

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED
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 Don H. Olson
(Name of Claimant)
Downey, Idaho 83234 Telephone No. 897-5286
(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) 19 May 1876

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)
Yago Creek tributary to Marsh 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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)			
				(Mo., Day)		(Mo., Day)	
Quantity	<u>4.00 cfs</u>	Use	<u>Irrigation</u>	Period of Use From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Quantity	<u>.02 cfs</u>	Use	<u>Stock</u>	Period of Use From	<u>May 1</u>	To	<u>Nov. 1</u>
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

(4) 4.02 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 3 Twp. 11S Rge. 37E B.M., County of Bannock
Additional points of diversion:
NW SW Sec. 3, 11S R. 37E.

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. Private Ditches

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
115	37E	3									8	15	7	20					50
									(Stock)		X	X	X	X					

No. of acres 50

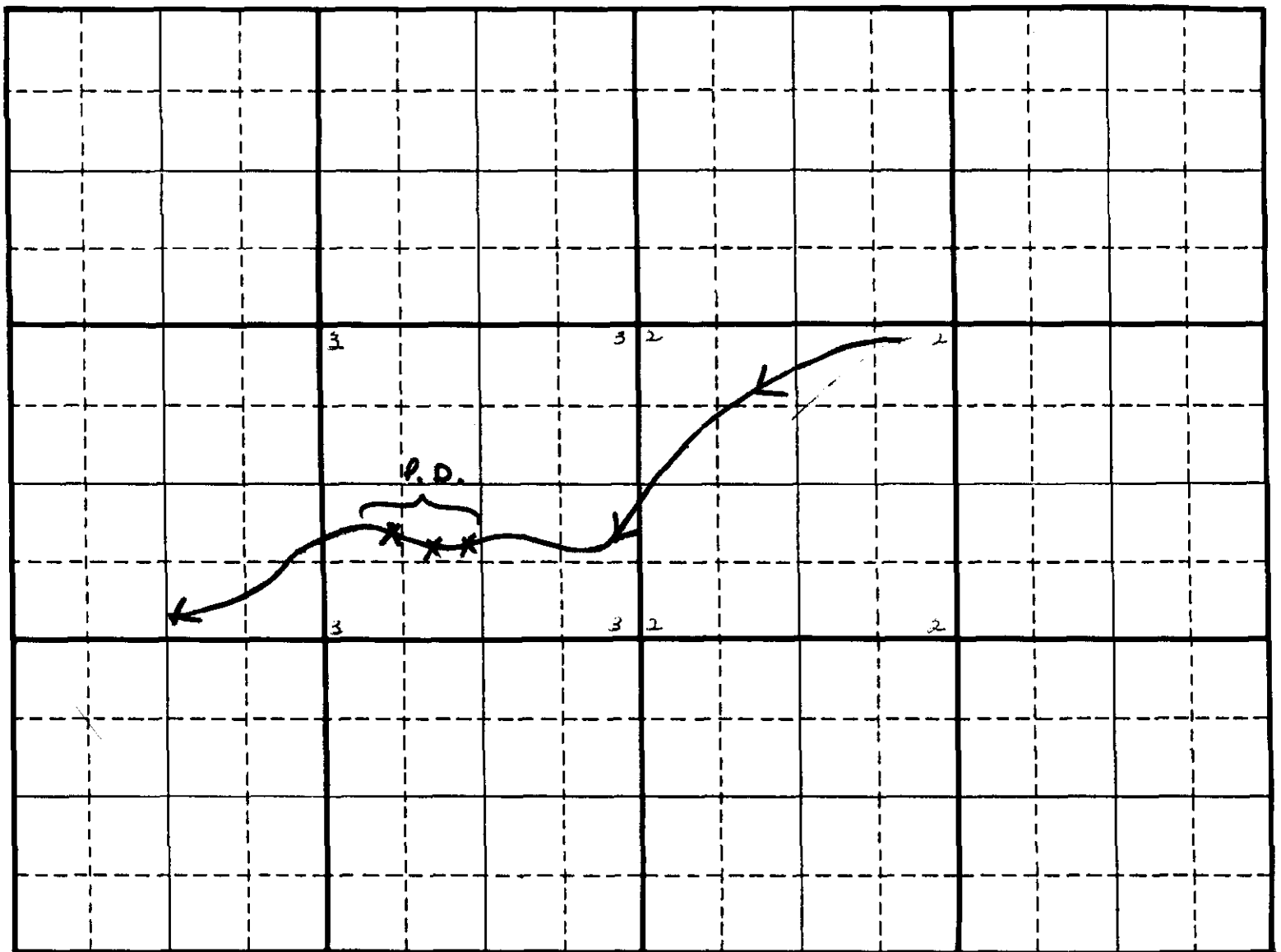
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
20 herd dairy cattle

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

(8) Remarks Claimant purchased property from Edwin Tilletson.
See attached explanation.



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 Bannock) 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 28 day of Dec

Don H. Olson
(Claimant)

Wesley Stenick
Notary Public
Residing at Porter Idaho

My commission expires 12/24/80

FOR DEPARTMENT USE ONLY

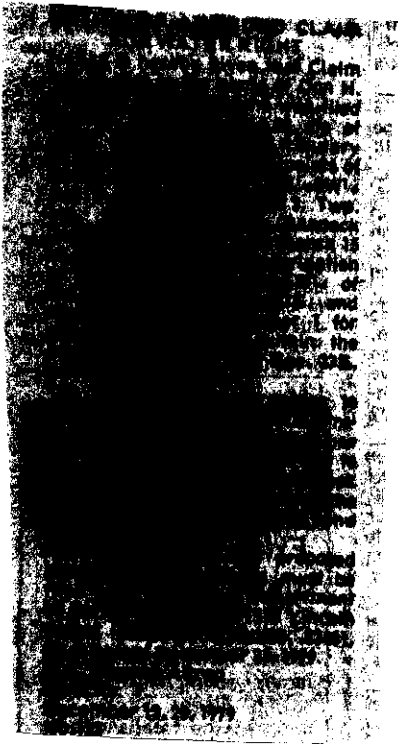
Received by kw Date 11/29/79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by EMC Date _____ claimant by: _____
\$20.00 fee received by none Date _____
Published in The Idaho State Journal
Dates 12/13 & 12/20/79.

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

ok kw
1/03/80



Juri Larsen

being first duly sworn on oath deposes and says: That *she* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

December 13, 1979, 19.....
December 20, 1979, 19.....
....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Juri Larsen

Subscribed and sworn to before me this *27th* day of *December*, 1979

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

DEC 28 1979

Department of Water Resources
Eastern District Office

RECEIVED

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

OK
KW
1/13/80

NOTICE OF AMENDED CLAIM FOR WATER RIGHT

Notice is hereby given that Claim No. 29-4146 in the name of Don H. Olson of Downey, Idaho was filed for the diversion of 2.02 cfs of water from Yago Creek tributary to Marsh Creek, with the points of diversion within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, Twp. 11S, Rge. 37E, B.M., Bannock County; to be used from March 15 to November 15 for the irrigation of 50 acres within the SW $\frac{1}{4}$ of Sec. 3, Twp. 11S, Rge. 37E; and from May 1 to November 1 for stockwater purposes within the SW $\frac{1}{4}$ Sec. 3, Twp. 11S, Rge. 37E, B.M.

The Claimant now proposes to amend Claim No. 29-4146, requesting 4.0 cfs for irrigation use and 0.02 cfs for stockwater use to be diverted from Yago Creek tributary to Marsh Creek with the same points of diversion and places of use.

Any exception to the proposed amending of the Claim must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before December 31, 1979.
S/ C. Stephen Allred
Director
December 13, 20, 1979
No. 122

Jeri Larson

being first duly sworn on oath deposes and says: That *she* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

<i>December 13</i> , 19 <i>79</i>	, 19.....
<i>December 20</i> , 19 <i>79</i>	, 19.....
....., 19.....	, 19.....
....., 19.....	, 19.....
....., 19.....	, 19.....

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Jeri Larson

Subscribed and sworn to before me this *27th*

day of *December*, 19*79*

[Signature] *[Signature]*

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

DEC 28 1979

Department of Water Resources
Eastern District Office

Paragraph (8) Continued:

The 4.00 cfs claimed under paragraph 3 is founded upon the water location of A. W. Tilletson appropriated on the 19th day of May, 1876, and recorded at page 170 of records of Bingham County, Idaho on January 16, 1889, which established a claim to 200 inches -- being one-half of Yago Creek. This claim was thereupon divided $1/2$ (or 100 inches or 2 cfs) to predecessors of Thayne O. Thompson and $1/2$ (or 200 inches or 2 cfs) to predecessors of Don H. Olson. By agreement November 23, 1928 the use of said water was set up on a rotation basis, to the end that when the predecessors -- and now Don H. Olson -- uses the water, it is the entire $1/2$ of Yago Creek, or 4 cfs (200 inches). This is the basis of the claim for 4 cfs.

See copy of original filing and agreement referred to above.

MICROFILMED

Water location }
A. W. Hillotson }

To all whom this may concern I hereby and by these presents appropriate one half of the water of Yager Creek and all tributaries, a tributary of Marsh Creek in Bingham County Idaho Territory amounting to about 200 inches, said water so appropriated have been by me used heretofore ever since the 19th day of May 1876 on that certain tract of land lying and being about one half mile west of the Utah Northern Rail Road track where said R.R. crosses Yager Creek and running thence to within about 200 yards of Edward Tillotson's land. ~~Said water hereby appropriated~~ is to be used on the tract of land above described for agricultural irrigation and other useful purposes. said land being situated in Bingham County Idaho Territory.

Signed A. W. Hillotson

Recorded at the request
of A. W. Hillotson, Jan. 16 1889
at 9 o'clock A. M.

Geo. A. Robethan, Recorder
By Jas. B. Miller, Deputy.

Transcribed from Book A of
Water locations Page 270 Records
of Bingham County Idaho.

MICROFILMED

Transcribed from Book A of
Water locations Page 270 Records
of Bingham County Idaho

AGREEMENT

This Agreement the 23rd day of November, 1928 Between Edwin Tilletson of Virginia County of Bannock State of Idaho, The party of the first part, and Orville Thompson of Virginia County of Bannock State of Idaho, The party of the second part, Witnesseth: That the said party of the ~~second~~ ^{first} part in consideration of the covenants on the part of the said party of the second part hereinafter contained, Hereby covenants with the said party of the second part that the said party of the first part will accept the following terms in the usage of the waters of the Yegs Creek which is appropriated to the W. A. Tilletson homestead, in the year 1876, and is recorded in Book 1-Page 6 of water locations Bannock County records. Jan. 16, 1889-9:00 a.m.

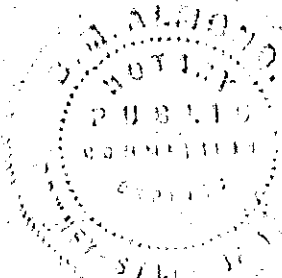
Party of the first part to use all of such water until April 15 each and every year. Party of the second part to use all of such water for a term of seven and one half days, (7½) Then party of the first part to have a term until May 1st. Party of the second part to have all of such water until May tenth. Party of the first part to have one 24 hour day out of every ten days thereafter until October 1. Then the water of such creek to be divided equally for the remainder of the season.

In witness whereof the said parties have hereunto set their hands the day and year above written.

Signed

Edwin Tilletson
Orville Thompson

Executed in presence of *[Signature]*



MICROFILMED

173768

RECORDED

CLERK & RECORDER
BANNOCK COUNTY, IDAHO

OCT 20 1931 9:20 AM

(over)

in Book 9

Misc page 179
Records of Bannock County
State of Idaho

Grace L. Hall

Recorder.

Clarence R. Mitchell

Deputy.

Fee 40¢

At Request of

W. E. Seltman

Downey Rt. #1

Box 36

At Request of
W. E. Seltman

Fee 40¢

Deputy.

Recorder.

At Request of
Records of Bannock County
State of Idaho
Misc page 183

in Book 10

Over
Recorded

(over)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED
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 Don H. Olson
(Name of Claimant)
Downey, Idaho 83234 Telephone No. 897-5286
(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) 19 May 1876

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)
Yago Creek tributary to Marsh 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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>4.00 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity	<u>.02 cfs</u>	Use	<u>Stock</u>	Period of Use From <u>May 1</u>	To <u>Nov. 1</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 4.02 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 3 Twp. 115 Rge. 37 E B.M., County of Bannock

Additional points of diversion:
NW SW Sec. 3, 115 R. 37 E.

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. Private Ditches

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
115	37E	3									8	15	7	20					50
									(Stock)		X	X	X	X					

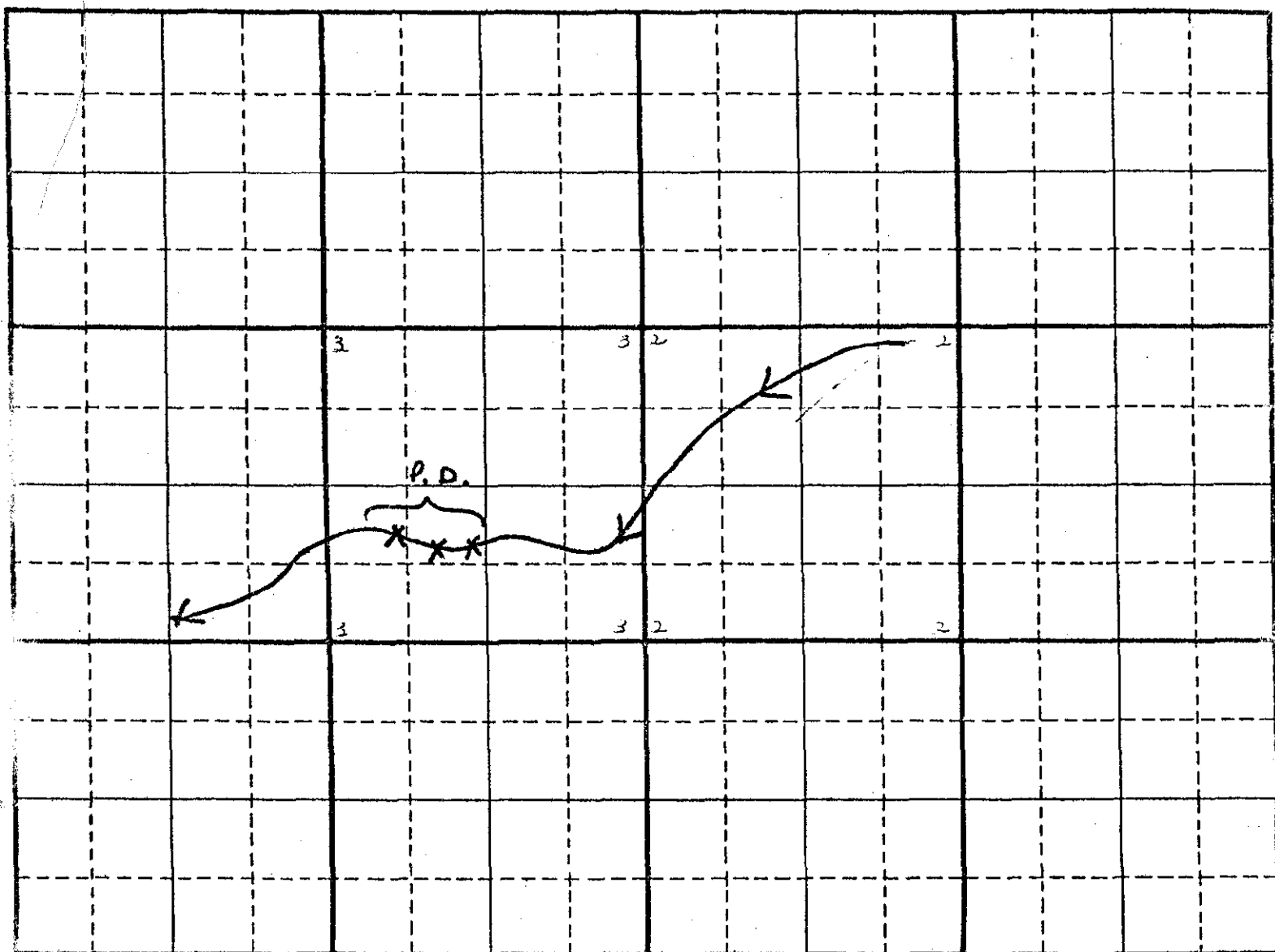
No. of acres 50

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 20 herd dairy cattle

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 Claimant purchased property from Edwin Tilletson.
See attached explanation.



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 Bannock) 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 28 day of Nov

Olav H. Olson
(Claimant)
Shirley Stoneman
Notary Public
Residing at Perkins Fork

My commission expires 12/24/80

FOR DEPARTMENT USE ONLY

Received by kw Date 11/29/79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
\$20.00 fee received by none Date _____
Published in _____
Dates _____

Paragraph (8) Continued:

The 4.00 cfs claimed under paragraph 3 is founded upon the water location of A. W. Tilletson appropriated on the 19th day of May, 1876, and recorded at page 170 of records of Bingham County, Idaho on January 16, 1889, which established a claim to 200 inches -- being one-half of Yago Creek. This claim was thereupon divided $1/2$ (or 100 inches or 2 cfs) to predecessors of Thayne O. Thompson and $1/2$ (or 200 inches or 2 cfs) to predecessors of Don H. Olson. By agreement November 23, 1928 the use of said water was set up on a rotation basis, to the end that when the predecessors -- and now Don H. Olson -- uses the water, it is the entire $1/2$ of Yago Creek, or 4 cfs (200 inches). This is the basis of the claim for 4 cfs.

See copy of original filing and agreement referred to above.

Water location
A. W. Hillotson }

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Signed A. W. Hillotson

Recorded at the request
of A. W. Hillotson, Jan. 16 1889
at 9 o'clock A. M.

Geo. A. Robethan, Recorder
By Jos. B. Miller, Deputy.

Transcribed from Book A of
Water locations Page 270 Records
of Bingham County Idaho.

Transcribed from Book A of
Water locations Page 270 Records
of Bingham County Idaho

AGREEMENT

This Agreement the 23rd day of November, 1928 Between Edwin Tilletson of Virginia County of Bannock State of Idaho, The party of the first part, and Orville Thompson of Virginia County of Bannock State of Idaho, The party of the second part, Witnesseth: That the said party of the ^{first} ~~second~~ part in consideration of the covenants on the part of the said party of the second part hereinafter contained, Hereby covenants with the said party of the second part that the said party of the first part will accept the following terms in the usage of the waters of the Yeggo Creek which is appropriated to the W. A. Tilletson homestead, in the year 1876, and is recorded in Book *Jan. 16, 1889 - 9:00 a.m.* 1-Page of water locations Bannock County records.

Party of the first part to use all of such water until April 15 each and every year. Party of the second part to use all of such water for a term of seven and one half days. (7½) Then party of the first part to have a term until May 1st. Party of the second part to have all of such water until May tenth. Party of the first part to have one 24 hour day out of every ten days thereafter until October 1. Then the water of such creek to be divided equally for the remainder of the season.

In witness whereof the said parties have hereunto set their hands the day and year above written.

Signed *Edwin Tilletson*

Edwin B. Tilletson *Orville Thompson*

Executed in presence of *[Signature]*



W.E. Silerton
Recorded

in Book 10

of Agreement page 133
Records of Blaine County
State of Idaho

Recorder

Deputy

Fee 40¢

At Request of

W.E. Silerton

(over)

173768

RECORDED

CLERK AND RECORDER
BLAINE COUNTY, IDAHO

OCT 20 1931 9:20 AM

Book 9

Misc page 179
Records of Blaine County
State of Idaho

Recorder

Deputy

James H. Mitchell
Deputy

Fee 40¢

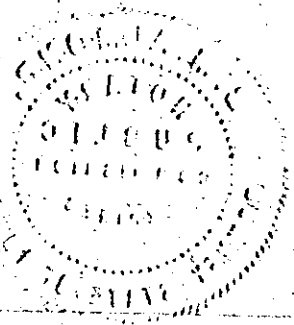
At Request of

W.E. Silerton

Downey Rt. #1

Box 36

(over)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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(Name of Claimant)

Downey Id. 83234 (Name of Claimant) Telephone No. 897-5286
(Mailing Address) (Zip Code)

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YAGB CK tributary to MARSH CR

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Quantity	<u>2.00 cfs</u>	Use	<u>Irrigation</u>	Period of Use From	<u>MAR 15</u> To <u>NOV 15</u>
Quantity	<u>.02 cfs</u>	Use	<u>Stock</u>	Period of Use From	<u>MAY 1</u> To <u>NOV 1</u>
Quantity	_____	Use	_____	Period of Use From	_____ To _____
Quantity	_____	Use	_____	Period of Use From	_____ To _____
Quantity	_____	Use	_____	Period of Use From	_____ To _____

(4) 2.02 cfs TOTAL QUANTITY USED.
(cfs. gpd. AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3 Twp. 11S Rge. 31E B.M., County of Bannock
 Additional points of diversion:

NW SW Sec 3 115 R37E

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.

Private Anteches

(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]

No. of acres 50

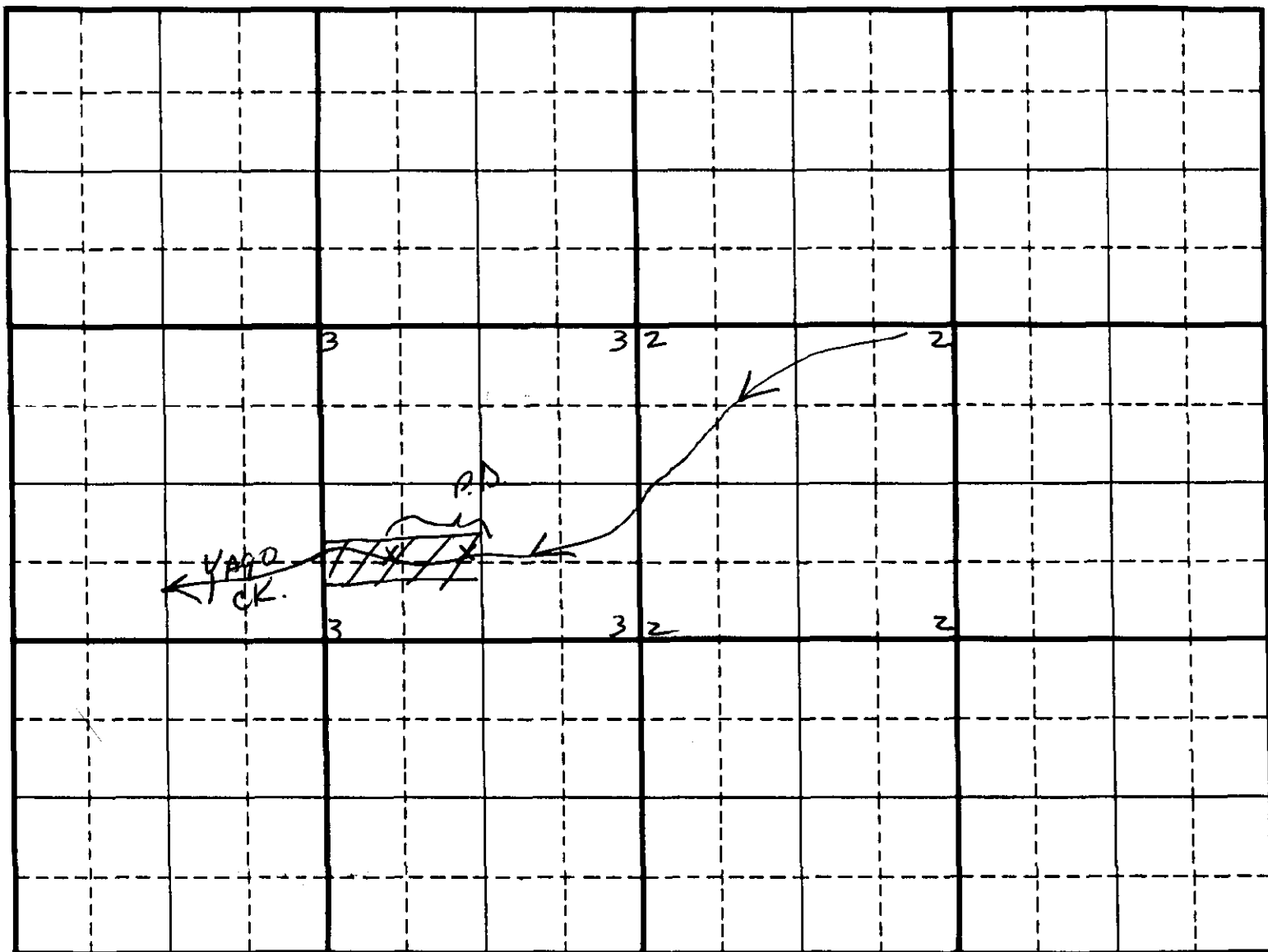
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 20 head Dairy cattle

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:

MICHAEL MILLS

(8) Remarks Claimant purchased property from Edwin Tilletson



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 Bonneville) 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 24th day of October

Don H. Olson
(Claimant)

Calvin May
Notary Public
Residing at Idaho Falls, Id.

My commission expires 6-15-81

FOR DEPARTMENT USE ONLY

Received by <u>DR</u>	Date <u>10-24-79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>DR</u>	Date <u>10-24-79</u>		claimant by:	
\$20.00 fee received by <u>DR</u>	Date <u>10-24-79</u>			
Published in <u>Idaho State Journal</u>	<u>#13771</u>			
Dates <u>Nov 14 8-1979</u>				
Correction <u>11/22 & 11/29/79</u>				

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Jeri Larsen

being first duly sworn on oath deposes and says: That.....
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

November 22....., 19*79*....., 19.....
November 29....., 19*79*....., 19.....
....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this.....*29th*.....

day of...*November*....., 19*79*.....

[Signature]

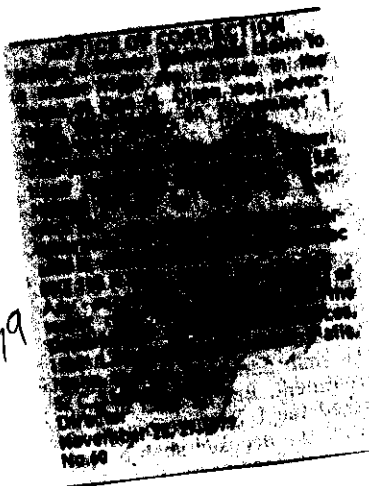
Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

NOV 30 1979

Department of Water Resources
Eastern District Office

OK
KW
12/4/79



PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF CORRECTION
Notice is hereby given that claim to
a water right No. 29-4146 in the
name of Don H. Olson was adver-
tised incorrectly on November 1
and 8, 1979.
The point of diversion was adver-
tised as being within the NESE
NWSW Sec 03 T 11S R 37E, Ban-
nock Co.
Whereas, the actual point of diver-
sion is within the NESW NWSW Sec
03 T 11S R 37E.
Any exception to any claim of
water right may be filed with the
Department of Water Resources,
1515 Lincoln Road, Idaho Falls,
Idaho, 83401.
S/C Stephen Allred,
Director
November 22, 29, 1979
No. 60

Jeri Larsen

being first duly sworn on oath deposes and says: That.....
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

November 22, 19*79*, 19.....
November 29, 19*79*, 19.....
....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this *29th*
day of *November*, 19*79*

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

[Signature]

Department of Water Resources
Eastern District Office

Water location
A. W. Hillotson }

29

To all whom this may concern I hereby and by these presents appropriate one half of the water of Yager Creek and all tributaries, a tributary of Marsh Creek in Bingham County Idaho Territory amounting to about 200 inches, said water so appropriated have been by me used heretofore ever since the 19th day of May 1876 on that certain tract of land lying and being about one half mile west of the Utah Northern Rail Road track where said R.R. crosses Yager Creek and running thence to within about 200 yards of Edward Hillotson's land. Said water hereby appropri-

ated is to be used on the tract of land above described, for agricultural irrigation and other useful purposes. said land being situated in Bingham County Idaho Territory.

Signed A. W. Hillotson

Recorded at the request
of A. W. Hillotson, Jan. 16 1889
at 9 o'clock A. M.

Geo. A. Robethan, Recorder
By Jas. B. Miller, Deputy.

Transcribed from Book A. of
Water locations Page 270 Records
of Bingham County Idaho.

Transcribed from Book A. of
Water locations Page 270 Records
of Bingham County Idaho

99-1114-68

AGREEMENT

This Agreement the 23rd day of November, 1928 Between Edwin Tilletson of Virginia County of Bannock State of Idaho, The party of the first part, and Orville Thompson of Virginia County of Bannock State of Idaho, The party of the second part, Witnesseth: That the said party of the ~~second~~ ^{first} part in consideration of the covenants on the part of the said party of the second part hereinafter contained, Hereby covenants with the said party of the second part that the said party of the first part will accept the following terms in the usage of the waters of the Yogo Creek which is appropriated to the W. A. Tilletson homestead, in the year 1895, and is recorded in Book *Jan. 16, 1929 9:00 a.m.* 1-Page of water locations Bannock County records.

Party of the first part to use all of such water until April 15 each and every year. Party of the second part to use all of such water for a term of seven and one half days. (7½) Then party of the first part to have a term until May 1st. Party of the second part to have all of such water until May tenth. Party of the first part to have one eighth day out of every ten days thereafter until October 1. Then the water of such creek to be divided equally for the remainder of the season.

In witness whereof the said parties have hereunto set their hands the day and year above written.

Signed

Edwin Tilletson
Orville Thompson
 Executed in presence of *[Signature]*

NOV 18 1979

STATE OF IDAHO
County of Bannock

ss.

Deposited in the
Eastern District Office

Jeri Lassen

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

29-4142

WILDING, ROBERT
DOWNEY, ID 83234
Source: YAGO CREEK tributary to MARSH CREEK

Priority Date: 05/19/1876

Amount: 2.06 CFS

Diversion Point: NENE Sec 02 T

11S R 37E, BANNOCK Co.

Use: IRRIGATION (2.06 CFS)

from 03/15 to 11/15

Place of Use: NWSW SWSW Sec 14

T 11S R 37E NENE NWNE Sec 22 T

11S R 37E FOR 103 ACRES

Diversion Means: CEMENT DIV-
ERSION INTO PRIVATE DITCH

29-4143

BRIM, WILLIS L.

DOWNEY, ID 83234

Source: YAGO CREEK tributary to

MARSH CREEK

Priority Date: 05/19/1876

Amount: 0.28 CFS

Diversion Point: NENE Sec 02 T

11S R 37E, BANNOCK Co.

Use: IRRIGATION (0.28 CFS)

from 03/15 to 11/15

Place of Use: SWSE Sec 15 T 11S R

37E NWNE Sec 22 T 11S R 37E

FOR 14 ACRES

Diversion Means: CEMENT DIV-
ERSION INTO PRIVATE DITCH

29-4144

THOMPSON, O. THAYNE

DOWNEY, ID 83234

Source: YAGO CREEK tributary to

MARSH CREEK

Priority Date: 05/19/1876

Amount: 4.00 CFS

Diversion Point: NWSE Sec 04 T

11S R 37E, BANNOCK Co.

Use: IRRIGATION (4.00 CFS)

from 03/15 to 11/15

Place of Use: SWNW NESW NWSW

SWSW SESW NESE SWSE

Sec 04 T 11S R 37E FOR 145

ACRES

Diversion Means: PRIVATE

DITCH, PIPELINE

29-4145

THOMPSON, O. THAYNE

DOWNEY, ID 83234

Source: YAGO CREEK tributary to

MARSH CREEK

Priority Date: 05/19/1876

Amount: 4.05 CFS

Diversion Point: NENE Sec 02 T

11S R 37E, BANNOCK Co.

Use: IRRIGATION (4.00 CFS)

from 03/15 to 11/15

STOCKWATER (0.05 CFS) from

05/01 to 11/01

Place of Use: NENE SENE Sec 10

T 11S R 37E NWNW SWNW Sec 11

T 11S R 37E FOR 160 ACRES

Diversion Means: CEMENT DIV-
ERSION INTO PRIVATE DITCH

29-4146

OLSON, DON H.

DOWNEY, ID 83234

Source: YAGO CREEK tributary to

MARSH CREEK

Priority Date: 05/19/1876

Amount: 2.02 CFS

Diversion Point: NESE NWSW Sec

03 T 11S R 37E, BANNOCK Co.

Use: IRRIGATION (2.00 CFS)

from 03/15 to 11/15

STOCKWATER (0.02 CFS) from

05/01 to 11/01

Place of Use: NESW NWSW SWSW

SESW Sec 03 T 11S R 37E FOR 50

ACRES

Diversion Means: PRIVATE

DITCHES

29-4147

BLOXHAM, VERN C.

414 NORTH MAIN, DOWNEY, ID

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

November 1, 1979 19.....
November 8, 1979 19.....
..... 19.....
..... 19.....
..... 19.....
..... 19.....

That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.

Jeri Lassen

Subscribed and sworn to before me this 9th

day of November, 1979

[Signature]

[Signature]

Notary Public, State of Idaho

Residence: Pocatello, Idaho

[Signature]

State of Idaho
Department of Water Resources

AMENDED
CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernest Carlson

Right Number _____ Applicant Don A. Olson

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date 1/03/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jani Date 1/18/80

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

NOVEMBER 19, 1979

DON H. OLSON
DOWNEY

ID 83234

RE: Claim No. 29-4146

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

MICROFILMED

NOTICE OF AMENDED CLAIM FOR WATER RIGHT

Notice is hereby given that Claim No. 29-4146 in the name of Don H. Olson of Downey, Idaho was filed for the diversion of 2.02 cfs of water from Yago Creek tributary to Marsh Creek, with the points of diversion within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, Twp. 11S, Rge. 37E, B.M., Bannock County; to be used from March 15 to November 15 for the irrigation of 50 acres within the SW $\frac{1}{4}$ of Sec. 3, Twp. 11S, Rge. 37E; and from May 1 to November 1 for stockwater purposes within the SW $\frac{1}{4}$, Sec. 3, Twp. 11S, Rge. 37E, B.M.

The Claimant now proposes to amend Claim No. 29-4146, requesting 4.0 cfs for irrigation use and 0.02 cfs for stockwater use to be diverted from Yago Creek tributary to Marsh Creek with the same points of diversion and places of use.

Any exception to the proposed amending of the Claim must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before December 31, 1979.

C. STEPHEN ALLRED

Director

Published in the Idaho State Journal on Dec. 13 and 20, 1979.

MICROFILMED

MERRILL & MERRILL
CHARTERED
COUNSELORS AND ATTORNEYS AT LAW
SPAULDING BUILDING
POCATELLO, IDAHO 83201

A. L. MERRILL (1886-1961)
R. D. MERRILL (1893-1972)
W. F. MERRILL
E. J. BERRETT
G. T. DANCE
D. R. GALLAFENT
S. S. DUNN

November 28, 1979

P. O. BOX 991
TELEPHONE
208-232-2286

Department of Water Resources
Eastern Region
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Claim to a Water Right No. 29-4146

Gentlemen:

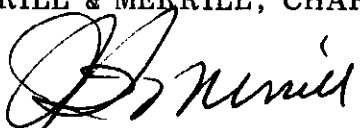
Enclosed please find original and one copy of Amended Claim to a Water Right. This amends the original claim filed and assigned Claim No. 29-4146.

If there is any additional filing fee, please let us know immediately.

Sincerely yours,

MERRILL & MERRILL, CHARTERED

By


W. F. Merrill

WFM:em

Enclosure

RECEIVED

NOV 29 1979

Department of Water Resources
Eastern District Office

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

November 15, 1979

RE: Notice of Correction No. 29-4146 DON H. OLSON

Idaho State Journal
Box 431
Pocatello, Idaho 83201

Gentlemen:

We are resubmitting a legal notice to be published in your paper on November 22 and 29, 1979. This notice was originally published on November 1 and 8, but unfortunately, it was advertised incorrectly. As we did not receive a galley proof we had no way of checking for accuracy. We, therefore, request this be advertised again at your expense.

After sending us a galley proof, proceed with the publication dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first date of publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this Department before December 10, 1979. Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Legal Notice (1)

MICROFILMED

1 @1@1@1
2 NOTICE OF CORRECTION
3 Notice is hereby given that claim to
4 a water right No. 29-4146 in the
5 name of Don H. Olson was adver-
6 tised incorrectly on November 1
7 and 8, 1979.
8 The point of diversion was adver-
9 tised as being within the NESE
10 NWSW Sec 03 T 11S R 37E, Ban-
11 rock Co.
12 Whereas, the actual point of diver-
13 sion is within the NESW NWSW Sec
14 03 T 11S R 37E.
15 Any exception to any claim of
16 water right may be filed with the
17 Department of Water Resources,
18 1515 Lincoln Road, Idaho Falls,
19 Idaho, 83401.
20 S/ C. Stephen Allred
21 Director
22 November 22, 29, 1979
23 No. 60
24 @1@1@1

80

NOTICE OF CORRECTION

Notice is hereby given that claim to a water right No. 29-4146 in the name of Don H. Olson was advertised incorrectly on November 1 and 8, 1979.

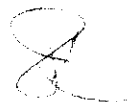
The point of diversion was advertised as being within the NESE NSW Sec 03 T 11S R 37E, Bannock Co.

Whereas, the actual point of diversion is within the NESW NSW Sec 03 T 11S R 37E.

Any exception to any claim of water right may be filed with the Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED
Director

Published in the Idaho State Journal, Pocatello, Idaho, on November 22 & 29, 1979.





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

November 13, 1979

RE: Claim to a Water Right No. 29-4146

Mr. Don H. Olson
Downey,
Idaho 83234

Dear Mr. Olson:

Pursuant to your request, please find enclosed a copy of the above referenced claim to a water right.

You should be aware, however, the newspaper made an error in the advertising of your claim. Therefore, it is necessary we readvertise this again for two consecutive weeks.

Very truly yours,

COLLEEN WRAY
Sr. Secretary

Enclosure

ENCLOSURE

RECEIVED

NOV 8 1979

Department of Water Resources
Eastern District Office

November 7, 1979

Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Claimed Water Right of Don H. Olson

Gentlemen:

I filed a claim to a water right with the Department of Water Resources in Idaho Falls on or about October 23, 1979.

I request that you forward to me a copy of the claim to water right as actually filed, addressed to: Don H. Olson, Downey, Idaho 83234.

If there is any charge, please advise me.

Sincerely yours,

Don H. Olson

Don H. Olson
Downey, Idaho 83234

em

11/14/79

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

OCTOBER 25, 1979

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 19, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

OLSON, DON H.

DOWNEY, ID 83234

Source: YAGO CREEK tributary to MARSH CREEK

Priority Date: 05/19/1876

Amount: 2.02 CFS

Diversion Point: NESW NWSW Sec 03 T 11S R 37E, BANNOCK Co.

Use: IRRIGATION	(2.00 CFS)	from 03/15 to 11/15
STOCKWATER	(0.02 CFS)	from 05/01 to 11/01

Place of Use: NESW NWSW SWSW SESW Sec 03 T 11S R 37E FOR 50 ACRES

Diversion Means: PRIVATE DITCHES

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 11/01 & 11/08/79.

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RP

29 4145

Right Number

Applicant

OLSON

NOTE: *IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.*

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Claim published correctly.
- ☐ Exceptions processed.

By _____ Date _____

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By _____ Date _____

MICROFILMED