

p. 2 of 4
6-10-2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 8, 2002

CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83440

RE: Transfer #69618 for water right(s) 35-2179B, 35-13280 and
Notice of Completed Administrative Proceeding (NCAP)

Dear Sirs:

On March 4, 2002, the Idaho Department of Water Resources (IDWR) approved Transfer #69618, modifying the above referenced water right. Based on this transfer, 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 the water right(s) as recorded in the SRBA.

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

Respectfully,

Jennifer Crabtree
Technical Records Specialist

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

Water Rights: 35-02179B, 35-13280

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer **69618**
 - ☐ point of diversion ☒ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

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: March 8, 2002



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 8, 2002, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
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:
N/A

4. One copy to:

Each party in the subcase, or attorney of record

JEFFREY FEREDAY

KENT FOSTER

JERRY RIGBY

PO BOX 2720

PO BOX 50130

PO BOX 250

BOISE ID 83701-2720

IDAHO FALLS ID 83405

REXBURG ID 83440

BLAIR GROVER

PO BOX 36

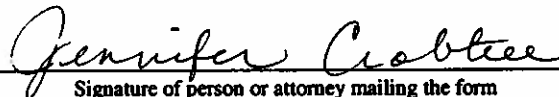
RIGBY ID 83442

5. One copy each 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

03/08/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 35-13280 MODIFIED PER TRANSFER 69618

NAME AND ADDRESS: CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83440

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.260 CFS
USE OF THIS RIGHT WITH RIGHT NO. 35-02179B IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.44 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1228.4 AF.

PRIORITY DATE: 04/01/1984
THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF
DIVERSION:
T01S R36E S7 NWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.260 CFS

PLACE OF USE:

IRRIGATION Within BINGHAM County

T01S R36E S06 Lot 7 SWSW	22.0	T01S R36E S07	NENW	17.0
T01S R36E S07 Lot 1 NWNW	36.0	T01S R36E S07 Lot 2 SWNW		39.5
T01S R36E S07	37.0	T01S R36E S07	NESW	34.0
T01S R36E S07 Lot 3 NWSW	35.0	T01S R36E S07 Lot 4 SWSW		35.0
T01S R36E S07	37.0	T01S R36E S18	NENW	8.4
T01S R36E S18 Lot 1 NWNW	6.2			

307.1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 35-02179B IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE IRRIGATION SEASON.

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.
THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-02179B
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

03/08/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

THIS RIGHT IS FOR AN ENLARGEMENT OF 23.1 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by transfer 69618 by Mar 4, 2003.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69618

Needs NCAP

RECEIVED
MAR 5 2002
Department of Water Resources
Southern Region

This is to certify that: CORNELISON & OLSEN GENERAL PARTNERSHIP
PO BOX 396
REXBURG ID 83440-0396
(208)356-4402

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
35-2179B	AJC/License	07/08/1950	3.44 cfs	1136.0 af	284.0	307.1	GROUND WATER
35-13280	AJC/Beneficial Use	04/01/1984	0.26 cfs			307.1	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
35-2179B	NO	NO	YES	NO	NO	NO
35-13280	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
35-2179B	35-2179B	3.44 cfs	1136.0 af	284.0	307.1		N/A	N/A	N/A	N/A
35-13280	35-13280	0.26 cfs	N/A	N/A	307.1		N/A	N/A	N/A	N/A
TOTALS		3.44 cfs	1228.4 af		307.1		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this

4th

day of

March

20

02


Chief, Water Allocation Bureau

RECEIVED

MAR 07 2002

Department of Water Resources
Eastern Region

WATER RIGHT NO. 35-2179B

As Modified by Transfer No. 69618

In accordance with the approval of Transfer No. 69618, Water Right No. 35-2179B is now described as follows.

Right Holder: CORNELISON & OLSEN GENERAL PARTNERSHIP
PO BOX 396
REXBURG ID 83440-0396

Priority Date: 07/08/1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.44 CFS	1,136.0 AF
			3.44 CFS	1,136.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 7 Twp 01S Rge 36E BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 36E 6											22.0						22.0
01S 36E 7					17.0	36.0	39.5	37.0	34.0	35.0	35.0	37.0					270.5
						L1	L2				L3	L4					
01S 36E 18					8.4	6.2											14.6
						L1											

Total Acres: 307.1

CONDITIONS OF APPROVAL

1. Right 35-2179B is limited to the irrigation of 284.0 acres within the place of use described above in a single Irrigation season.
2. Right 35-13280 is an enlargement of Right 35-2179B pursuant to Section 42-1426, Idaho Code.
3. Rights 35-2179B and 35-13280 when combined shall not exceed a total diversion rate of 3.44 cfs, a total annual maximum diversion volume of 1228.4 af at the field headgate, and the irrigation of 307.1 acres.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 35-2179B
As Modified by Transfer No. 69618

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of March, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13280
As Modified by Transfer No. 69618

In accordance with the approval of Transfer No. 69618, Water Right No. 35-13280 is now described as follows.

Right Holder: CORNELISON & OLSEN GENERAL PARTNERSHIP
 PO BOX 396
 REXBURG ID 83440-0396

Priority Date: 04/01/1984

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.26 CFS	
			0.26 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 7 Twp 01S Rge 36E BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 36E 6											22.0						22.0
											L 7						
01S 36E 7					17.0	36.0	39.5	37.0	34.0	35.0	35.0	37.0					270.5
						L 1	L 2				L 3	L 4					
01S 36E 18					8.4	6.2											14.6
						L 1											

Total Acres: 307.1

CONDITIONS OF APPROVAL

1. Right 35-13280 is for an enlargement of 23.1 acres within the place of use described above in a single irrigation season.
2. Right 35-13280 is an enlargement of Right 35-2179B pursuant to Section 42-1426, Idaho Code.
3. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
4. Rights 35-2179B and 35-13280 when combined shall not exceed a total diversion rate of 3.44 cfs, a total annual maximum diversion volume of 1228.4 af at the field headgate, and the irrigation of 307.1 acres.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

WATER RIGHT NO. 35-13280
As Modified by Transfer No. 69618

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of March, 2002


Chief, Water Allocation Bureau

DEC 17 2001

Department of Water Resources

LAW OFFICES
277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

Direct Dial: (208) 388-1270
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James A. McClure
Stephanie C. Westemeier
OF COUNSEL
*Licensed in California only

December 13, 2001

VIA US MAIL

Eastern Region
Idaho Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-7161

Re: Transfer Application of Cornelison & Olsen
Our File: 5742-1

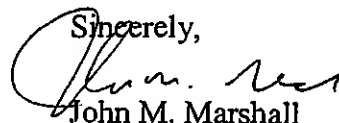
To Whom It May Concern:

I am enclosing an Application for Transfer by which Cornelison & Olsen seeks to move 3.5 acres. The Department recommended these acres in the SRBA in a permissible place of use for water rights 35-2179B and 35-13280. The BLM identified these acres as being on land owned by the BLM and filed an objection in the SRBA. This transfer will resolve the BLM's SRBA objection by moving the acres from BLM ground to land owned by Cornelison & Olsen.

Also enclosed is a \$100.00 check for the application fee. Per my conversation with Jeff Peppersack in the State Office, this amount is calculated based on the pro rata share of the diversion quantity associated with acres being moved.

Please let me know immediately if you need anything else to begin processing this application, or if you need additional copies. Fred Price of the BLM knows about this proposed transfer and will be sending you a consent letter. We hope that you will be able to publish notice of the Application very soon. Thanks for your attention to this, and, again, please call if you have any questions.

Sincerely,



John M. Marshall

JMM/tns

Enclosures

cc: Scott Clawson
Candice McHugh
Fred Price
Larry Brown

S:\CLIENTS\5742\1\Corr\2001-12-13 ltr to IDWR application.doc

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined the Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions: _____

Witness my hand this _____ day of _____, 20____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: License No. 35-02179B, also a recommendation in the SRBA
2. Ownership is evidenced by: ☒ Warranty Deed.
3. Source of water: Groundwater
4. Priority: 07/08/1950
5. Water is used for the following purpose: 3.44 cfs / 1136 af for Irrigation purposes from 04-01 to 10-31
6. Total amount of water: 3.44 cfs and/or 1136 af
7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion.
	NW	NE	SW	7	01S	36E	Bingham	

8. Lands irrigated or place of use:

NE				NW				SW				SE								Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	SW	Totals
01S	36E	18					8.4	6.2												14.6
01S	36E	6											22							22
01S	36E	7			1.6		17	36	36	37	34	35	35	37		0.7		1.2		270.5

Total Acres: 307.1

* This description includes 23 additional enlargement acres included in the current SRBA Director's Report for this right.

9. Describe any other rights used for the same purpose as described above: 35-13280 is an enlargement of right 35-02179B and is used for the same irrigation purpose on the same place of use.
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use. No.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

1. Amount: 0.39 cfs / 14 af for Irrigation purposes from 04-01 to 10-31

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion.
	NW	NE	SW	7	01S	36E	Bingham	

3. Lands irrigated or place of use:

This transfer seeks to move the 3.5 acres identified below to Lot 2, SWNW of Section 7, Township 1S, Range 36E

NE				NW				SW				SE								Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW		
01S	36E	7			1.6												0.7		1.2	3.5

Total Acres: 3.5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT

1. Amount: 3.40 cfs / 1214.4 af for Irrigation purposes from 04-01 to 10-31

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion.
	NW	NE	SW	7	01S	36E	Bingham	

3. Lands irrigated or place of use:

NE				NW				SW				SE								Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW		
01S	36E	18					8.4	6.2												14.6
01S	36E	6											22							22
01S	36E	7					17	36	36	37	34	35	35	37						267

Total Acres: 303.6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: SRBA Director's Report No. 35-13280.
2. Ownership is evidenced by: ☒ Warranty Deed.
3. Source of water: Groundwater
4. Priority: 04/01/1984

5. Water is used for the following purpose: **0.26 cfs / 92.4 af for Irrigation purposes from 04-01 to 10-31**

6. Total amount of water: **0.26 cfs and/or 92.4 af**

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion.
	NW	NE	SW	7	01S	36E	Bingham	

8. Lands irrigated or place of use:

			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	
01S	36E	18					8.4	6.2											14.6
01S	36E	6											22						22
01S	36E	7			1.6		17	36	36	37	34	35	35	37		0.7		1.2	270.5

Total Acres: 307.1

9. Describe any other rights used for the same purpose as described above: **35-02179B is the base right for this enlargement right and is used for the same purpose on the same permissible place of use.**

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use. **No.**

IDAHO DEPARTMENT OF WATER RESOURCES

CORNELISON & OLSEN

Water Right No(s).

35-02179B



0 1320 2640 3960 5280 Feet

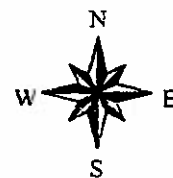
⊙ Point of Diversion Location

Place of Use Boundary

Section Lines

Quarter/Quarter Lines

Township(s) 1S, Range(s) 36E
Section(s) 6, 7 & 18



GIS Place of Use Illustration
1987/1988 NAPP Photograph
Prepared by: Greg Taylor
Date: May 23, 1998

▨ = old place of use

▤ = new place of use

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

A35-0217BC 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 } 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.

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)

A. Subcase 35-13280

(insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

_____)
Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435

United States Department of Justice: Environment and Natural Resource Division: General Litigation Section
550 West Fort Street, MSC 033: Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Cornelison & Olsen

Address: PO Box 396; Rexburg, ID 83440

Name:

Address:

Name:

Address:

Name:

Address:

F.

VERIFICATION (Must be Completed)

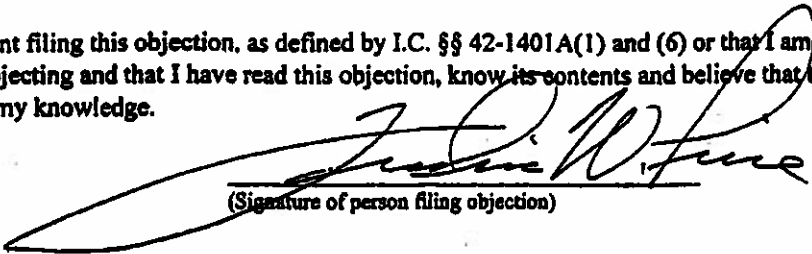
State of Idaho)

) ss.

County of Ada)

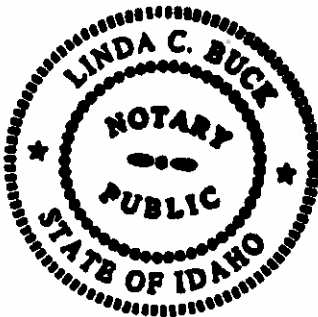
Fredric W. Price, Water Rights Spec., duly sworn, upon oath, deposes and says:
(Name of person filing objection)

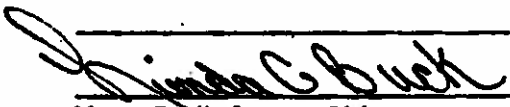
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: February 26, 2001




Notary Public for Idaho
Residing at: Mountain Home
My Commission Expires: 02-21-2003

Jeffrey C. Fereday
P. O. Box 2720
Boise, Idaho 83701-2720

Of attorneys for Respondents
to Canal Co. Objections to 35-02179B:
Aberdeen-American Falls
Bingham Ground Water District;
Upper Valley Irrigators Assoc.

Peter J. Ampe
Deputy Attorney General
Natural Resources Division
Office of the Attorney General
P. O. Box 83720
Boise, Idaho 83720-0010

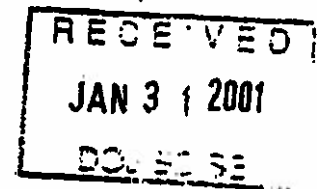
Of attorneys for Respondent
to Canal Co. Objections to 35-02179B:
State of Idaho.

Kent Foster
P. O. Box 50130
Idaho Falls, Idaho 83405

Of attorneys for Respondents
to Canal Co. Objections to 35-02179B:
Albert & Christine Wada;
Brent Stolworthy;
Clyde M. Wilson;
Darwin Brown;
Frank & Agnes H. Wada;
Gerald J. Butikofer;
Jay L. & Merri Lynn Stolworthy;
Kent B. Cornelison;
Kent Searle;
LDS Church;
Linden J. & Lois J. Butikofer;
Merle & Ulene Butikofer;
Murdoch-Wilson Farms;
Paul & Alice Heyrend;
Wayne Hansen.



Signature of Objector or attorney mailing on Objector's behalf



DIRECTOR'S REPORT

Water Right Claim No. 35-13280

In Re SRBA
Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David R. Tuthill, Jr., Adjudication Bureau Chief

January 30, 2001

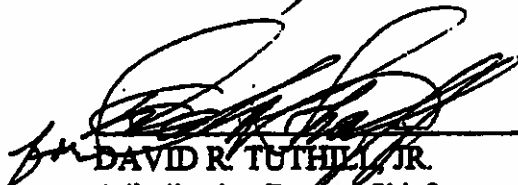
DESCRIPTIVE SUMMARY

This is a Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Claim 35-13280 is an enlargement of licensed water right 35-02179B. An Amended Director's Report in subcase 35-02179B was filed today. Due to the overlapping relationship between the two water rights, the Director submits for filing with the Court, a Director's Report for water right claim 35-13280 so that resolution of both claims in the SRBA will occur together.

Respectfully submitted this 20 day of January, 2001.



DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

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

01/30/2001

RIGHT NUMBER: 35-13280

NAME AND ADDRESS: CORNELISON & OLSEN
PO BOX 396
REXBURG, ID 834400396

SOURCE: GROUND WATER

QUANTITY: 0.26 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-02179B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.44 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1229.4 AF.

PRIORITY DATE: 04/01/1984

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO
SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE
SUPERIOR RIGHT.

POINT OF DIVERSION: T01S R36E S7 NWNESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.26 CFS

PLACE OF USE:

IRRIGATION Within BINGHAM County

T01S R36E S18	NENW	8.4	T01S R36E S18	LOT 1	NWNW	6.2
T01S R36E S6	LOT 7 SWSW	22	T01S R36E S7		SWNE Blm	1.6
T01S R36E S7	NENW	17	T01S R36E S7	LOT 1	NWNW	36
T01S R36E S7	LOT 2 SNNW	36	T01S R36E S7		SENN	37
T01S R36E S7	NESW	14	T01S R36E S7	LOT 3	NWSW	35
T01S R36E S7	LOT 4 SWSW	35	T01S R36E S7		SESW	37
T01S R36E S7	NWSE Blm	0.7	T01S R36E S7		SWSE Blm	1.2

307.1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 35-02179B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-02179B PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 23.1 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

CERTIFICATE OF MAILING

I certify that on 1-30, 2001, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☒ Facsimile

2. Copies to:

Office of the Attorney General
Peter J. Ampe
Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Bingham County Clerk
P.O. Box 310
Blackfoot, ID 83221

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Jeffrey Fereday
P.O. Box 2020
Boise, ID 83701-2720

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Jerry Rigby
Box 250
Rexburg, ID 83440

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

John Simpson
Box 1906
Twin Falls, ID 83301

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Kent Foster
Box 50130
Idaho Falls, ID 83405

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Blair Grover
Box 36
Rigby, ID 83442

☐ Overnight Mail
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☐ Hand-Delivered
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Mundy Egbert
Signature of person delivering form

FEB - 8 2001

2001 FEB -8 PM 4:15

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED DL

**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

) Subcase 35-13280

Case No. 39576

) ORDER SETTING DEADLINES
)
)
)
)

On January 30, 2001, IDWR filed its *Director's Report, Water Right Claim No. 35-13280*, a late claim, recommending the claim to Cornelison & Olsen for .26 cfs of groundwater to irrigate a 23.1 acre enlargement of licensed water right 35-02179B from April 1 to October 31 with a priority date of April 1, 1984.

THEREFORE, IT IS ORDERED that:

1. Objections to the *Director's Report, Water Right Claim No. 35-13280* shall be filed with the SRBA Court no later than **Friday, March 30, 2001**, and
2. Responses shall be filed no later than **Friday, April 20, 2001**.

DATED February 8, 2001.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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

RIGHT NUMBER: 35-13280

NAME AND ADDRESS: CORNELISON & OLSEN
PO BOX 396
REXBURG, ID 834400396

SOURCE: GROUND WATER

QUANTITY: 0.26 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-02179B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.44 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1228.4 AF.

PRIORITY DATE: 04/01/1984

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO
SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE
SUPERIOR RIGHT.

POINT OF DIVERSION: T01S R36E S7 NWNESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.26 CFS

PLACE OF USE:

IRRIGATION Within BINGHAM County

T01S R36E S18	NENW	8.4	T01S R36E S18	LOT 1	NWNW	6.2
T01S R36E S6	LOT 7	22	T01S R36E S7		SWNE	1.6
T01S R36E S7	NENW	17	T01S R36E S7	LOT 1	NWNW	36
T01S R36E S7	LOT 2	36	T01S R36E S7		SENW	37
T01S R36E S7	NESW	34	T01S R36E S7	LOT 3	NWSW	35
T01S R36E S7	LOT 4	35	T01S R36E S7		SESW	37
T01S R36E S7	NWSE	0.7	T01S R36E S7		SWSE	1.2

307.1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 35-02179B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-02179B PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 23.1 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

12/07/2000

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

RIGHT NUMBER: 35-2179B

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

SOURCE: GROUND WATER

QUANTITY: 3.44 CFS
1136 AFY

USE OF THIS RIGHT WITH RIGHT NO. 35-13280 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.44 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1228.4 AF.

PRIORITY DATE: 07/08/1950

POINT OF DIVERSION: T01S R36E S7 NWNESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	3.440 CFS 1,136.0 AFY

PLACE OF USE:

<u>IRRIGATION Within BINGHAM County</u>							
T01S R36E S18		NENW	8.4	T01S R36E S18	LOT 1	NWNW	6.2
T01S R36E S6	LOT 7	SWSW	22	T01S R36E S7		NENW	17
T01S R36E S7		SWNE	1.6	T01S R36E S7		SENW	37
T01S R36E S7		NWSE	0.7	T01S R36E S7		NESW	34
T01S R36E S7		SWSE	1.2	T01S R36E S7		SESW	37
T01S R36E S7	LOT 1	NWNW	36	T01S R36E S7	LOT 2	SWNW	36
T01S R36E S7	LOT 3	NWSW	35	T01S R36E S7	LOT 4	SWSW	35

307.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 284 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 35-13280 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE
IRRIGATION SEASON.

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 35-13280 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

DIRECTOR'S REPORT

Water Right Claim No. 35-13280

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

January 30, 2001

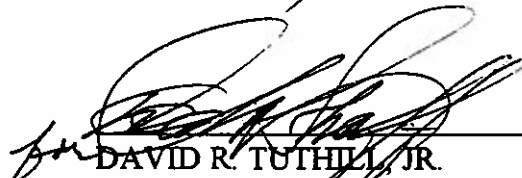
DESCRIPTIVE SUMMARY

This is a Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Claim 35-13280 is an enlargement of licensed water right 35-02179B. An Amended Director's Report in subcase 35-02179B was filed today. Due to the overlapping relationship between the two water rights, the Director submits for filing with the Court, a Director's Report for water right claim 35-13280 so that resolution of both claims in the SRBA will occur together.

Respectfully submitted this 20 day of January, 2001.



DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

01/30/2001

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

RIGHT NUMBER: 35-13280

NAME AND ADDRESS: CORNELISON & OLSEN
PO BOX 396
REXBURG, ID 834400396

SOURCE: GROUND WATER

QUANTITY: 0.26 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-02179B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.44 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1228.4 AF.

PRIORITY DATE: 04/01/1984

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION: T01S R36E S7 NWNESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.26 CFS

PLACE OF USE:

<u>IRRIGATION Within BINGHAM County</u>							
T01S R36E S18		NENW	8.4	T01S R36E S18	LOT 1	NWNW	6.2
T01S R36E S6	LOT 7	SWSW	22	T01S R36E S7		SWNE	1.6
T01S R36E S7		NENW	17	T01S R36E S7	LOT 1	NWNW	36
T01S R36E S7	LOT 2	SWNW	36	T01S R36E S7		SENW	37
T01S R36E S7		NESW	34	T01S R36E S7	LOT 3	NWSW	35
T01S R36E S7	LOT 4	SWSW	35	T01S R36E S7		SESW	37
T01S R36E S7		NWSE	0.7	T01S R36E S7		SWSE	1.2

307.1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 35-02179B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE IRRIGATION SEASON.

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-02179B PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 23.1 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

CERTIFICATE OF MAILING

I certify that on 1-30, 2001, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, addressed as follows:

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Twin Falls, ID 83303-2707

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Peter J. Ampe
Box 83720
Boise, ID 83720-0010

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☐ Facsimile

United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Bingham County Clerk
P.O. Box 310.
Blackfoot, ID 83221

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Jeffrey Fereday
P.O. Box 2020
Boise, ID 83701-2720

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Jerry Rigby
Box 250
Rexburg, ID 83440

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

John Simpson
Box 1906
Twin Falls, ID 83301

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Kent Foster
Box 50130
Idaho Falls, ID 83405

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Blair Grover
Box 36
Rigby, ID 83442

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Mandy Egbert
Signature of person delivering form

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2083275400
Jan-30-01 7:12AM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
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Total		1'08"	Pages Sent: 6		Pages Printed: 0		

DIRECTOR'S REPORT

Water Right Claim No. 35-13280

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David R. Tuthill, Jr., Adjudication Bureau Chief

January 30, 2001



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Upper Snake River District
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

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JAN 08 2001

Department of Water Resources

In Reply Refer To:

7250

January 2, 2001

Harold Jones
Idaho Department of Water Resources
Eastern Region Office
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402

RE: Notice of Enlargement for 35-13280

Dear Mr. Jones,

This office wishes to formally protest an application for enlargement for 35-13280 filed by Cornelison & Olsen. The basis for our protest is: 1) three of the places of use (T.01S, R.36E, S.07 ~~SWNE~~ ^{DMT} NWSE & SWSE) reside on public land administered by the Bureau of Land Management (BLM), and 2) the applicant is not authorized to farm or irrigate public land.

The BLM has issued the enclosed right-of-way grant for the parcels located at T.01S, R.36E, S.07 NWSE and SWSE. However, this grant is only for a wheel-crossing right-of-way that encompasses 1.03 acres of public land. One of the stipulations of this grant states that "the holder shall be responsible for ensuring that the public land authorized by this right-of-way is not irrigated or cultivated". In the Snake River Basin Adjudication, BLM objected to the recommendation of these same places of use for claim number 35-02179B. In the enclosed "Stipulation to Resolve Objections and Joint Motion to Dismiss the United States as a Party", the claimant agreed to ".....immediately and forever cease the application of water to, and the agricultural use of, the place of use upon lands owned by the United States.....".

The claimant is not and has never been authorized to irrigate or cultivate any public land at T.01S, R.36E, S.07 ~~SWNE~~ ^{DMT}. No plans for an authorization are being considered at this time.

Thank you for your attention to this matter. Please direct questions to Deena Teel at (208) 524-7533.

Sincerely,

Joe Kraayenbrink
Field Manager

FORM 2800-14
(August 1985)

BURLEY FIELD OFFICE
BURLEY, IDAHO

MAY 24 9 53 AM '00

Issuing Office:
IDAHO FALLS FIELD OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT

SERIAL NUMBER IDI-33049

1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

a. By this instrument, the holder:

CORNELISON FARMS
TODD L. CORNELISON
P. O. BOX 396
REXBURG, ID 83440

receives a right to construct, operate, maintain, and terminate a PIVOT
IRRIGATION SYSTEM on public lands described as follows:

T. 01 S., R. 36 E., B.M., BINGHAM COUNTY
SECTION 07: W $\frac{1}{2}$ SE $\frac{1}{4}$

- b. The right-of-way area granted herein is 1.03 acres, more or less.
- c. This instrument shall terminate on May 26, 2003, 3 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. At the discretion of the authorized officer, this instrument may be renewed. If renewed, the right-of-way shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.

- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

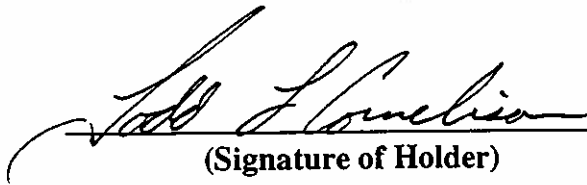
- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. The right-of-way herein may be reviewed at any time deemed necessary by the authorized officer. At a minimum, reviews of the grant by the authorized officer must occur at the end of the 20th year and at regular intervals thereafter, not to exceed 10 years.
- d. The map set forth in Exhibit "A", dated May 19, 2000, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant shall constitute grounds for suspension or termination thereof.

- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.
- g. The holder shall permit free and unrestricted public access to and upon the right-of-way for all lawful purposes except for those specific areas designated as restricted by the authorized officer to protect the public, wildlife, livestock, or facilities constructed within the right-of-way.
- h. The holder shall be responsible for ensuring that the public land authorized by this right-of-way is not irrigated or cultivated.
- i. The public land authorized by this right-of-way shall be drilled with the following seed mixture. Seeding shall be repeated if a satisfactory stand is not obtained as determined by the authorizing officer upon evaluation after the first growing season.

Bluebunch wheatgrass (Whitmar)	1 pound per acre
Crested wheatgrass (Nordan)	2 pounds per acre
Crested wheatgrass (Ephriam)	1 pound per acre
Fourwing saltbush	0.75 pound per acre
Lewis flax	<u>0.5 pound per acre</u>
	5.25 pounds per acre

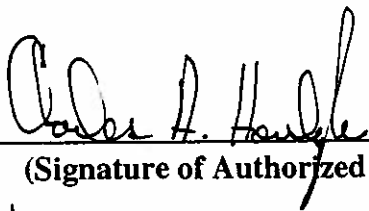
- j. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods.
- k. The holder shall prevent any contamination of the public land authorized by this right-of-way including spillage or leakage of transmission fluids, gear oils, or other contaminants.
- l. Ninety days prior to termination of the right-of-way the holder shall contact the BLM authorized officer to initiate one of the following actions:
 - a. make arrangements with the authorized officer for renewal of the right-of-way;
 - b. make arrangements for a joint inspection of the right-of-way to agree to an acceptable termination and rehabilitation plan. This plan shall include, but is not limited to removal of facilities, recontouring, topsoiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant.


(Signature of Holder)

CFO
(Title)

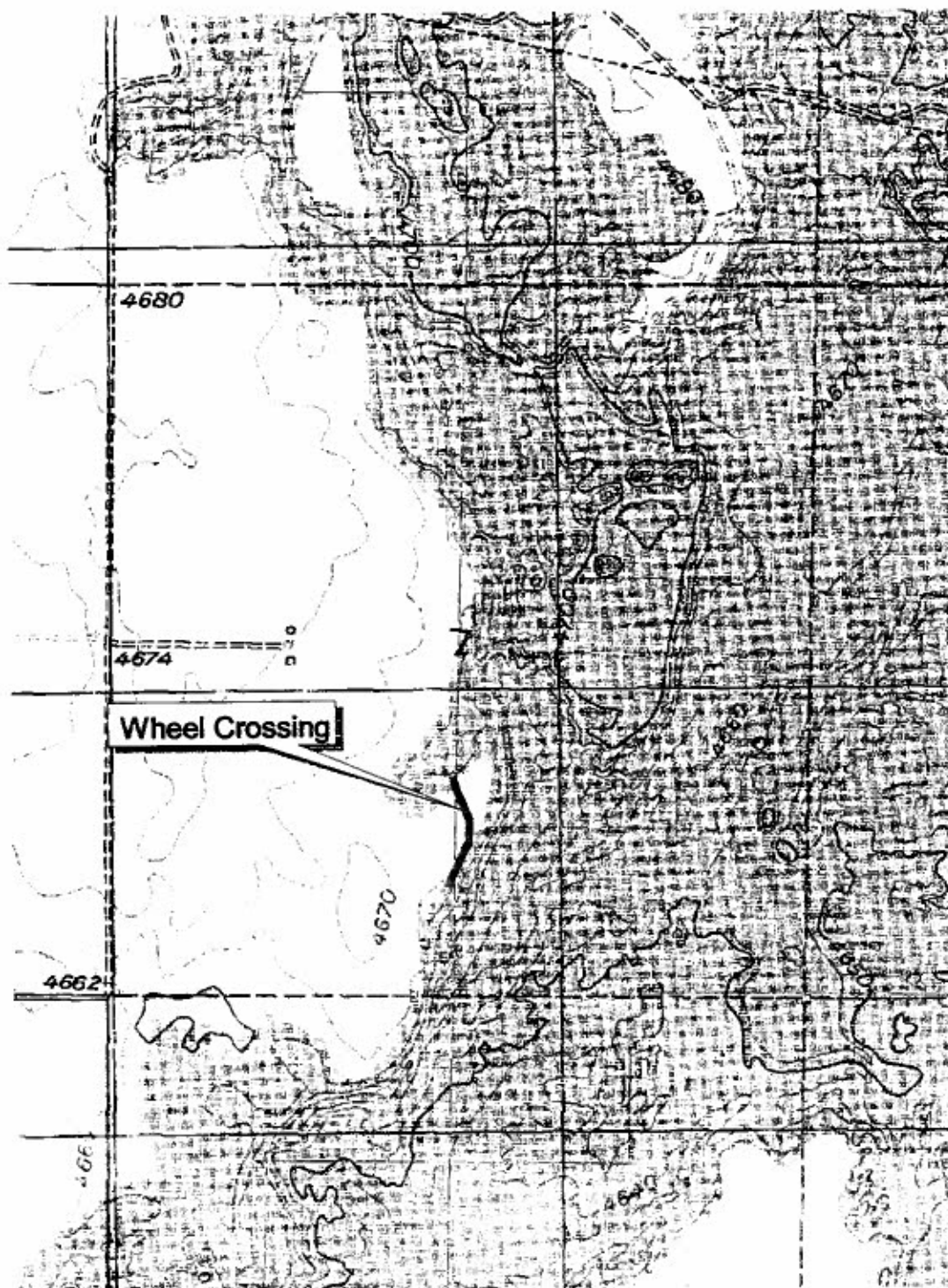
5/22/00
(Date)


(Signature of Authorized Officer)

Fielding
~~Fielding~~ FIELD OFFICE MANAGER
(Title)

5-26-2000
(Effective Date of Grant)

IDI - 33049
Cornelison Pivot Wheel Crossing ROW



0.1 0 0.1 0.2 Miles



T. 1 S., R. 36 E., sec. 7, W1/2SE1/4

May 19, 2000

Exhibit "A"

SENT BACK
FROM ATTY
3/22/99

Names of Parties Filing Document:

UNITED STATES OF AMERICA

CORNELISON & OLSEN

Attorneys' Names and Addresses:

LOIS J. SCHIFFER
Assistant Attorney General
Environment and Natural
Resources Division

LARRY A. BROWN
Special Attorney, U.S. Dept. of Justice
General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724
Ph.: (208) 387-0835 FAX: (208) 387-0842

**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	) Subcase Numbers 35-02300 and 35-
	) 02179B
	)
	) STIPULATION TO RESOLVE
Case No. 39576	) OBJECTIONS AND JOINT MOTION
	) TO DISMISS THE UNITED STATES
_____	) AS A PARTY

The United States of America and Cornelison & Olsen (hereinafter "Claimant"), agree and stipulate to resolve United States Department of the Interior, Bureau of Land Management (hereinafter "BLM") objections to the above-captioned Subcases as follows:

STIPULATION

1. The parties agree and stipulate to delete the following place of use, as identified and described in the Director's Report recommendation of water right claim numbers 35-02300 and 35-02179B filed by Claimant:

35-02300:

T.01S., R.35E., Sec. 28, SWNW (5.0 acres)

35-02179B:

T.01S., R.36E., Sec. 06, Lot 4, SWSW (15 acres)

T.01S., R.36E., Sec. 07, SWNE (3 acres)

NWSE (2 acres)

SWSE (1 acre)

Attached hereto, and made a part hereof by this reference, are Exhibits 1 and 2. The parties agree and stipulate that any amended Director's Report recommendation, partial decree, or final decree for the above-captioned Subcases shall be substantially similar to Exhibits 1 and/or 2, and shall not contain places of use located on lands owned by the United States.

2. The parties agree and stipulate to add the following place of use to amended water right claim number 35-02300:

T.01S., R.36E., Sec. 06 Lot 7 SWSW (15 acres)

3. The Claimant agrees and stipulates to immediately and forever cease the application of water to, and the agricultural use of, the place of use upon lands owned by the United States identified in paragraph 1, above.

4. The parties agree that nothing in this stipulation forecloses future administrative or judicial action by the United States in relief of, or as a consequence of, the unauthorized use of the lands identified in paragraph 1, above, including, but not limited to, actions for past rent, rehabilitation of used land, or trespass.

5. This stipulation has been reached through good faith negotiations for the purpose of resolving legal disputes, including pending litigation. The parties agree that no offers and/or compromises made in the course thereof shall be construed as admissions against interest. This stipulation does not create a precedent for settlement of any other disputes or objections.

6. All parties agree to bear their own costs and attorney fees.

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MOTION

The parties respectfully move this Court for an Order withdrawing BLM's objections to water right claim numbers 35-02300 and 35-02179B and dismissing, without prejudice, the United States as a party to the above-captioned Subcases. In support of this motion, the parties incorporate by this reference the above-recited Stipulation. The stipulation resolves BLM's objections to water right claim numbers 35-02300 and 35-02179B filed by Claimant and eliminates the need for the United States to participate as a party to the Subcases. A proposed Order is filed herewith.

Respectfully submitted:

CLAIMANT:

CORNELISON & OLSEN

CORNELISON & OLSEN By

Todd L. Cornelison

DATED: 3/16/99

OBJECTOR:

UNITED STATES OF AMERICA

Larry A. Brown

LARRY A. BROWN

Of Attorneys for the United States

DATED: 3/18/99

IWT072

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 35-02300

Name and Address: CORNELISON & OLSEN
PO BOX 396
REXBURG, ID 83440

Source: GROUNDWATER

Quantity: 1.28CFS
260.00AFY

Priority Date: 02-04-1953

Diversion Point: T01S R35E S28 NENENW Within Bingham County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-01 TO 10-31	1.28CFS 260.00AFY

Place of Use:	Irrigation	Within Bingham County	
	T01S R35E S28	~~SENW 40~~	SENW 40
		NENW 20	

65 60 Acres Total

Other Provisions Necessary for Definition / Administration of this Water Right:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN BASIN 35.

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED
SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE
ADMINISTERED CONJUNCTIVELY.

Explanatory Material: Basis of Claim - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

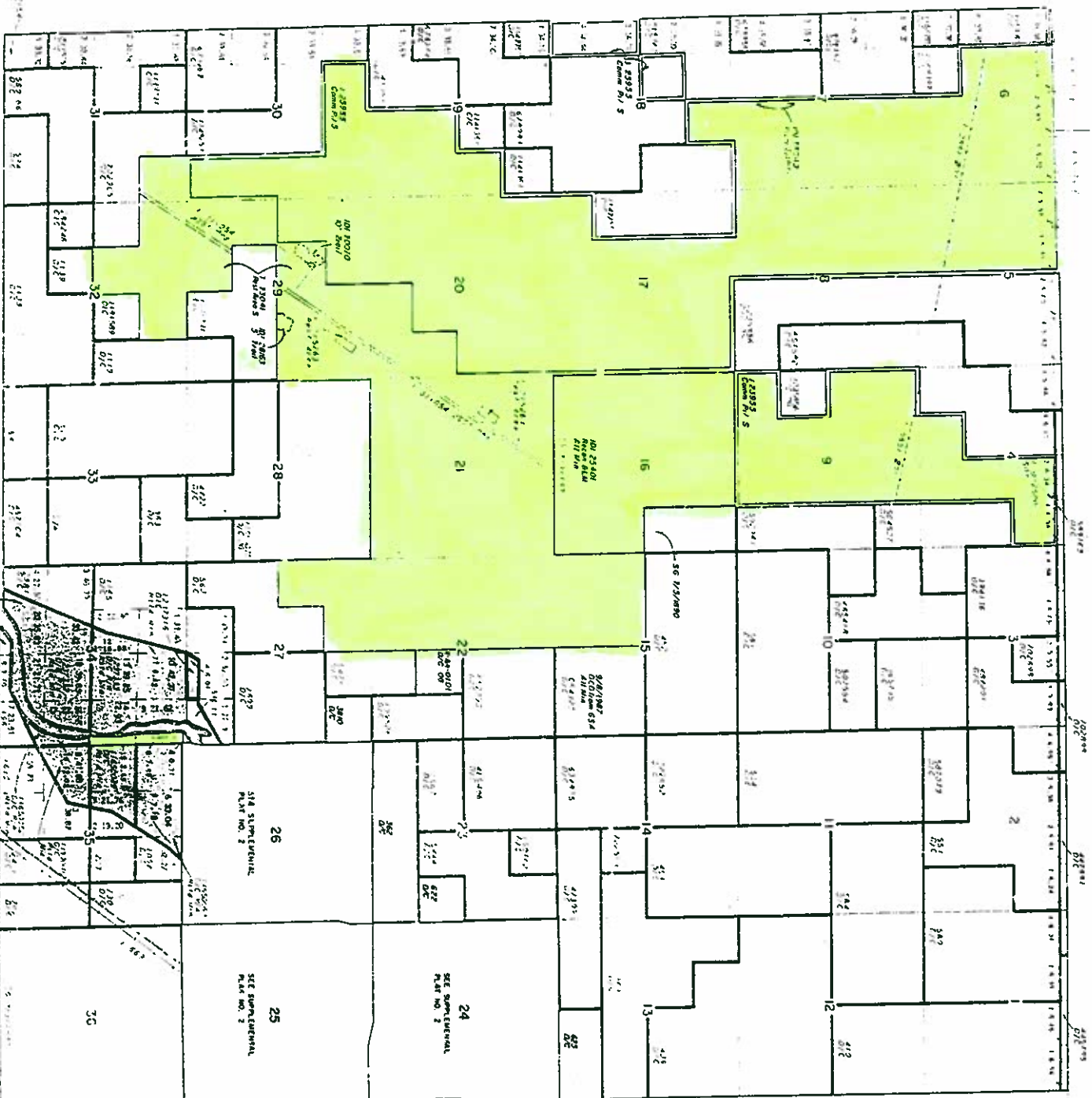
HC

JS

MT PLAT

INDEX TO SEGREGATED TRACTS

TRACT NO.	ORIGINAL SURVEY	SUBDIVISION
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= BLM administered land

FOR ORDERS RELATING TO THE USE OF
UNDEVELOPED LANDS REFER TO MAPS OF
MISCELLANEOUS DOCUMENTS

CONVEY TO
MAY 6 2000

CONVEY TO
MAY 6 2000

SEE PLAT 15



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 12, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Post Register
Attn: Cathy Von Borstel
PO Box 1800
Idaho Falls ID 83403

Dear Cathy:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We request the publication dates be December 21, 2000 and December 28, 2000. If you cannot publish the notice on the proposed dates, please contact me immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Yours truly,

A handwritten signature in cursive script that reads "Danni M. Smith".

Danni M. Smith
SRBA Admin. Asst. 1

Enclosure

NOTICE OF ENLARGEMENT OF WATER RIGHT

The following claims to water rights have been filed in the Snake River Basin Adjudication as enlargements to existing water rights under Idaho Code §42-1426. Note that the places of use in Bingham County are shown to the nearest section -- more specific locations are available upon request.

Water Right: 35-13280

NAME & ADDRESS: CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83440-0396

SOURCE: GROUND WATER

PRIORITY DATE: 04/01/1984

POINT OF DIVERSION: T01S R36E 07 NWNESW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T01S R36E 18 NENW Lot 1 (NWNW)
T01S R36E 06 Lot 7 (SWSW)
T01S R36E 07 SENE NENW Lot 1 (NWNW) Lot 2 (SWNW)
SENW NESW Lot 3 (NWSW) Lot 4 (SWSW)
SESW NWSE SWSE

This right is for an enlargement of 23.1 acres within the total 307.1 acres recommended.

The water rights will be subject to all prior water rights. Those asserting injury from the enlargements may file petitions with the Director, Idaho Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402-3653 on or before January 29, 2001.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 12, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

The Morning News
Attn: Sidney Smith
PO Box 70
Blackfoot ID 83221

Dear Sidney:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We request the publication dates be December 21, 2000 and December 28, 2000. If you cannot publish the notice on the proposed dates, please contact me immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Yours truly,

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

Danni M. Smith
SRBA Admin. Asst. 1

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Water Right: 35-13280

NAME & ADDRESS: CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83440-0396

SOURCE: GROUND WATER

PRIORITY DATE: 04/01/1984

POINT OF DIVERSION: T01S R36E 07 NWNESW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T01S R36E 18 NENW Lot 1 (NWNW)
T01S R36E 06 Lot 7 (SWSW)
T01S R36E 07 SENE NENW Lot 1 (NWNW) Lot 2 (SWNW)
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SESW NWSE SWSE

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The water rights will be subject to all prior water rights. Those asserting injury from the enlargements may file petitions with the Director, Idaho Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402-3653 on or before January 29, 2001.

RECEIVED

JAN 02 2000

DEPT. OF WATER RESOURCES
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098
Phone: (208) 327-7900
Fax: (208) 327-7868

**NOTICE OF ENLARGEMENT
OF WATER RIGHT**

The following claims to water rights have been filed in the Snake River Basin Adjudication as enlargements to existing water rights under Idaho Code §42-1426. Note that the places of use in Bingham County are shown to the nearest section - more specific locations are available upon request.

Water Right: 35-13280

NAME & ADDRESS:

Cornelison & Olsen
P.O. Box 396
Rexburg, Idaho 83440-0396

Source: Groundwater

Priority Date: 04/01/1984

Point of Diversion: T01S, R36E, 07,
NWNESE

Purpose of Use: IRRIGATION

Place of Use: T01S, R36E, 18, NENW, Lot
1 (NWNW)

T01S, R36E, 06, Lot 7 (SWSW)

T01S, R36E, 07, SENE, NENW, Lot 1
(NWNW), Lot 2 (SWNW), SENW, NESW,

Lot 3, (NWSW), Lot 4 (SWSW), SESW,
NWSE, SWSE

This right is for an enlargement of 23.1
acres within the total 307.1 acres recom-
mended.

The water rights will be subject to all prior
water rights. Those asserting injury from the
enlargements may file petitions with the Di-
rector, Idaho Department of Water Resour-
ces, Eastern Region, 900 N. Skyline Drive,
Suite A, Idaho Falls, Idaho 83402-3653 on
or before January 29, 2001.

(4854)

Pub.: 12/21, 28

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)

SS

State of Idaho)

I, Jacqueline Graham do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said newspaper 2 consecutive Weeks the first publication having been made on the 24th day of Dec 2000, and the last publication having been made on the 28th day of Dec 2000; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

Jacqueline Graham
On this 28th day of Dec, in the year of 2000, before me a Notary Public of the State, personally appeared Jacqueline Graham, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that they executed the same.

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:

June 19, 2004

Affidavit Processing Fee.....\$5.00

3/00

INVOICE No. 0015945

THE MORNING NEWS
34 N ASH ST
PO BOX 70
BLACKFOOT ID 83221-0070

RECEIVED

JAN 02 2001

C

000005330

ID DEPT WATER RESORCES(BOI)
STATEHOUSE MAIL
1301 NO ORCHARD STREET
BOISE ID 83720-9000

DATE	DESCRIPTION	TC C	QUANTITY	UNIT	RATE	TOTAL
12/28/00	LEGAL #4854	LE L	51.00	LINE	1.4400	73.44

AMOUNT DUE --> 73.44

12/28/00

INVOICE No. 0015946

THE MORNING NEWS
34 N ASH ST
PO BOX 70
BLACKFOOT ID 83221-0070

RECEIVED
JAN 02 2001

C

000005330

ID DEPT WATER RESORCES(BOI)
STATEHOUSE MAIL
1301 NO ORCHARD STREET
BOISE ID 83720-9000

DATE	DESCRIPTION	TC C	QUANTITY	UNIT	RATE	TOTAL
12/28/00	LEGAL AFFIDAVIT	LE M	1.00	@	5.0000	5.00

=====

AMOUNT DUE -->	5.00
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=====



State of Idaho

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Yours truly,

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Danni M. Smith
SRBA Admin. Asst. 1

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Water Right:	35-13280
NAME & ADDRESS:	CORNELISON & OLSEN PO BOX 396 REXBURG ID 83440-0396
SOURCE:	GROUND WATER
PRIORITY DATE:	04/01/1984
POINT OF DIVERSION:	T01S R36E 07 NWNESW
PURPOSE OF USE:	IRRIGATION
PLACE OF USE:	T01S R36E 18 NENW Lot 1 (NWNW) T01S R36E 06 Lot 7 (SWSW) T01S R36E 07 SENE NENW Lot 1 (NWNW) Lot 2 (SWNW) SENW NESW Lot 3 (NWSW) Lot 4 (SWSW) SESW NWSE SWSE

This right is for an enlargement of 23.1 acres within the total 307.1 acres recommended.

The water rights will be subject to all prior water rights. Those asserting injury from the enlargements may file petitions with the Director, Idaho Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402-3653 on or before January 29, 2001.



State of Idaho

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PO BOX 396
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SOURCE: GROUND WATER

PRIORITY DATE: 04/01/1984

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PURPOSE OF USE: IRRIGATION

PLACE OF USE: T01S R36E 18 NENW Lot 1 (NWNW)
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T01S R36E 07 SENE NENW Lot 1 (NWNW) Lot 2 (SWNW)
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SESW NWSE SWSE

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NAME & ADDRESS:

CORNELISON & OLSEN

PO BOX 396

REXBURG ID 83440-0396

SOURCE: GROUND WATER

PRIORITY DATE: 04/01/1984

POINT OF DIVERSION: T01S R36E 07
NWNESW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T01S R36E 18 NENW
Lot 1 (NWNW)

T01S R36E 06 Lot 7 (SWSW)

T01S R36E 07 SENE NENW Lot 1
(NWNW) Lot 2 (SWNW) SENW NESW

Lot 3 (NWSW) Lot 4 (SWSW) SESW
NWSE SWSE

This right is for an enlargement of 23.1
acres within the total 307.1 acres
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from the enlargements may file petitions
with the Director, Idaho Department of
Water Resources, Eastern Region, 900 N
Skyline Dr Ste A, Idaho Falls ID 83402-
3653 on or before January 29, 2001.

Published: December 21, 28, 2000

ADVERTISING INVOICE and STATEMENT

BILLING PERIOD		12/01/00 - 12/31/00	
ADVERTISER/CLIENT NAME		DEPT. OF WATER RESOUR	
BILLING DATE		12/31/00	
ADVERTISER/CLIENT NUMBER		0000793	
BILLING ACCOUNT NUMBER		1	
BILLING DATE		12/31/00	
ADVERTISER/CLIENT NAME AND ADDRESS		DEPT. OF WATER RESOUR ATTN: JULIE L. YARBROUG PO BOX 83720 BOISE ID 83720	
REMITTANCE ADDRESS		RECEIVED JAN 08 2001	

21	CURRENT NET AMOUNT DUE	57.10
22	30 DAYS	0.00
23	60 DAYS	0.00
24	OVER 90 DAYS	0.00
TOTAL AMOUNT DUE		57.10
UNAPPLIED AMOUNT		0.00
TERMS OF PAYMENT		NET 10 DAYS

1/30	2/21	128806	12/22	BALANCE FORWARD	NOTICE OF	200 128806	78L	1x39L	2	0.00	57.10
THANKS FOR 2000 AND WE LOOK FORWARD TO HELPING YOU WITH YOUR ADVERTISING NEEDS IN 2001!!!!											
EVALUATION OF W/L SRB											

21	CURRENT NET AMOUNT DUE	57.10
22	30 DAYS	0.00
23	60 DAYS	0.00
24	OVER 90 DAYS	0.00
TOTAL AMOUNT DUE		57.10

ST REGISTER		223 NORTHGATE MILE • P.O. BOX 1800 IDAHO FALLS, ID 83403 • 208/522-1800	
UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE		ADVERTISER/CLIENT NAME	
DEPT. OF WATER RESOUR		12/01/00 - 12/31/00 00000793	

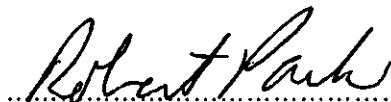
Proof of Publication

The Post Register

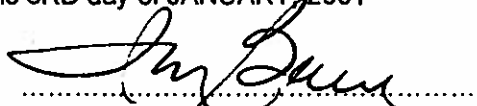
State of Idaho
County of Bonneville

I, ~~S. Bob Bright~~ or Robert Park, first being duly sworn, depose and say: That I am the ~~Production Supervisor~~ of Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 21ST day of DECEMBER, 2000, last publication having been made on the 28TH day of DECEMBER 2000 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.


.....

Subscribed and sworn to before me, this 3RD day of JANUARY, 2001


.....
Notary Public

My commission expires January 10, 2003

Post Register

GOOD MORNING!

**333 Northgate Mile
Idaho Falls, ID 83401
(208)522-1800
January 15, 2001**

RECEIVED

JAN 29 2001

Department of Water Resources
RECEIVED

JAN 18 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PO BOX 83720
BOISE, ID 83720-0098

Account # 00006573

RECEIVED

JAN 22 2001

Department of Water Resources
Eastern Region

Published: DECEMBER 21, 28, 2000

Legal Notice: NOTICE OF ENLARGEMENT OF WATER
RIGHT

Please refer to Invoice # or Ad # 128806

PO #

TOTAL COST: \$57.10

PLEASE INCLUDE ACCOUNT # AND AD # WITH YOUR PAYMENT
THANK YOU

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 39576

Subcase 35-13280
(Insert water right number)

STANDARD FORM 4

MOTION TO FILE:

- ☒ LATE NOTICE OF CLAIM
☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

MAIL



37548

CERTIFICATE OF MAILING

I certify that on 8/14, 2000, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basis Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

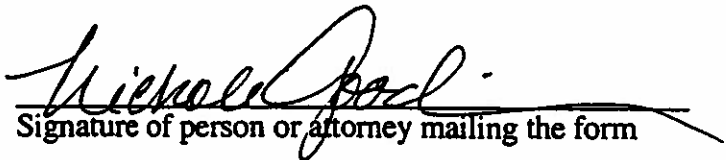
2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.
(Insert Name/address of parties)


Signature of person or attorney mailing the form

GIVENS PURSLEY LLP

LAW OFFICES
277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300

Gary G. Allen
Christopher J. Beeson
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Egoren
Jacqueline M. Feamside
Jeffrey C. Foreday
Richard W. Janowski
Amanda L. Kasting
Karl T. Klein
Debora K. Kristensen

Franklin G. Lee
David R. Lombardi
Kimberly D. Maloney
John M. Marshall
Kenneth R. McClure
Kathy Greene McConnell
Cynthia A. Matillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery

Angela K. Nelson
W. Hugh O'Riordan
Kenneth L. Pursley
Virginia L. Stukel
Conley Ward
Stephanie C. Westermeyer
Robert B. White

Raymond D. Givens
James A. McClure
or counsel.

August 14, 2000

Via US Mail

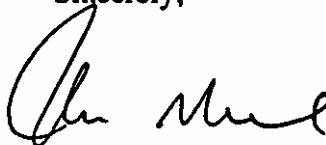
Jennifer Lewis
District Court
Snake River Basin Adjudication
253 3rd Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Dear Jennifer,

I am enclosing a replacement for the first page of a motion to file late notice of claim that I filed on behalf of Cornelison & Olsen last week. This replacement page now includes the assigned subcase number 35-13280. The subcase number was omitted from the initial filing.

Please call with any questions.

Sincerely,



John Marshall

JMM/nlg

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

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

Please type or print clearly

1. Name of Claimant (s) Cornelison & Olsen Phone (208) 356-0396Mailing Address PO Box 396, Rexburg, Idaho Zip 834402. Date of Priority (Only one (1) per claim) 04/01/19843. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 01S Range 36E Section 07,
NW 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____, B.M., County of Bingham

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. _____Well and pump

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 04-01 to 10-31 amount 0.39 or 124.0

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.39 (cfs) and/or (b) 124.0 (acre feet)

8. Total consumptive use claimed is 124.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
1S	36E	6											24						24
1S	36E	7			3		20	36	36	37	34	36	36	36		2	1		277
1S	36E	18		8				6											14

Total number of acres irrigated 31 within a 315 acre permissible place of use

11. In which county(ies) are lands listed above as place of use located? Bingham

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

35-02179B or None ()

14. Remarks: This is claim for an enlargement right pursuant to Idaho Code § 42-1426. It represents an enlargement of 31 acres to licensed water right 35-02179B. This right will be conditioned such that the 0.39 cfs claimed will be limited to a total of 3.60 cfs when used in combination with water right 35-02179B. The right will also be conditioned so that it can be used to irrigate 31 acres within the 315 acre permissible place of use.

Last Name _____ Ident. Number _____

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a). By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b). I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am John M. Marshall

of Givens Pursely LLP, that I have signed the foregoing document in the space

below as attorney of Cornelison & Olsen
Title Organization

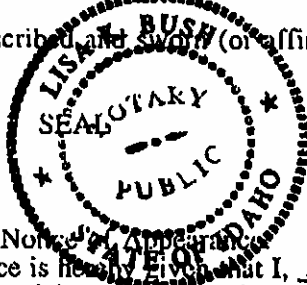
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Attorney, Cornelison & Olsen Date 8-4-00

State of Idaho/or _____)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 4th day of August, 192000



Notary Public [Signature]
Residing at Boise
My Commission Expires 7/12/06

17. Notice of Appearance

Notice is hereby given that I, John M. Marshall of Givens Pursely, LLP will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

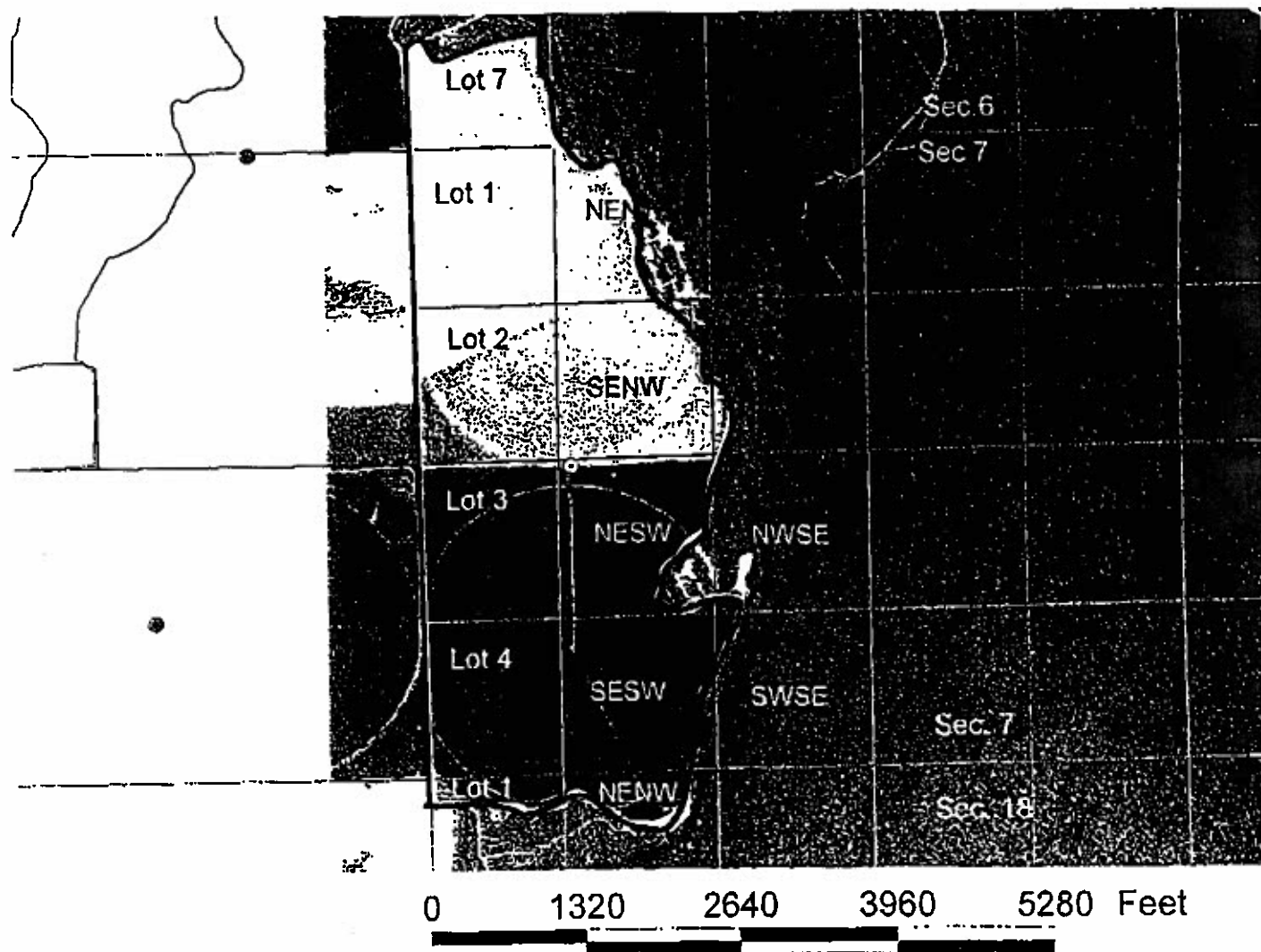
Signature [Signature]
Address PO Box 2720, Boise, Idaho 83701-2710
Date 8-5-00

Last Name _____ Ident. Number _____

IDAHO DEPARTMENT OF WATER RESOURCES

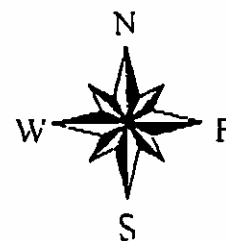
CORNELISON & OLSEN

Water Right No(s).

35-02179B

- ⊙ Point of Diversion Location
- Place of Use Boundary
- Section Lines
- Quarter/Quarter Lines

Township(s) 1S, Range(s) 36E
Section(s) 6, 7 & 18



GIS Place of Use Illustration
1987/1988 NAPP Photograph
Prepared by: Greg Taylor
Date: May 23, 1998

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHOSRBA CHAMBERS
PO BOX 2707
TWIN FALLS, IDAHO 83303-2707Date: 10/17/00

TO:

Vicki Music

RE:

35-13280

Telephone:

FAX:

327-5400

FROM: SNAKE RIVER BASIN ADJUDICATION

Telephone: 208-736-3011

FAX: 208-736-2121

NO. OF PAGES INCLUDING COVER SHEET 5*If the faxed document is unclear or incomplete, please contact Ami. Thanks!*MESSAGE _____

THIS FACSIMILE MAY CONTAIN CONFIDENTIAL INFORMATION THAT IS PROTECTED BY THE IDAHO COURT ADMINISTRATIVE RULES. IT IS INTENDED FOR THE USE OF THE INDIVIDUAL(S) NAMED ABOVE. IF YOU ARE NOT THE NAMED RECIPIENT OR AN EMPLOYEE RESPONSIBLE FOR DELIVERING THE FACSIMILE, YOU ARE INSTRUCTED NOT TO DELIVER, DISTRIBUTE OR COPY THIS FACSIMILE, NOR SHOULD YOU DISCLOSE ITS CONTENTS OR TAKE ANY ACTION IN RELIANCE ON THE INFORMATION IT CONTAINS. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY THE COURT IMMEDIATELY BY TELEPHONE TO ARRANGE THE RETURN OF THE TRANSMITTED DOCUMENTS TO US. THANK YOU.

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 35-13280
Date Received: 12/5/00
Receipt No: C051363
Received By:

COPY FOR YOUR FILE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CORNELISON & OLSEN Phone: (208)356-4402

PO BOX 396
REXBURG ID USA 834400396

2. Date of Priority: 04/01/1984

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County
01S	36E	7	NW	NE	SW	BINGHAM

5. Description of diverting works:

Well and pump

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.39	124

7. Total Quantity Appropriated is:

0.39 C.F.S. and/or 124 A.F.A.

8. Total consumptive use:

DO NOT FILM

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	36E	6	SW	SW	IRRIGATION	24
					Section Acres	24
01S	36E	7	SW	NE	IRRIGATION	3
			NE	NW	IRRIGATION	20
			NW	NW	IRRIGATION	36
			SW	NW	IRRIGATION	36
			SE	NW	IRRIGATION	37
			NE	SW	IRRIGATION	34
			NW	SW	IRRIGATION	36
			SW	SW	IRRIGATION	36
			SE	SW	IRRIGATION	36
			NW	SE	IRRIGATION	2
			SW	SE	IRRIGATION	1
					Section Acres	277
01S	36E	18	NW	NE	IRRIGATION	8
			NW	NW	IRRIGATION	6
					Section Acres	14
					Total Acres	315

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This claim is for only 31 acres of the 315-acre permissible Place of Use described. This claim is for an enlargement right pursuant to Idaho Code Sec 42-1426. It represents an enlargement of 31 acres to licensed water right 35-2179B. This right will be conditioned such that the .39 cfs claimed will be limited to a total of 3.60 cfs when used in combination with water right 35-2179B. The right

will also be conditioned so that it can be used to irrigate 31 acres within the 315 acre permissible place of use.

15. Basis of Claim: Beneficial Use

DO NOT FILM

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 3F13280

Date Received 12-5-00 J. Barron

Receipt Number C051363 \$131.00

Data Entry w/ changes 8/12/06

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Cornelison & Olsen Phone (208) 356-0396

Mailing Address PO Box 396, Rexburg, Idaho Zip 83440

2. Date of Priority (Only one (1) per claim) 04/01/1984

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 01S Range 36E Section 07,
NW 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____, B.M., County of Bingham

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. _____

Well and pump

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 04-01 to 10-31 amount 0.39 or 124.0

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.39 (cfs) and/or (b) 124.0 (acre feet)

8. Total consumptive use claimed is 124.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
1S	36E	6											24						24
1S	36E	7			3		20	36	36	37	34	36	36	36		2	1		277
1S	36E	18		8				6											14

Total number of acres irrigated 31 within a 315 acre permissible place of use

11. In which county(ies) are lands listed above as place of use located? Bingham

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

35-02179B or None ()

14. Remarks: This is claim for an enlargement right pursuant to Idaho Code § 42-1426. It represents an enlargement of 31 acres to licensed water right 35-02179B. This right will be conditioned such that the 0.39 cfs claimed will be limited to a total of 3.60 cfs when used in combination with water right 35-02179B. The right will also be conditioned so that it can be used to irrigate 31 acres within the 315 acre permissible place of use.

Last Name Corneliusson-Olsen Ident. Number 31-13280

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a). By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b). I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

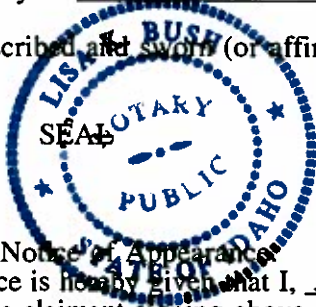
For Organizations: I do solemnly swear or affirm that I am John M. Marshall
of Givens Pursely LLP, that I have signed the foregoing document in the space
below as _____ attorney _____ of Cornelison & Olsen
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Attorney, Cornelison & Olsen Date 8-4-00

State of Idaho/or _____)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 4th day of August, 192000



Notary Public [Signature]
Residing at Boise
My Commission Expires 7/12/06

17. Notice of Appearance

Notice is hereby given that I, John M. Marshall of Givens Pursely, LLP will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]
Address PO Box 2720, Boise, Idaho 83701-2710
Date 8-5-00

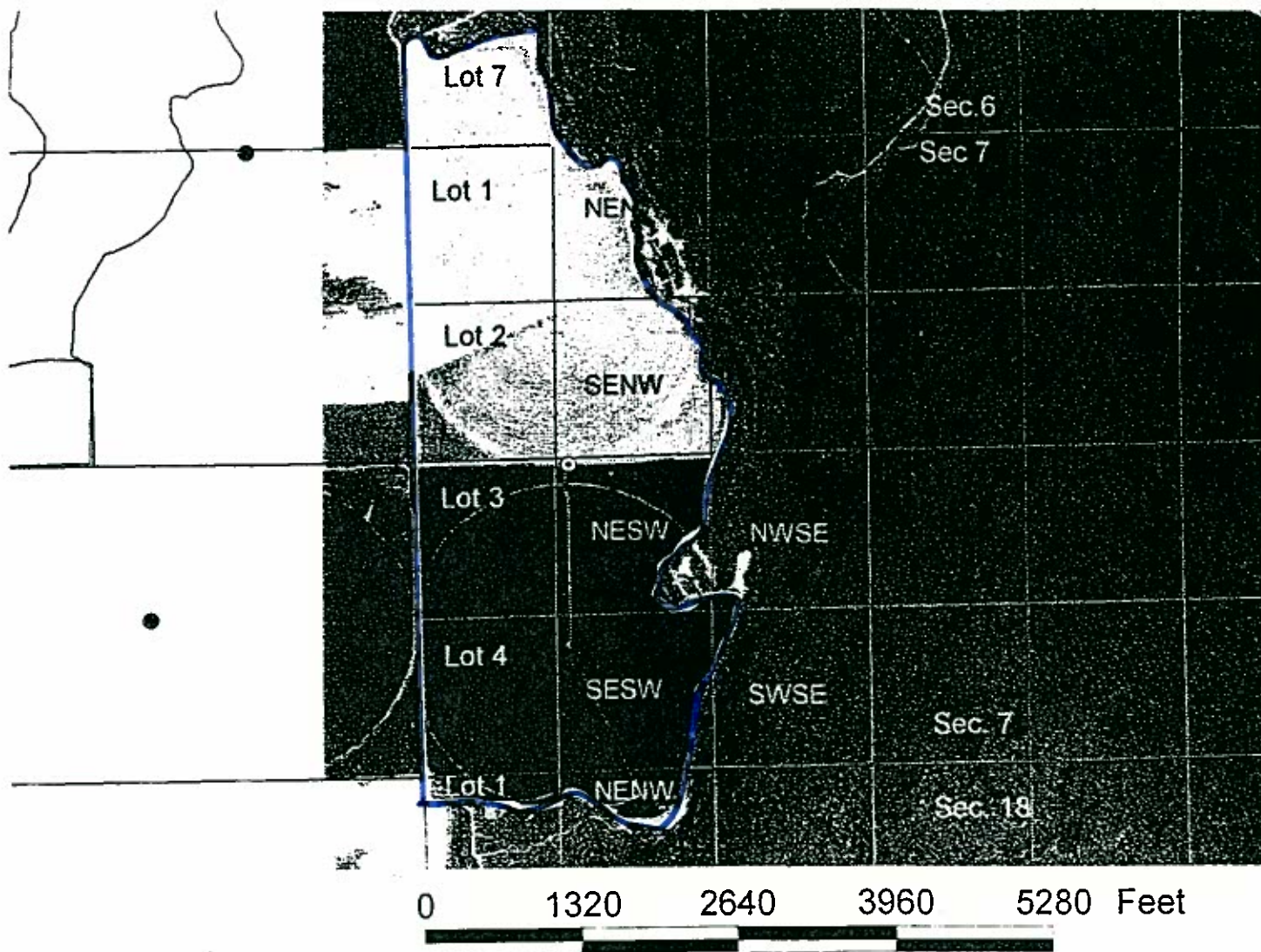
Last Name Cornelison + Olsen Ident. Number 31-13280

IDAHO DEPARTMENT OF WATER RESOURCES

CORNELISON & OLSEN

Water Right No(s).

35-02179B



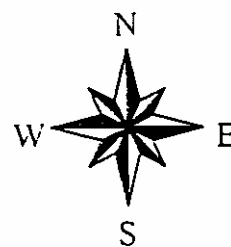
Point of Diversion
Location

Place of Use
Boundary

Section Lines

Quarter/Quarter Lines

Township(s) 1S, Range(s) 36E
Section(s) 6, 7 & 18



GIS Place of Use Illustration
1987/1988 NAPP Photograph
Prepared by: Greg Taylor
Date: May 23, 1998

RECEIVED

DEC 05 2000

Department of Water Resources

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 21 2000	
By _____	Clerk
_____	Deputy Clerk

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

Subcase No. 35-13280

ORDER GRANTING MOTION
TO FILE LATE NOTICE OF CLAIM

On Aug 17, 2000, a Motion to File Late Notice of Claim was filed by
Cornelius K Olsen. All procedural requirements under *Administrative*
Order 1 were complied with in filing this *Late Notice of Claim*. No valid objections were made
to this *Late Notice of Claim*. The *Motion* is GRANTED.

IT IS SO ORDERED.

DATED 11-21-00.

B Wood
BARRY WOOD
Administrative District Judge
Interim Presiding Judge
Snake River Basin Adjudication

ORDER GRANTING MOTION TO
FILE LATE NOTICE OF CLAIM



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

December 7, 2000

KARL J. DREHER
DIRECTOR

John M. Marshall
Givens Pursely, LLP
P.O. Box 2720
Boise, ID 83701-2710

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #35-13280
Your Client Cornelison & Olsen

Dear Mr. Marshall:

The Notice of Claim to a Water Right for your client, Cornelison & Olsen, was received from the SRBA Court recently. We have enclosed a data-entered copy of their claim and your receipt #C051363 for the fees paid.

Their Notice of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/327-7932 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff', written over a horizontal line.

Donald V. Shaff, Manager
Adjudication Technical Section

DS:ss:region

Enclosures:

Receipt #C051363

Data-entered Copy of Claim