

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that O. Thayne Thompson
(Name of Claimant)
Downey Id. 83234 Telephone No. 897-5798
(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)
Yaqo CK tributary to MARSH CK

(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>MAR 15</u> To <u>NOV 15</u>
Quantity	<u>.05 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) 4.05 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 2 Twp. 11S Rge. 37E B.M., County of Bannock
Additional points of diversion:

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. Cement diversion into private ditch 4'x3'

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>11S</u>	<u>37E</u>	<u>10</u>	<u>40</u>			<u>40</u>													<u>80</u>
<u>11S</u>	<u>37E</u>	<u>11</u>	<u>40</u>				<u>40</u>	<u>40</u>											<u>80</u>

No. of acres 160

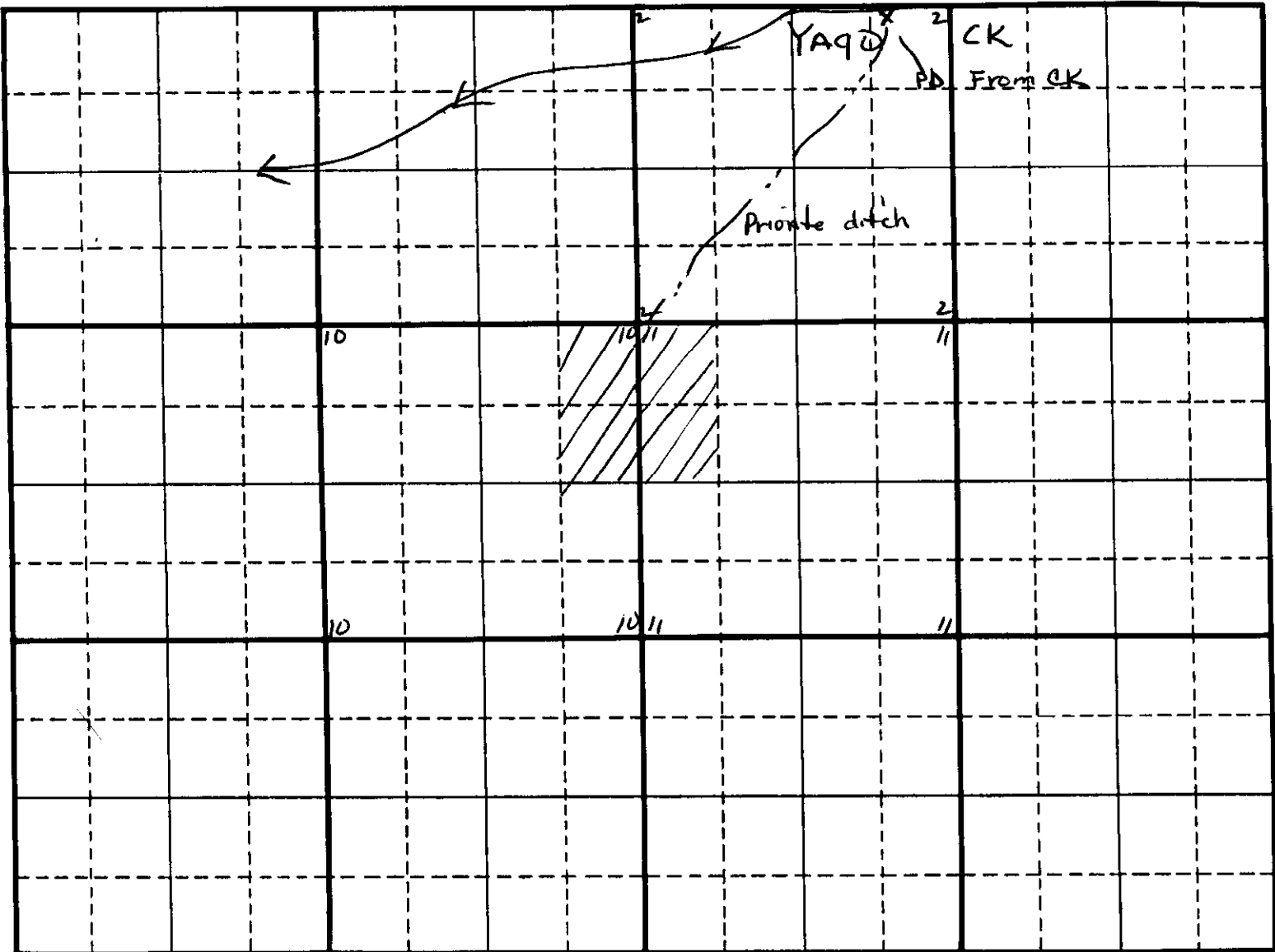
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: ~~Domestic~~ 200 Head Best CATTLE

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:

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(8) Remarks Water diverted through the Yago-Cambridge
ditch



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, 19 79.
Wayne Thompson (Claimant)
Colleen Gray
Notary Public
Residing at Idaho Falls, Id.

My commission expires 6-15-81

FOR DEPARTMENT USE ONLY
Received by OA Date 10-24-79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by BR Date 10-24-79 claimant by: _____
\$20.00 fee received by OA Date 10-24-79
Published in Idaho State Journal # 13970
Dates Nov 1 & 8 - 1979

INSTRUMENT NO. 282203

Minutes of meeting of the water users of Yago and Spring Creeks held April, 25th, 1932. For the purpose of discussing matters relative to general conditions of the same.

Fred Penrose was elected chairman of said meeting and Willis Brim was elected Secretary.

Orville Thompson then stated, "We should have a permanent organization".

Fred Penrose stated, "the special purpose for calling the meeting was the question of W. O. Thompson having early Water".

W. O. Thompson stated, that he had used the early water later in the spring previous to H. J. Wilding owning the Hy Bowman property, also he didnt' feel he should loose one day for wetting the ditch.

Motion by H. J. Wilding, seconded by W. A. Dewey, that the Yago Water be taken by Cambridge users, April, 25th, and one day extra being allowed the party who takes first turn, motion carried unanimously.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 a
S11-T11S-R37E

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 a
S11-T11S-R37E

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 a^x
S10-T11S-R37E^x

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 a^x
S10-T11S-R37E^x

Motion by H. J. Wilding, seconded by W. A. Dewey, that the water be taken at 8 o'clock instead of eight and that the Yago water be taken from W. O. Thompson at 10 o'clock motion carried unanimously.

Orvill Thompson proposed, "That the water of both creeks be decreed."

W. O. Thompson was appointed to take care of the Cambridge half of Yago water relative to securing a court decree on said water.

The question of division was taken up. It was decided to construct a cement division gate.

Fred Penrose was appointed to set date for installation of division gate.

Motion by Willis Brim seconded by LerVon Newbold, that H. J. Wilding act as water master of Yago and Spring Creeks, motion carried unanimously.

Motion of adjournment by H. J. Wilding seconded by LerVon Newbold, Meeting adjourned.

APPROVED

W. O. Thompson
Orville Thompson
Willis Brim Secy.
Fred Penrose
H. J. Wilding

RECORDED JUN 18, 1951 3:05 PM, in Book 14 of Misc1, page 574. RECORDS OF BANNOCK COUNTY STATE OF IDAHO, At request of W. O. Thompson, Downey, Idaho

Anna Keefe, Recorder

Fee .75

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NOV 13 1979

STATE OF IDAHO
County of Bannock

ss.

Deposited in the Office of the
Eastern District Office

Jeri Larsen

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 DIVERSION 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 DIVERSION 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 SESE NESE NWSE SWSE Sec 04 T 11S R 37E FOR 143 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 DIVERSION 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 SESE 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, 19 *79* 19.....
November 8, 19 *79* 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 Larsen

Subscribed and sworn to before me this *9th*

day of *November*, 19 *79*

[Signature]

[Signature]

Notary Public, State of Idaho

Residence: Pocatello, Idaho

80-9

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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

NOVEMBER 19, 1979

O. THAYNE THOMPSON
DOWNEY

ID 83234

RE: Claim No. 29-4145

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

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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.

RECEIVED
OCT 26 1979

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 DIVERSION INTO PRIVATE DITCH

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.

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RD

Right Number 29 4145 Applicant Thompson

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 11/19/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jain Date 11/26/79

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