

STARTING LEFT SIDE OF FILE

SC-11111

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-08211

Priority: June 17, 1983

Maximum Diversion Rate: 4.34 CFS

It is hereby certified that CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83440-0396 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 15, 1983; and have
submitted Proof of Beneficial Use on August 05, 1992. An examination indicates that the works have a
diversion capacity of 4.78 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

DIVERSION RATE

4.34 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, Twp 01N, Rge 35E, B.M., 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	
01N 35E 33	4.0	39.0	38.0	4.0	40.0		37.0	39.0	39.0	3.0	.5	1.5			21.0		266.0

Total Acres: 266

CONDITIONS OF APPROVAL

1. Right 35-02763B is also diverted through the point of diversion described above.
2. Rights 35-02763B and 35-08211 when combined shall not exceed a total annual maximum diversion volume of 1064 af at the field headgate, and the irrigation of 266 acres.
3. 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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 10TH day of JANUARY, 2002.

MICROFILMED for


KARL J. DREHER
Director

JAN 24 2002

RECEIVED

JAN - 7 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)
WATER RIGHT NO. 35-08211

Date of Priority: June 17, 1983

Maximum Diversion Rate: 4.34 CFS

Comes now CORNELISON & OLSEN
PO BOX 396

REXBURG ID 83440-0396 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 35-08211, and requests that the permit be changed as follows:

Source: GROUND WATER

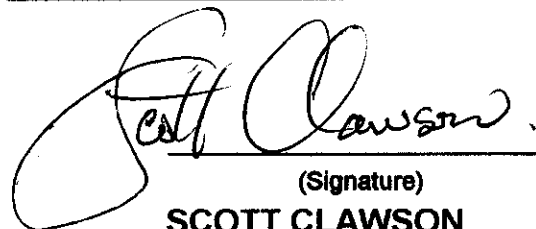
<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 10/31	4.34 CFS

LOCATION OF POINT OF DIVERSION:GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, Twp 01N, Rge 35E, B.M., BINGHAM CountyPLACE 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	
01N 35E 33	4.0	39.0	38.0	4.0	40.0		37.0	39.0	39.0	3.0	.5	1.5			21.0		266.0

Total Acres: 266

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 4TH day of JAN, 2002.



(Signature)

SCOTT CLAWSON
SPECIAL PROJECTS
CORNELISON/OLSEN PARTNERSHIP

MICROFILMED

JAN 24 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08211

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = 50.00 Received by jm #0059021 Date 1-7-02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

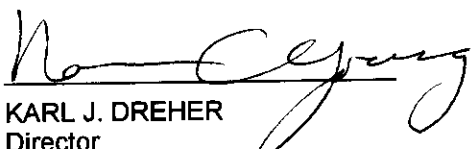
I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 35-08211 with the following:

CONDITIONS OF APPROVAL

1. Right 35-02763B is also diverted through the point of diversion described above.
2. Rights 35-02763B and 35-08211 when combined shall not exceed a total annual maximum diversion volume of 1064 af at the field headgate, and the irrigation of 266 acres.
3. 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.

Witness my hand this 10TH day of JANUARY, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

JAN 24 2002

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

**ASSIGNMENT OF PERMIT
To Change the Ownership of a Permit**

We, Matsuura Brothers Company, Inc., hereby assign to Cornelison & Olsen, an Idaho general partnership composed of Keith Cornelison and Ronald Olsen, of Post Office Box 396, Rexburg, Idaho 83440.

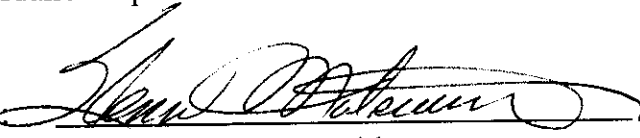
All our right, title, and interest in and to Permit No. 35-08211 to appropriate the public waters of the State of Idaho.

Made this 23 day of November, 1999.

Signature of Permit Holder(s)

MATSUURA BROTHERS COMPANY, INC.
an Idaho corporation

By


Glenn Matsuura, President

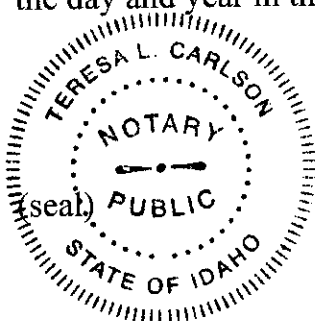
STATE OF IDAHO)

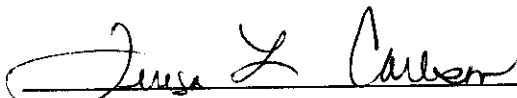
)ss.

County of Madison)

On this 23 day of November, in the year 1999, before me, the undersigned, a notary public in and for said state, personally appeared **Glenn Matsuura**, known or identified to me to be the President of **Matsuura Brothers Company, Inc.**, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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 217th St.
My Commission Expires: 5/29/05

MICROFILMED

DEC 09 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-08211)
IN THE NAME OF MATSUURA BROTHERS CO. INC.) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 3, 1992; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

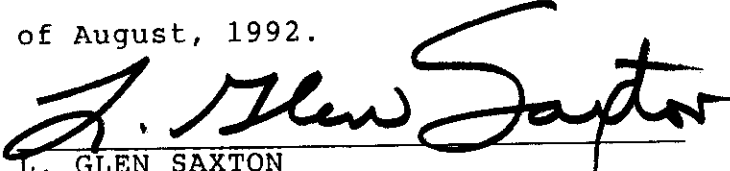
WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on August 5, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-08211 be REINSTATED with an advance in priority to June 17, 1983.

Dated this 6th day of August, 1992.

MICROFILMED

AUG 20 1992


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED

AUG 05 1992

OFFICE USE ONLY OR
Amt. of Fee \$ 200
Date 7-31-92
Receipt No. 5017671
Receipt by RB

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35-8211 Telephone No. 785-2948
2. Name(s) of Permit Holder(s): Matsuura Brothers Co., Inc.
3. Mailing Address: 426 N. 150 W., Blackfoot, Idaho 83221
4. Source of Water: Groundwater

If **GROUNDWATER**, Well Driller's Name: Agricultural Services, Inc. Date Drilled: 4-66

OPTIONAL:

Pump horsepower: 250 Pressure (psi): Dynamic pumping level (ft.):

5. Extent of Use (as authorized by the permit):

Domestic (No. of households) Stockwater (No. and type of stock)
Irrigation 268 (No. of acres) Other

6. Total rate and/or volume for which proof is submitted 4.92 cfs OR acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes X No Installed? Yes No

OR

Flow Measurement Port: Required? X Yes No Installed? Yes No

8. Fee Enclosed: \$ 200 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Brent or Glenn Matsuura 785-2948
Name Telephone No.

426 N. 150 W., Blackfoot, Idaho 83221
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

7/31/92
Date

Glenn Matsuura (Sec)
Signature (and title, if on behalf of a company or organization)

MICROFILMED

AUG 20 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08211

Proposed Priority: June 15, 1983 Maximum Diversion Rate: 4.92 CFS
This is to certify, that MATSUURA BROTHERS CO. INC.

1132 E. WALKER
BLACKFOOT, ID 83221

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	4.92 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENW	Sec. 33, Township 01N, Range 35E
NENW	Sec. 33, Township 01N, Range 35E
	BINGHAM County

<u>PLACE OF USE:</u> IRRIGATION						
<u>TWN RGE SEC</u>		<u>ACRES</u>		<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 35E 33	NWNE	39	SWNE	39	NENW	40
	SWNW	40	SENW	40	NESW	40
	NWSE	30				268

Total number of acres irrigated: 268

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 3, 1992.
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. Single point of diversion located on or near line between NENW and SENW, S33, T01N, R35E.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

2nd day of August, 1991.

[Signature]
for R. Keith Higginson, Director

AUG 21 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Matsuura Brothers Co., Inc. Phone 785-2948

Post office address 1132 E. Walker, Blackfoot, Idaho 83221

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33 Township 1N

Range 35E B.M. Bingham County, additional points of diversion if any: _____

SENE Sec. 33, T. 1N, R. 35E.

4. Water will be used for the following purposes:

Amount 4.92 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 4.92 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, mainline with
sprinklers

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

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

c. Proposed well diameter is 18 inches; proposed depth of well is 300 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

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

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

AUG 21 1991

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	35E	33		39	39		40		40	40	40					30			268

Total number of acres to be irrigated 268

c. Describe any other water rights used for the same purposes as described above. 35-2763

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Matsuura Bros. Co Inc

Gene Matsuura - Pres.

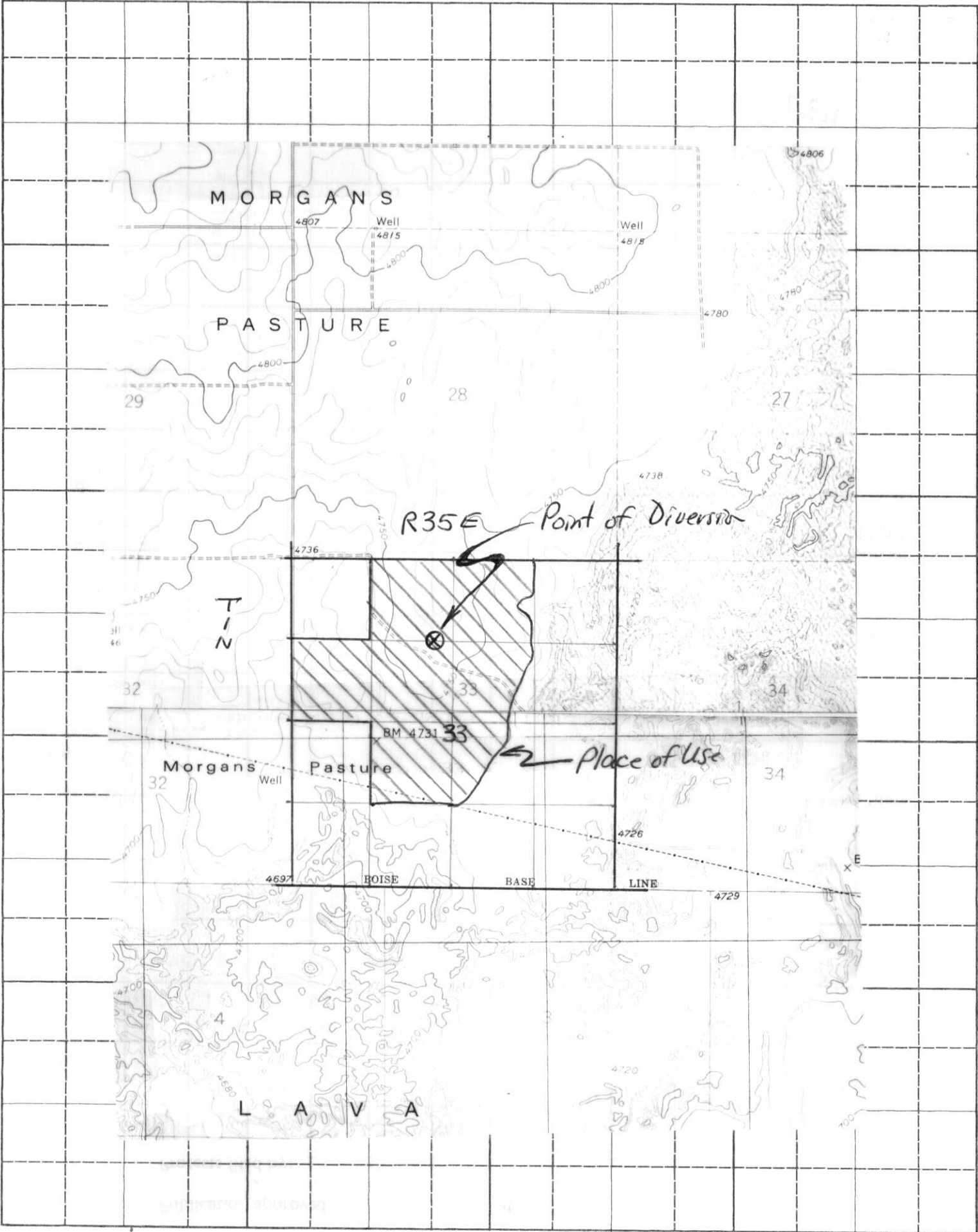
Glen Matsuura - Sec

Brent Matsuura - Treas.

On telecon with Glen Matsuura
7-31-91 28

AUG 21 1991

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



Scale: 2 inches equal 1 mile.

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

RECORDED
AUG 21 1991

Makenna Bros. Co.
By: Tom Makenna, Sec.
(Applicant)

Received by KCW Date 6-15-83 Time 1745
Preliminary check by JEM Fee \$ 125⁰⁰
Receipted by KCW Date 15 June 83 # 30878
Publication prepared by RB Date 4-19-26-90
Published in Morning News
Publication dates 4-19 + 4-26-90
Publication approved Qu Date 5-10-90
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

FILE
AUG 21 1991

DEPT. OF WATER RESOURCES
150 Shoup Ave., Suite 15
Idaho Falls, Id. 83402
(208) 525-7161

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed
to appropriate the public waters of the State of
Idaho:

27-07491

ECHEVARRIA, Frank
Rt. 1 Box 94
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 8, T. 02S, R. 36E.
Use: IRRIGATION (3.980 CFS).
Total Diversion: (3.980 CFS).
Date Filed: 1/25/1990.
In: T02S, R36E, S08, SWNE, SENE, NESE,
SWSE, SESE, S09 SWNW NWSW SWSW.
199.0 ACRES TOTAL.

27-07492

JONES, Kieat H.
425 Horrocks Drive
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: NWNE, Sec. 17, T. 02S, R.
36E.
Use: IRRIGATION (1.540 CFS).
Total Diversion: (1.540 CFS).
Date Filed: 1/31/1990.
In: T02S, R36E, S17, NWNE, NENW.
77.0 ACRES TOTAL.

35-08211

MATSUURA BROTHERS CO., INC.
1132 E. Walker
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversion Pt: NENW, Sec. 33, T. 01N, R.
35E; SENW, Sec. 33, T. 01N, R 35E.
Use: IRRIGATION (4.920 CFS).
Total Diversion: (4.920 CFS).
Date Filed: 6/15/1983.
In: T01N, R35E, S33, NWNE, SWNE,
NENW, SWNW, SENW, NESW, NWSE.
268.0 ACRES TOTAL.

35-08871

CHRISTENSEN, Brent
CHRISTENSEN, Susan
326 N. 400 W.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 17, T. 02S, R.
35E.
Use: IRRIGATION (.200 CFS).

STOCKWATER (.020 CFS).
Total Diversion: (.220 CFS).
Date Filed: 1/2/1990.
In: T02S, R35E, S17, SESE.
10.0 ACRES TOTAL.

35-08875

DRISCOLL, Michael A.
272 S-1300 W.
Pingree, Id. 83262
Source: GROUNDWATER
Diversion Pt: NENW, Sec. 24, T. 03S, R.
33E.
Use: DOMESTIC (.060 CFS).
COMMERCIAL (.010 CFS).
Total Diversion: (.070 CFS).
Date Filed: 2/27/1990.
In: T03S, R33E, S24, NENW.

35-08876

WINBERG, Richard
1027 S. 2600 W.
Aberdeen, Idaho 83210
Source: GROUNDWATER

RECEIVED

MAY - 2 1990

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)
I, Ted Townsend) do

solemnly

swear that I am the Publisher 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 1933, approved
March 11, 1933, 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 af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks

the first publication having been made on the

19th day of April, 19 90;

and the last publication having been made on the
26th day of April, 19 90;

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.

On this 30th day of April in
the year 1990, before me a Notary Public of said State,
personally appeared

Ted Townsend
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true and acknowledged to me that he ex-
ecuted the same.

Raye Kayser
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee \$5.00

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 11, 2002

CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83440-0396

RE: License No. 35-8211 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
JAN 24 2002

CERTIFICATE OF MAILING

I hereby certify that on January 11, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-8211

**CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83440-0396**


Kari Lynn Townsend
Secretary

**MICROFILMED
JAN 24 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 27, 2001

CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83440-0396

RE: Water Right Permit No. 35-08211

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

Place of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED
JAN 24 2002

*Scott Clawson
called - wondered
why Kate was
deducted from
permitted Kate.
Will submit
amendment
& fee. KW
1-4-2002*

Comment Report

35-8211

1. kwalker 12/27/2001 GIS shape

Comment: When I created the GIS shape for the place of use of this right, I found my shape contained 10 more acres than recommended by examiner. Since it appears that the GCBD for this area is off I am using the examiners recommendations for the place of use rather than what GIS reported and not including any more acreage than recommended.

2. VAULT 8/5/1992 Lapse Notice Sent

Comment: Lapse Notice Sent Proof of Beneficial Use Rcvd Proof of Beneficial Use Rcvd

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JAN 24 2002

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
JAN 24 2002

RECEIVED
FEB 18 2000
K
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

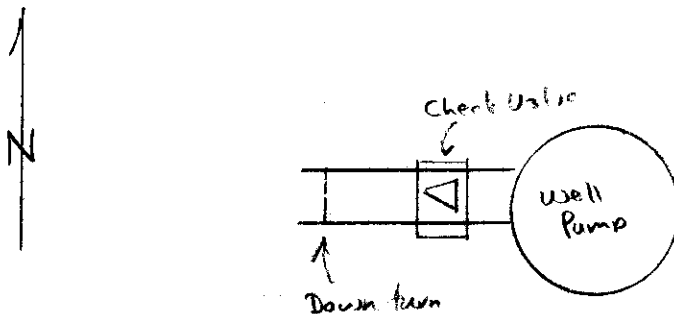
1. Owner: CORNELISON & OLSEN Permit No. 35-08211
Current Address: P.O. Box 396 Rexburg Id 83440 Phone No. 356-0396
351-1133
2. Accompanied by: Todd & Brett Cornelison EXAM. DATE: 14 Aug 1998
Address: P.O. Box 396, Rexburg Id 83440 Phone No. (208) 356-0396
351-1133
Relationship to Permit Holder: Permit holder
3. Source: GROUND WATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

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JAN 24 2002

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well pump mainline to one (1) Small $\frac{1}{4}$ - $\frac{1}{4}$ Section full Circle Pivot, One Standard center pivot operation as a $\frac{1}{2}$ circle, and One (1) Extra long Center pivot with corner catcher. All center pivots have end guns. System operates using low pressure nozzles.

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	U.S. Electric	250	1381015	No Nameplate	16" discharge

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SE	NW	33	1N	3SE	Bingham	On Site / PSA Aerial / USGS QUAD

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	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 $\frac{1}{4}$	
1N	35E	33	4	39	38	4	40		37	39	39	3	05	1.5		21			266

Do not use this space

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JAN 24 2002

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
SONIC		POLYSONIC	DCT-7088	32736		

2. Measurements: *Printer not working observed readings*

Pivot # 134 SWNW Sec 33 = 265 gpm @ 100% signal & 100% Margin

Pivot # 135 W1/2 NE 1/4 NW Sec 33 = 1155 gpm @ 100% signal & 105% Margin

Pivot # 136 NWSE 1/4 NE SW Sec 33 = 725 gpm @ 100% signal & 100% Margin

Total Diversion = 2145 gpm = 4.78 cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q = 2145 \text{ gpm} = 4.78 \text{ cfs}$$

$$Q_{\text{LIMITED BY CAPACITY}} = 4.78 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (266)(4) = 1064.0 \text{ acft}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 4.78 \text{ cfs} (214) 1.9835 = 2028.96$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1064.0 \text{ acft}$$

2. Volume Calculations for Other Uses:

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JAN 24 2002

[Faint handwritten notes are visible at the top of the page.]

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	4.78 cfs	1064.0 afy
		Totals:	4.78 cfs	1064.0 afy

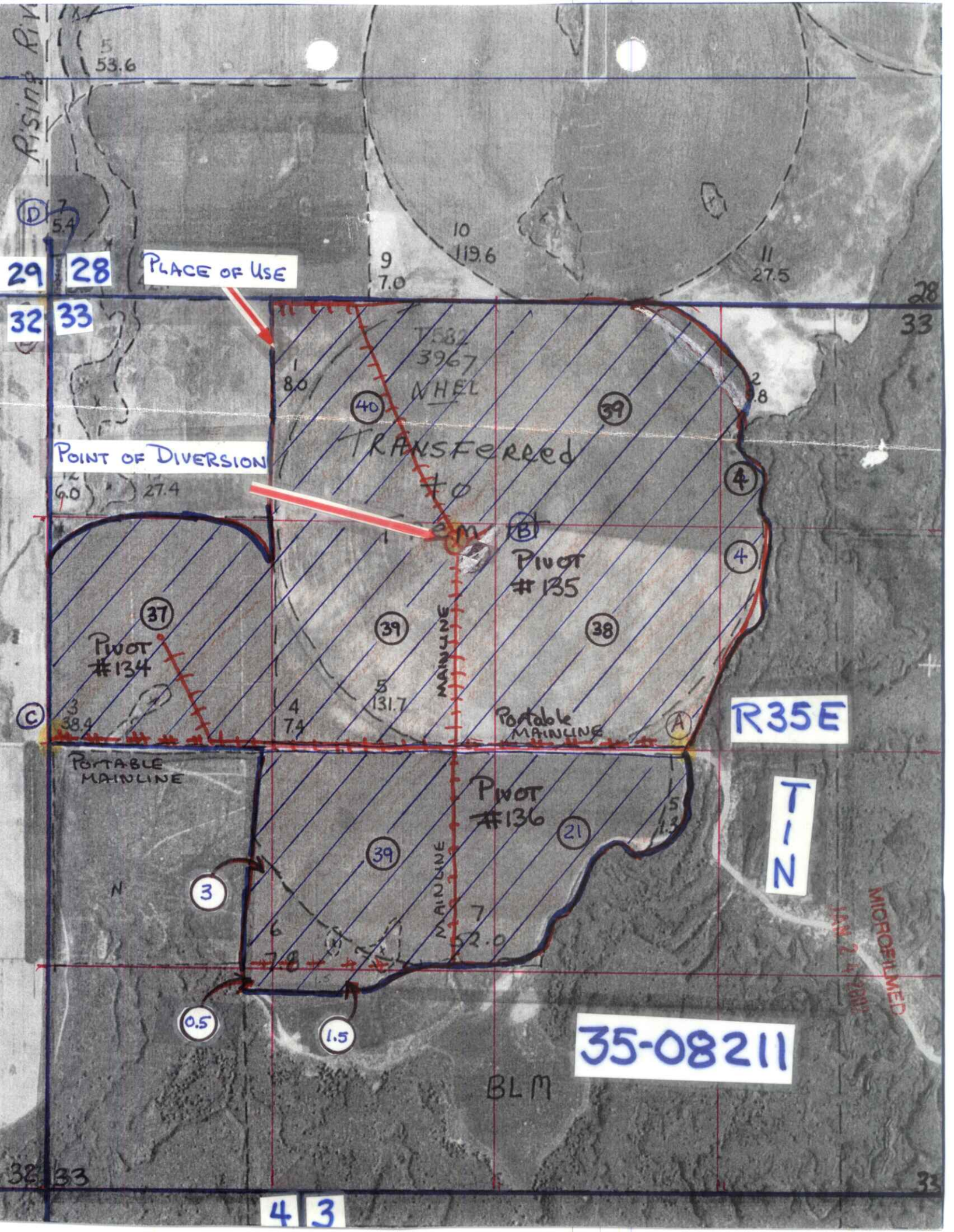
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Field Examiner's Name KERITH C. Wilson
Signature Kerith C. Wilson
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JAN 24 2002



PLACE OF USE

POINT OF DIVERSION

TRANSFERRED TO

Pivot #135

Pivot #134

PORTABLE MAINLINE

R35E

TIN

Pivot #136

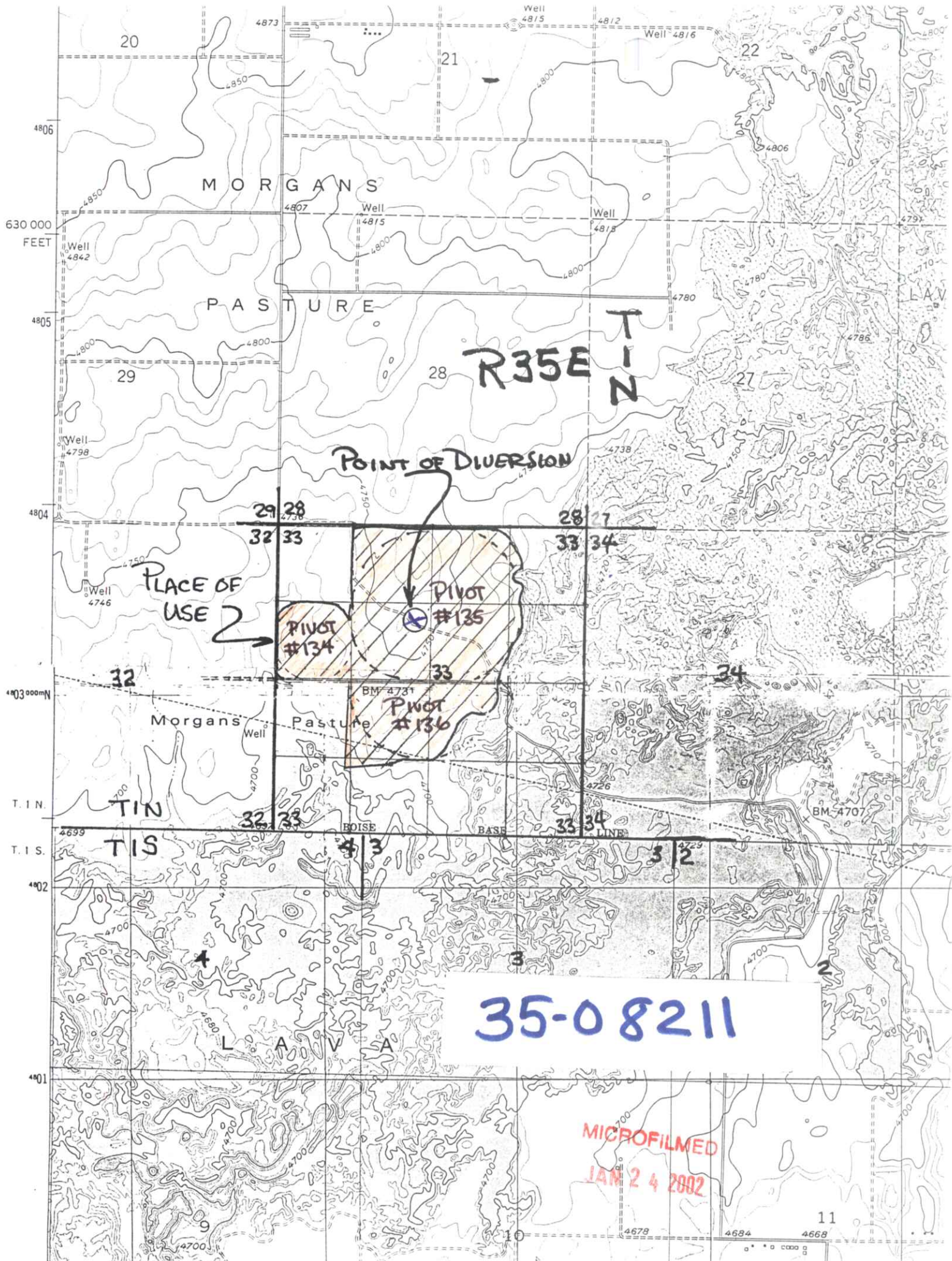
PORTABLE MAINLINE

35-08211

BLM

MICROFILMED
JAN 24 2011

4 3



35-08211

MICROFILMED
JAN 24 2002

TO: Exam File 35-08211

August 19, 1998

FROM: Keith C. Wilson

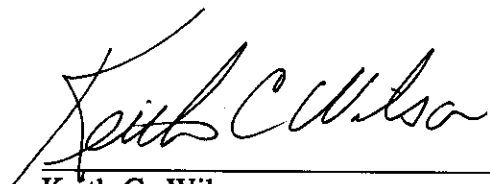
RE: GPS Points of reference for place of use

The quarter section lines on the FSA Aerial and the USGS Quad Map did not agree. The West Quarter Corner on the FSA Aerial placed the East-West road through the center of Sec 33, and the USGS Quad placed the road South of center. Four reference points were selected on the FSA Aerial in Sec 33, T01N, R35E.

- Site "A" - (R081815A) East edge of irrigated fields center line of East-West road.
- Site "B" - (R081816B) Center of large Center Pivot in $W\frac{1}{2}NE\frac{1}{4}$ & $E\frac{1}{2}NW\frac{1}{4}$
- Site "C" - (R081815B) West Quarter Corner Sec 33, T01N, R35E, on the center line of East-West road.
- Site "D" - (R081816A) NW corner of Sec 33, T01N, R35E. Section corner of Sections 28, 29, 32, & 33, T01N, R35E.

From the GPS Data the East-West Road is on the quarter section line through the center of Section 33, T01N, R35E.

See attachments "A" & "B"



Keith C. Wilson
Senior Resource Agent

MICROFILMED
JAN 24 2002

T
I
N

T
I
S

3570 N NW
(MORGANS PASTURE NW)

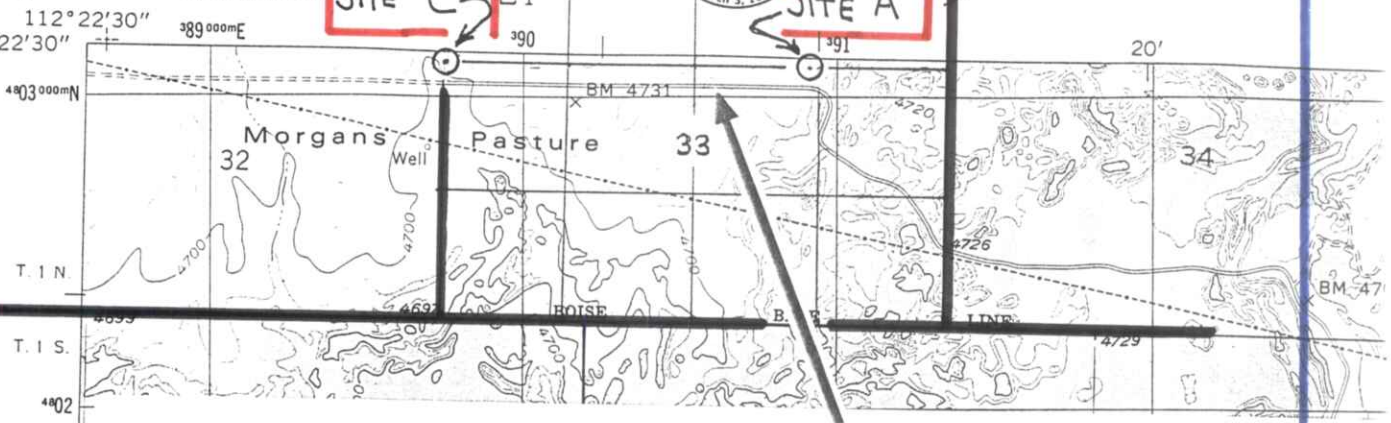
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGIC SURVEY



R35E

SITE "C"

SITE "A"



FROM GPS DATA Road should be between
Site "A" and Site "C"

SITE "A"	Group 4 from r081815a.cor	grouped.att	
	Latitude: 43 22 28.021202899 N	Point_generic	4725.496
SITE "C"	Group 3 from r081815b.cor	Point_generic	4719.796
	Latitude: 43 22 28.486843532 N	Longitude: 112 20 47.290352899 W	
SITE "D"	Group 2 from r081816a.cor	Point_generic	4746.926
	Latitude: 43 22 54.223753217 N	Longitude: 112 21 38.629338964 W	
SITE "B"	Group 1 from r081816b.cor	Point_generic	4764.19
	Latitude: 43 22 41.299615266 N	Longitude: 112 21 00.804696241 W	

ATTACHMENT "A"

35-08211

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JAN 24 2002

R35E

R081816A

R081816B

R081815B

33

R081815A

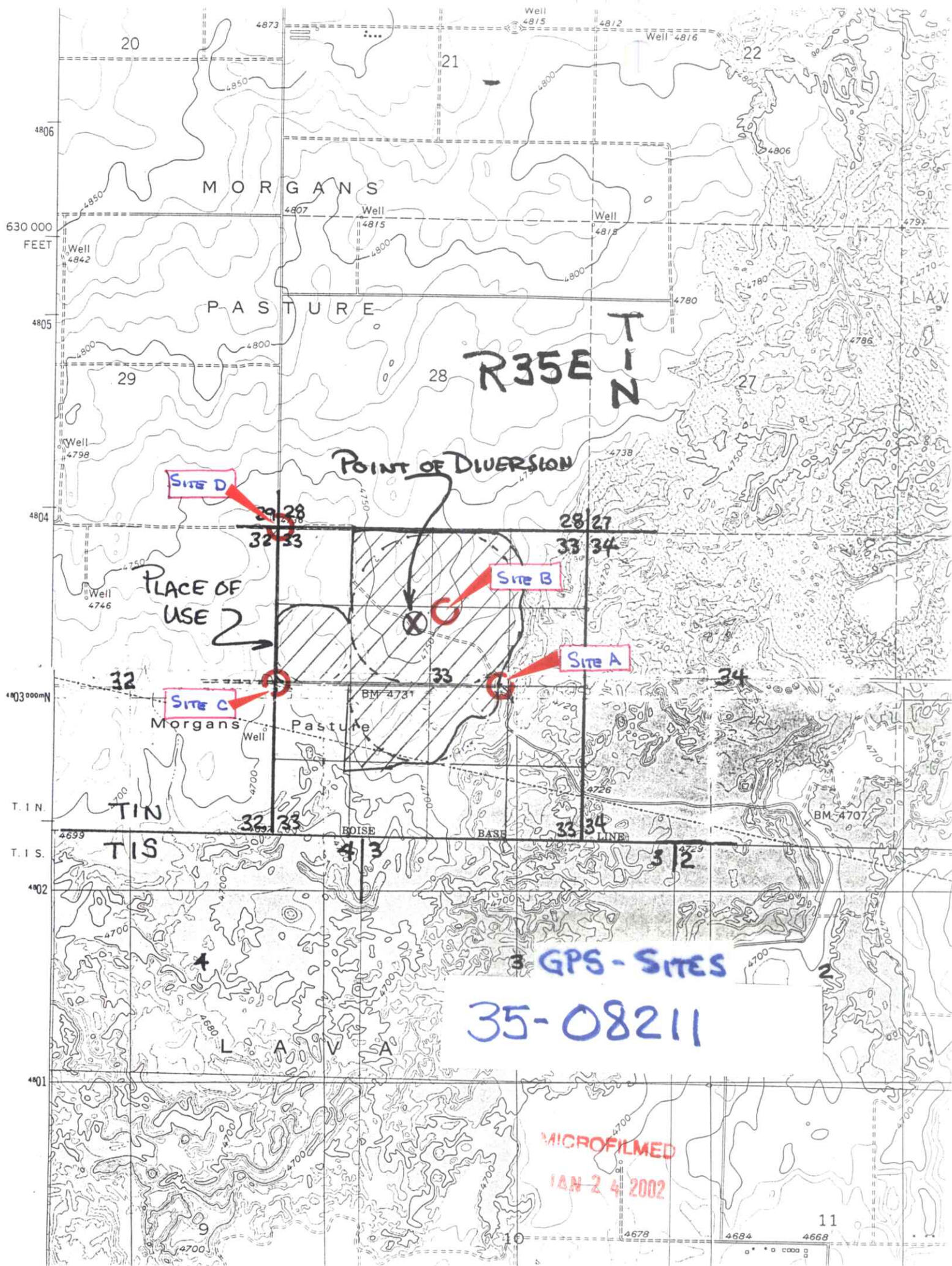
T-1

ATTACHMENT "B"

35-08211

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JAN 24 2002

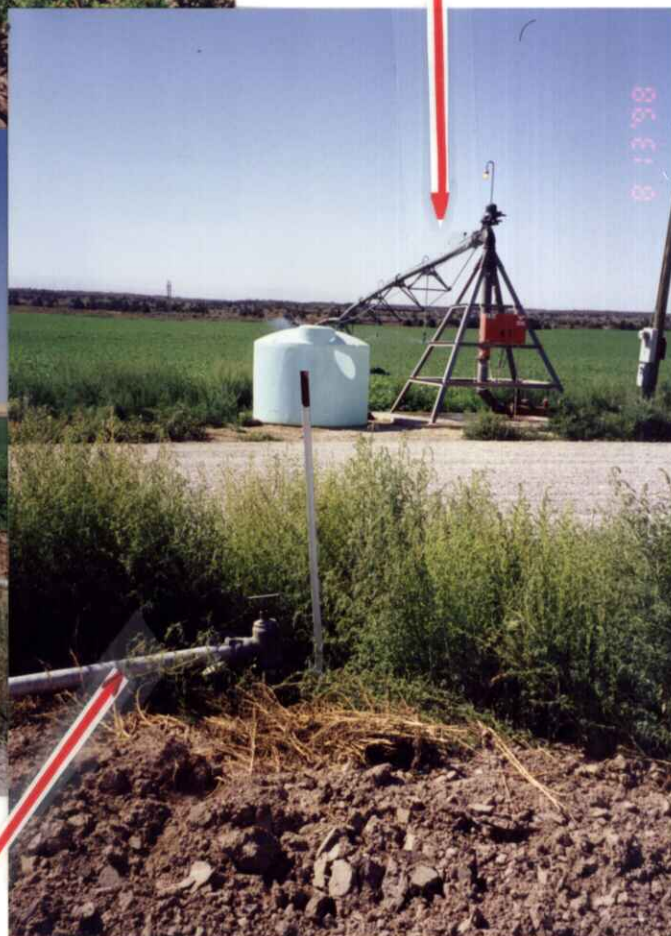


Pivot #135 $\rightarrow$
VIEW TO EAST

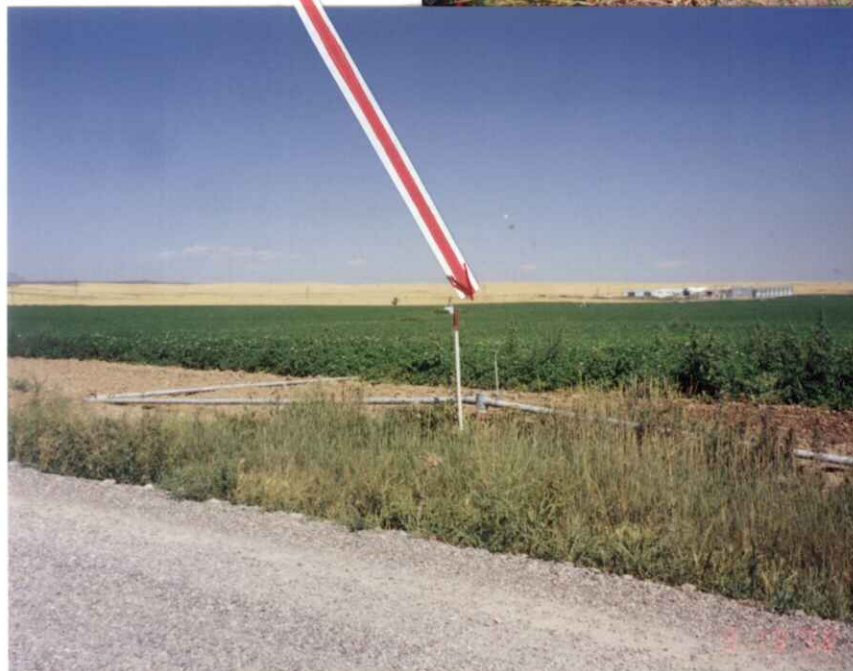


POINT OF
DIVERSION

Pivot #136
VIEW TO
South



Pivot #134



Portable Mainline to
Laterals for South corners
of Pivot #134

Portable
Mainline to EAST
Laterals with
sprinklers for
SE corner of Pivot #135
MICROFILMED
(VIEW FROM EAST)

IAN 2 4 2002

35-08211



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 6, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83440

RE: ASSIGNMENT OF PERMIT 35-08211

Dear Permit Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jeff Peppersack'.

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

DEC 09 1999

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
SHAN B. PERRY
AMELIA A. CANEGALY

U.S. BANK OF IDAHO BUILDING
330 SHOUPE AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL CHOMER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

RECEIVED
DEC 3 1999

December 1, 1999

Department of Water Resources

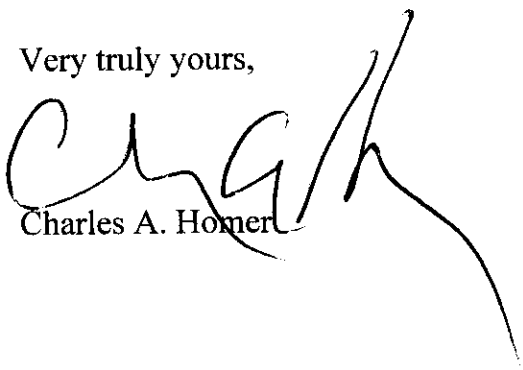
Karilynn Townsend
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706-2237

Re: Matsuura Brothers Company, Inc. — Cornelison & Olsen

Dear Ms. Townsend:

As a follow up to our prior discussions on the above matter, I am enclosing an original Assignment of Permit form which has now been executed by Matsuura Brothers Company, Inc. You will note that the Assignment of Permit provides for the transfer to Cornelison & Olsen of Permit No. 35-08211. I assume that you have now received all of the documentation to transfer this Permit. If you need any additional documentation from me, please contact me as soon as possible. Enclosed is a check in the amount of \$25.00 as payment for the assignment fee. I appreciate your continued assistance on this matter.

Very truly yours,


Charles A. Homer

Enclosures

G:\WPDATA\CAH\8470\KT120199.LTR:jht

MICROFILMED

DEC 09 1999

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
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Arthur W. Holden
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William S. Holden
(1907-1988)

RECEIVED**OCT 13 1999**

DEPARTMENT OF WATER RESOURCES

FAX TRANSMITTAL**DATE:** October 13, 1999

TO: Caroline Townsend **FAX #:** 208-327-7866
Idaho Department of Water Resources
FROM: Charles A. Homer **FAX #:** 208-523-9518

RE: Reference No. 35-08211 (Cornelison & Olsen - Matsuura)
Assignment of Permit

ITEMS SENT:**NO. OF PAGES INCLUDING TRANSMITTAL SHEET: 1**

MESSAGE: Please accept my apology in the delay in getting this matter finished.
I am trying to obtain the signatures of the Matsuura's and should have
them in a week or two. You do have my attention in this matter.
Thank you.

ORIGINALS: Sent by Mail ☐ Kept on File ☒**If you do not receive all of the pages, please call back as soon as possible (208) 523 - 0620.**

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of this communication to other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify us immediately by collect telephone at (208) 523-0620, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

Telecopier Operator

Joan

MICROFILMED

DEC 09 1999

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS, P.A.
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
FREDERICK J. HAHN, III

WEST ONE BANK BLDG.
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

Arthur W. Holden
(1877-1967)
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(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

RECEIVED

FEB 20 1997

DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 06 1996

June 4, 1996

RECEIVED

Department of Water Resources

JUN 10 1996

Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

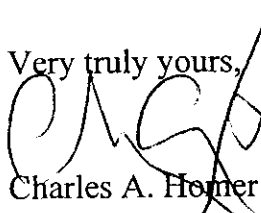
Department of Water Resources
Eastern District Office

Re: Matsuura Brothers Land Company — Cornelison & Olsen

Gentlemen:

Our firm recently handled the closing on a real estate sale from Matsuura Brothers Land Company to Cornelison & Olsen. Enclosed for your records is an original "New Property Owner Notice of Change of Water Right Ownership form and Assignment of Notice of Claims" form. If you need any additional documentation from our office on this transaction, please contact us.

Very truly yours,


Charles A. Homer

Enclosures

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MICROFILMED

DEC 09 1999

August 7, 1992

MATSUURA BROTHERS CO. INC.
426 N 150 W
BLACKFOOT ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08211

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED

AUG 20 1992

August 5, 1992

MATSUURA BROTHERS CO. INC.
1132 E. WALKER
BLACKFOOT ID 83221

LAPSE NOTICE

RE: PERMIT NO. 35-08211

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Enclosures

MICROFILMED

AUG 20 1992

CERTIFICATION OF MAILING

I hereby certify that on 8/5/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

klg

May 31, 1992

MATSUURA BROTHERS CO. INC.
1132 E. WALKER
BLACKFOOT ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 35-08211

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

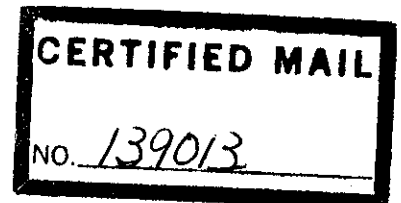
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED

AUG 20 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 9, 1991

MATSUURA BROTHERS CO. INC.
1132 E. WALKER
BLACKFOOT, ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08211

Dear Permit Holder:

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosure

MICROFILMED

AUG 21 1991

MEMORANDUM

TO: H.W. JONES / *File #35-8211*
FROM: PAM SKAGGS *JS*
RE: WAIVING RULE 4,5 INFO
DATE: 31-JUL-1991

=====

I received file #35-8211 from you with a memo recommending rejection of the application since you had received no response to your requests for Rule 4,5 information.

This application had already been reviewed by Tim Luke for Swan Falls criteria. The applicant responded to the Trust Water Questionnaire and provided evidence of development prior to October 1984 making the application exempt from Trust requirements. This same evidence of prior and existing development allows for Rule 4,5 information to be waived.

I have attached pertinent memos for your information and as an explanation. In this case, I will continue to process the application.

MITCHELL MED

AUG 21 1991

INTER-DEPARTMENT MEMO

TO: PAM SKAGGS

Applic. 35-8211
SUBJECT: 7-24-91

FROM: ALW-JONES

DATE: 7-24-91

I have received no response to my letters of request
+ recommend rejection of the applic

NOTED
AUG 21 1991

☒ For your information

☐ Response required

[Signature]
signature



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

JUNE 5, 1991

MATSUURA BROTHERS CO.
1132 E. WALKER
BLACKFOOT, ID 83221

DEAR MR. MATSUURA:

WE ARE CURRENTLY PROCESSING YOUR APPLICATION 35-08211 FOR A WATER RIGHT. FOR ANY APPLICATION OR PERMIT WHICH EXCEEDS 200 ACRES OR 5.00 CFS THE INFORMATION ON THE ATTACHED SHEETS ARE REQUIRED BEFORE ANY FURTHER PROCESSING CAN TAKE PLACE. PLEASE TRY TO ANSWER THE HIGHLIGHTED QUESTIONS TO THE BEST OF YOUR ABILITY. IF YOU NEED ADDITIONAL CLARIFICATION PLEASE GIVE ME A CALL AT 525-7161. IF YOU ARE NO LONGER INTERESTED IN DEVELOPING THIS PERMIT PLEASE ADVISE ME.

I WILL NEED YOU TO RESPOND WITHIN 15 DAYS WITH THE INFORMATION REQUIRED AS THIS IS THE THIRD REQUEST TO DATE.

SINCERELY,

HAROLD W. JONES
WATER RESOURCE SUPERVISOR

AUG 21 1991

MAY 11, 1990

MATSUURA BROTHERS CO.
1132 E. WALKER
BLACKFOOT, ID 83221

DEAR MR. MATSUURA:

WE ARE CURRENTLY PROCESSING YOUR APPLICATION 35-08212
FOR A WATER RIGHT. FOR ANY APPLICATION OR PERMIT WHICH EXCEEDS
200 ACRES OR 5.00 CFS THE INFORMATION ON THE ATTACHED SHEETS
ARE REQUIRED BEFORE ANY FURTHER PROCESSING CAN TAKE PLACE.
PLEASE TRY TO ANSWER THE HIGHLIGHTED QUESTIONS TO THE BEST OF
YOUR ABILITY. IF YOU NEED ADDITIONAL CLARIFICATION PLEASE GIVE
ME A CALL AT 525-7161.

SINCERELY,

HAROLD W. JONES
WATER RESOURCE SUPERVISOR

MICROFILMED

AUG 21 1991

19-Apr-1990

Matsuura Brothers Co., Inc.
1132 E. Walker
Blackfoot, ID 83221

RE: Application for Permit No. 35-8211

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News on April 19 & 26, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

AUG 21 1991

35-08211

MATSUURA BROTHERS CO. INC.
1132 E. WALKER
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: NENW Sec 33 T 01N R 35E
 SENW Sec 33 T 01N R 35E

Use: IRRIGATION (4.920 CFS)
 Total Diversion: (4.920 CFS)

Date Filed: 6/15/ 1983

In: T01N R35E S33	NWNE	SWNE	NENW	SWNW
	SENW	NESW	NWSE	

268.0 ACRES TOTAL

FILED
AUG 21 1991

MEMORANDUM

TO: FILE/APPLICATION NO. 35-8211

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 4-2-90

=====

The applicant has returned the trust water questionnaire and has indicated that land under this application has been irrigated prior to October, 1984.

Submitted with the questionnaire are ASCS crop reports with copies of aerial photos showing specific crops for fields during years 1981 through 1984, a signed statement from ASCS Bingham County executive director Steve Fullmer confirming crop reports for irrigated land under the application, well pump and motor data showing installation in 1966, and an Idaho Power Co. billing for irrigation use to applicant showing service in 1981. In addition, the Department's remote sensing report has all of the subject land classified as irrigated for 1986.

The information above provides sufficient evidence of development prior to October of 1984. It is recommended therefore that this application be exempt from the review requirements of Section 42-203C. Application will be returned to region for advertising. Trust conditions are not applicable.

MAILED
AUG 21 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
MAR 29 1990

Department of Water Resources

Application No. 35-8211

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes X No

b. If you are not the propoerty owner, please descibe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes X No

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain restrictions and/or conditions. You may be asked to verify uses established prior to October, 1984.)

deep well pump, hand lines, 268 acres

3. Please state the number of acres you have irrigated under this application since October 1, 1984. 268

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete.

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Matayana Bros Co Inc
by Glenn Matayana

Date 3/28/90

MICROFILMED
AUG 21 1991

PLACE OF USE 1/4 1/4 OVERLAP REPORT

04/02/90

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3508211																							
3502763A	CONNECTICUT MUTUAL LIF L		GROUNDWATER	01N	35E	33							38								38		
3502763B	MATSUURA BROTHERS CO. L		GROUNDWATER	01N	35E	33							40								40		
3508211	MATSUURA BROTHERS CO. A		GROUNDWATER	01N	35E	33				39	39		40		40	40		40			268		
	1986 MAPPING DATA — -		COUNTY 11 QUAD Y 40	01N	35E	33	9	40	38	5			40	40	40	40		40	18	4	12	354	

AUG 21 1991
 MODIFIED

United States
Department of
Agriculture

Agricultural
Stabilization and
Conservation Service

Bingham County ASCS Office
1600 Highland Drive
Blackfoot, Idaho 83221

March 28, 1990

To: Tim Luke, Sr. Water Resource Agent

From: Steve Fullmer, CED, Bingham County ASCS

Re: Application for Permit No. 35-8211

The ASCS has provided acreage reports from 1981 through 1989 for the land in question. Also provided are photo copies of this land for the years mentioned. This land has been reported as irrigated land for these years.

Steve Fullmer

*1985-1989 Reports DISCARDED since they are
not relative to file & determination of Trust WATER
Processing. T. Luke 4/2/90*

MINI-FILED

AUG 21 1991

RECEIVED
MAR 29 1990

Department of Water Resources

PRINT REQUESTED BY NGHAM C

REQUESTED A 15:03 03/26/90

ACCT NO-- 0372-007593-5 NAME-- MATSUURA BROTHERS RATE 24
ACCT ST-- INACTIVE COAPP-- PARTNERSHIP
CON/DIS-- 10/30/89 LOCT-- R 33 1 *
ACTIVITY-- NONE PENDING CITY-- BLACKFOOT ID 83221 *

***** METER INFORMATION *****

METER NO S TYP D PH F-SCL CONST INS/RM/CHG T-YR READ CURR PREV DEMAND
49819134W D 5 5 3 9.6 00040 10/27/81 81 91516 91516

RATE 24 RC 5	* C	READ	DAYS	DEM-KW	ENERGY-KWH	BILL	AMT-MTR	*AREA	CODE 080
RA DATE 04/19/83	* 0	10/30	00	0	0	0.00	*	METER	
	* 0	10/30	30	4	40	15.00	*	RT---	01
ELC HT-	* 0	09/28	30	228	64,240	2,195.21	*	SEQ 0290	
HIH VLT 0	* 0	08/29	30	229	80,720	2,782.94	*	LOC-- PD	
IRG USE	* 0	07/28	30	227	144,360	4,485.97	*	INS-- 00	
LRG PWR	* 0	06/28	30	222	49,320	1,921.18	*	UNGRD--	
MUL FAM 1	* 0	05/30	30	230	68,120	2,447.38	*	LNDLRD- 0	
#APTMOB	* 0	04/28	22	226	4,400	150.36	*	APTMOB-	
	* 0	04/06	00	0	0	0.00	*	T A/C	
CONN LD	* 0	11/17	17	0	0	8.50	*	DN EST- 0	
KWH EST	* 0	10/31	30	0	0	15.00	*	ESTCNT-	
MNTH MN	* 0	09/29	30	240	51,840	1,685.32	*	# CHGS-	
FAC CHG	* 0	08/30	30	235	88,480	2,859.61	*	CHG ST- 0	

IDAHO POWER COMPANY
P.O. BOX 460
BLACKFOOT, IDAHO 83221

MISSING
AUG 21 1991

RECEIVED
MAR 29 1990

Department of Water Resources

RECEIVED

MAR 29 1990

Department of Water Resources

PUMP and MOTOR DATA

Cust. Name Matsuura Brothers
Location Morgan Pastures Bpts. Ind.
Make of Motor 4.5 Serial No. 1381015
Horsepower 2.50 RPM 1900 Type R.V.
Frame 1505-P Coupling Bore _____
Phase 3 Cycles _____ Volts 440
F. L. Amps (Nameplate) _____ Test Amps. _____
Base Dia. _____ Height = C.D. Dim. _____
Bearing Nos. Upper _____ Lower _____
Ratchet Yes _____ No _____ Date Installed 4-66

CONTROL DATA

Make _____ No. _____
Heater Coil Size _____ Disconnect Fuse _____

PUMP DATA

Column Size 10" x 1 1/2" x 3" Suction Pipe Size 10" x 5"
Serial No. 44238 Factory No. _____
Head Size 10.6 B. 172.0 Impeller No. TLC. LB.
Pump Size _____ Total Head _____
G. P. M. _____ No. of Stages 14' - 5.5 stage
Well Depth _____ Pump Setting 280'
Well Data _____

TO WHOM IT MAY CONCERN: Regarding purchases by Matsuura Brothers

This is a true copy of pump records of Agricultural Services, Inc. showing pump installed in April, 1966. At this time they also purchased Ames ball & socket handlines and sprinklers.

AGRICULTURAL SERVICES, INC.

Roscoe W. Chaffin
ROSCOE W. Chaffin

MICROFILMED

AUG 21 1991

CURVE NO.
18-146
9-1-78

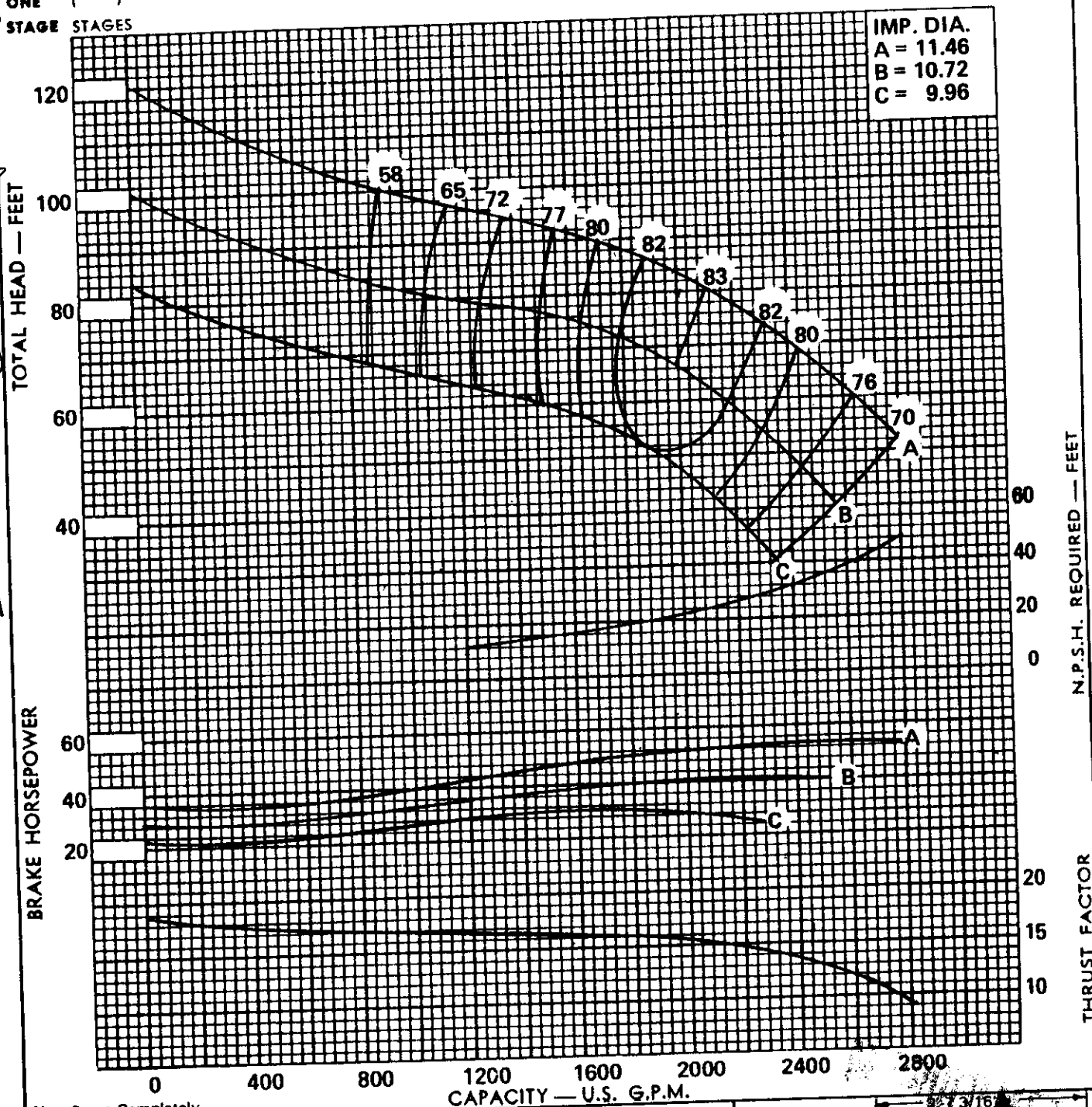
No. Stages	Eff. Change	MATERIAL	Eff. Change
1	-2	IMP.—C.I.	-1
2	0	IMP.—NI-RI	-2
3		BOWL—BRZ.	-1
4		BOWL—NI-R.	-1

14 TLC

1770 R.P.M.

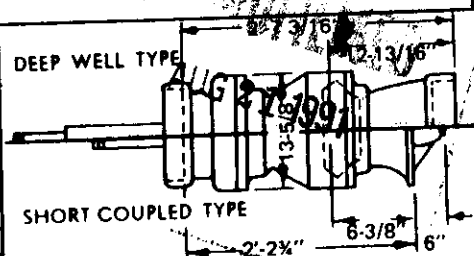
SINGLE STAGE LAB PERFORMANCE WITH STANDARD MATERIALS. EFFICIENCY SHOWN FOR 2 OR MORE STAGES. HORSE POWER SHOWN FOR ONE STAGE BASED ON 2 STAGE EFFICIENCY. CORRECTIONS SHOULD BE MADE FOR STAGES AND MATERIAL.

ONE ()
STAGE STAGES



New Curve Completely

EYE AREA — SQ. IN. = 34.26	IMPELLER WT.-LBS. = 32.1
WR ² PER IMPELLER = 2.72 LB.-FT. ²	ONE STAGE WT.-LBS. = 435
MAX. SPHERE SIZE = 1.25 in.	ADD'L STAGE WT.-LBS. = 164
MAX. NO. STD. STAGES = 7	IMPELLER NUMBER = 7T13
MAX. OPERATING P.S.I. = 390	DISCH. SIZES = 10, 12
STD. LATERAL = 0.78 in.	SUCTION SIZES = 10
STD. SHAFT DIA. = 1.937 in.	MAX. LATERAL = 1.26 in.
MAX. SHAFT DIA. = 2.187 in.	BOWL CONN. FLANGED—COLLETS
MIN. SUBMERGENCE = 36 in.	ADD 13 " PER ADDITIONAL STAGE.



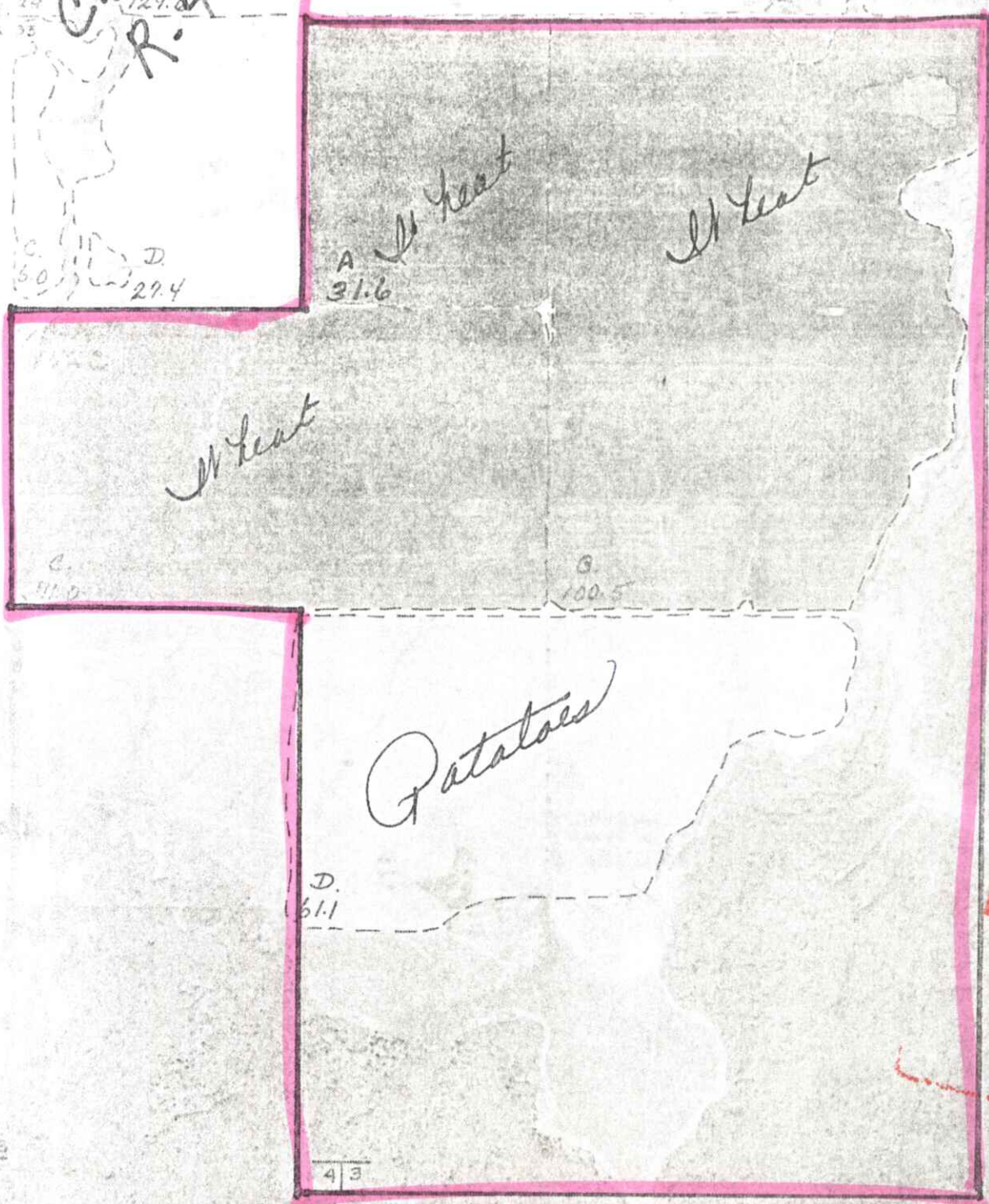
1/3 mat.
2/3 K. Muckelsen

~~100~~

8.
60
C. 148
R.
129.4

2	24
24	33

28	27
33	34



RECEIVED
AUG 21 1991

NOT TO SCALE

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

PAGE

OF

KEY	OPERATOR	FARM NO.	NAME AND ADDRESS	FARM- LAND	CROP- LAND	OPERATOR	KEY	OTHER INTERESTED PRODUCERS		ASSIGNMENT		
								NAME AND ADDRESS	OTHER FARMS	CROP	JOB	
KEY 1	OPERATOR	148	Matsuura Bros Co	3317	2826	Name	3	Kip Matsuura				
		C	1132 E Walker	R-6	Q-6		R-4	4	Doug Nicholl			
		00	Blackfoot Id 83221	S-5	R-3		Q-3	5	Mike Lambert			
KEY 2	OWNER	82-0015367-9	Secs. 22, 27 - TISR 35	Sec. 17, 20	TINR 35	Same	6					
		Sec. 33 - TINR 35	21, 22, 28	6								
		Sec. 23 TISR 35	Sec. 6-7 - TISR 36	Sec. 21, 22 - TINR 35	2W farm.		7					
						PROGRAM YEAR	1981					
						OTHER	WXC-25					

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY				KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE
			St	Brly	Cons							IDENT./MEAS.	ACRES		
	2	3	75.0			4	Sat.	5	6	7	8	9	10	11	12
476C	5	B whl.					71.0	2	100						
142C	R-4	C St Heat	71.0				71.0	1	1/3	Matsuura					
		B St Heat	100.5				100.5	1	1/3	Matsuura					
		B St Heat						3	1/3	K. Matsuura					
467C	R-6	B St Heat	53.2				53.2	1	1/3	Matsuura					
		A St Heat	62.0				62.0	1	1/3	Matsuura					
		A St Heat						4	1/3	D. Nicholl					
469C	A-5	A St Heat	78.7				78.7	1	1/3	Matsuura					
		B St Heat	154.6				154.6	1	1/3	Matsuura					
		C St Heat	40.0				40.3	1	1/3	Matsuura					
469C	R-3	A St Heat	117.7				117.7	1	1/3	Matsuura					
TOTAL OPERATOR REPORT			1464.5				1464.5								
TOTAL REPORTER'S REPORT															

SECTION II - OPERATOR'S CERTIFICATION

"NO OTHER PROGRAM CROPS PLANTED"

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE

DATE

OPERATOR'S SIGNATURE

DATE

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

Form Approved - OMB No. 40-R 1808
Form Approved - OMB No. 40-R 1808

FARM NO.	NAME AND ADDRESS	FARM- LAND	CROP- LAND	OPERATOR	KEY	OTHER INTERESTED PRODUCERS			PAGE
						NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT	
148	Matsuura Bros. 1132 E. Walker Beaumont				3				OF
				OWNER	4				
					5				
				PROGRAM YEAR	6				
				OTHER	7				

2nd farm
Rt 1 Box 4248
Beaumont

RECEIVED
AUG 21 1991

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY				KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE
		3	4	5	6						IDENT./MEAS.	ACRES		
	43.1					1 1/3	Matsuura							
	43.2					5 2/3	M. Lambert							
	34.8					1 1/3	Matsuura							
	34.8					5 2/3	M. Lambert							
	35.1					1 1/3	Matsuura							
	35.1					5 2/3	M. Lambert							
	37.7					1 1/3	Matsuura							
	37.7					5 2/3	M. Lambert							
	35.9					1 1/3	Matsuura							
	35.9					5 2/3	M. Lambert							
	26.8					1 1/3	Matsuura							
	26.8					5 2/3	M. Lambert							
	31.6					1 1/3	Matsuura							
	31.6					3 2/3	T. Mecklen							

SECTION II - OPERATOR'S CERTIFICATION

I, the best of my knowledge and belief that the acreages of crops and land uses herein are true and correct. Further, my signature constitutes authority for ASCS to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE	DATE	OPERATOR'S SIGNATURE	DATE
<i>[Signature]</i>	6-19-81	<i>[Signature]</i>	

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

SECTION 1 - FARM FIELD REPORT (SUMMARY)																	
TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY						KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS		NET ACRES 12	INITIAL DATE 13
														IDENTITY & MEAS. 10	ACRES 11		
			59.9					59.9	1	all							
	B	St Heat															
			58.7					58.7	1	all							
	R	St Heat															
			105.4					105.4	1	all							
	Q	St Heat															
			57.0					57.0	1	all							
	N	St Heat															
			57.8					57.8	1	all							
	M	St Heat															
469C			39.2					39.2	1	1/3	Malsum						
P-3	J	St Heat							2	2/3	X Malsum						
			39.6					39.6	1	1/3	Malsum						
	B	St Heat							2	2/3	X Malsum						

SKETCHES OR REMARKS

MICROFILMED

AUG 21 1991

FARM

REPORT OF ACREAGE

USDA - ASCS

Form Approved - OMB No. 40-R1808

NOTE: Sect. 1374a, 7U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

PAGE
OF

FARM NO.	NAME AND ADDRESS	FARM LAND	CROP LAND	OTHER FARMS	OPERATOR	KEY	OTHER INTERESTED PRODUCERS		ASSIGNMENT	
							NAME AND ADDRESS	OTHER FARMS	CROP	JOB
					OWNER	3				
						4				
						5				
					PROGRAM YEAR 1981	6				
					OTHER	7				

FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

CROP OR LAND USE	CROP OR LAND USE SUMMARY				KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE			
	3	4	5	6						7	8			9	10	
															IDENT./MEAS.	ACRES
Wheat 50.0																
Wheat 155.4																
Wheat 300.2																
Wheat 11.1																
Wheat 1230																
Wheat 154.3																
Wheat 74.4																
Wheat 23.5																
Wheat 167.1																
REPORTER'S REPORT																
OPERATOR'S CERTIFICATION																

I certify under oath that the acreages of crops and land uses are true and correct. Further, my signature constitutes authority for ASCS to make any program determinations.

OPERATOR'S SIGNATURE

DATE

OPERATOR'S SIGNATURE

DATE

1982

8. 60
29 28
32 33
C. 129.6
R. 4

26 27
33 34

C. 60
D. 29.4

Potatoes

McKelson
matsumi

C. 71.0

B. 180.5

fall
heat

D. 61.1

MICROFILMED
AUG 21 1991

32 33

4 3

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

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OF

KEY	FARM NO.	NAME AND ADDRESS	FARM LAND	CROP LAND	OPERATOR	KEY	OTHER INTERESTED PRODUCERS		ASSIGNMENT		
							NAME AND ADDRESS	OTHER FARMS	CROP	JOB	
1	148	Matsuura Bros Co	3317	2826	Name OWNER	3					
	C	1132 E Walker	R-6	Q-6		R-4	4				
	00	Blackfoot Id 83221	S-5	R-3		Q-3	5				
2					Same PROGRAM YEAR	6					
						1982	7				
						OTHER					
					WLC						

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY						KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE
			WHT	BRLY	CORN	OATS	OTHER	CUA						IDENT./MEAS.	ACRES		
148	2	Spring	40.0						5	6	7	8	9	10	11	12	13
	B	11th. Gr.															
	B ²	Spring	54.0														
		11th. Gr.															
142C		Fall 11th	82.7														
	C	Grain															
		Fall	82.7														
	A	11th Grain															
142C		Fall	61.1														
	A	11th Grain															
	167C		Fall	78.6													
		C	11th Gr.														
169C		Fall	48.4														
	A	11th. Gr.															
	6-3		Fall	75.7													
		A	11th Gr.														
		Fall	154.6														
	B	11th Gr.															
TOTAL OPERATOR REPORT			1280.0														
TOTAL REPORTER'S REPORT																	

SECTION II - OPERATOR'S CERTIFICATION "NO OTHER PROGRAM CROPS PLANTED"

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE

DATE

OPERATOR'S SIGNATURE

DATE

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY						KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS		NET ACRES 12	INITIAL & DATE 13
			4											IDENTITY & MEAS. 10	ACRES 11		
		Soil	110.0														
	C	1141 Gr.															
		Soil	105.2														
	B	1142 Gr.															
		Soil	28.5														
	J	1141 Gr.															
		Soil	117.2														
	K	1141 Gr.															
		Soil	54.1														
	L	1141 Gr.															
		Soil	81.7														
		1141 Gr.															
		Soil	80.6														
	K	1141 Gr.															
		Soil	37.3														
	H	1141 Gr.															
		Soil	37.2														
	C	1141 Gr.															

APPENDED
AUG 21 1991

SKETCHES OR REMARKS

SKETCHES OR REMARKS

REMOVED
AUG 21 1991

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

PAGE

OF

KEY	FARM NO.	NAME AND ADDRESS	FARM- LAND	CROP- LAND	O T H E R F A R M S	OPERATOR	OTHER INTERESTED PRODUCERS				ASSIGNMENT	
							KEY	NAME AND ADDRESS	OTHER FARMS	CROP	JOB	
KEY 1						OWNER	3					
							4					
							5					
KEY 2						PROGRAM YEAR	6					
						OTHER WLC	7					

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

[illegible]

SECTION II - OPERATOR'S CERTIFICATION "NO OTHER PROGRAM CROPS PLANTED"

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE

DATE _____

OPERATOR'S SIGNATURE _____

DATE _____

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY				KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS		NET ACRES 12	INITIAL & DATE 13
			4									IDENTITY & MEAS. 10	ACRES 11		
148C	H B														
46	C D														
	E F														
	G H	Potatoes 296.5													
	B'	Peas 40.0													
142C	B														
R-4	C	Potatoes 171.5													
46R	B														
R-6	C	Potatoes 115.2													
50		Potatoes 155.3													
469C	Q R														
R-3	N M														
	O P	Potatoes 456.5													
	I														
	B	Potatoes 78.8													
	F														
	E	Pasture 1313.8													

SKETCHES OR REMARKS

FILED
AUG 21 1991

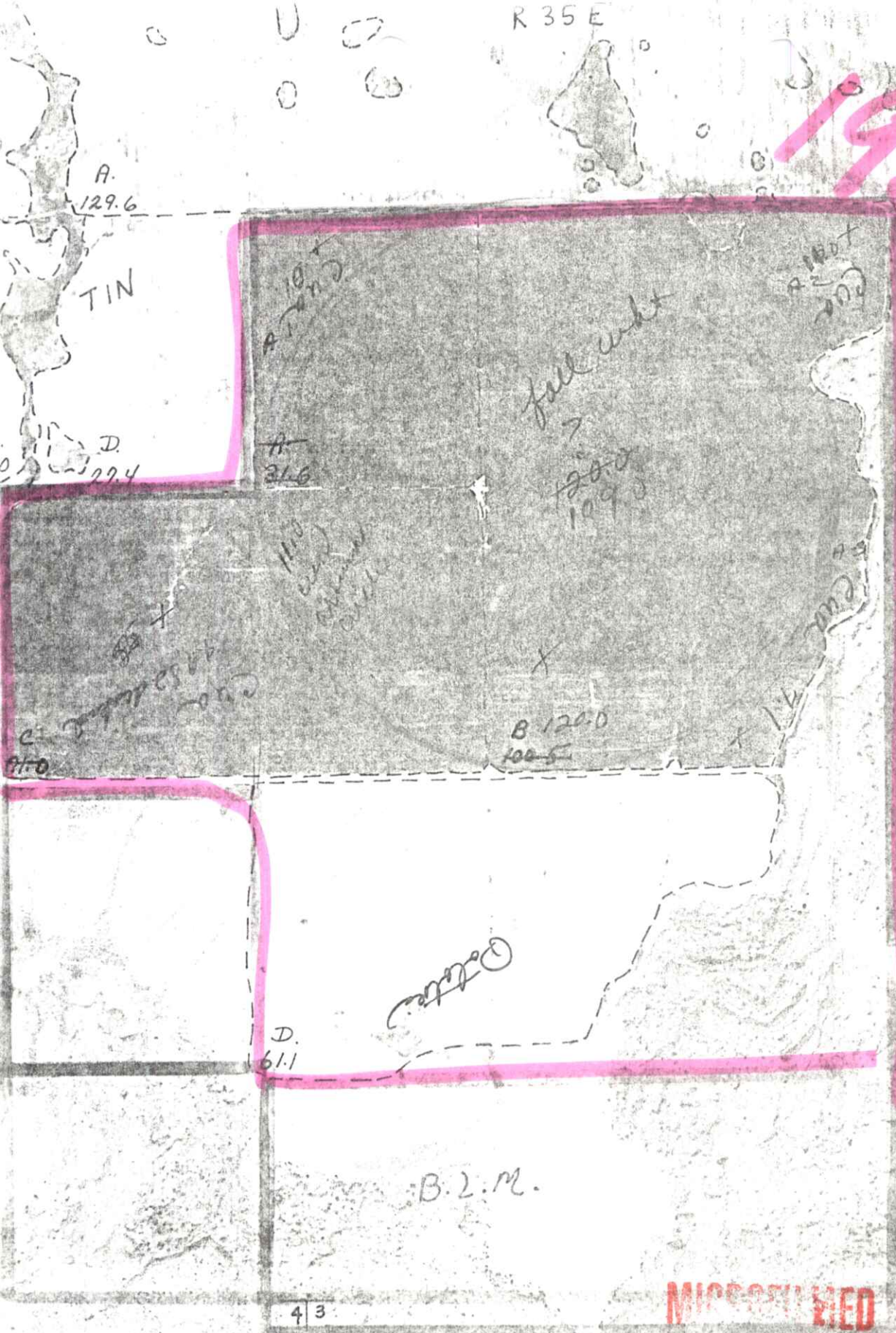
Operated
by 2-41 Jan 1991

R 35 E

R-74

1983

32 27
35 34



4 3

MICROFILMED

33 34

AUG 21 1991

~~ASC-578~~
(5-7-78)

REPORT OF ACREAGE

USDA - ASCS

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96	96
97	97
98	98
99	99
100	100

OF 2

		FARM NO.		NAME AND ADDRESS		FARM- LAND	CROP- LAND	OPERATOR	OTHER INTERESTED PRODUCERS					ASSIGNMENT	
									KEY	NAME AND ADDRESS		OTHER FARMS	CROP	JOB	
KEY 1	OPERATOR	148		Matsuura Bros Co		3317	2826	NONE	3						
		C		1132 E Walker		R-6	Q-6 R-4	OWNER	4						
		00		Blackfoot Id 83221		S-5	R-3 Q-3	FARM- LAND	5						
		82-0015367-9						SAME	6						
KEY 2	OWNER	Sec. 22-28 T1S R35		Sec. 21-22 T1N R35				PROGRAM YEAR	7						
		Sec. 33 T1N R35		Sec. 17-2021-22-28				1983	8						
		Sec. 23 T1S R35		T1N R35				OTHER	9						
		Sec. 6-7 T1S R36						WLC - 25	10						

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

[illegible]

SECTION II - OPERATOR'S CERTIFICATION "NO OTHER PROGRAM CROPS"

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE

DATE _____

OPERATOR'S SIGNATURE

DATE _____

 $16/24/8:$

6-248

FILED
AUG 21 1991

1 - OPERATOR'S CERTIFICATION

DATE _____

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled In by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY					KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS		NET ACRES 12	INITIAL DATE 13	
			4										IDENTITY & MEAS. 10	ACRES 11			
R-3 469C	B	Cua															
R-6 148C	B1	Pears															
	B2	Wht															
	B3	Cua															
	E	Wht															
	D	Cua															
R-3 469C	F	Pasture															
	E	Pasture															
	A	Potatoes															
R-4	D	Potatoes															
R-6 469C		Potatoes															

SKETCHES OR REMARKS

V
483

1984

B.
6.0
29 28
32 33
A.
129.6

380

624

C.
6.0
D.
29.4

E-148
142.6

40.0
spikes

C
71.0

B.
100.5

fall
spaw R + R
wheel
law

D.
61.1

120 acres
degl
Pears

ACK

summer
fallow

UNRECORDED
APR 1 1991

corner
43d
CL
Gull
1983
sub
base

5/8
-7-78)

REPORT OF ACREAGE

USDA-ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

Form Approved - OMB No. 0560-0004

PAGE
1 OF 3

FARM NO. 148
NAME AND ADDRESS Matsuura Bros Co
1132 E Walker R-6 Q-6 R-4
Blackfoot Id 83221 S-5 R-3 Q-3
82-0015567-9

OPERATOR
none

OWNER
same

PROGRAM YEAR
1984

OTHER
WLC-47

KEY	NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT
3	Rip Mickelson		
4	R & R Farms		
5			
6			
7			

SEC 22, 28 T1S R35 Sec 17, 20, 21, 22,
Sec. 33, T1N R35 28 T1W R35
Sec. 23 T1S R35
Sec 6 & 7 T1S R34
Sec. 21, 22, 23 T1N R35

SECTION I - FARM FIELD REPORT (NOTE: Gray Shaded Area to be Filled in by Reporter ONLY.)

ST	FIELD NO.	CROP OR LAND USE	Wht	BRLY	oats	corn	aer	pot	grape	KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS	NET ACRES	INITIAL & DATE
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
R-3	169C	A	HRS 906 R	78.7						5	1/3						
		G	Wht. gn	78.7						4	2/3						
			Swk fall	81.7						1	1/3						
			" " Rows	81.7						3	2/3						
		D	Rows	80.6						1	1/3						
			" " "	80.6						3	2/3						
		H	" Rows "	37.3						1	1/3						
			" "	37.3						3	2/3						
		C	" Rows "	37.2						1	1/3						
			" "	37.2						3	2/3						
		A	" Rows "	56.0						1	1/3						
			" "	57.9						3	2/3						
		K	" Rows "	42.2						1	1/3						
			" "	40.8						3	2/3						
		J	" Rows "	35.1						1	1/3						
			" "	35.1						3	2/3						
		L	" Rows "	54.1						1	1/3						
			" "	54.1						3	2/3						
				960.5						1	1/3						
				960.6						3	2/3						
				964.6						1	1/3						
				235.2	412.2	666.5	269.6										
				259.3	404.1	667.0	269.6										

TAL OPERATOR REPORT

TAL REPORTER'S REPORT

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the data furnished herein are true and correct.

SECTION I - FARM FIELD REPORT (Continued) (Gray Area to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY						KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	
														IDENTITY & MEAS.	ACRES		
1	2	3	4						5	6	7	8	9	10	11	12	13
		HRS 906R	59.9						1	1/3		official					
	Q	whl. gum	59.9						4	2/3		official					8/20/84
		HRS 906R	58.7						1	1/3		official					
	R	" "	58.7						4	2/3		official					
		906R	43.2						1	1/3		official					11
18C	A	" "	43.2						4	2/3		official					
		906R	43.1						1	1/3		official					11
	B	" "	43.1						4	2/3		official					11
		Dark Brown	34.8						1	1/3		official					
	C	" fall "	34.8						4	2/3		official					11
		Dark Brown	33.9						1	1/3		official					11
	D	" fall "	33.9						4	2/3		official					
16		Dark Brown	78.6									official					8/20/84
167C	C	" fall "	78.6						1	all		official					
		Dark Brown	44.4									official					8/20/84
	D	" fall "	44.4						1	all		official					
14		Dark fall	61.1						1	1/3		official					
12C	D	" large "	61.1						4	2/3		official					11

SKETCHES OR REMARKS

REPORT OF ACREAGE

USDA - ASCS

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PAGE

2 OF 3

FARM NO.	NAME AND ADDRESS	FARM LAND	CROP LAND	OPERATOR	KEY	OTHER INTERESTED PRODUCERS		ASSIGNMENT	
						NAME AND ADDRESS	OTHER FARMS	CROP	JOB
148	Matsuura Bros Co	2820	3317	OWNER	3				
C	1132 E Walker R-6	2545			4				
00	Blackfoot Id 83221 S-5 R-5 Q-3				5				
32	117-9				6				
					7				

AUG 21 1991

SECTION I - FARM FIELD REPORT (NOTE: Gray Shaded Area to be Filled in by Reporter ONLY.)

ACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY				KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE
			1	2	3	4						5	6		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
		Barren			43.1										
		Circle ACR			48.9										
		Roads													
		Graded													
		Grassland			40.0										
		ACR			39.5										
		Grassland			37.7										
		ACR			38.6										
		"			58.1										
		"			38.9										
		"			38.9										
		"			26.8										
		"			26.8										
		"			5.3										
		ACR			3.4										
		"			117.7										
		"			117.1										
		"			105.4										
		"			105.4										

TOTAL OPERATOR REPORT

TOTAL REPORTER'S REPORT

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses reported herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE

DATE

OPERATOR'S SIGNATURE

DATE

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled In by Reporter ONLY.)

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY)															
TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY				KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS		NET ACRES 12	13
			4									IDENTITY & MEAS. 10	ACRES 11		
		Forest				POT									8/20/84
						28.5				Official					
						28.5				Official					
						105.2				Official					8/20/84
	S	"				105.2				Official					
						39.2				Official					8/20/84
	I	"				39.2				Official					
						39.6				Official					8/20/84
	B	"				39.6				Official					
						73.2				Official					8/20/84
48C	A	"				73.2				Official					
						61.6				Official					
	B	"				61.6				Official					11
						82.7				Official					11
	C	"				82.7				Official					
						82.7				Official					11
	D	"				82.7				Official					
						57.8				Official					11
409C	"	"				57.8				Official					

AUG 27 1991
 1601 13 590

SKETCHES OR REMARKS

57.0
57.0

Official

U.S. Government Printing Office: 1982-509-833/1020 2-1

11

Land designated as ACR meets 2 yr cropping requirements or
 eligibility requirement as applicable DM
 6.6-84

REPORT OF ACREAGE

USDA - ASCS

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PAGE

3 OF 3

KEY	OPERATOR	FARM NO.	NAME AND ADDRESS	FARM- LAND	CROP- LAND	OPERATOR	KEY	OTHER INTERESTED PRODUCERS		ASSIGNMENT	
								NAME AND ADDRESS	OTHER FARMS	CROP	JOB
1	None	C-148	Mitsunori				3				
							4				
							5				
2							6				
							7				

PROGRAM YEAR 1984

OTHER

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY				KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE
			1	2	3	4						IDENT./MEAS.	ACRES		
2C	2	Plant Seed Circle				120.0	5			Official	5/10/84				8/20/84
						14.1									
2C	A	Plant Seed				62.0				Official					11
						62.0									
2C	B	Plant Seed				53.2				Official					11
						53.2									
2C	3	Plant alfalfa				40.0				Official					11
						40.0									
2C	B	Plant alfalfa				154.6				Official					11
						154.6									
2C	F	Plant alfalfa				38.6				Official					11
						38.6									
2C	F	Plant alfalfa				36.4				Official					11
						36.4									
2C	1	Plant alfalfa	17.5				1	1/3		Official					11
		38.6													

TOTAL OPERATOR REPORT

TOTAL REPORTER'S REPORT

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE

DATE

OPERATOR'S SIGNATURE

DATE



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 26, 1990

Matsuura Brothers Co. Inc.
1132 E. Walker
Blackfoot, ID 83221

Re: Application for Permit No. 35-8211

Dear Applicant(s):

NOTICE OF PENDING ORDER VOIDING APPLICATION

On June 15, 1983, you filed with the Department of Water Resources (Department) Application for Permit No. 35-8211 which proposed the diversion of 4.92 cubic feet per second from groundwater for the irrigation of 268 acres.

The Department mailed a letter and questionnaire to you on February 22, 1990 in connection with the application. The letter provided notice that the Department was reviewing the application in connection with development which was not complete prior to October 1, 1984.

This letter also requested that you return the Department's questionnaire concerning your present possessory interest in the place of use, any prior development under the application and/or your plans for pursuing completion of the proposed project. The letter notified you that failure to complete and return the questionnaire within thirty (30) days of the date of the letter was cause for the Department to void the application.

The purpose of this letter is to provide a second and final opportunity for you to submit the requested information. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order voiding the application pursuant to Water Appropriation Rule 4,5,1.

If no development has been completed as proposed by the application, and you are no longer interested in pursuing the development, please complete and return the enclosed withdrawal form. Please note, if you are using water without an approved permit, the Department may issue an order requiring you to cease diverting the water.

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

Sincerely,

TIM LUKE
Sr. Water Resource Agent

RECEIVED

AUG 21 1991

Enclosure
cc: Region



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 22, 1990

RE: APPLICATION FOR PERMIT NO. 35-8211

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (in particular, Rules 4,5,3. thru 4,5,3,5, apply to your project if it is more than 200 acres).

RECEIVED

AUG 21 1991

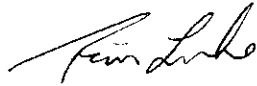
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

INDEXED

AUG 21 1991