

T4530 OLSON

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED TRANSFER NO. 4530 *AMENDED*
WATER RIGHT NO. 74-00837

This is to certify that: V DON OLSON
KATHLEEN OLSON
RT 1 BOX 11A
SALMON ID 83467

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	6.10 CFS	710.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LEMHI RIVER	SALMON RIVER

Priority: 12/31/1894

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 33, Township 21N, Range 23E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
21N 22E 13	SWNW 28	SENW 5	NESW 20	
	NWSW 35	SWSW 23	SESW 19	130
14	SENE 9	NESW 9		18
24	NENW 36	SENW 19		55
	Total number of acres irrigated:			* 203

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

RECEIVED

JUN 27 1995

Department of Water Resources
Eastern District Office

AMENDED

TRANSFER NO. 4530
WATER RIGHT NO. 74-00837

AMENDED

CONDITIONS/REMARKS:

4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. 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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. 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.
7. Irrigation of 203.4 acres is authorized under Right No. 74-00837.

Dated this 23rd day of June, 1995.


Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NO. 74-00837

FROM: PAM SKAGGS/^{CS}STATE OFFICE

SUBJECT: AMENDED TRANSFER NO. 4530

DATE: June 23, 1995

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An Amended Transfer approval was issued to remove Condition No. 3, irrigation overlap limits. The Lemhi decree provided 0.03 cfs per acre and the original condition was applied in error.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED

APR 10 1995

TRANSFER NO. 4530
WATER RIGHT NO. 74-00837

Department of Water Resources
Eastern District Office

This is to certify that: **V DON OLSON**
KATHLEEN OLSON
RT 1 BOX 11A
SALMON ID 83467

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	6.10 CFS	710.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LEMHI RIVER	SALMON RIVER

Priority: 12/31/1894

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 33, Township 21N, Range 23E
LEMHI 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>
21N	22E	13	SWNW 28	SEnw 5	NESW 20	
			NWSW 35	SWSW 23	SESW 19	130
		14	SENE 9	NESW 9		18
		24	NENW 36	SEnw 19		55

Total number of acres irrigated: * 203

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. 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.

TRANSFER NO. 4530
WATER RIGHT NO. 74-00837

CONDITIONS/REMARKS:

4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. 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.
7. 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.
- * 8. Irrigation of 203.4 acres is authorized under Right No. 74-00837.

Dated this 27th day of March, 1995.


Chief, Water Alloc. Bureau



MEMORANDUM

RECEIVED

APR 10 1995

Department of Water Resources
Eastern District Office

TO: FILE NO. 74-00837
FROM: PAM SKAGGS/STATE OFFICE
SUBJECT: TRANSFER NO. 4530
DATE: March 24, 1995

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Transfer No. 4530 was filed to change the point of diversion under Right No. 74-00837 to consolidate points of diversion and eliminate one Lemhi River diversion. The watermaster of Water District 74 feels this is an excellent change and should help keep flow for fish passage in the river at a reach that has dried-up in the past during irrigation season.

The season of use was adjusted to current standards and diversion volume added. Other conditions recommended include watermaster control, measuring device/lockable controlling works, irrigation overlap, right-of-way and standard transfer conditions.

5.0. 2-17-95

Form 272
1-87Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4530APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant V. DON AND/OR Kathleen OLSON Phone (208) 756-3062
 Post Office address Route #1 Box 11A Salmon ID 83467

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 consolidation of points of diversions
to eliminate one Lemhi River diversion

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>74-00837</u>	<u>12/31/1894</u>	<u>6.1 cfs</u>	<u>irrigation</u>	<u>3-15</u> to <u>11-15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 6.1 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Lemhi River tributary to Salmon River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	33	21N	23E	Lemhi	L-8A

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	
21N	22E	13							28.0	5.0	20.0	35.0	23.0	19.0					130.0
21N	22E	14				9.0					9.0								18.0
21N	22E	24					36.0			19.0									55.0

Total acres 203.0

PART 1**6. General Information:**

a. Description of diversion system Rock berm in river, headgate, delivery system
to place of use

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

N/A

d. Remarks:

considation of these POD(s) will enhance fish habitat
and fish passage on this portion of the Lemhi River

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-00837 Decreed to William D. Clark
 In case of STATE of IDAHO vs. William D. Clark
 dated 6/17/1971 in IDAHO county of Lemhi
- b. License No. _____ Issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☒ Warranty Deed☐ Other _____3. Source of water Lemhi River tributary to Salmon River4. Date or priority 12-31-1894

5. Water is used for the following purpose:

amount 6.1 cfs for irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 6.1 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	24	21N	22E	Lemhi	L-5

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
21N	22E	13							28.0	5.0	20.0	35.0	23.0	19.0					130.0
21N	22E	14				9.0					9.0								18.0
21N	22E	24					36.0			19.0									55.0

Total acres 203.09. Describe any other water rights used for the same purpose as described above none

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 _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

SEE:
 ATTACHMENT 1



PART 3**B. CHANGES IN NATURE OF USE**

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.

V. Dan Olson

(Signature of Applicant)

Subscribed and sworn to before me this 3 day of January, 19 95.

Donna L. Godfrey
(Notary Public)

My commission expires May 1, 1995**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 3 attachmentsReceived by WM Date 1/4/95

Protest filed by _____

Prelim. check by HWT Fee \$100.00Receipted by HWT # E020601 Date 1-4-1995Published in Recorder Herald

Copies of protest forwarded by _____

Pub. dates Jan. 19 1995

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

PERSONAL REPRESENTATIVE'S AND TRUSTEE'S DEED

THIS DEED, Made by VERDELL OLSON, as Trustee of the WILLIAM D. CLARK TRUST and the MINNIE C. CLARK ESTATE, Grantor, to V. DON OLSON, whose current addresse is Rt. 1, Box 11A, Salmon, Idaho 83467, Grantee;

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number P-1582 in Lemhi County, Idaho; and

WHEREAS, Grantor is also the duly authorized, acting and qualified Trustee of the William D. Clark Trust;

NOW, THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee all of the interest of said estate in and to the following described real property in Lemhi County, Idaho:

See Exhibit "A" attached hereto and made a part hereof.

EXECUTED this 11th day of June, 1992.

Verdell Olson personal rep
Verdell Olson, Personal
Representative of the Estate
Minnie C. Clark, Deceased, and
Trustee of the William D. Clark
Trust.

STATE OF IDAHO,)
 : ss.
County of)

On this 11th day of June, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared VERDELL OLSON, known to me to be the person whose name is subscribed to the within instrument, as personal representative of the Estate of Minnie C. Clark, and the Trustee of the William D. Clark Trust, and acknowledged to me that he executed the same as such personal representative and Trustee.

James R. Smith
Notary Public for Idaho
Residing at: Challis, Idaho
My Comm. Expires:

1-13-93

EXHIBIT "A"

All of the estate's interest, the same being a one-half undivided interest in and to the following property, to-wit:

All of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and all of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 21 North, Range 22 East, Boise Meridian, Lemhi County, Idaho, lying east of Lemhi River, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, Township 21 North, Range 22 East, Boise Meridian, Lemhi County, Idaho.

SUBJECT TO the Order of the Court, dated February 8, 1992, in Case Numbers P-1519 and P-1582, in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Lemhi, Magistrates Division.

State of Idaho)
County of Lemhi) ss No. 216598

This instrument was filed for record at
the request of Lemhi Title
at 3:00 o'clock p m 10-13 19 92
and duly filmed and indexed in the
records of Lemhi County

Alberta Wiederick

Ex-Officio Recorder

By Lauri J. Morton Deputy

Fees: 6.00

