

T5074 OLESON

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED
JUL 06 1998

TRANSFER NO. 5074
WATER RIGHT NO. 27-07007B

Department of Water Resources
Eastern Region

This is to certify that: **STEVE OLESON**
GEORGE OLESON
363 E 200 N
BLACKFOOT ID 83221

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	04/01 to 10/31	0.20 CFS	60.0 AF

SOURCE

GROUNDWATER

Priority: 05/18/1969

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 3, Township 03S, Range 36E
BINGHAM 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>
03S	36E	4	NESE 10	NWSE 5		15
Total number of acres irrigated:						15

CONDITIONS OF APPROVAL AND REMARKS

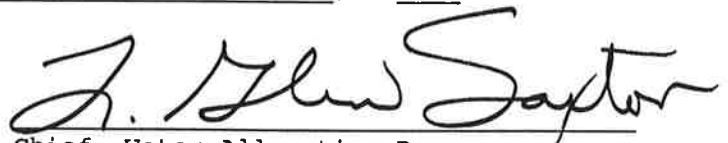
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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CONDITIONS OF APPROVAL AND REMARKS

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

Dated this 30th day of June, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 27-07007

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Transfer 5074



DATE: June 29, 1998

Transfer 5074 changes the point of diversion under a portion of Right 27-07007, splitting the right into Parts A and B. The transfer changes the point of diversion to reflect the right as claimed in the SRBA under A27-07007D.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include drilling permit requirements, measuring & annual reporting, irrigation overlap and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5074APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Steve E/or George Olson Phone 785-2414
Post Office address 363 E 200N Blackfoot, Id 83221

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 bought a portion of land with a portion of a water right and wants to transfer this water right into a different well.

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>27-7007(B)</u>	<u>5/18/1969</u>	<u>0.20</u>	<u>IRR</u>	<u>4/01</u> to <u>10/31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.20 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUNDDWATER tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	3	~~36~~ 36E		Bingham	
					3			

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	
3S	36E	4													10	5			15

Total acres 15

PART 1

6. General Information:

a. Description of diversion system WELL PUMP TO SPRINKLERb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes 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:
none land irrigated by new well (different well)

d. Remarks:

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 _____

PART 2

WR5808NP
(00-26)IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORTT5074
04/28/97 16:11:26
Page 1

Water Right Number - 27-07007

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

SHOEMAKER

J. BLAINE

1 - P.O. BOX 41

2 -

3 -

City- BLACKFOOT

State- ID Zip- 83221

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/18/1969 15 EASTERN L - LICENSE+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.03S 36E 4 SW NE (11) BINGHAM
SE NW (11) BINGHAM+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/01 10/31 3.850 1029.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
3.850 1029.00+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

03S	36E	4	NE NE		30.0	01	IRRIGATION	(11) BINGHAM
03S	36E	4	NW NE		38.0	01	IRRIGATION	(11) BINGHAM
03S	36E	4	SW NE		39.0	01	IRRIGATION	(11) BINGHAM
03S	36E	4	SE NE		35.0	01	IRRIGATION	(11) BINGHAM
03S	36E	4	NE NW		12.0	01	IRRIGATION	(11) BINGHAM
03S	36E	4	SW NW		5.0	01	IRRIGATION	(11) BINGHAM
03S	36E	4	SE NW		32.0	01	IRRIGATION	(11) BINGHAM
03S	36E	4	NE SW		34.0	01	IRRIGATION	(11) BINGHAM
03S	36E	4	NW SW		17.0	01	IRRIGATION	(11) BINGHAM
03S	36E	4	SW SW		4.0	01	IRRIGATION	(11) BINGHAM
03S	36E	4	SE SW		11.0	01	IRRIGATION	(11) BINGHAM
03S	36E	4	NE SE		10.0	01	IRRIGATION	(11) BINGHAM
03S	36E	4	NW SE		27.0	01	IRRIGATION	(11) BINGHAM

Total Acres: 294.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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 0.20 cfs for IRR purposes from 4/01 to 10/31
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	3	3s	36E	Bingham	

3. 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	
3s	36E	04													10	5			15

Total acres 15

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

1. amount 3.05 cfs for IRR purposes from 4/01 to 10/31
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	04	3s	36E	Bingham	
		SE	NW	04	3s	36E	Bingham	

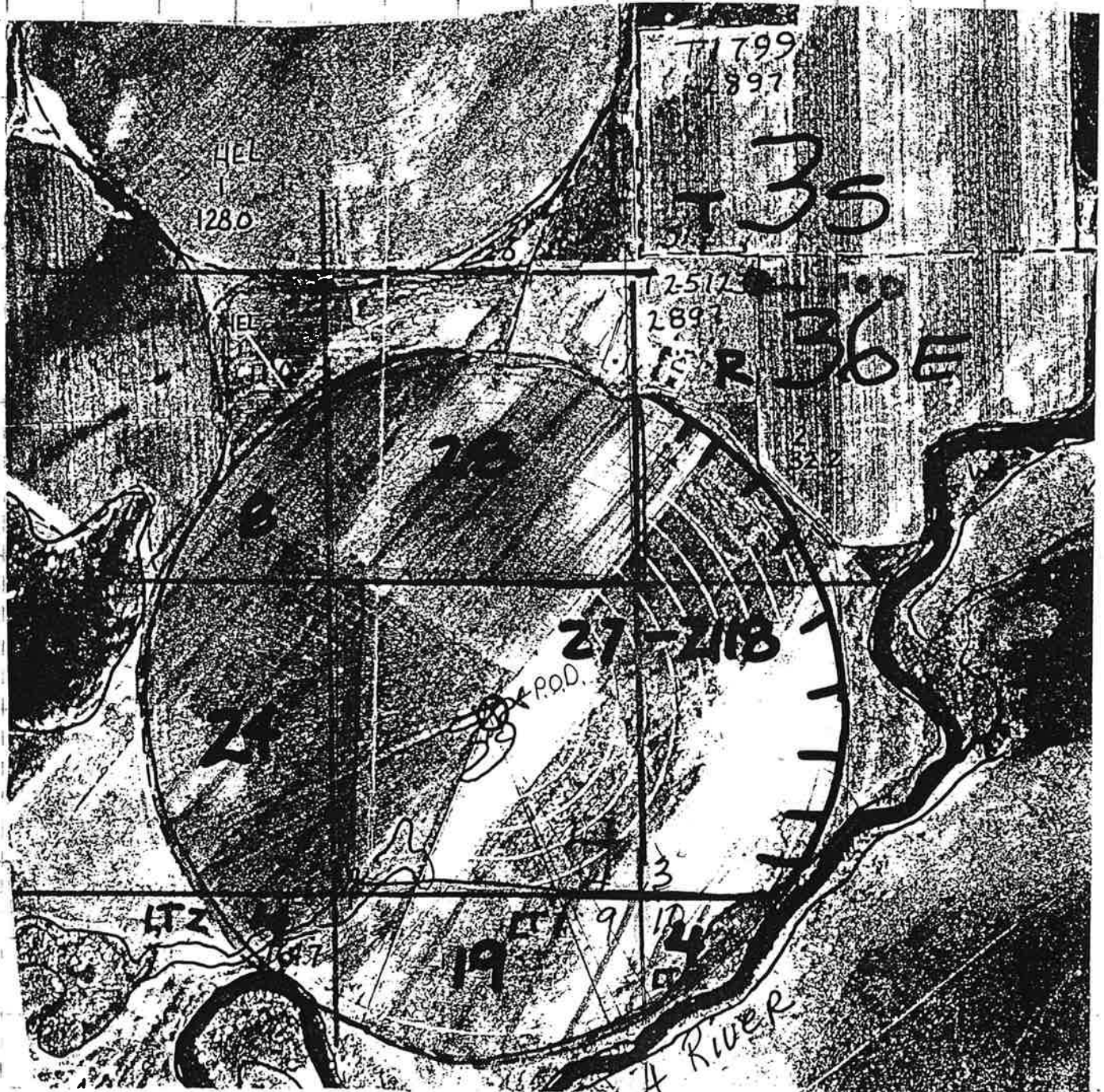
3. Lands irrigated or place of use:

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	
03s	36E	04	30	38	39	35	12		05	32	34	17	04	11		22			279

Total acres 279

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.



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

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				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.



+ George O'Connor
(Signature of Applicant)

Subscribed and sworn to before me this 15 day of April, 19 97.

Donna C. O'Connor
(Notary Public)

My commission expires 2/26/2002

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by DC Date 4/15/97 Protest filed by _____

Prelim. check by _____ Fee \$100 E023109

Receipted by DC Date 4/15/97

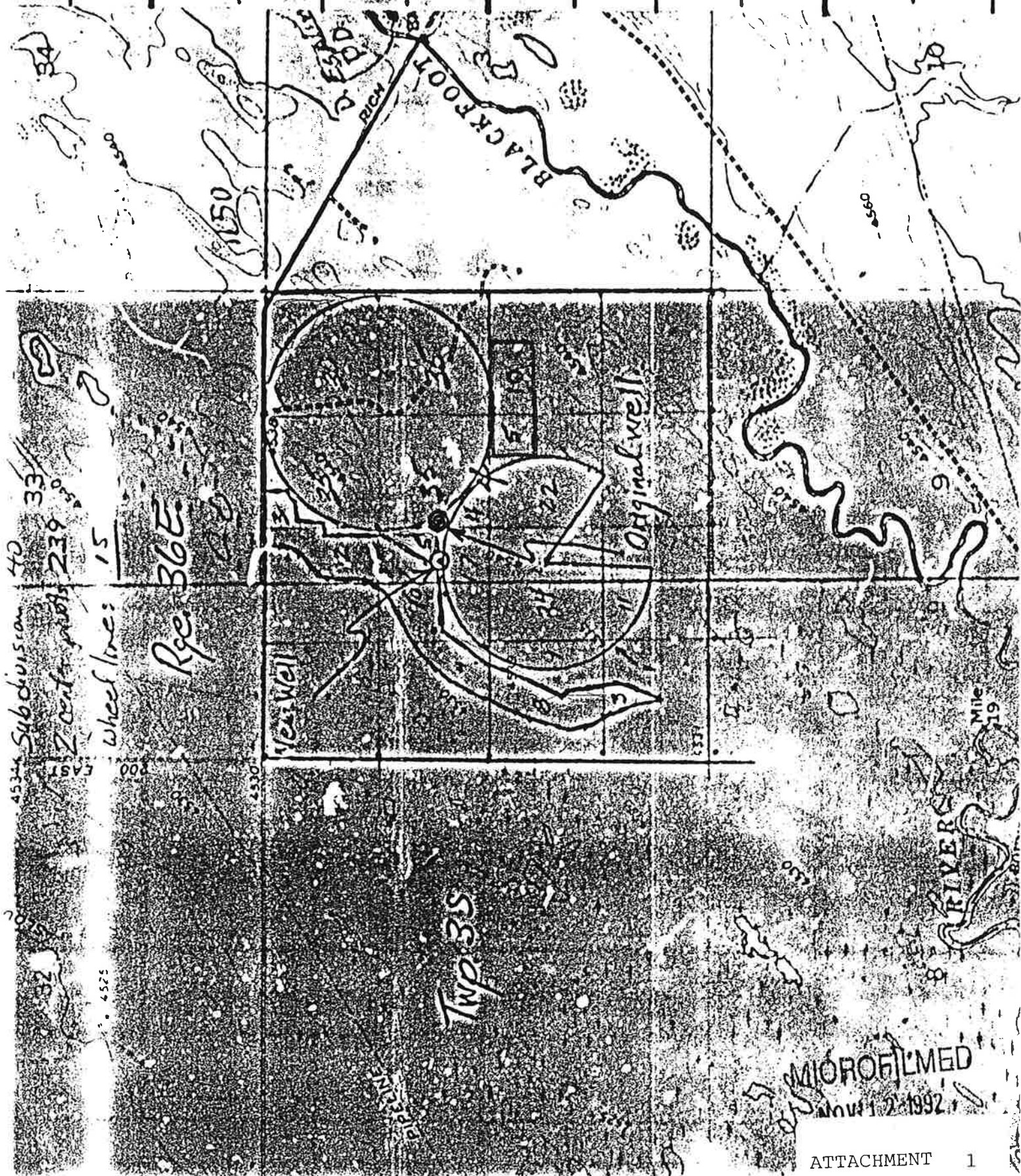
Published in Morning News Copies of protest forwarded by _____

Pub. dates May 15 and 22, 1997 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____



MICROFILMED
Nov 12 1992

February 5, 1991

Ms. Tessia McAllister
American Land Title Company
167 West Bridge Street
Blackfoot, ID 83221

Dear Ms. McAllister:

This letter is to clarify factors involved in the Shoemaker-Triple B Land Company-Oleson land transaction.

The DECEMBER REAL ESTATE PURCHASE AND SALE AGREEMENT has essentially expired, but it can be used as a guide as to the intentions of the parties.

The belated concern of the purchaser pertaining to the property in Section 5 regarding rights under the COMMON AREA TRACT previously recorded is not a valid concern. It was clearly set forth as an exception to clear title in the December agreement. It was also explained once again verbally in a meeting in January.

To reaffirm the provisions of the January and previous agreements, the transaction should proceed on the following basis:

1. The seller will pay \$240,000.00 (less \$5,000.00 earnest money deposit) and interest of \$49.371187 per diem, due to Farm Credit Bank, from January 1, 1991 to the date of disbursement.
2. The property will be transferred subject to Schedule B-Section 1, Item (p) and all exceptions on Schedule B-Section 2, contained in your COMMITMENT OF TITLE INSURANCE.
3. Because the bank has requested that your office handle the closing of the transaction (instead of the parties as previously designated) the Seller has agreed to pay one-half (½) of the \$500.00 closing fee.
4. The Seller will pay the OWNERS TITLE INSURANCE costs and all recording fees, and all property taxes to December 31, 1990.
5. The Buyer will pay any loan costs and recording costs pertaining thereto.
6. The Seller has agreed to grant rights to an existing non-exclusive easement for the purposes of access and egress.
7. The seller has agreed to file and pay for water adjudication requirement with the IDAHO WATER RESOURCES DEPARTMENT to the property containing 10-14 acres (contained within the legal description) to be transferred to the Buyer and irrigated under license No. A27-07007. (papers have been completed and only awaits signature and mailing) Use by the Buyer will require a change of point of diversion.

Ms. McAllister

Page 2

The Seller also has the forms to transfer water rights under Application NO. 27-7326 governing the irrigated portion of the proposed transfer. Transfer will be accomplished at time of closing.

8. Because of the extraordinary delays encountered to date, this transaction must be closed as expeditiously as possible and no later than February 11, 1991, with fund disbursements no later than February 12, 1991, as of February 13, property will no longer be available to the purchasers.
9. Because the statements contained herein have been agreed to in principle by the parties, the aboved-stated matters are not subject to further negotiation or revision.

I trust you will discuss the contents of this letter with the purchasers and inform me of the results of that conversation in order that I may proceed accordingly.

Thank you.

Very truly yours,


J. B. Shoemaker
TRIPLE "B" LAND COMPANY

BY: Jeffrey J. Shoemaker Pres. DATE: 2-8-91

READ AND APPROVED BY: George Olson DATE: 2/8/91
Mike Reid-Olsen DATE: 2/8/91
Chad Olson DATE: 2/7/91
J. B. Shoemaker as L.P. DATE: 2/8/91
for George Olson DATE: 2/8/91

Section 3, 4, 9 and 10, Township 3 South, Range 3 E.B.M., Bingham County,
described as:

Beginning at a point that is N 89°20'17" W 5327.11 feet along the section line to the Northwest corner of Section 4 and S 00°16'40" W 4755.08 feet along the section line from the northeast corner of said Section 4 and running thence S 83°17'22" E 752.18 feet to a point on the south line of Four Seasons Ranch Subdivision; thence northeasterly 77.14 feet along a curve concave to the west having a Delta Angle 110°29'54", Radius 40.00 feet, Chord Bearing N 30°37'43" E 65.73 feet to the southwest corner of Four Seasons Ranch Division 2; thence along the easterly side of said Division 2 the following four (4) courses (1) S 83°17'22" E 42.54 feet; (2) thence N 06°42'38" E 17.88 feet; (3) thence N 30°39'43" E 500.00 feet; (4) thence N 04°20'17" W 223.20 feet; thence S 86°11'47" E 228.90 feet; thence S 59°21'07" E 937.61 feet; thence N 27°17'24" E 972.70 feet; thence S 83°00'08" E 212.40 feet; thence S 61°24'21" E 668.22 feet; thence N 26°43'16" E 662.46 feet; thence N 00°26'10" W 785.22 feet; thence N 89°33'50" E 1072.52 feet; thence N 46°05'43" E 744.58 feet; thence N 30°36'46" E 430.99 feet to a point on the west line of Deed Instrument No. 301247; thence S 00°01'31" W 814.04 feet along said Instrument No. 301247; thence S 89°43'59" W 481.71 feet along the north line of Instrument No. 300450; thence S 15°24'18" W 455.24 feet; thence N 89°47'55" E 222.00 feet; thence S 70°41'20" E 356.16 feet; thence N 88°36'45" E 200.72 feet; thence leaving the south line of said Deed Instrument No. 300450 and along the south line of Deed Instrument No. 295905 S 40°08'08" E 80.52 feet; thence S 70°41'20" E 25.85 feet; thence N 89°29'47" E 239.68 feet; thence S 00°30'13" E 267.25 feet along Deed Instrument No. 356963; thence S 43°27'53" E 488.37 feet; thence S 43°28'36" E 272.29 feet to the meanders of the right bank of the Blackfoot River; thence along the meanders of the said right bank through Section 3, 10 and 9 to a point on the east-west center section line of Section 9 and the right bank meander line; thence N 89°23'14" W 1918.26 feet along said east west center section line to the West 1/4 corner of said Section 9; thence N 00°39'15" E 2640.00 feet along the section line to the northwest corner of said Section 9; thence N 00°16'40" E 515.68 feet along the section line to the point of beginning.

EXCEPTING Lot 2 of Section 9, Township 3 South, Range 36 E.B.M.

TOGETHER WITH AND SUBJECT TO the following described non-exclusive or common easement for ingress and egress to and from the aforementioned described property, to-wit:

A portion of Section 3, Township 3 South, Range 36 E.B.M., Bingham County, Idaho described as:

Beginning at a point that is S 00°29'14" E 144.13 feet and S 58°58'43" E 583.02 feet along the Southerly right-of-way fence of Rich Lane from the NW corner of said Section 3; said NW corner being N 89°59'46" E 5327.12 feet from the NW corner of Section 4, Township and Range aforesaid; and running thence along a curve to the right (Tangent bears S 58°58'43" E) 41.05 feet (Curve Data: Delta=94°04'55", Radius=25.0 feet, Length=41.05 feet, Chord=36.59 feet, Tangent 26.85 feet); thence S 37°54'39" W 682.56 feet to the PC of a curve to the left; thence along said curve

