, March 8, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-7456

Background Data

- Source is Groundwater
- Licensed for 4.94 cfs on 665 acres – Limited to 466 in PPU
- Claimed for 4.94 cfs on 665 acres

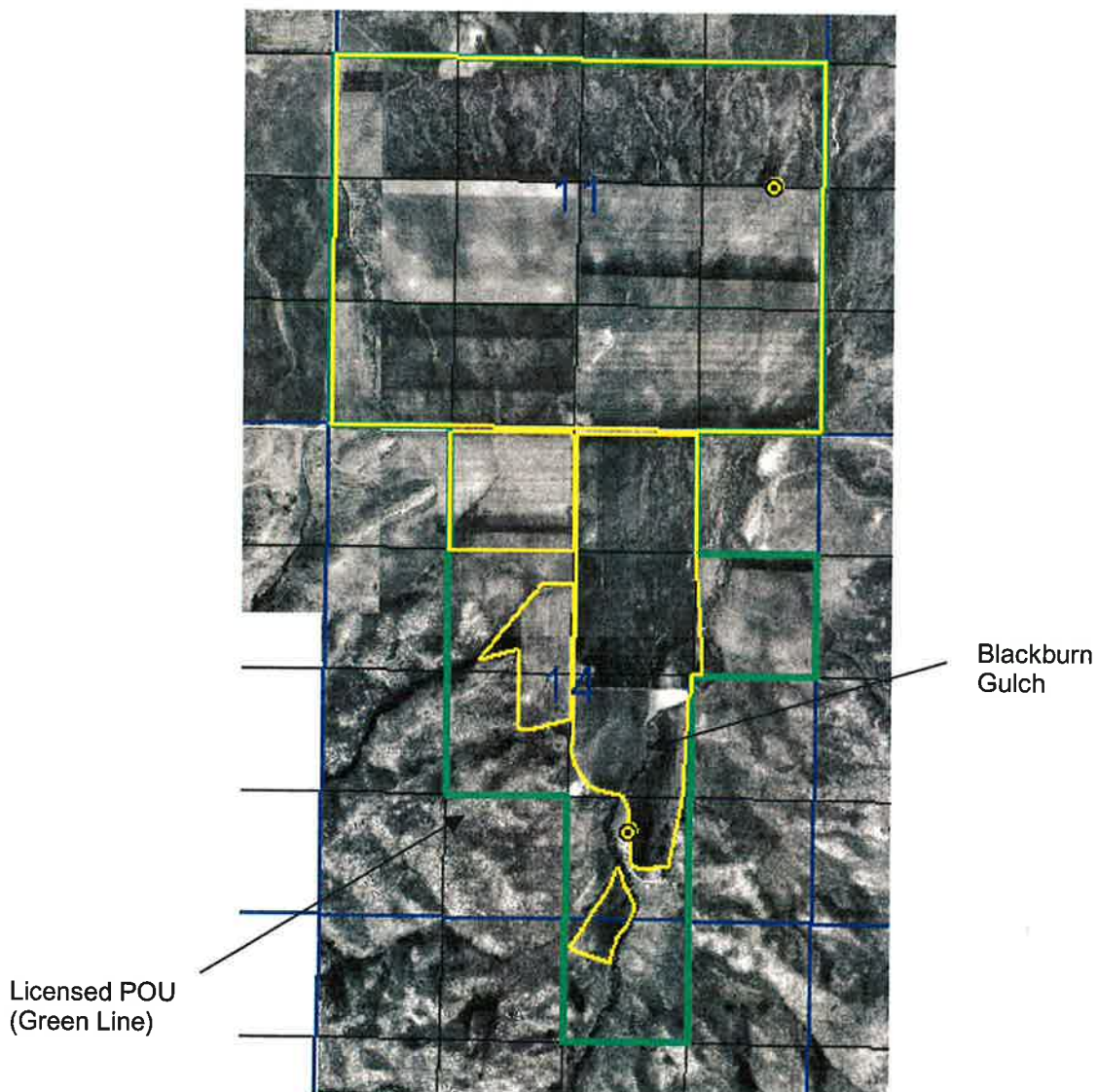
Place Of Use Data

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)

1992 Aerial Photo



Notes

T2S R11E Sections 11, 14, & 23

- Found 664 acres
- PODs digitized based on license documents

- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

✓ Carter
Southern AJ

TRANSFER OF WATER RIGHT

TRANSFER NO. 4320
WATER RIGHT NO. 37-07456

This is to certify that: CLARE M OLSON
KAREN Y OLSON
PO BOX 136
HILL CITY ID 83337

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	4.94 CFS	1631.0 AF

SOURCE

GROUNDWATER

Priority: 09/29/1975

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 11, Township 02S, Range 11E
SWSE , Sec. 14, Township 02S, Range 11E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S 11E 11	SWNE 40	SENE 40	SWNW 40	
	SENE 40	NESW 40	NWSW 39	
	SWSW 39	SESW 39	NESE 40	
	NWSE 40	SWSE 39	SESE 39	475
14	NWNE 39	SWNE 39	SENE 1	
	NENW 39	SENE 13	NESW 8	
	NWSE 35	SWSE 13		187
23	NWNE 3			3

Total number of acres irrigated: * 665

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

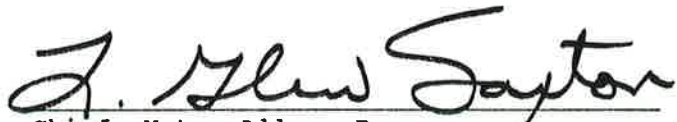
RECORDED
NOV 27 1996

TRANSFER NO. 4320
WATER RIGHT NO. 37-07456

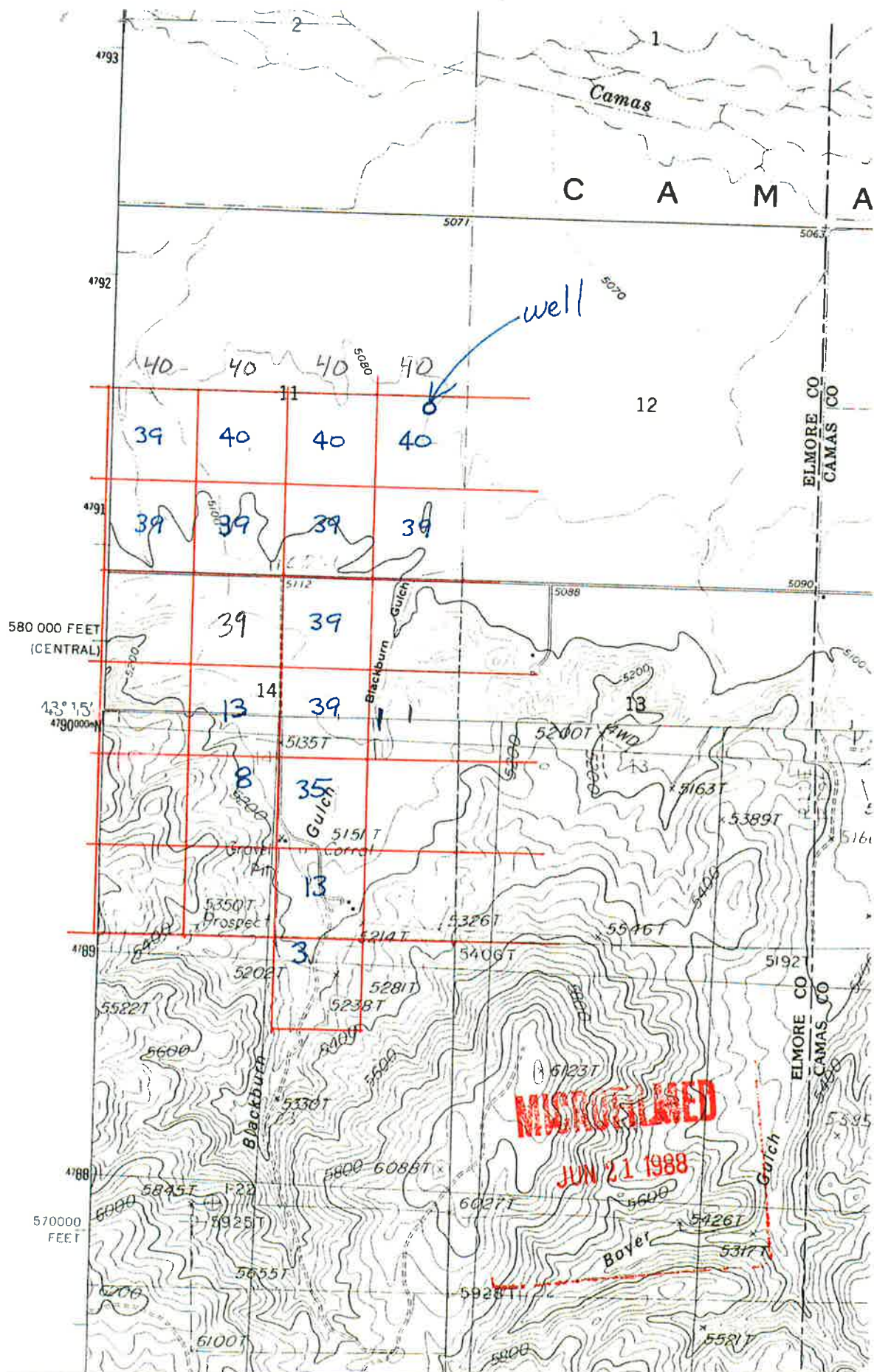
CONDITIONS/REMARKS:

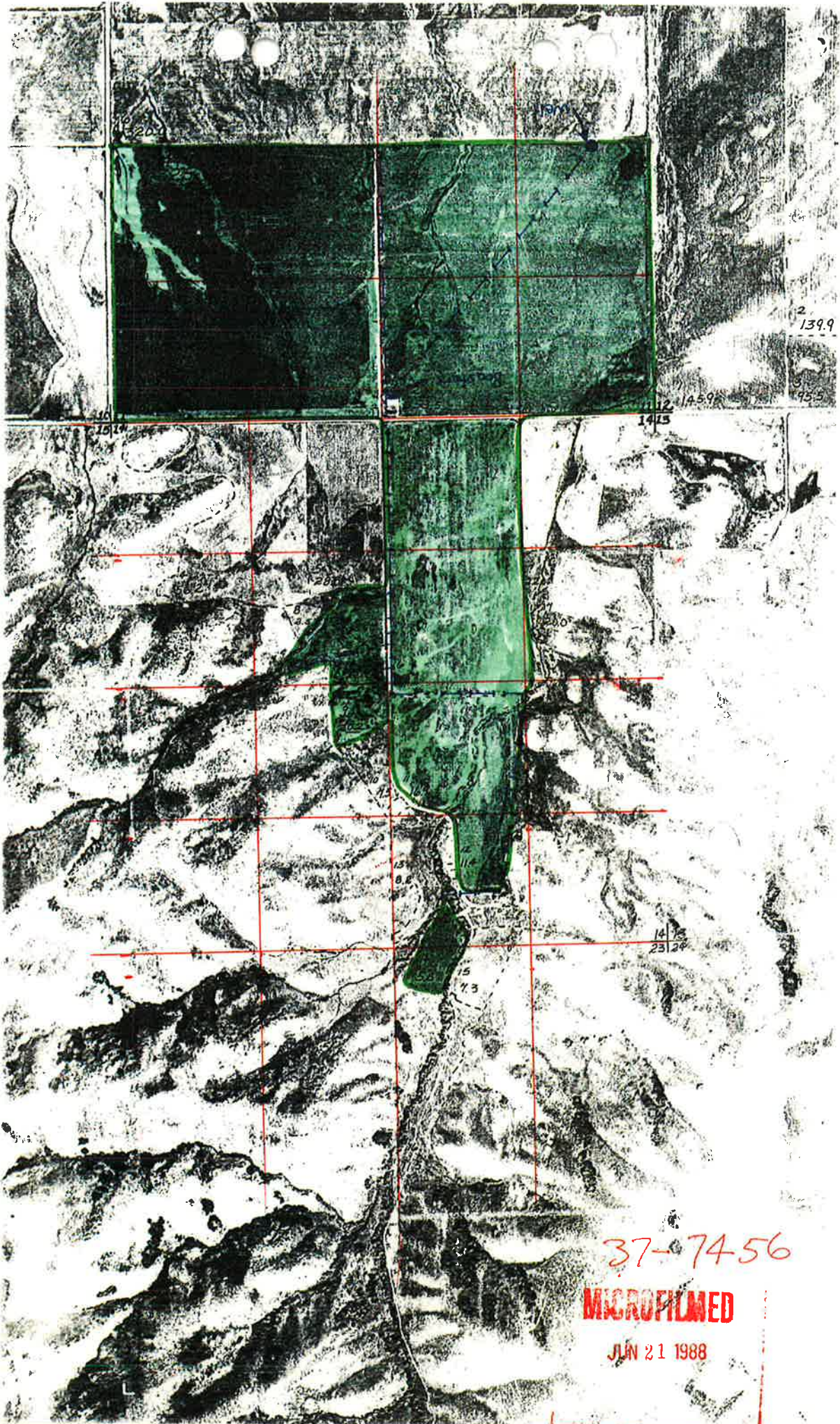
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 6. The total instantaneous diversion of water from all points of diversion under Transfer No. 4320 shall not exceed 4.94 cfs, nor total combined annual volume of 1,631.0 af.
- * * 7. Right No. 37-07456 is limited to the irrigation of 466 acres in the place of use described above in a single irrigation season.

Dated this 23rd day of June, 19 94.


Chief, Water Alloc. Bureau

NOV 27 1996





37-7456

MICROFILMED

JUN 21 1988

[illegible]

MEMORANDUM

TO: FILE NO. 37-07456

FROM: PAM SKAGGS/^{CB}STATE OFFICE *dcf*

SUBJECT: TRANSFER NO. 4320

DATE: June 21, 1994

=====

Transfer No. 4320 was filed to add a point of diversion and change the place of use under Right No. 37-07456. The transfer will add an additional 199 acres of contiguous land to the existing place of use creating a permissible place of use for crop rotation.

The new place of use includes the 466 licensed/claimed acres, 39 acres under an expansion claim and the 160 acres in S1/2 N1/2, S11, for a total of 665 acres. The right will be limited to the licensed 466 irrigated acres each season allowing no expansion of the right.

The diversion volume was adjusted to the current standard of 3.5 af per acre since the licensed rate and season could provide full volume. Recommended conditions include irrigation overlap, multiple points of diversion/measuring devices and standard transfer conditions.

W. O. R. D. L. L.
NOV 27 1996

Page 1 of 5STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

M. 3 199-

Transfer No.

4320

Water Resources
Southern Region Office

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Clare M s/or Karen Y Olson Phone 581-3985
764-2588
Post Office address Po Box 136 Hill City ID 83337

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Establish permissible place of use
by adding 199 acres to the listed place of use; add P/D to System.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|----------------|-----------------------|------------------|-----------------------------|
| <u>37-7456</u> | <u>9/29/75</u> | <u>4.94</u> | <u>IRR</u> | <u>4/15</u> to <u>10/15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 4.94 cubic feet per second and/or 1398 acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	11	2S	11E	Elmore	P/D #1 (Existing well)
		SW	SE	14	2S	11E	"	P/D #2 (Existing well)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
2S	11E	11			40	40			40	40	40	39	39	39	40	40	39	39	475
		14		39	39	1	39			13	8					35	13		187
		23		3															3

Total acres

665

37-07456, T # 4320

PART 1

6. General Information:

a. Description of diversion system handline & wheel line sprinkler irrigation

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Certain lands will be rotated in and out of irrigation
based on a yearly rotation schedule.
Total irrigated area not to exceed 466 acres per
Season.

d. Remarks:

Claim A37-13262 identified lands in NENW Sec 14 which were
not included in license 37-07456. The lands have been
included in this transfer as the claim is not likely to be approved
based on beneficial use.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

NOV 27 1996

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 37-07456

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	4.94 CFS	1398.0 AF

SOURCE

GROUNDWATER

Priority: 09/29/1975

LOCATION OF POINT(S) OF DIVERSION:NESE , Sec. 11, Township 02S, Range 11E
ELMORE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	11E	11	NESW 40	NWSW 39	SWSW 39	
			SESW 39	NESE 40	NWSE 40	
			SWSE 39	SESE 39		315
	14		NWNE 39	SWNE 39	SENE 1	
			SENE 13	NESW 8	NWSE 35	
			SWSE 13			148
	23		NWNE 3			3
						466

Total number of acres irrigated: 466

CONDITIONS/REMARKS:Page 3 of 5

PART 2

Transfer No. 4320

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

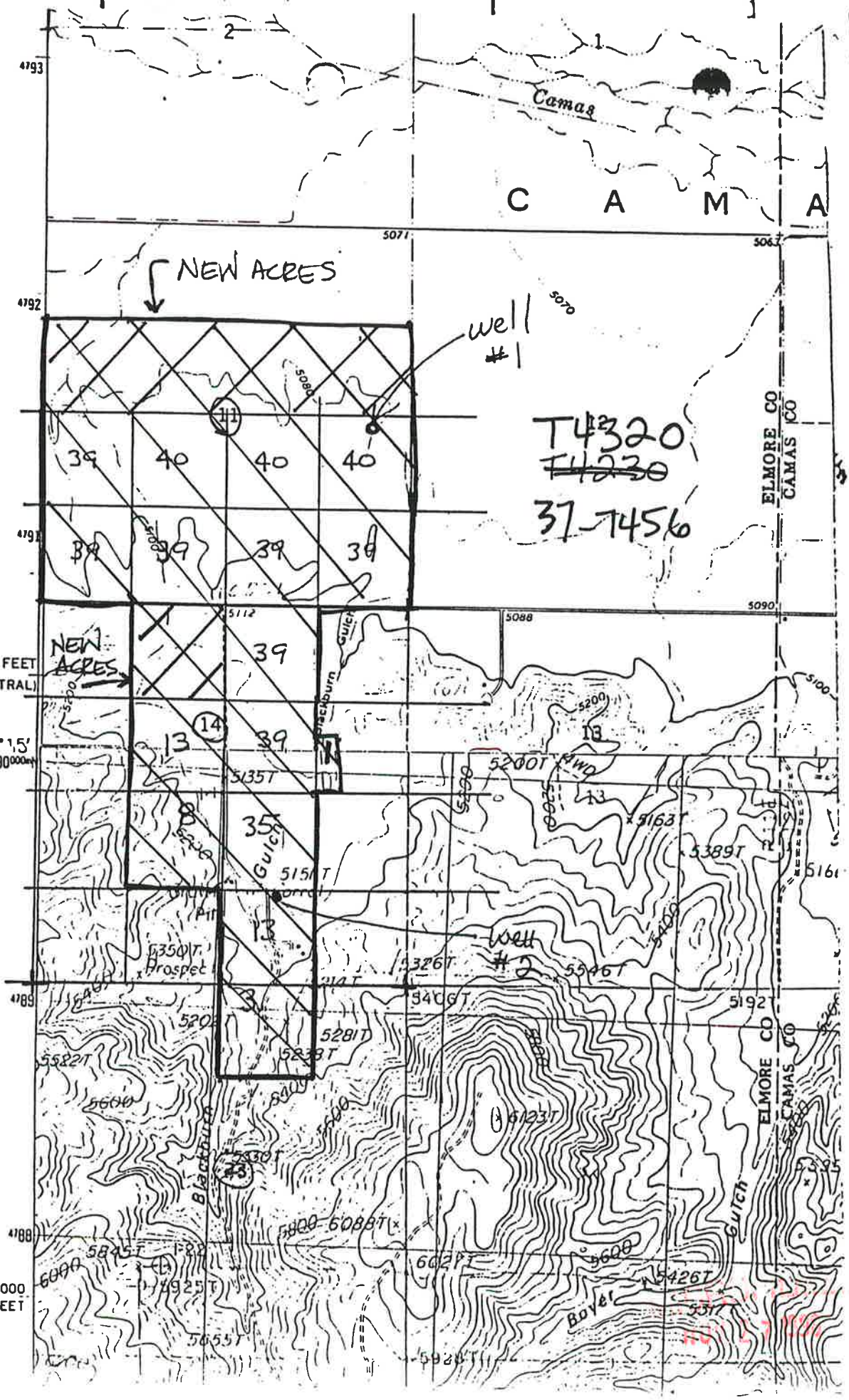
RECEIVED
NOV 27 1998

25
11E

580 000 FEET
(CENTRAL)

43° 15'
4790000m

570000
FEET



T4320
~~T4230~~
37-7456

ELMORE CO
CAMAS CO

PART 3

B. CHANGES IN NATURE OF USE N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Clare Olson

(Signature of Applicant)

Subscribed and sworn to before me this 17th day of March, 19 94.Kathleen A. Walker

(Notary Public)

My commission expires 2-14-1999

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 1 attachmentsReceived by CJH Date 3/17/94 Protest filed by _____Prelim. check by MTS Fee 50- _____Receipted by CJH W017278 Date 3/17/94 _____Published in mtn. Home News Copies of protest forwarded by _____Pub. dates 5/25 + 6/1/94 Hearing held by _____ Date _____Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial_____ rec'd. by LA

Copy of transfer sent to lien holder _____

RECEIVED

MAR 21 1994

Department of Water Resources
Southern Region Office
NOV 27 1996

State of Idaho
Department of Water Resources

RECEIVED

WATER RIGHT LICENSE

JUN 29 1988

WATER RIGHT NO. 37-7456

Department of Water Resources
Southern Region Office
1398.0 AFA

Priority: September 29, 1975 Amount: 4.94 CFS

This is to certify, that W. K. NICHOLS
ROBERT O. NICHOLS
KAREN NICHOLS

P.O. BOX 122

HILL CITY, ID 83337

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated September 29, 1975, and has submitted proof to the Department of Water Resources on May 16, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 4.94 cfs of water from a **GROUNDWATER** source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>					
Irrigation	04/15 to 10/15	4.94 cfs	1398.0	afa				
<u>LOCATION OF POINT OF DIVERSION(S):</u>		NESE , Sec. 11, Township 2S, Range 11E Elmore County						
<u>PLACE OF USE:</u>		Irrigation						
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>				
2S	11E	11	NESW 40	NWSW 39				
			NESE 40	NWSE 40				
		14	NWNE 39	SWNE 39				
			NESW 8	NWSE 35				
		23	NWNE 3					
Total number of acres irrigated:								466

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 13th day of June, 1988.

Director

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-7456

Date of Priority: September 29, 1975

Comes now W. K. NICHOLS
ROBERT O. NICHOLS
KAREN NICHOLS
P.O. BOX 122
HILL CITY, ID 83337

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 37-7456, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	04/15 to 10/15	4.94 cfs	1398.0 afa

LOCATION OF POINT OF DIVERSION(S): NESE, Sec. 11, Township 2S, Range 11E
Elmore County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
2S	11E	11	NESW 40	NWSW 39	SWSW 39	SESW 39		
			NESE 40	NWSE 40	SWSE 39	SESE 39		315
	14		NWNE 39	SWNE 39	SENE 1	SENE 13		
			NESW 8	NWSE 35	SWSE 13			148
	23		NWNE 3					3

Total number of acres irrigated: 466

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Boise, Idaho, this 28th day of April, 1988.

Robert O. Nichols
(Signature)

RECEIVED
NOV 27 1988

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-7456

FOR DEPARTMENT USE ONLY

C000449

Preliminary check by kw Fee = \$20.00 ✓ Received by sg Date 4-28-88

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-7456 with the following;

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 13th day of June, 1988.

R. Keith Higginson
(Director)

RECEIVED
MAY 2 7 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 28, 1994

CLARE M OLSON
KAREN Y OLSON
PO BOX 136
HILL CITY ID 83337

RE: Amendment of SRBA Claim #A37-07456

Dear Claimant:

Pursuant to the approval of Transfer No. 4320, the above referenced Notice of Claim in the Snake River Basin Adjudication has been amended to conform with the transfer. Please find enclosed a printout of the way your claim records have been modified. Please look the modified records over carefully to be sure they correctly reflect your intended change. If you have questions please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over the typed name and title.

Jeanie Robertson
Water Rights Agent

Encl:

10/27/94
10/27/94

Water Right Number - 37-07456 Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
OLSON

CLARE M

1 - PO BOX 136

2 -

3 -

City- HILL CITY

State- ID Zip- 83337

Phone - 208-764-2588

OLSON

KAREN Y

1 - PO BOX 136

2 -

3 -

City- HILL CITY

State- ID Zip- 83337

Phone - 208-764-2588

*** O - ORIGINAL OWNER ***
NICHOLS

W K

1 -

2 -

3 -

City-

State- ID Zip-

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/29/1975 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
02S	11E	11	NE SE		(39)	ELMORE				
		14	SW SE		(39)	ELMORE				

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	10/15	4.940	1631.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
4.940 1631.00 4.940

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02S	11E	11	SW NE		40.0	01	IRRIGATION	(39) ELMORE
02S	11E	11	SE NE		40.0	01	IRRIGATION	(39) ELMORE
02S	11E	11	SW NW		40.0	01	IRRIGATION	(39) ELMORE
02S	11E	11	SE NW		40.0	01	IRRIGATION	(39) ELMORE
02S	11E	11	NE SW		40.0	01	IRRIGATION	(39) ELMORE
02S	11E	11	NW SW		39.0	01	IRRIGATION	(39) ELMORE
02S	11E	11	SW SW		39.0	01	IRRIGATION	(39) ELMORE
02S	11E	11	SE SW		39.0	01	IRRIGATION	(39) ELMORE
02S	11E	11	NE SE		40.0	01	IRRIGATION	(39) ELMORE
02S	11E	11	NW SE		40.0	01	IRRIGATION	(39) ELMORE

NOV 27 1994

Water right number - 37-07456

Prefix Translation: WATER RIGHT

+ - - - - Place of Use - - - - - +								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02S	11E	11	SW SE		39.0	01	IRRIGATION	(39) ELMORE
02S	11E	11	SE SE		39.0	01	IRRIGATION	(39) ELMORE
02S	11E	14	NW NE		39.0	01	IRRIGATION	(39) ELMORE
02S	11E	14	SW NE		39.0	01	IRRIGATION	(39) ELMORE
02S	11E	14	SE NE		1.0	01	IRRIGATION	(39) ELMORE
02S	11E	14	NE NW		39.0	01	IRRIGATION	(39) ELMORE
02S	11E	14	SE NW		13.0	01	IRRIGATION	(39) ELMORE
02S	11E	14	NE SW		8.0	01	IRRIGATION	(39) ELMORE
02S	11E	14	NW SE		35.0	01	IRRIGATION	(39) ELMORE
02S	11E	14	SW SE		13.0	01	IRRIGATION	(39) ELMORE
02S	11E	23	NW NE		3.0	01	IRRIGATION	(39) ELMORE

Total Acres: 665.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
The total instantaneous diversion of water from all points of diversion under Transfer No. 4320 shall not exceed 4.94 cfs, nor total combined annual volume of 1,631.0 af. Right No. 37-07456 is limited to the irrigation of 466 acres in the place of use described above in a single irrigation season.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

RECEIVED
NOV 27 1994

Prefix Translation: WATER RIGHT

+ - - Audit Fields - 03/30/88 05/28/88 CONVERT 03/17/94 HODGES 05/13/94 BALDWIN 06/21/94 SKAGGS

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-	R
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-	Y
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-	P
Exam to S.O. Date	-	00/00/0000	Verified Date	-	00/00/0000	DLE/Carey Act	-	1
Order Show Cause	-	00/00/0000	Receipt Number	-	W017278	Water District	-	
Licensed Date	-	06/13/1988	Appl Received	-	03/17/1994	Transfer/Amended	-	J
Decree Date	-	00/00/0000	Name Connector	-	AND/OR	POU Ownership Flag	-	Y
Presumption Flag	-							

NOV 27 1954

Water Right Number - R37-07456

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
OLSON

CLARE M

1 - PO BOX 136

2 -

3 -

City- HILL CITY

State- ID Zip- 83337

Phone - 208-587-3985

1 - PO BOX 136

2 -

3 -

City- HILL CITY

State- ID Zip- 83337

Phone - 208-587-3985

OLSON

KAREN Y

*** O - ORIGINAL OWNER ***
NICHOLS

W. K.

1 - P.O. BOX 122

2 -

3 -

City- HILL CITY

State- ID Zip- 83337

Phone - 208-000-0000

1 - P.O. BOX 122

2 -

3 -

City- HILL CITY

State- ID Zip- 83337

Phone - 208-000-0000

NICHOLS

ROBERT O.

NICHOLS

KAREN

1 -

2 -

3 -

City- O

State- ID Zip- 0

Phone - 208-000-0000

NICHOLS

W. K.

1 -

2 -

3 -

City- O

State- ID Zip- 0

Phone - 208-000-0000

+ - - Priority Date - - +
09/29/1975+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - - - Source - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County02S 11E 11 NE SE (39) ELMORE
14 SW SE (39) ELMORE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 4.940 1631.00

NOV 27 1996

Water right number - R37-07456

Prefix Translation: RESEARCH

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.940 1631.00 0.0

+ - - - - - Place of Use - - - - - +							
Twn	Rng	Sec	Tract	Lot	Acres	Description	County
02S	11E	11	SW NE		40.0	01 IRRIGATION	(39) ELMORE
02S	11E	11	SE NE		40.0	01 IRRIGATION	(39) ELMORE
02S	11E	11	SW NW		40.0	01 IRRIGATION	(39) ELMORE
02S	11E	11	SE NW		40.0	01 IRRIGATION	(39) ELMORE
02S	11E	11	NE SW		40.0	01 IRRIGATION	(39) ELMORE
02S	11E	11	NW SW		39.0	01 IRRIGATION	(39) ELMORE
02S	11E	11	SW SW		39.0	01 IRRIGATION	(39) ELMORE
02S	11E	11	SE SW		39.0	01 IRRIGATION	(39) ELMORE
02S	11E	11	NE SE		40.0	01 IRRIGATION	(39) ELMORE
02S	11E	11	NW SE		40.0	01 IRRIGATION	(39) ELMORE
02S	11E	11	SW SE		39.0	01 IRRIGATION	(39) ELMORE
02S	11E	11	SE SE		39.0	01 IRRIGATION	(39) ELMORE
02S	11E	14	NW NE		39.0	01 IRRIGATION	(39) ELMORE
02S	11E	14	SW NE		39.0	01 IRRIGATION	(39) ELMORE
02S	11E	14	SE NE		1.0	01 IRRIGATION	(39) ELMORE
02S	11E	14	NE NW		39.0	01 IRRIGATION	(39) ELMORE
02S	11E	14	SE NW		13.0	01 IRRIGATION	(39) ELMORE
02S	11E	14	NE SW		8.0	01 IRRIGATION	(39) ELMORE
02S	11E	14	NW SE		35.0	01 IRRIGATION	(39) ELMORE
02S	11E	14	SW SE		13.0	01 IRRIGATION	(39) ELMORE
02S	11E	23	NW NE		3.0	01 IRRIGATION	(39) ELMORE

Total Acres: 665.0

+ - - Diversion Means - 440' DEEP, 16" CS, 200 HP PUMP, HANDLINES AND WHEEL-LINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A37-13262

+ - - - - - Remarks - - - - - +

SEE A37-13262 FOR EXPANDED PORTION OF LICENSE.
ALTERNATE PHONE NO.=764-2588.

PURSUANT TO APPROVED TRANSFER NO. 4320:

1. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.
2. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
3. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
4. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY

NOV 27 1995

Water right number - R37-07456

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE
ONGOING SNAKE RIVER BASIN ADJUDICATION.

5. PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RIGHT
HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO
THE DEPARTMENT FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH
WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION.
6. THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS
OF DIVERSION UNDER TRANSFER NO. 4320 SHALL NOT EXCEED 4.94
CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 1,631.0 AF.
7. RIGHT NO. A37-07456 IS LIMITED TO THE IRRIGATION OF 466
ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE
IRRIGATION SEASON.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

Date: 12/28/1994 User Id: JROBERTS Subject: AMENDED/TRANSFER

This claim was amended pursuant to approved Transfer no. 4320. jr

+ - - Audit Fields - - +

12/28/94 JROBERTS

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/07/1989	Last Amended Date	- 12/28/1994	Temporary Right	- P
		Receipt Number	- M005152	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- E
				Notice of Error Flag	-

NOV 27 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4320
WATER RIGHT NO. 37-07456

Regin Adjunct

JUN 29 1994

This is to certify that: CLARE M OLSON
KAREN Y OLSON
PO BOX 136
HILL CITY ID 83337

Department of Water Resource
Southern Region Office

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	4.94 CFS	1631.0 AF

SOURCE

GROUNDWATER

Priority: 09/29/1975

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 11, Township 02S, Range 11E
SWSE , Sec. 14, Township 02S, Range 11E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	11E	11	SWNE 40	SENE 40	SWNW 40	
			SENE 40	NESW 40	NWSW 39	
			SWSW 39	SESW 39	NESE 40	
			NWSE 40	SWSE 39	SESE 39	475
	14		NWNE 39	SWNE 39	SENE 1	
			NENW 39	SENE 13	NESW 8	
			NWSE 35	SWSE 13		187
	23		NWNE 3			3
Total number of acres irrigated:						* 665

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

MICROFILMED
OCT 25 1994

TRANSFER NO. 4320
WATER RIGHT NO. 37-07456

CONDITIONS/REMARKS:

2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. The total instantaneous diversion of water from all points of diversion under Transfer No. 4320 shall not exceed 4.94 cfs, nor total combined annual volume of 1,631.0 af.
- * 7. Right No. 37-07456 is limited to the irrigation of 466 acres in the place of use described above in a single irrigation season.

Dated this 23rd day of June, 1994.


Chief, Water Alloc. Bureau

MICROFILMED

OCT 25 1994