

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7361 Priority September 22, 1981 Amount 0.03 cfs

THIS IS TO CERTIFY, that Dell D. Olson  
of Mountain Home, Idaho, has complied with the terms and conditions of Permit  
No. 02-7361 issued pursuant to Application for Permit dated September 22, 1981,  
and has submitted proof to the Department of Water Resources on February 8, 1982,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 0.07 cfs of water from Snake River,  
tributary to Columbia River, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

| Beneficial Use    | Period of Use                       | Rate of Diversion      | Annual Volume        |
|-------------------|-------------------------------------|------------------------|----------------------|
| <u>Irrigation</u> | <u>from March 15 to November 15</u> | <u>at 0.03 cfs and</u> | <u>1.2 acre feet</u> |
|                   | <u>from</u>                         | <u>cfs and</u>         |                      |
|                   | <u>from</u>                         | <u>at cfs and</u>      |                      |

(both dates inclusive)

Subject, however, to the condition that no more than 0.03 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
1.2 acre feet per year, said waters to be diverted within the Lot 8 (NE $\frac{1}{4}$ SW $\frac{1}{4}$ ), Section 1,  
Twp. 8S, Rge. 13E in the County of Twin Falls

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 8S   | 13E   | 1    |                  |                  |                  |                  |                  |                  |                  |                  | L. 8<br>1        |                  |                  |                  | 1      |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 1

Water shall not be diverted under this license unless the flow of the Snake River  
at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300  
cfs or at Weiser exceeds 4,750 cubic feet per second.

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use  
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29th day of  
April, 19 82.

Acting for the Director

*Norman C. Young*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Dell D. Olson Phone 587-572

Post office address 810 West 9th, Mtn. Home, ID 83647

2. Source of water supply Snake River which is a tributary of Columbia River

3. Location of point of diversion is NE <sup>Lot 8</sup>  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 1 Township 8S

Range 13E B.M. Twin Falls County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .03 cfs for irrigation purposes from 3/15 to 11/15 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .03 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. \_\_\_\_\_

Pumping plant - sprinkler system.

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_.

(5) If water is to be used for other purposes describe: \_\_\_\_\_

RECEIVED  
MAY 1978



# Affidavit of Publication

STATE OF IDAHO,  
COUNTY OF TWIN FALLS } ss.

Nº 10841

I, N. Enderle

being first duly sworn upon

oath, depose and say that I am print clerk of the TIMES-NEW  
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of  
the notice of advertisement, as per clipping attached, was published in the regular and  
entire issue of said newspaper, and not in any supplement thereof, for two

consecutive weeks, commencing with the issue dated  
October 8, 1981, and ending with the issue dated  
October 15, 1981.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

N. Enderle  
Subscribed and sworn to before me on this 16th day of

Baldie L. Sawcett  
Notary Public in and for the County of Twin Falls,  
State of Idaho, residing at Twin Falls, Idaho

**NOTICE OF  
APPLICATION FOR  
WATER RIGHT**

Notice is hereby given  
that the following  
application(s) have been  
submitted for permit to  
appropriate the public  
waters of the State of  
Idaho:

02-7361

OLSON, DELL D.  
810 WEST 9th, MOUN-  
TAIN HOME, ID 83647  
Source: SNAKE RIVER  
tributary to COLUMBIA  
RIVER

Date Filed: 09/22/1981  
Amount: 0.03 CFS  
Diversion Point: LOT 08  
(NESW) Sec 01 T 08S R  
13E, TWIN FALLS Co.  
Use: IRRIGATION (0.03  
CFS) from 03/15 to 11/15  
Place of Use: NESW Sec  
01 T 08S R 13E FOR 1  
ACRES  
Diversion Means: PUMP,  
SPRINKLERS

47-7757

BOHMAN, DALE FRANK  
&/or LINDA ANN  
RT. 2, BUHL, ID 8816  
Source: DEEP CREEK

tributary to SNAKE  
RIVER  
HP COULEE tributary to  
DEEP CREEK  
Date Filed: 09/28/1981  
Amount: 50.00 CFS  
Diversion Point: SENE  
Sec 17 T 10S R 14E, TWIN  
FALLS Co.  
Use: POWER (50.00 CFS)  
from 01/01 to 12/31  
Place of Use: SENE Sec  
17 T 10S R 14E  
Diversion Means:  
PENSTOCKS

47-7758

MC COLLUM, J.D.  
BOX 112, TWIN FALLS,  
ID 83301

Source:  
GROUNDWATER  
Date Filed: 09/25/1981  
Amount: 10.00 CFS  
Diversion point: NWNW  
Sec 33 T 09S R 17E, TWIN  
FALLS Co.  
USE: IRRIGATION (5.50  
CFS) from 03/15 to 11/15  
FISH PROP. (10.00 CFS)  
from 01/01 to 12/31  
HEATING (2.00 CFS)  
from 01/01 to 12/31  
Place of Use: LOT 04  
(SWNE) Sec 28 T 09S R  
17E SESE Sec 29 T 09S R  
17E NENE  
Sec 32 T 09S R 17E LOT  
01 (NENW) NWNW LOT  
02 (SWNW) SENW NESW  
LOT 08 (NESE) LOT 05  
(NWSE) Sec 33 T 09S R  
17E  
FOR 275 ACRES

Diversion Means: WELL

If issued, the permit(s)  
will be subject to all prior  
water rights. Protests  
against the granting of  
any permit must be filed  
with the Director of the  
Idaho Department of  
Water Resources, 1041  
Blue Lakes Blvd. North,  
Twin Falls, Idaho 83301  
and received on or  
before OCTOBER 26,  
1981.

A. KENNETH DUNN

Director

PUBLISH: Thursday

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

A 20x20 grid with handwritten text. The text 'R13E' is located at row 10, column 10. The text 'T8S' is located at row 5, column 5. The text 'B.P.D. 35RU' is located at row 7, column 5.

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

x Will D. Olson  
(Applicant)

Proposed Priority 9/22/1981

marya 9-28-81 9:30 a

Received by mm Date 9-22-81 Time 11:00

Preliminary check by DS/HJ Fee \$ 30<sup>00</sup> 20230

Receipted by mm Date 9-22-81

Publication prepared by marya Date 9/29/81

Published in timber news

Publication dates 10/8 & 10/15/81

Publication approved marya Date 10/5/81

Protests filed by: None

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by ADM

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7361, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 83.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: Water shall not be diverted under this permit unless the flow of the Snake River at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 cfs and at Weiser exceeds 4,750 cfs.

Witness my hand this 1<sup>st</sup> day of December, 1981.

J. Glen Sayton  
Chief, Operations Bureau

May 19, 1992

DELL D. OLSON  
810 W. 9  
MOUNTAIN HOME ID 83647

RE: Water Right No. A02-07361

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at  
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the  
Student Union Building, Albertson College of Idaho,  
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON  
Chief, Water Allocation Bureau

LGS:klg

May 20, 1982

RE: Permit No. 02-7361

Dell D. Olson  
810 N. 9th  
Mountain Home, ID 83647

Dear Mr. Olson:

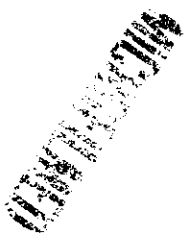
Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,



JIM JOHNSON  
Water Distribution Supervisor

JJ:kw  
Enclosure



4-21-82

**MAP (Attach Aerial Photo)**

[illegible]

### SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

**CONFIDENTIAL**

Point(s) of diversion: NESW 48 Sec 1 T8S R12E

Place(s) of Use

[illegible]

1.0

**Recommended Amendments:**

- ☐ Change P.D. as reflected above      ☐ Add P.D. as reflected above      ☒ None  
☐ Change P.U. as reflected above      ☐ Add P.U. as reflected above      ☐ Other

Examiner's Signature John F. Noyes

Checked by DBS

Approved by

Date 2/8/82

Date 3/23/82

Date 4-28-82

# DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of it No. 02-7361

Name(s) of Permit Holder: Dell D Olson

Post Office Address: 810 W. 9th Mt. Home, Id 83647

Tel. No. 587-5720

Source of Water

Extent of Use

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

.25

(acres)

☐ Other

Measuring Device:

Required?

☐ Yes ☒ No

Installed?

☐ Yes ☐ No

Access Port:

Required?

☐ Yes ☒ No

Installed?

☐ Yes ☐ No

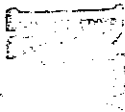
The above information is a true statement of the extent to which the above numbered permit has been developed.

3/5/82  
Date

Dell D. Olson  
Signature of Permit Holder

**MICROFILMED**

Department of  
Western  
Resources



**IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720**

PLACE  
TEN CENT  
STAMP  
HERE

January 7, 1982

RE: Permit No. 02-7361

Dell D. Olson  
810 West 9th  
Mountain Home, ID 83647

Dear Mr. Olson:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the fourth page.

The exercise of this permit may also be affected by the Supreme Court's review of the case of Idaho Power Company vs. State of Idaho, et al., Ada County Civil No. 62237, currently being appealed to the Supreme Court of Idaho. Since the use of water under your permit may affect the flows in the Snake River between Milner Dam and Hells Canyon the final decision in this case may determine to what extent the exercise of your permit is subject to water rights of Idaho Power. While the Supreme Court is reviewing this case, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or subsequent license.

Note also that water shall not be diverted under this permit unless a base flow of the Snake River at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300cfs and at Weiser exceeds 4,750 cfs. In addition, there are many applications for permit for the use of Snake River water that are prior to your permit. These applications have been filed for the irrigation of land that the applicants are attempting to obtain under the Federal Land Laws such as Desert Entry and Carey Act. If these lands are developed, and if the base flow is maintained, then no water would be available for this permit. Therefore, you should carefully consider these facts before making any expenditures for the construction of your system.

January 7, 1982  
RE: Permit No. 02-7361  
Dell D. Olson

We have enclosed a form entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

DAVID R. TUTHILL, JR., P.E.  
Supervisor, Water Allocation Section

DRT:kw  
Enclosures



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
*SOUTHERN REGION*

John V. Evans  
Governor

C. Stephen Allred  
Director

1041 Blue Lakes Blvd. North  
Twin Falls, Idaho 83301  
(208) 734-3578

September 29, 1981

Dell D. Olson  
810 West 9th  
Mountain Home, Idaho 83647

Re: Application for Permit No. 02-7361 - Claim to a Water Right

Dear Mr. Olson:

Enclosed is your receipt No. 20230 in the amount of \$40.00 for the above referenced Application for Permit and Claim which was receipted in the Western Regional Office September 22, 1981.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Mary A. Hill  
Sr. Secretary

for

Loren O. Holmes  
Southern Region Supervisor

Encl:

RECEIVED  
SEP 30 1981  
SOUTHERN REGION

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

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02-2361-

OLSON, DELL D.

810 WEST 9TH, MOUNTAIN HOME, ID 83647

Source: SNAKE RIVER tributary to COLUMBIA RIVER

Date Filed: 09/22/1981

Amount: 0.03 CFS

Diversion Point: LOT 08 (NESW) Sec 01 T 08S R 13E, TWIN FALLS Co.

Use: IRRIGATION (0.03 CFS) from 03/15 to 11/15

Place of Use: NESW Sec 01 T 08S R 13E FOR 1 ACRES

Diversion Means: PUMP, SPRINKLERS

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If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before OCTOBER 26, 1981.

A. KENNETH DUNN

Director

Published 10/8 & 10/15/81.

12486 p1g1 KEYWORD

012.1 IN 14:41

Legal Notice to start  
Thursday, October 8,  
1981

**NOTICE OF  
APPLICATION FOR  
WATER RIGHT**

Notice is hereby given  
that the following  
application(s) have been  
submitted for permit to  
appropriate the public  
waters of the State of  
Idaho:

02-7381

OLSON, DELL D.  
810 WEST 9th, MOUN-  
TAIN HOME, ID 83647

Source: SNAKE RIVER  
tributary to COLUMBIA  
RIVER

Date Filed: 09/22/1981

Amount: 0.03 CFS

Diversion Point: LOT 08

(NESW) Sec 01 T 08S R

13E, TWIN FALLS Co.

Use: IRRIGATION (0.03

CFS) from 03/15 to 11/15

Place of Use: NESW Sec

01 T 08S R 13E FOR 1

ACRES

Diversion Means: PUMP,  
SPRINKLERS

*ob  
mwp  
10/5/81*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Southern Region

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1041 Blue Lakes Blvd N.  
Twin Falls, Idaho 83301  
(208) 734-3578

SEPTEMBER 29, 1981

Times News  
P. O. Box 548  
Twin Falls, Idaho 83301

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 OCTOBER 26, 1981.

Yours truly,

Mary A. Hill  
Secretary

Encl.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Southern Region

---

1041 Blue Lakes Blvd N.  
Twin Falls, Idaho 83301  
(208) 734-3578

SEPTEMBER 29, 1981

Times News  
P. O. Box 548  
Twin Falls, Idaho 83301

Gentlemen:

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Please send the affidavit of publication and publication billing to this office before OCTOBER 26, 1981.

Yours truly,

Mary A. Hill  
Secretary

Encl.