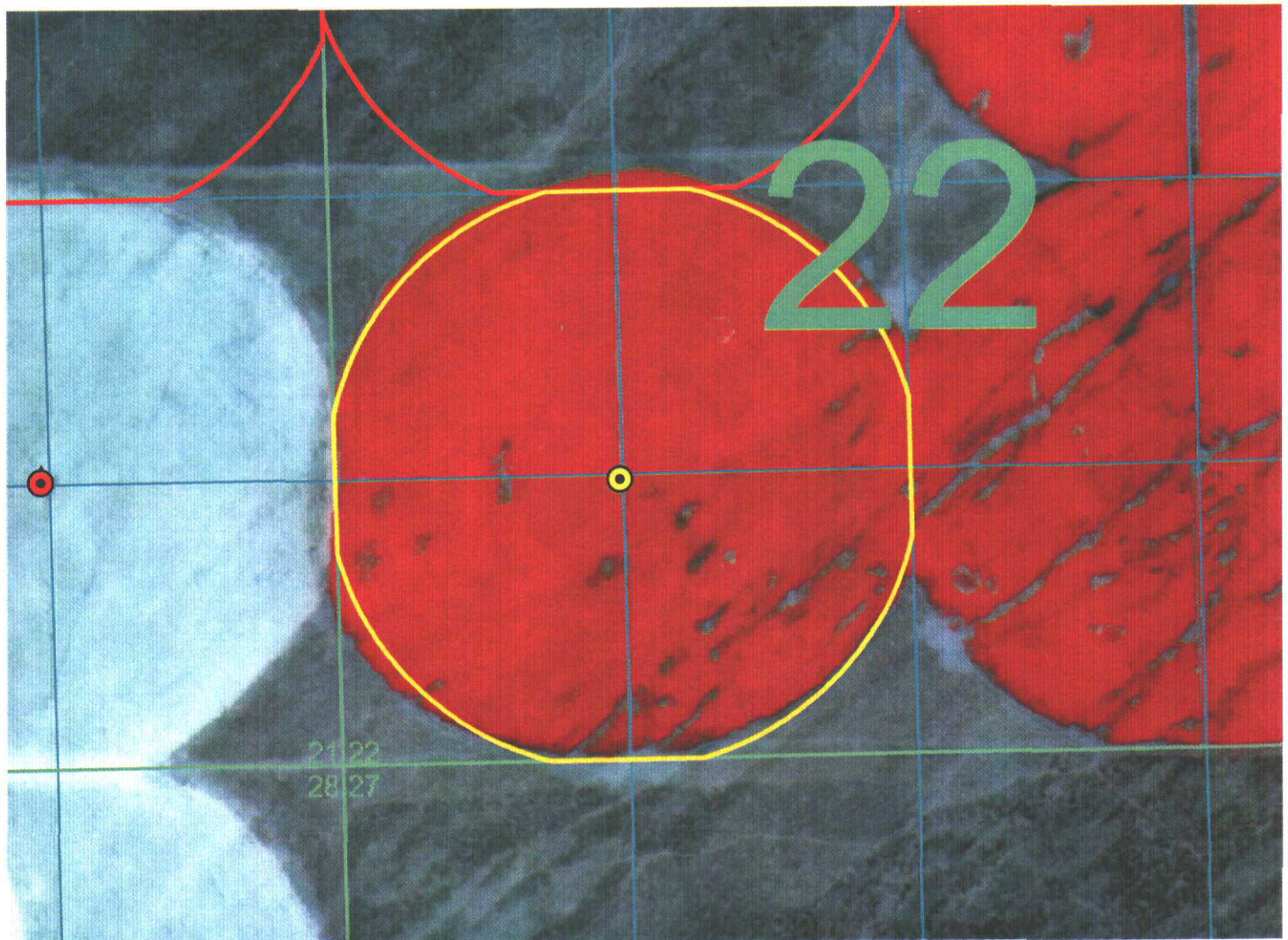


Idaho Department of Water Resources

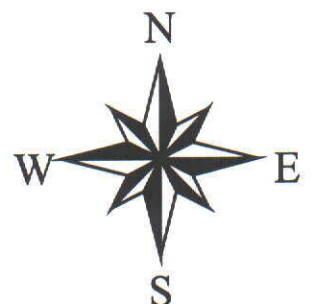
Water Right 31-7660

Township 8 North Range 38 East
Section 22



0 1320 Feet

-  Point of Diversion
-  Point of Diversion - Other Rights
-  Place of Use
-  Place of Use - Other Rights
-  Quarter-quarter Sections
-  Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 9/2000

09/29/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-7660

NAME AND ADDRESS: CORNELISON-OLSEN PARTNERSHIP
PO BOX 396
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY: 1.37 CFS
378 AFY

PRIORITY DATE: 06/14/1974

POINT OF DIVERSION: T08N R38E S22 SWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 11-01	1.37 CFS 378.0 AFY

PLACE OF USE:

<u>IRRIGATION Within FREMONT County</u>			
T08N R38E S22	NESW	32	T08N R38E S22 NWSW 32
T08N R38E S22	SWSW	32	T08N R38E S22 SESW 32
128 ACRES TOTAL			

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

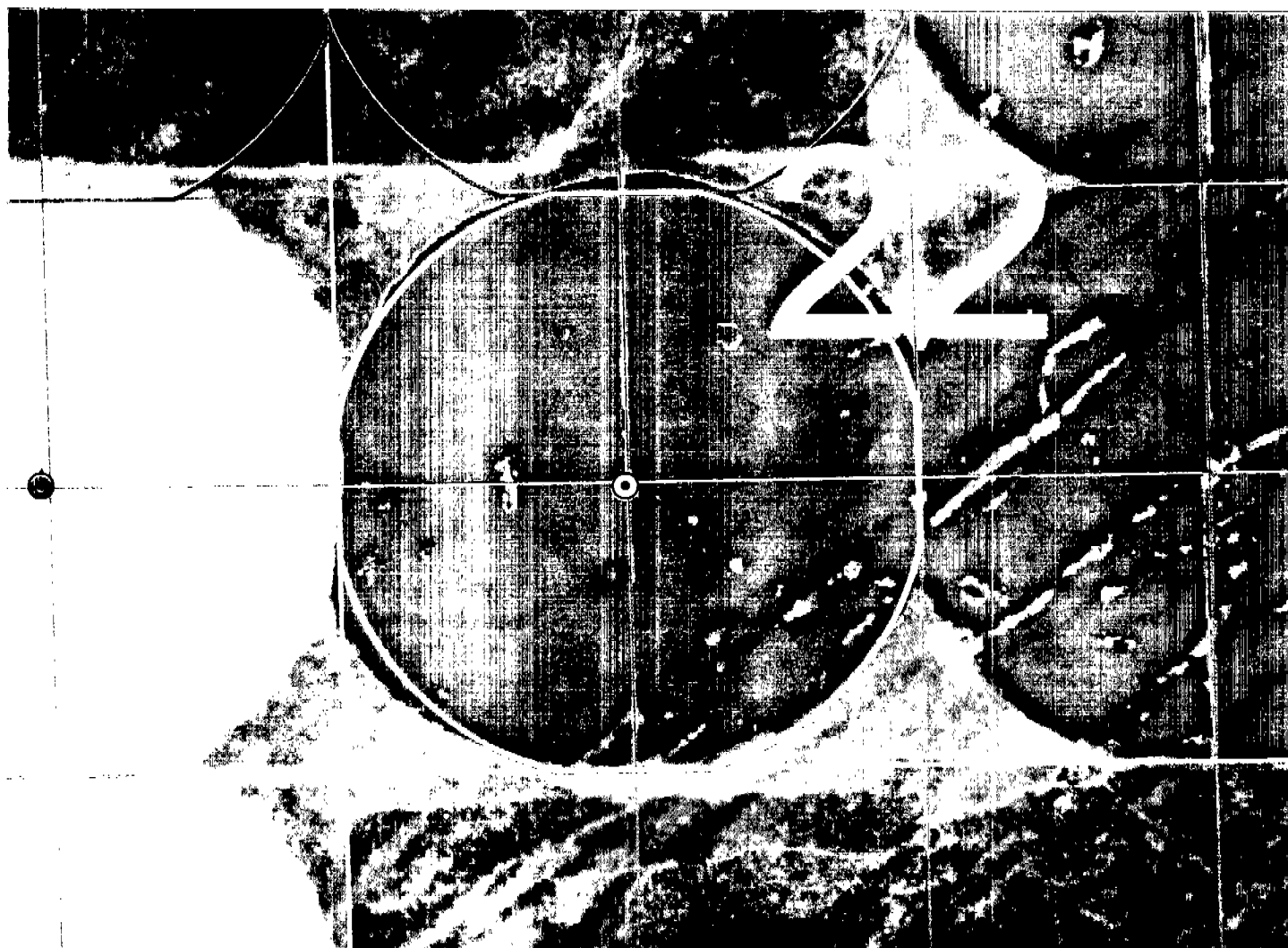
A3107660



Idaho Department of Water Resources

Water Right 31-7660

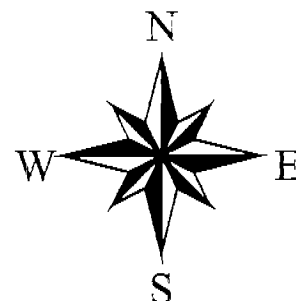
Township 8 North Range 38 East
Section 22



0 1320 Feet



- ⊙ Point of Diversion
- ⊙ Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 9/2000

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 31-7660
Date Received: 9/13/00
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

CORNELISON-OLSEN PARTNERSHIP Phone: (208)356-0396

PO BOX 396
REXBURG ID 83440

2. Date of Priority: 06/14/1974

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
08N	38E	22	SW SW	FREMONT

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1.37	378

7. Total Quantity Appropriated is:
1.37 C.F.S. and/or 378 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	38E	22	NE	SW	IRRIGATION	32
			NW	SW	IRRIGATION	32
			SW	SW	IRRIGATION	32
			SE	SW	IRRIGATION	32

Section Acres 128
Total Acres 128

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT RENUMBERED FROM 21-~~07066~~ ⁷⁰⁴⁴ PER FORMAL TRANSFER WHICH MOVED POD TO
BASIN 31. POST-87 FORMAL TRANSFER TAKEN AS AMENDED CLAIM. OWNERSHIP CHANGED PER
DATA IN AJ FILE A21-070~~66~~ ⁴⁴. BCONTOR 9/13/2000.

15. Basis of Claim: License

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

Stage: LI

FREMON

TOTAL ACRES

Audit: 05/18/88 05/21/88 CONVERT 09/12/00 PSKAGGS



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

March 14, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CORNELISON – OLSEN PARTNERSHIP
PO BOX 396
REXBURG ID 83440

RE: NOTICE OF ERROR

Dear Water User:

In your Notice of Error for rights 31-07658, 31-07659, 31-07660, 31-07661, 31-07662 and 31-07663, you disagreed with the recommended diversion rate.

That rate was recommended based upon an existing water right license or formal transfer issued by Idaho Department of Water Resources. Unfortunately, the authority of the Snake River Basin Adjudication does not extend to increasing diversion rates authorized by administrative action.

The only options to change diversion rate are to have the license amended by the Allocation Bureau of the department, or to apply for a new permit based upon pre- 1987 development of diversion capacity.

The standard for changing a license is set very high. It requires proof that the original licensing exam was in error. As a minimum, this requires a report of an independent evaluation by a licensed Professional Engineer and solid documentation of the original design capacity of the installed system. The standard for a new permit is high, but not as high as for an amended license.

I am not encouraging you to pursue either of these options, but informing you what your options are. Please call me if you have questions. I'm sorry I cannot address your concerns.

Sincerely,

Bryce A. Contor

01/23/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-7660

CORNELISON - OLSEN PARTNERSHIP

PO BOX 396

REXBURG ID 83440

Telephone Number: (208) 356-0396

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

QUANTITY: INSUFFICIENT CFS AND AFY.

PLACE OF USE: ACRE SHORTAGE.

2. Describe the changes you wish to make in the proposed recommendation:

INCREASE CFS BY .86. INCREASE AFY BY 6 ACRE FEET.

INCREASE PERIMETER ACRES TO REFLECT WATERED ACRES.

3. Give a brief explanation as to why you disagree with these portions:

CFS IS LESS THAN INITIAL DESIGN AND PERFORMANCE OF INSTALLED IRRIGATION SYSTEM. AFY IS LESS THAN STANDARD REQUIREMENTS.

RIGHT IS NOT COVERING ALL THE PERIMETER ACRES.

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-9-01

SIGNATURE:

Please print your name: SCOTT CLAWSON, CORNELISON FARMS.

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161

Bar 3/12/01

Response: Adjudication cannot correct
CFS unless Allocations Bureau issues
amended license or new permit.

Comments

~~Remarks~~ for Recommendation 31-7660

B. Contor 9/29/2000

A handwritten signature in cursive script, appearing to read "Bryce", is written over the date and name.

Recommended per post-1987 formal transfer. eCVR not filled out.

Renumbered from 21-07044 by formal transfer which moved POD into B31.

WR belongs to Cornelison-Olsen partnership, who purchased WR from Blake Brothers. See file for original agreement between Blake Brothers and Hillman/Robertson, owners of POU. Hillman still owns POU and leases it to Cornelison-Olsen.

T3391 BLAKE

31-7660

COPY

Page

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3391

MAY 9 1964 APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources
Eastern District Office

Name of applicant Frank Brent Blake &/or Richard R. Blake Phone 624-3304/624-3860

Post Office address Box 211-6 or 211-5, St. Anthony, ID 83445

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 Owners of right have placed farm in federal CRP Program. They wish to lease water rights to Hillman & Robertson to irrigate land under a new development. The transfer will be made under conditions agreed to by the parties (see attached agreement)

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 |
|-----------------|-----------|-----------------------|------------------|---------------|
| 21-7044 | 6/14/1974 | 1.37 cfs | irrigation | 4/1 to 11/1 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 1.37 cubic feet per second and/or 378 acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system well/pump/center pivot

☒ b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ 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:
see attached agreement between Ralph Hillman/Dyle Robertson and the applicants

d. Remarks:

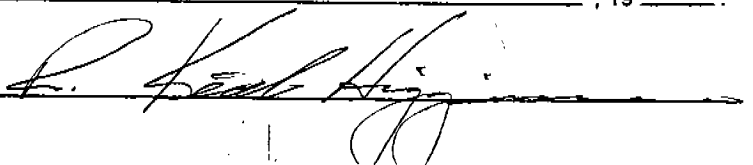
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 21-7044

And said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 2nd day of May, 19 88

Director



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 21-7044 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water groundwater tributary to _____

4. Date or priority June 14, 1974

5. Water is used for the following purpose:

amount 1.37 cfs for irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.37 cubic feet per second and/or 378 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	8	8N	41E	Fremont	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	41E	8	14	13	39	39									11	10			126

Total acres 126

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

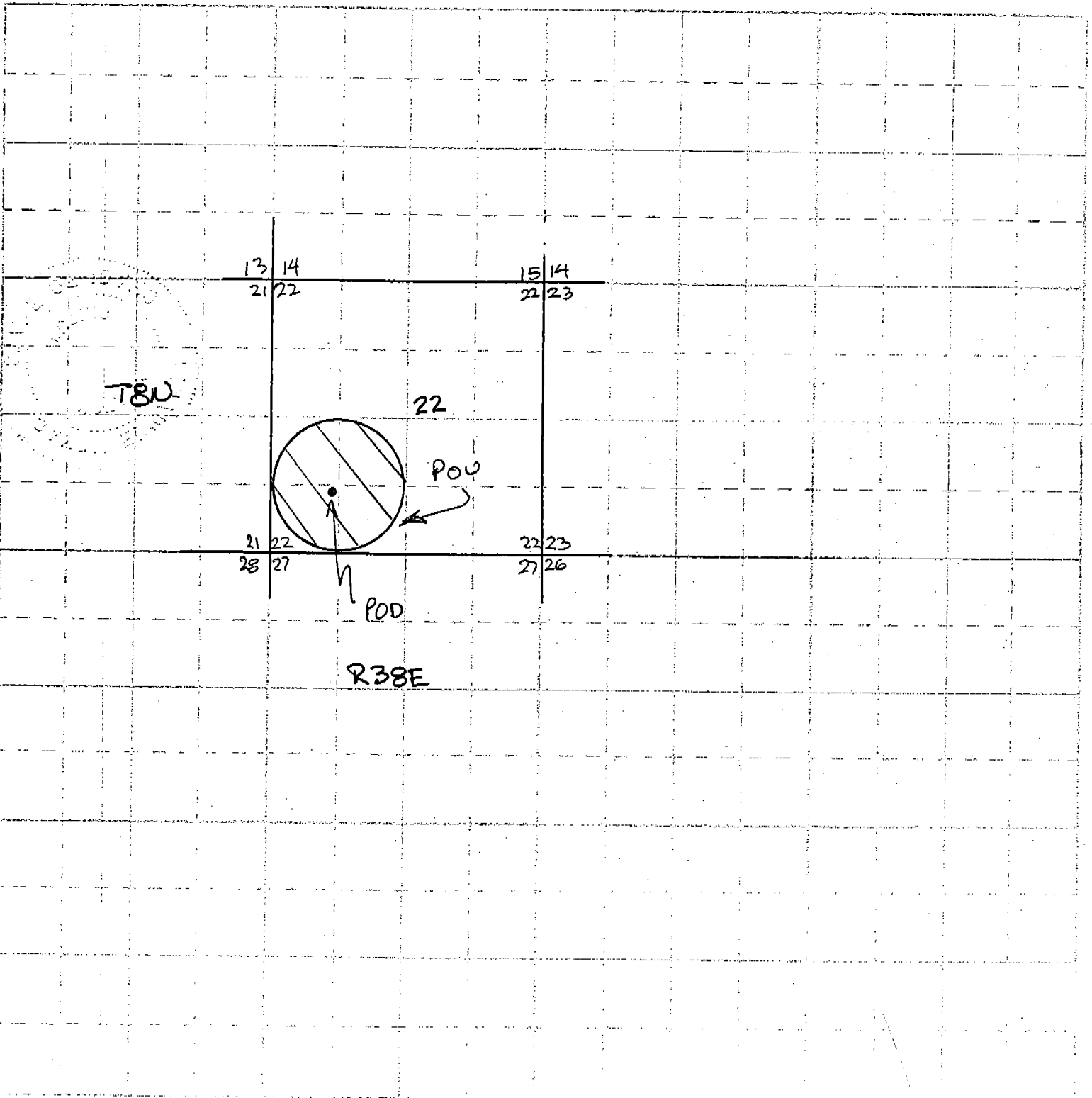
3. Lands irrigated or place of use:

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	

Total acres _____

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

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



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

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

Richard H. Blake
(Signature of Applicant)

Subscribed and sworn to before me this 17th day of February, 1988.

Sandy Edwards
(Notary Public)

My commission expires February 24, 1992

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by ESV Date 2-23-88

Protest filed by _____

Prelim. check by AWJ Fee 50.00 + 46439

Receipted by dg Date 2-24-88

Published in Department City Ordinance

Copies of protest forwarded by _____

Pub. dates 3/3 + 3/10/88 re-od 4-7 ~ 4-14-88

Hearing held by _____ Date _____

Watermaster recommendation requested on N.A.

Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by Sim

Copy of transfer sent to lien holder _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 13, 2000

CORNELISON-OLSEN PARTNERSHIP
PO BOX 396
REXBURG ID 83440

RE: NOTICE OF CLAIM

Dear Claimant:

The Department has changed the identification number for the Notice of Claim(s) A21-07066 (new numbers A31-07661 and A31-07662), A21-07045 (new number A31-07659), A21-07044 (new number A31-07660), and A21-07032 (new number A31-07658). We have also modified receipt #E006172 to reflect the new number.

A copy of the receipt and the Notice of Claim are enclosed for your records.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cheri Vandermeulen". The signature is written in dark ink and is positioned above the printed name and title.

Cheri Vandermeulen
Records Clerk

Enclosure:

3/16/1989

BLAKE BROTHERS PARTNERSHIP
C/O BRENT BLAKE
RT. 211-6

ST. ANTHONY ID 83445

BLAKE BROTHERS PARTN.

ADJUDICATION FEE	410162	9337	6490	1,082.00
------------------	--------	------	------	----------

Account Number: E000038

\$ 1,082.00

CHECK 1550

renumbered from: A21-07045

Water Right Numbers

<u>A31-07659</u>	A21-07046	A21-07050	A21-07034
<u>A31-07658</u>	<u>A31-07660</u>	A21-07051	-

A31-07661

Region: EASTERN

*renumbered from
A21-07044*

Signature: _____

*renumbered from
A21-07066**renumbered
from: A21-07032*