

06/07/2011

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

RIGHT NUMBER: 22-7225

NAME AND ADDRESS: DOUGLAS K SAKOTA
PO BOX 163
REXBURG ID 83440

KENNETH T SAKOTA
PO BOX 163
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.920 CFS
511.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 04/11/1977

POINT OF DIVERSION:

T06N R40E S18 SENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/15

2.920 CFS
511.00 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in MADISON County

T06N R40E S18	NENE	31.00	T06N R40E S18	NWNE	38.00
T06N R40E S18	SWNE	39.00	T06N R40E S18	SENE	38.00

146 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Use of this right is combined with water from Teton Island Canal & Fremont Madison Irrigation District.



State of Idaho

Department of Water Resources
Eastern Region



Water Right(s):
22-7225

PROFILED

SCANNED
JUL 18 2006

Point(s) of Diversion:
T06N R40E
Sec. 18 NESENE

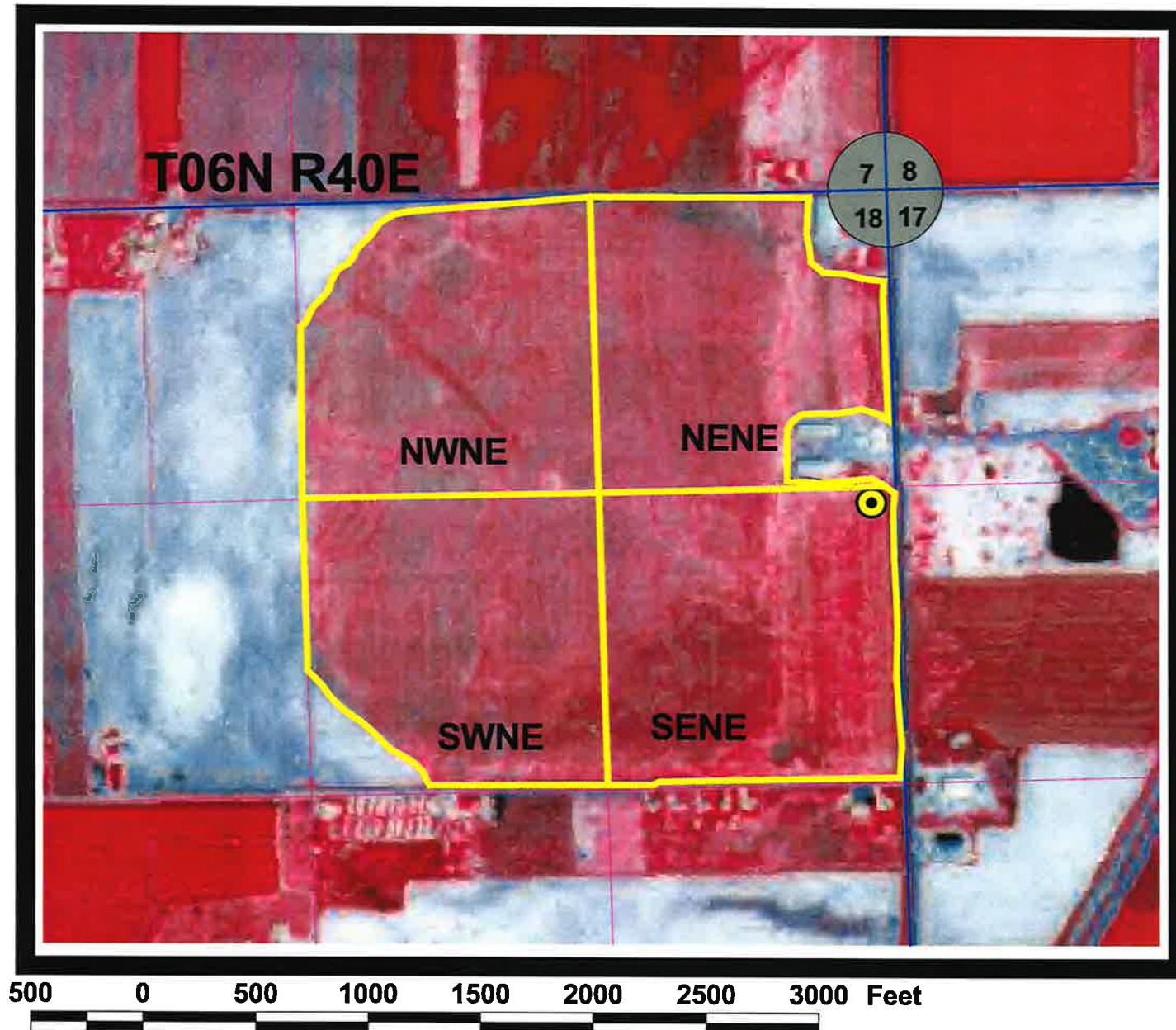
Place of Use (parts of):
T06N R40E
Sec. 18 NE

LEGEND

- Point of Diversion
- Place of Use
- Section
- Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: S. Porter
Date: June 2005





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 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 5, 2006

KENNETH & DOUGLAS SAKOTA
PO BOX 163
REXBURG ID 83440

RE: Notice of Change of Water Right Ownership (NCO) for 22-7225 and Notice of Completed Administrative Proceeding (NCAP)

Dear Claimants:

On February 7, 2006, 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 Crabtree
Technical Records Specialist

Enclosure

cc: Kiyoshi and Marie Sakota

SCANNED

JUL 18 2006

PROFILED

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: 22-7225

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party SAKOTA - SAKOTA
- ☐ I.C. § 42-222 transfer

- | | |
|---|--|
| ☐ 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: May 2, 2006

Ernest M. Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 5, 2006, 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:
KIYOSHI & MARIE SAKOTA
PO BOX 334
REXBURG ID 83440

3. One copy to:

Claimant/**Purchaser** for Substitution of Party, or attorney of record:
KENNETH & DOUGLAS SAKOTA
PO BOX 163
REXBURG ID 83440

4. One copy to:

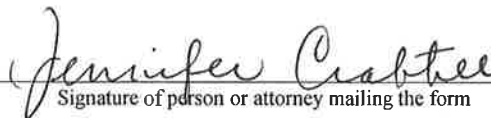
Each party in the subcase, or attorney of record
N/A

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-7225					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Kiyoshi Sakota & Marie Sakota
P.O. Box 163, Rexburg, ID 83440

4. New Owner/Claimant(s)

Kenneth T. Sakota & Douglas K. Sakota

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 163, Rexburg, ID 83440

City, State and ZIP Code

Rexburg, ID 83440

New Telephone Number

(208) 356-6562

5. Date you acquired the property

*Needs
NEAP*

*OK - need
split
JC
2-7-06*

6. If the change in ownership affects the entire water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Kenneth T. Saketw
Douglas K Saketw

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

OBITUARIES

from Page C2

Lorraine Kaneko

Kiyoe Lorraine Sakota Kaneko (Lorraine), 58, of Rexburg, Idaho, died sometime before June 19, 2004, along with her daughter, Laura Marie Kaneko.

She was born July 24, 1945, in Rexburg to Kiyoshi and Marie Sakota. She attended Rexburg schools and graduated in 1963 from Madison High School as one of the class valedictorians. In high school, she participated in Future Teachers of America, Commercial Club, Future Homemakers of America, the "Peppers" Pep Club and student council; was a Girls Federation officer; and was on the library and office staffs. She was honored as the October Student of the Month. She graduated from Ricks College in Rexburg with an associate's degree and graduated summa cum laude from Brigham Young University in Provo, Utah, with a bachelor's degree in elementary education.

**Kaneko**

She married Kenichi David Kaneko on Aug. 7, 1969, in the Idaho Falls LDS Temple. She taught school in Spanish Fork, Utah, while her husband was pursuing a master's degree in zoology at BYU. Because of her

husband's job, she lived in Cincinnati, Ohio, and Denver, Colo., before moving back to Rexburg.

She was a member of The Church of Jesus Christ of Latter-day Saints and served in numerous callings, including her last calling on the stake Relief Society board at Ricks College.

A devoted wife and mother, Lorraine and David had one daughter, Laura Marie Kaneko.

Survivors include her husband; her mother, Marie Sakota of Rexburg; and two brothers, Ken and Doug Sakota, both of Bountiful, Utah.

Under the direction of the Sakota family, a memorial service for Lorraine and her daughter, Laura, will be at 1 p.m. Saturday, July 24, in the Rexburg LDS North Stake Center, 314 E. Second North in Rexburg, with Bishop Jay Artell Hepworth officiating. The family will visit with friends from 11:30 a.m. to 12:45 p.m. Saturday at the LDS North Stake Center.

Because of the ongoing investigation into the deaths of Lorraine and Laura, their burial date and grave site is unknown. In lieu of flowers, contributions may be made to the Laura and Lorraine Kaneko Memorial Scholarship Fund at the Bank of Commerce, 184 E. 200 North, P.O. Box 517, Rexburg, ID 83440, or at any Bank of Commerce branch in eastern Idaho.

January 12, 2006

To: State of Idaho, Department of Water Resources
 From: Kenneth T. Sakota and Douglas K. Sakota
 Subject: Notice of Change in Water Right Ownership # 22-7225

1. Former owners were Kiyoshi Sakota and Marie Sakota (parents).
2. On 12-31-1981 and 1-4-1982, Kiyoshi Sakota and Marie Sakota gift deed land (copies enclosed) to their children: Kenneth T. Sakota, Douglas K. Sakota, and Kiyoe Lorraine Kaneko.
3. 2004, Kiyoe Lorraine Kaneko passes away.
4. On 6-23-2005, Grant Deed from Kenichi David Kaneko as personal representative of the Estate of Kiyoe Lorraine Kaneko and as an individual to Kenneth Sakota and Douglas Sakota.

Summary: Kenneth T. Sakota and Douglas K. Sakota are the owners of Water Right # 22-7225.

GIFT DEED

THIS INDENTURE, Made and entered into this 31st day of December, 1981, by and between KIYOSHI SAKOTA and MARIE SAKOTA, husband and wife, of Route 2 Box 3, Rexburg, Idaho 83440, the parties of the first part, and KENNETH T. SAKOTA, a single person, of Route 2 Box 3, Rexburg, Idaho 83440; DOUGLAS K. SAKOTA, a single person, of Route 2 Box 3, Rexburg, Idaho 83440; and KIYOE LORRAINE KANEKO, a married person, of Route 2 Box 3, Rexburg, Idaho 83440, the parties of the second part,

WITNESSETH:

That said parties of the first part, for and in consideration of the love and affection they hold for the parties of the second part, by these presents, do give, convey and confirm unto the said KENNETH T. SAKOTA, an undivided 24.87 percent interest; unto the said DOUGLAS K. SAKOTA, an undivided 24.87 percent interest; and unto the said KIYOE LORRAINE KANEKO, an undivided 24.87 percent interest, (which gift gives parties of the second part an undivided 74.603 percent interest) in and to the following described real property located in Madison County, State of Idaho, to-wit:

Beginning 1300 feet South of the Northeast corner of Section 18, Township 6 North, Range 40 East, Boise Meridian, and running thence South 1307 feet; thence West 160 rods; thence North 98 rods; thence East 2137 feet; thence South 310 feet; thence East 503 feet; thence East 503 feet to the place of beginning, containing 94.5 acres, more or less, less roads and rights-of-way, together with all water rights thereto belonging, which includes 6 shares of the capital stock of the Teton Island Canal Company.

Together with the rents, issues and profits thereof, and the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the said parties of the second part, and to their heirs and assigns forever.

IN WITNESS WHEREOF, The parties of the first part have hereunto set their hands and seals the day and year first above written.


KIYOSHI SAKOTA

Marie Sakota
MARIE SAKOTA

STATE OF IDAHO,
County of Madison.

)
ss.
)

On this 31st day of December, 1981, before me, the undersigned, a Notary Public in and for said State, personally appeared KIYOSHI SAKOTA and MARIE SAKOTA, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Jerry L. Ligby
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission is for Life

MICROFILMED

State of Idaho }
County of Madison, } SS 192065

I hereby certify that the within instrument was
filed December 31

1981 at 4:10 P.M., and

recorded on Film 192065

Fee 4.00

By NELLIS H. GARNER, Recorder

Mary Lou Bell Deputy

At the request of

Kiyoshi Sakota

R#2 Box 3

Rexburg, ID 83440

Idaho

GIFT DEED

THIS INDENTURE, Made and entered into this 1st day of January, 1982, by and between KIYOSHI SAKOTA and MARIE SAKOTA, husband and wife, of Route 2 Box 3, Rexburg, Idaho 83440, the parties of the first part, and KENNETH T. SAKOTA, a single person, of Route 2 Box 3, Rexburg, Idaho 83440; DOUGLAS K. SAKOTA, a single person, of Route 2 Box 3, Rexburg, Idaho 83440; and KIYOE LORRAINE KANEKO, a married person, of Route 2 Box 3, Rexburg, Idaho 83440, the parties of the second part,

WITNESSETH:

That said parties of the first part, for and in consideration of the love and affection they hold for the parties of the second part, by these presents, do give, convey and confirm unto the said KENNETH T. SAKOTA, an undivided 8.47 percent interest; unto the said DOUGLAS K. SAKOTA, an undivided 8.46 percent interest; and unto the said KIYOE LORRAINE KANEKO, an undivided 8.46 percent interest, (which gift gives parties of the second part an undivided 25.397 percent interest) in and to the following described real property located in Madison County, State of Idaho, to-wit:

Beginning 1300 feet South of the Northeast corner of Section 18, Township 6 North, Range 40 East, Boise Meridian, and running thence South 1307 feet; thence West 160 rods; thence North 98 rods; thence East 2137 feet; thence South 310 feet; thence East 503 feet; thence East 503 feet to the place of beginning, containing 94.5 acres, more or less, less roads and rights-of-way, together with all water rights thereto belonging, which includes 6 shares of the capital stock of the Teton Island Canal Company.

Together with the rents, issues and profits thereof, and the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the said parties of the second part, and to their heirs and assigns forever.

IN WITNESS WHEREOF, The parties of the first part have hereunto set their hands and seals the day and year first above written.


KIYOSHI SAKOTA

Marie Sakota
MARIE SAKOTA

STATE OF IDAHO,
County of Madison.

)
ss.
)

On this 31st day of December, 1981, before me, the undersigned, a Notary Public in and for said State, personally appeared KIYOSHI SAKOTA and MARIE SAKOTA, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Jerry L. Sigby
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission is for Life



INDEXED
MICROFILMED
SS 192086
That the within instrument was
filed Jan. 4
at 9:22 A.M. and
recorded on film 192086
Fee 4.00
By NELLIS H. GARNER, Recorder
May Lin Clawson Deputy
At the request of
Kiyoshi Sakota
Rt 2 Box 3
Rexburg

GRANT DEED BY PERSONAL REPRESENTATIVE

GRANTOR, KENICHI DAVID KANEKO, in his capacity as personal representative of the Estate of Kiyoe Lorraine Kaneko, for good and valuable consideration and receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto KENNETH SAKOTA, a single man, and DOUGLAS SAKOTA, a single man (hereinafter collectively referred to as GRANTEES), both of Madison County, City of Rexburg, State of Idaho, and to GRANTEES heirs and assigns forever, all of the following described real estate located in County of Madison, State of Idaho, more particularly described as follows:

Beginning 1300 feet South of the Northeast corner of Section 18, Township 6 North, Range 40 East, Boise Meridian, and running thence South 1307 feet; thence West 160 rods; thence North 98 rods; thence East 2137 feet; thence South 310 feet; thence East 503 feet to the place of beginning, containing 94.5 acres, more or less, LESS roads and rights-of-way. TOGETHER WITH all water rights thereto belonging, which includes 6 shares of the capital stock of the Teton Island Canal Company.

Together with all improvements, easements, hereditaments, water, water rights, ditches, ditch rights, and appurtenances thereunto or in anywise pertaining, but without warrant.

In construing this deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and the neuter.

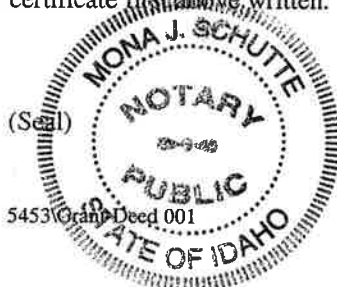
IN WITNESS WHEREOF, the GRANTOR hereunto has subscribed his name to this instrument this 23 day of June, 2005.


KENICHI DAVID KANEKO, Personal Representative
of the Estate of Kiyoe Lorraine Kaneko

STATE OF IDAHO)
County of Bonneville) ss.

On this 23 day of June, 2005, before me a Notary Public, personally appeared KENICHI DAVID KANEKO, Personal Representative of the Estate of Kiyoe Lorraine Kaneko, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.




Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: 8-12-08

Instrument # 320918
REXBURG, MADISON, IDAHO
2005-07-06 03:28:00 No. of Pages: 1
Recorded for: KENNETH SAKOTA
MARILYN R. RASMUSSEN Fee: 3.00
Ex-Officio Recorder Deputy

GRANT DEED BY INDIVIDUAL

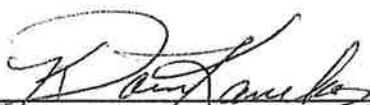
GRANTOR, KENICHI DAVID KANEKO, a single man of Madison County, State of Idaho, for good and valuable consideration and receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto KENNETH SAKOTA, a single man, and DOUGLAS SAKOTA, a single man (hereinafter collectively referred to as GRANTEES), both of Madison County, City of Rexburg, State of Idaho, and to GRANTEES heirs and assigns forever, all of the following described real estate located in County of Madison, State of Idaho, more particularly described as follows:

Beginning 1300 feet South of the Northeast corner of Section 18, Township 6 North, Range 40 East, Boise Meridian, and running thence South 1307 feet; thence West 160 rods; thence North 98 rods; thence East 2137 feet; thence South 310 feet; thence East 503 feet to the place of beginning, containing 94.5 acres, more or less, LESS roads and rights-of-way. TOGETHER WITH all water rights thereto belonging, which includes 6 shares of the capital stock of the Teton Island Canal Company.

Together with all improvements, easements, hereditaments, water, water rights, ditches, ditch rights, and appurtenances thereunto or in anywise pertaining, but without warrant.

In construing this deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, the GRANTOR hereunto has subscribed his name to this instrument this 23 day of June, 2005.


KENICHI DAVID KANEKO, a single man

STATE OF IDAHO)
County of Bonneville) ss.

On this 23 day of June, 2005, before me a Notary Public, personally appeared KENICHI DAVID KANEKO, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.




Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: 8-12-08

Instrument # 320919

REXBURG, MADISON, IDAHO

2005-07-06 03:29:00 No. of Pages: 1

Recorded for : KENNETH SAKOTA

MARILYN R. RASMUSSEN

Ex-Officio Recorder Deputy Fee: 3.00

December 29, 2005

KENNETH T SAKOTA
PO BOX 163
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR: 22-07225

Dear Mr. Sakota:

It has come to our attention that you may have recently purchased a tract of land in Madison County. The property to which I am referring was most recently owned by Kiyoshi and Marie Sakota. The legal description is as follows:

TOWNSHIP 06N RANGE 40E SECTION 18 NENE, SWNE, NWNE, SENE

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change of Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have questions regarding this matter, please call 208-525-7161.

Respectfully submitted,

Katy Jackson
Office Specialist 1

Enclosure(s)

ADDRESS SERVICE
REQUESTED

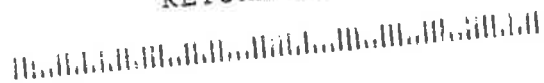
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
940 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83409

 NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

MARIE SAKOTA
KIYOSHI SAKOTA
PO BOX 334
REXBURG, ID 83440

SAKOB334 834402011 1N 07 12/03/05
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER



U.S. POSTAGE
00.60 DEC 02
5441 MAILED FROM ZIP CODE

06/09/2005

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-7225

~~KIYOSHI SAKOTA
PO BOX 334
REXBURG ID 83440
Telephone Number: (208)356-6562~~

~~MARIE SAKOTA
PO BOX 334
REXBURG ID 83440
Telephone Number: (208)356-6562~~

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

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

Kenneth T. Sakota & Douglas K. Sakota
P.O. Box 163

Rexburg, ID 83440

(208) 356-6562

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

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

DATE:

1/12/2006

SIGNATURE:

Kenneth T. Sakota

Please print your name:

Kenneth T. Sakota

IDWR Regional Office,

SCANNED

JUL 18 2006

PROF

RECEIVED
FEB 07 2006

Department of Water Resources
Eastern Region

Claim No. 22-7225

Document Checklist

☒ Copy License/Decree

☐ Copy Transfer

☒ Copy Licensing Field Exam

☒ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

Per Courthouse 10/29/04 Kenneth T Sakota

06N 40E 18 0007, 0444

Kenneth T & Douglas K Sakota 06N 40E 18 0289
PO Box 163

5-3-06

I called Kenneth Sakota and told him
if he wants the full amt. of the license recommended
he needs to file an objection by 5-5-06. He
said he would take a look at it.

TF.

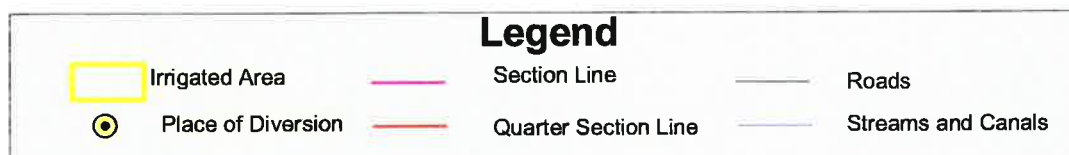
SCANNED

PROFILED

JUL 18 2006

Water Right Claim Number 22-07225
Township , 6N40E

07/09/2001



400 0 400 800 Feet

SCANNED
JUL 18 2006

SPATIAL
DYNAMICS

PROFILED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7225 Priority April 11, 1977 Amount 2.92 cfs

THIS IS TO CERTIFY, that Kiyoshi Sakota
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-7225 issued pursuant to Application for Permit dated April 11, 1977,
and has submitted proof to the Department of Water Resources on November 18, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.86 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>October 15</u>	at <u>2.92</u> cfs and	<u>511.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 2.92 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
511.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, Twp.
6N, Rge. 40E in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	40E	18	28	39	40	39													146

Total number of acres irrigated 146

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 3.5 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30th day of
November, 19 82.

Acting for the Director

Norman Cygany

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 22-7225

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant DOUGLAS K SAKOTA
KENNETH T SAKOTA
PO BOX 163
REXBURG, ID 83440
(208)356-6562

Priority Date: 03/01/1883
Basis: Decreed/License
Status: Active

<u>Source</u>	<u>Tributary</u>			
Ground Water				
Teton River	Snake River			
<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/15	2.88 CFS	504 AFA
Total Diversion			2.88 CFS	

Location of Point(s) of Diversion:

GROUND WATER NENENE Sec. 18 Township 06N Range 40E MADISON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	40E	18		NENE	33		NWNE	36		SWNE	36		SENE	39

Total Acres: 144

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Teton Island Feeder Canal Company irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

- 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.
1. C18
2. E02 Use of this right is combined with water from Teton Island Canal & Fremont Madison Irrigation District.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. S46 The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6/24/2011

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: A22-07225
Date Received: 7/18/1988
Receipt No: E000769
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KIYOSHI SAKOTA 208-356-6562
Address: P.O. BOX 334
REXBURG, ID 83440
OR
Name: MARIE SAKOTA 208-356-6562
Address: P.O. BOX 334
REXBURG, ID 83440

A2207225



2. Date of Priority: APR 11, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	40E	18	NE	NE			MADISON

5. Description of diverting works:
WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	2.920		511.00

7. Total Quantity Appropriated is:
2.920 C.F.S. (and/or) 511.00 A.F.A.

8. Total consumptive use is 365.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	18	NE	NE		IRR	28.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0
						Section Acres	146.0
						Total Acres	146.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

TETON ISLAND CANAL & FREMONT MADISON IRR. DIST.

14. Remarks:

THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE THAN 0.02 CFS/AC NOR MORE THAN 3.5 AF/AC FOR THE LANDS ABOVE.

15. Basis of Claim: LICENSE

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: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Kiyoshi Sekoto Date: 7/18/88

Date: _____

State of Idaho)
County of Bonner) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of July 19 88 Deena Green
Notary Public

Seal

Residing at Rigby
My Commission Expires 4-22-1994

A22-07225

R40E

T6N R40E

