

M E M O R A N D U M

Date: October 24, 1997

To: Files

From: Jennifer

Re: NCO for 35-10672

On 5-2-97 we received a NCO from Matsuura to Cornelison for 15 rights and mistakenly changed the above right. This NCAP changes it back to Matsuura the way it should have been.

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

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 35-10672

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83440

Phone: (208) 356-4402

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

MATSUURA BROTHERS PARTNERSHIP
C/O GLENN MATSUURA
426 N 150 W
BLACKFOOT ID 83221

Phone: (208) 785-2948

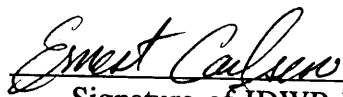
The Claimant has filed Objections or Responses to the following water rights:

NO OBJECTIONS

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: October 24, 1997

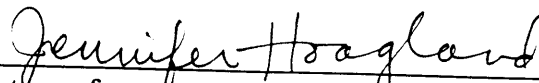


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Oct 27, 1997, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83440
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
MATSUURA BROTHERS PARTNERSHIP
C/O GLENN MATSUURA
426 N 150 W
BLACKFOOT ID 83221
4. One Copy to:
Each party in the subcase or attorney of record:
N/A
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 24, 1997

MATSUURA BROTHERS PARTNERSHIP
C/O GLENN MATSUURA
426 N 150 W
BLACKFOOT ID 83221

RE: Notice of Change of Water Right Ownership (NCO) for 35-10672
and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Matsuura:

On May 1, 1997, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Hoagland
Technical Records Specialist

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

FEBRUARY 18, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR A35-02178C, -10671, -02763B
-04196, -07154, -10672, -02165, -02182C, -07023
-02447A, -02179B, -08211, AND -08722

Dear Sirs:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

Water rights 35-08211 and 35-08722 are recent licenses and have not been adjudicated. These two right numbers were sent to the State office where the change in ownership will be processed.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

RECEIVED

JUN 10 1996

DATE OF CLOSING: May 29, 1996

Department of Water Resources
Eastern District Office

LEGAL DESCRIPTION OF PROPERTY: SEE ATTACHED EXHIBIT "A"

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Rights Number(s)
Assigned by IDWR: 35-02763B; 35-04196; 35-07154; A35-02178C;
A35-10671; A35-02763B; A35-04196; A35-07154;
A35-10672; A35-02165; A35-02182C; A35-07023
A35-02447A; A35-02179B; 35-08211 and
35-08722
- ☒ Name and Address of Former
Owner/Claimant(s)(Seller): Matsuura Brothers Land Company and
Matsuura Brothers Partnership
426 North 150 West
Blackfoot, Idaho 83221
- ☒ New Owner/Claimant
(Purchaser): Cornelison & Olsen
- ☒ New Mailing Address: Post Office Box 396
Rexburg, Idaho 83440
- ☒ New Telephone Number: (208) 356-4402
- ☒ Does the change in ownership result in a splitting of the water right owned/claimed?
_____ yes X no. If yes, then describe the portion of the water right that is
now owned/claimed by the new owner:

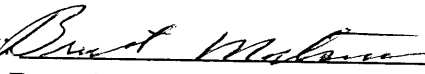
[] Attach proof of ownership,
describe proof attached: see attached Grant Deed

[X] Signature of New
Owner/Claimant(s) CORNELISON & OLSEN
an Idaho general partnership

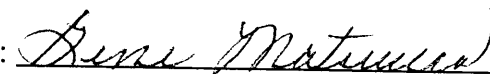
By: 
Keith Cornelison, Partner

By: 
Ronald Olsen, Partner

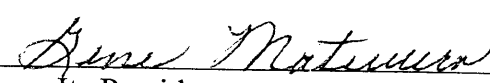
[X] Signature of Former
Owner/Claimants MATSUURA BROTHERS LAND COMPANY
an Idaho general partnership

By: 
Brent Matsuura, Partner

By: 
Glenn Matsuura, Partner

By: 
Gene Matsuura, Partner

By: Matsuura Brothers Company, Inc.

By: 
Its President

MATSUURA BROTHERS PARTNERSHIP
an Idaho general partnership

By: Brent Matsuura
Brent Matsuura, Partner

By: Glenn Matsuura
Glenn Matsuura, Partner

By: Gene Matsuura
Gene Matsuura, Partner

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: By:

Further Action Needed:

Further Action Taken
Date: By:

Final Review and Data-Entry
Date: By:

Claim Number of Split, if any:

Original to be mailed to Idaho Department of
Water Resources. Copies to Former Owner and
New Owner

G:\WPDATA\CAH\8470\WATE0401.NPO:jht

COPY

444450

GRANT DEED

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE \$300 DEP SP

96 MAY 29 PM 3:52

RECORDED AT THE REQUEST OF

THIS INDENTURE is made this 29th day of May, 1996, by MATSUURA BROTHERS LAND COMPANY, an Idaho general partnership, composed of Matsuura Brothers Company, Inc., Brent Matsuura, Glenn Matsuura, and Gene Matsuura, and MATSUURA BROTHERS PARTNERSHIP, an Idaho general partnership composed of Glenn Matsuura, Brent Matsuura and Gene Matsuura, whose mailing address is 426 North 150 West, Blackfoot, Idaho 83221, hereinafter collectively referred to as the "GRANTOR"; and CORNELISON & OLSEN, an Idaho general partnership, composed of Keith Cornelison and Ronald Olsen, whose mailing address is Post Office Box 396, Rexburg, Idaho 83440, hereinafter referred to as the "GRANTEE".

WITNESSETH, that the GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the GRANTOR in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the GRANTEE, and to the GRANTEE's successors and assigns forever, all of the following described property in the County of Bingham, State of Idaho, to-wit:

Township 1 South, Range 35 E.B.M., Bingham County, Idaho

A35-02178C Section 22: W $\frac{1}{2}$

A35-02182C Section 23: E $\frac{1}{2}$ EXCEPT that land lying Westerly of the North-South County Road

Section 26: A portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26 described as: Beginning at a point 25 feet W. and 725 feet S. of the NE corner of the SW $\frac{1}{4}$ of said Section 26, thence W. 300 feet; thence N. 50 feet; thence E. 300 feet; thence S. 50 feet to the point of beginning.

ALSO, Beginning at a point 25 feet W. and 825 feet S. of the NE corner of the SW $\frac{1}{4}$; thence due W. 300 feet; thence due N. 100 feet; thence due W. 100 feet; thence S. Easterly in a straight line 588 feet, more or less, to a point which is 120 feet W. of the W. right-of-way line of the North-South County Road bordering said tract on the E. side thereof; thence due E. 120 feet to said W. right-of-way line; thence N. along said W. right-of-way line 400 feet to the point of beginning.

AND ALSO, Beginning at a point 25 feet W. and 725 feet S. of the NE corner of the SW $\frac{1}{4}$ of said Section 26; and running

thence W. 300 feet; thence S. 100 feet thence E. 300 feet; thence N. 100 feet to the point of beginning.

EXCEPTING THEREFROM Commencing at a point 25 feet W. and 795 feet S. of the NE corner of the SW $\frac{1}{4}$ of said Section 26; and running thence S. Westerly 249°08', 45.7 feet; thence W. 317.58 feet; thence S. Easterly 149°30', 489.67 feet, more or less, to a point of which is 120 feet W. of the W. right-of-way line of the North-South County Road bordering said tract on the E. side thereof; thence due E. 120 feet to said W. right-of-way line; thence due N. along said W. right-of-way line 430 feet, more or less, to the point of beginning.

A35-02165 Section 28: E $\frac{1}{2}$

Township 1 South, Range 36 E.B.M., Bingham County, Idaho

none — Section 6: Lot 7

A35-02179B Section 7: Lots 1, 2, 3, 4, and E $\frac{1}{2}$ W $\frac{1}{2}$

none Section 18: Commencing at the NW corner of said Section 18; thence S. 200 feet; thence E. 250 feet; thence S. 450 feet; thence E. to the E. line of the NW $\frac{1}{4}$ of said Section 18; thence N. 650 feet to the NE corner of the NW $\frac{1}{4}$ of said Section 18; thence W. 160 rods to the place of beginning.

Township 1 North, Range 35 E.B.M., Bingham County, Idaho

A35-02447A Section 15: S $\frac{1}{2}$ SW $\frac{1}{4}$

A35-07154 Section 17: E $\frac{1}{2}$ SE $\frac{1}{4}$

A35-07154 Section 20: E $\frac{1}{2}$ E $\frac{1}{2}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

A35-04196 Section 21: S $\frac{1}{2}$ S $\frac{1}{2}$

A35-02447A Section 22: E $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$

A35-04196 } Section 27: N $\frac{1}{2}$ NW $\frac{1}{4}$

A35-07023 } Section 28: N $\frac{1}{2}$ N $\frac{1}{2}$

A35-04196 —

A35-02763B } Section 33: W $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

35-08211 }

SUBJECT TO the following:

1. All existing rights of way, easements, claims of easements, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, overlaps, and other matters which would be disclosed by an accurate survey or inspection of the premises.