

STARTING LEFT SIDE OF FILE

SCANNED
(2)

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUN 10 1996

FEB 20 1997

Department of Water Resources
Eastern District Office

DATE OF CLOSING: May 29, 1996

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: SEE ATTACHED EXHIBIT "A"

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[X] Water Rights Number(s)
Assigned by IDWR:

35-02763B; 35-04196; 35-07154; A35-02178C;
A35-10671; A35-02763B; A35-04196; A35-07154;
A35-10672; A35-02165; A35-02182C; A35-07023
A35-02447A; A35-02179B; 35-08211 and
35-08722 PERMIT

[X] Name and Address of Former
Owner/Claimant(s)(Seller):

Matsuura Brothers Land Company and
Matsuura Brothers Partnership
426 North 150 West
Blackfoot, Idaho 83221

[X] New Owner/Claimant
(Purchaser):

Cornelison & Olsen

[X] New Mailing Address:

Post Office Box 396
Rexburg, Idaho 83440

[X] New Telephone Number:

(208) 356-4402

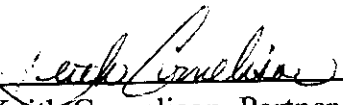
[X] Does the change in ownership result in a splitting of the water right owned/claimed?
_____ yes X no. If yes, then describe the portion of the water right that is
now owned/claimed by the new owner:

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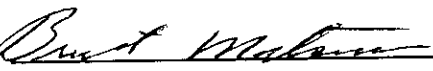
[] Attach proof of ownership,
describe proof attached: see attached Grant Deed

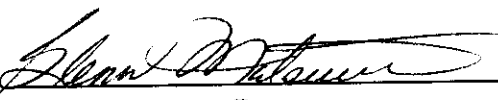
[X] Signature of New
Owner/Claimant(s) CORNELISON & OLSEN
an Idaho general partnership

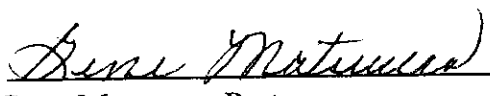
By: 
Keith Cornelison, Partner

By: 
Ronald Olsen, Partner

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

By: 
Brent Matsuura, Partner

By: 
Glenn Matsuura, Partner

By: 
Gene Matsuura, Partner

By: Matsuura Brothers Company, Inc.

By: 
Its President

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MATSUURA BROTHERS PARTNERSHIP
an Idaho general partnership

By: Brent Matsuura
Brent Matsuura, Partner

By: Glenn Matsuura
Glenn Matsuura, Partner

By: Gene Matsuura
Gene Matsuura, Partner

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: By:
Further Action Needed:

Further Action Taken
Date: By:

Final Review and Data-Entry
Date: By:
Claim Number of Split, if any:

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

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

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35441
a m
COPY

444450
GRANT DEED

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE 300 DEP SP

96 MAY 29 PM 3:52

RECORDED AT THE REQUEST OF

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

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

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

A35-02178C Section 22: W½

A35-02182C Section 23: E½ EXCEPT that land lying Westerly of the North-South County Road

Section 26: A portion of the NE¼SW¼ of Section 26 described as: Beginning at a point 25 feet W. and 725 feet S. of the NE corner of the SW¼ of said Section 26, thence W. 300 feet; thence N. 50 feet; thence E. 300 feet; thence S. 50 feet to the point of beginning.

ALSO, Beginning at a point 25 feet W. and 825 feet S. of the NE corner of the SW¼; thence due W. 300 feet; thence due N. 100 feet; thence due W. 100 feet; thence S. Easterly in a straight line 588 feet, more or less, to a point which is 120 feet W. of the W. right-of-way line of the North-South County Road bordering said tract on the E. side thereof; thence due E. 120 feet to said W. right-of-way line; thence N. along said W. right-of-way line 400 feet to the point of beginning.

AND ALSO, Beginning at a point 25 feet W. and 725 feet S. of the NE corner of the SW¼ of said Section 26; and running

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

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

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

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

none — Section 6: Lot 7

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

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

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

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

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

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

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

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

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

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

A35-04196 } Section 33: W $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

A35-02763B }
35-08211 }

SUBJECT TO the following:

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

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2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
3. Taxes and assessments for the year 1996 and for subsequent years.
4. Power line easement granted to Idaho Power Company recorded in Book Q of Miscellaneous, Page 226.
(covers Sec. 28-1S-35)
5. Power line easement granted to Idaho Power Company recorded as Instrument No. 30616.
(covers Sec. 28-1S-35)
6. Easement for perpetual right-of-way and public road granted to Bingham County recorded as Instrument No. 34635.
(covers portion of Sec. 22-1S-35 and other property)
7. Easement for perpetual right-of-way and public road granted to Bingham County recorded as Instrument No. 35375.
(covers Sec. 23-1S-35)
8. Power line easement granted to Idaho Power Company recorded as Instrument No. 41040.
(covers S $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 22-1S-35 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 23-1S-35)
9. Power line easement granted to Idaho Power Co. recorded as Instrument No. 68425.
(covers SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 21-1N-35)
10. Power line easement granted to Idaho Power Co. recorded as Instrument No. 84631.
(covers Sec. 28-1N-35)
11. Power line easement granted to Idaho Power Company recorded as Instrument No. 129214.
(covers SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 23-1S-35)

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12. Provisions in deed to Matsuura Brothers, a co-partnership recorded as Instrument No. 136008, substantially as follows: Subject however to all road rights of way now in existence along the boundary lines of said premises to be used in common with the owner or owners of adjoining properties as heretofore used, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
(covers Sec. 6, 7, and 18 all of 1S-36)
13. Power line easement granted to Idaho Power Company recorded as Instrument No. 185153.
(covers Sec. 28-1S-35)
14. Easement for a road right-of-way in favor of Idaho Power Co. disclosed by deed recorded as Instrument No. 262240.
(covers Sec. 22-1S-35)
15. Financing Statement covering 51X199 Behlen Curvet Metal Storage Unit.
Recorded: August 13, 1991, Instrument No. 400577
Debtor: Matsuura Bros. Partnership
Secured Party: Keycorp Leasing Ltd.
(covers Sec. 28-1S-35 and other property)
16. Financing Statement covering irrigation equipment.
Recorded: September 22, 1992, Instrument No. 410185
Debtor: Matsuura Brothers
Secured Party: Snake River Valley, Inc.

ASSIGNED TO Diversified Financial Services, Inc., by Instrument recorded September 22, 1992, Instrument No. 410185.
(covers Sec. 22-1N-35)

17. Financing Statement covering irrigation equipment.
Recorded: September 22, 1992, Instrument No. 410186
Debtor: Matsuura Brothers
Secured Party: Snake River Valley, Inc.

ASSIGNED TO Diversified Financial Services, Inc., by Instrument recorded September 22, 1992, Instrument No. 410186.
(covers Sec. 22-1N-35)

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18. Financing Statement covering irrigation equipment.
Recorded: December 15, 1992, Instrument No. 412156
Debtor: Matsuura Brothers Land Co., a Partnership
Secured Party: Dept. of Water Resources
(covers Sec. 33-1N-35)
19. Financing Statement covering pump.
Recorded: December 15, 1992, Instrument No. 412157
Debtor: Matsuura Brothers Land Co., a Partnership
Secured Party: Dept. of Water Resources
(covers Sec. 6, 7 and 18 all of 1S-36)
20. Financing Statement covering pump.
Recorded: December 15, 1992, Instrument No. 412158
Debtor: Matsuura Brothers Land Co., a Partnership
Secured Party: Dept. of Water Resources
(covers Sec. 20-1N-35)
21. Deed of Trust and Fixture Filing dated May 27, 1993 to secure an indebtedness in the principal sum of \$562,000.00, and any other amounts and/or obligations secured thereby.
Recorded: June 2, 1993, Instrument No. 416092
Grantor: Matsuura Brothers Land Company, a partnership, composed of Brent Matsuura, Glenn Matsuura, and Gene Matsuura
Trustee: First American Title Company
Beneficiary: Northwest Farm Credit Services, ACA
(covers portion of Sec. 28-1S-35)
22. Financing Statement covering irrigation equipment.
Recorded: July 15, 1993, Instrument No. 417160
Debtor: Matsuura Brothers Company
Secured Party: Snake River Valley Irrigation
- ASSIGNED TO Diversified Financial Services, Inc., by Instrument recorded July 15, 1993, Instrument No. 417160.
(covers Sec. 23-1S-35)
23. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

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24. Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof.
25. Easement for perpetual right-of-way and public road granted to Bingham County recorded as Instrument No. 34636.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, in law and in equity, of the GRANTOR.

TO HAVE AND TO HOLD the premises and the appurtenances unto the GRANTEE, and to the GRANTEE's successors and assigns forever.

In construing this Grant Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the GRANTOR has executed the within instrument the day and year first above written.

MATSUURA BROTHERS LAND COMPANY
an Idaho general partnership

By: _____
Brent Matsuura
Its: Partner

By: _____
Glenn Matsuura
Its: Partner

By: _____
Gene Matsuura
Its: Partner

By: MATSUURA BROTHERS COMPANY, INC., Partner

By: ~~MICROFILMED~~ _____
President
AUG 05 1999

MATSUURA BROTHERS PARTNERSHIP
an Idaho general partnership

By: _____
Brent Matsuura
Its: Partner

By: _____
Glenn Matsuura
Its: Partner

By: _____
Gene Matsuura
Its: Partner

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 29th day of May, in the year 1996, before me, the undersigned, a notary public in and for said state, personally appeared **Brent Matsuura**, known or identified to me to be one of the partners of MATSUURA BROTHERS LAND COMPANY, an Idaho general partnership, the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership 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.

(seal)

Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: _____

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AUG 05 1999

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 29th day of May, in the year 1996, before me, the undersigned, a notary public in and for said state, personally appeared **Glenn Matsuura**, known or identified to me to be one of the partners of MATSUURA BROTHERS LAND COMPANY, an Idaho general partnership, the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership 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.

(seal)

Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires:_____

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 29th day of May, in the year 1996, before me, the undersigned, a notary public in and for said state, personally appeared **Gene Matsuura**, known or identified to me to be one of the partners of MATSUURA BROTHERS LAND COMPANY, an Idaho general partnership, the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership 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.

(seal)

Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires:_____

MICROFILMED
AUG 05 1999

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 29th day of May, in the year 1996, before me, the undersigned, a notary public in and for said state, personally appeared _____, known or identified to me to be the President of **Matsuura Brothers Company, Inc.**, the corporation which is known or identified to me to be one of the partners of MATSUURA BROTHERS LAND COMPANY, an Idaho general partnership, the partnership that executed the instrument or the person who executed the instrument as President of the corporation which is a partner of the partnership on behalf of said partnership, and acknowledged to me that such partnership 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.

(seal)

Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: _____

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 29th day of May, 1996, before me the undersigned, a notary public in and for said State, personally appeared **Glenn Matsuura**, known or identified to me to be one of the partners in the partnership of MATSUURA BROTHERS PARTNERSHIP, an Idaho general partnership and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

(seal)

Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: _____

MICROFILMED
AUG 05 1999

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 29th day of May, 1996, before me the undersigned, a notary public in and for said State, personally appeared **Brent Matsuura**, known or identified to me to be one of the partners in the partnership of MATSUURA BROTHERS PARTNERSHIP, an Idaho general partnership and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

(seal)

Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: _____

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 29th day of May, 1996, before me the undersigned, a notary public in and for said State, personally appeared **Gene Matsuura**, known or identified to me to be one of the partners in the partnership of MATSUURA BROTHERS PARTNERSHIP, an Idaho general partnership and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

(seal)

Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: _____

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08722

Priority: April 21, 1989

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that MATSUURA BROTHERS PARTNERSHIP

C/O GLENN MATSUURA

426 N 150 W

BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 21, 1989; and has submitted Proof of Beneficial Use on December 8, 1989. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
INDUSTRIAL	10/01 to 05/01	0.01 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 26, Township 01S, Range 35E
BINGHAM County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

01S 35E 26

NESW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Industrial use is for potato storage cellar humidifiers.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 15TH day of JUNE, 1995.

Acting for

KARL J. DREHER, Director

JUN 27 1995

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08722

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50⁰⁰ Received by AMD # E021117 Date 8 June 95
LR:KCW
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. 35-08722 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Industrial use is for potato storage cellar humidifiers.

Witness my hand this 15th day of JUNE, 19 95.

Karl J. Dreher
Acting for KARL J. DREHER, Director

RECEIVED
JUN 27 1995

RECEIVED

DEC 12 1989

Form 217

RECEIVED

no fee encl
Department of Water Resources

STATE OF IDAHO

DEC 08 1989

DEPARTMENT OF WATER RESOURCES

For Office Use Only

Fee Received _____

Date _____

Receipt # _____

Receipt by _____

Reviewed by DS-2-23-90

Sent to region _____

Department of Water Resources
Eastern District Office

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-8722

Name(s) of Permit Holder: Matsaura Brothers Partnership % Glenn Matsaura

Post Office Address: 426 N 150 W, Blackfoot Id. 83221

Telephone No. 785-2948

Source of Water: _____

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark Industrial (Potato Cellar

humidifier)

Total rate and/or volume for which proof is submitted 0.04 cfs _____ acre-foot

Show the date water was first diverted and beneficially used under this permit: 1976

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Fee enclosed \$ 6
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Person to contact to accompany the Department representative during the field examination:

Same as above

(Name)

(Telephone Number)

(Address)

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.

FILED

MAR 06 1990

8 Dec 1989

Date

Glenn Matsaura
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08722

Proposed Priority: April 21, 1989

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **MATSUURA BROTHERS PARTNERSHIP**
C/O GLENN MATSUURA
426 N. 150 W.
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>
INDUSTRIAL	10/01 to 05/01	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSNW

Sec. 28, Township 01N, Range 35E
BINGHAM County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

01N 35E 28

SWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Industrial use is for potato storage cellar humidifiers.

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

19th day of October, 1989.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

OCT 26 1989

Ident. No. 35-08722

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: MATSUURA BROTHERS, PARTNERSHIP 208-785-2948
Address: C/O GLENN MATSUURA
426 N. 150 W.
BLACKFOOT, ID 83221
2. Source: GROUNDWATER Trib. to:
3. Location of point of diversion:
- | Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|---|-----|---------|
| 01N | 35E | 28 | NW ~~NW~~ SW ~~SW~~ <i>SW</i> | NW | BINGHAM |
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AFA |
|------------|-------|-------|-----|-------|-----|
| INDUSTRIAL | 10/01 | 05/01 | | 0.040 | |
5. Total quantity appropriated is:
0.040 CFS (and/or) AFA
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc.
WELL W/ SUBMERSIBLE PUMP & PIPELINE TO POTATOE CELLAR HUMIDIFIER
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is 8 inches; proposed depth of well is 200 feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
8. Description of proposed uses:
INDUSTRIAL USE AT POTATOE STORAGE CELLAR HUMIDIFIERS

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OCT 26 1989

9. Description of place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	35E	28	<i>SW</i> NW		INDUST	

10. Describe any other water rights used for the same purposes.
NONE

11. 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.

12. Remarks:

WELL HAS BEEN USED SINCE EARLY 1970'S.

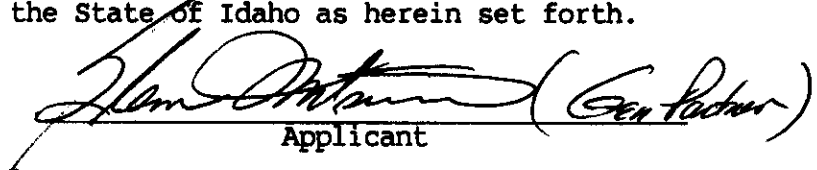
MATSUURA BROTHERS, PARTNERSHIP: GLENN MATSUURA (APP.)

GENE MATSUURA - 1132 E. WALKER, BLACKFOOT
785-4567

BRENT MATSUURA - 1132 E. WALKER, BLACKFOOT
357-5272

13. Map of proposed point of diversion and place of use attached? ☒

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.


Applicant

Received by EG Date 4-21-89 Time 12:35 Preliminary check by DMB

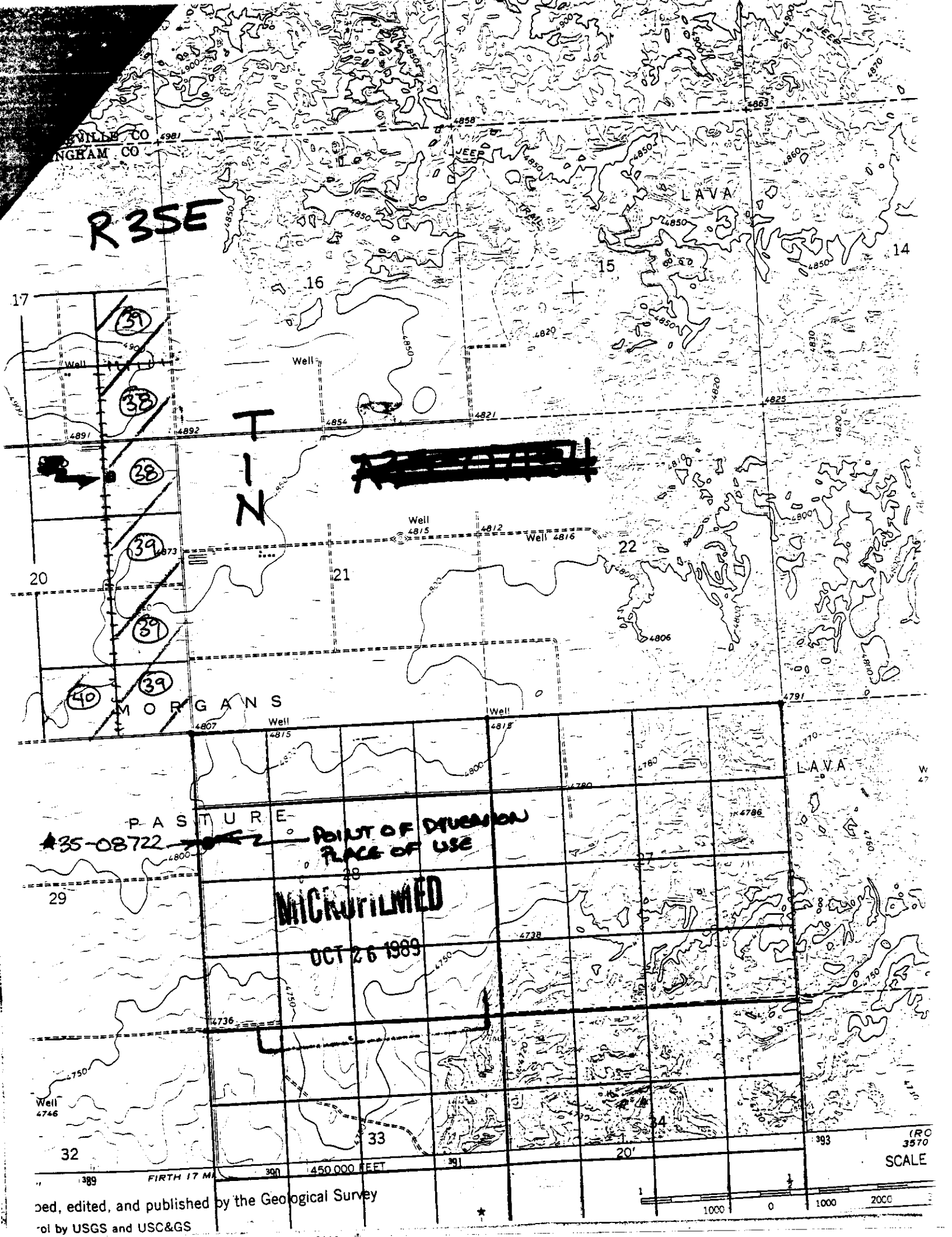
Fee \$ 30.00 Receipted by HLJS # 1200825 Date 5-30-89

Publication prepared by RB Date 7-13-89 Published in Morning News 7-20-89 7-27-89

Publication approved CW Date 8-24-89 8-3-89 10-89

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OCT 26 1989



NEVADA CO
INGHAM CO

R 35E

T
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~~XXXXXXXXXXXX~~

MORGANS

PASTURE

POINT OF DIVERSION
PLACE OF USE

MICKFILMED

OCT 26 1989

(RC
3570
SCALE

red, edited, and published by the Geological Survey
ol by USGS and USC&GS

**NOW
STARTING
RIGHT
SIDE OF
FILE**



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

July 7, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CORNELISON & OLSEN
PO BOX 396
REXBURG ID 83340

RE: Water Right 35-08722

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right 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,

L. Glen Saxton
for L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

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AUG 05 1999

Law Offices
HOLDELL, KIDWELL, HAHN & CRAPO, P.A.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)
Robert B. Holden
(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

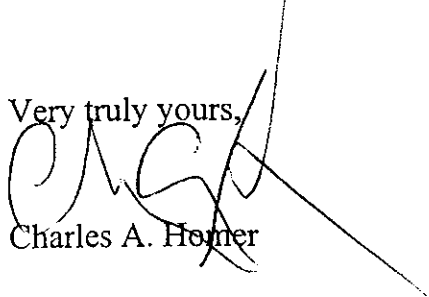
Department of Water Resources
Eastern District Office

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

G:\WPDATA\CAH\8470\UDWR0604.LTR:jbt

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AUG 05 1999



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 15, 1995

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

RE: WATER RIGHT NO. 35-08722

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED

JUN 27 1995

INTER-DEPARTMENT MEMO--1

FROM S.W. Keen

DATE June 5, 1995

TO File 35-08722

SUBJECT Conversation with Glenn Matsuura

Mr. Matsuura called today to request some additional time to respond to our amendment request. I said I would put a note in the file to say that he called and that he will respond soon.

RECORDED

JUN 27 1995

Shelby Walter Keen
SIGNATURE



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 17, 1995

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

RE: WATER RIGHT NO. 35-08722

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

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LICENS. REVIEW CHECKLIST

PERMIT NO. 35-08722

DATE 5/10/95



NAME ☒ Change OK ☐ Or Address Change?

PRIORITY DATE ☒ Advance? Advanced to:
 Order to reinstate needed?
 Incorrect fee for rate recommended? NA

SOURCE ☒ Changes or just clarification of originally intended source?
 Notice of Intent to Void necessary?

POINT OF DIV ☒ Amendment needed? Change to NWSW/SEC 26/15/35E
 ☒ Overlaps? (or NESW) per skip

PLACE OF USE ☒ Amendment needed? Change to NWSW-SEC 26-15-35E
 ☒ Overlaps? (NESW) per skip

DIV RATE ☒ Permit/fee limits: .04 CFS
 Meas Q = Theo Q = .03 Recommend: .01
2 humidifiers @ 72 gal/hr = 1.29 gpm = .01 CFS
 Combined rates exceed capacity

ANNUAL VOLUME ☒ Volume Limit: Season: 10-1 to 5-1 (213 days)
 ☒ Calculations: 12 hrs per day / 213 = 107 full days
(EQUALS .6 gfs) 72 gph x 12 hrs/day x 213 days = 184032 gal
 Flow limit: .01 cfs x 107 x 1.9835 = 2.1
 Combined volumes exceed capacity/allowable

USES ☒ Change in Nature of Use or additional uses? to commercial?
 Amendment necessary? YES NO

ADDITIONAL INFO Supplemental Groundwater PPU Scenario
 Irr/Dom Combination Shared G/W System

NEW REMARKS ☒ Multiple p/d(s) in 1/4 1/4?
 ☒ Other

NEW CONDITIONS ☒ Watermaster control - District
 ☒ Measuring/Locking Devices
 ☒ Irrigation Overlap
 ☒ Other
 ☒ Water Quality Heat/Cool/Fish verified

COMMENTS: Reduce rate
(Industrial as the use is OK to keep)
per Shelley.

CHANGE NATURE OF USE
AMEND P/D and P/U

RECOMMENDATION	CFS	VOLUME
<u>Commercial</u>	<u>.01</u>	<u>.6</u>
<u>Industrial</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

SRBA Claim Filed NO
 Adjustment Memo Needed YES

LICENSE SPECIAL-CHANGE NATURE OF USE
 1ST AMEND LETTER + P37 + P38 + SOS
 2ND AMEND LETTER P47 + SOS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

35-8722
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☐ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index AWP 06/17/91 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index AWP 06/17/91 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☒ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 6-20-91 A-D (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent 2/16/95 (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Date Entered in Computer 2/16/95 (Initial and date)

Exam sent to State Office 2/16/95 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 21 1995
Department of Water Resources

A. GENERAL INFORMATION

1. Owner: 1/2 Glenn Matsunra
Matsunra Brothers Partnership Permit No. 35-8722
Current Address: 426 N. 150 W. BLACKFOOT, ID. 83221 Phone No. 785-2948
2. Accompanied by: Glenn Matsunra EXAM. DATE: 06/20/91
Address: Same Phone No. Same
Relationship to Permit Holder: 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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System Description (continued)

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

well, pump, potatoe storage humidifier

☐ 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
	Franklin	3/4 HP	—	—	—

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SW	26	15	35E	Bingham	USGS QUAD and on site inspection

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

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15	35E	26									I								

* See attached adjustment explanation memo.

JUN 27 1995

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Well probe	Olympic	Actaf	5200		500'	
pressure gage		Ashcroft			0-60 psi	

2. Measurements:

well depth to water 90' - 11"
operating pressure - 32 psig

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: Theoretical, 0.03 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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

Allow 0.6 cfs

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

Point of Diversion and Place of use are listed incorrectly on the permit to appropriate water, the actual location is T1S, R35E, Sec 26, NWSW

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* Industrial	10-01	5-01	0.03	0.6
Totals:			0.03 cfs	0.6 afa

2. Recommended Amendments

☒ 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 Change use to commercial

J. AUTHENTICATION

Field Examiner's Name Alan W PARIS

Signature Alan W Paris

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.

* See attached adjustment explanation memo. BC

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JUN 27 1995

MEMORANDUM

TO: File 35-08722 / Matsura Brothers Partnership
FROM: Brenda Chapman
DATE: May 10, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

The Point of Diversion and Place of Use descriptions listed do not agree with those drawn on the exam map. Per telephone conversation with Skip at Eastern, the recommendation will be based on the exam map.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Industrial	10-01 to 5-01	.01	.6

The rate recommendation has been reduced to .01 cfs based on guidelines from Terry Blau's 9/2/80 memo for calculating potato cellar humidifier requirements. (Copy of memo attached)

JUN 27 1995

DATE September 2, 1980

FROM Terry Blau

TO Staff

SUBJECT Field exams on potato storage facilities

After talking with 2 suppliers and installers of ventilating and humidifying equipment for potato storage. The following are some rules of thumb which maybe helpful in doing exams.

Max. rate of flow - 1 gal/hr/1000 cwt of spuds (2.4 cubic feet/100 lbs)

Max length of storage 11 months

Volume 1/2 gal/hr/1000 CWT/year

Alt method

36 gal/hr per humidifier (max)

Use would be less than 25% of max during winter months

Vol. use 36 gal/hr x 12hrs/day/ 365 days or #days of use

Terry Blau

SIGNATURE

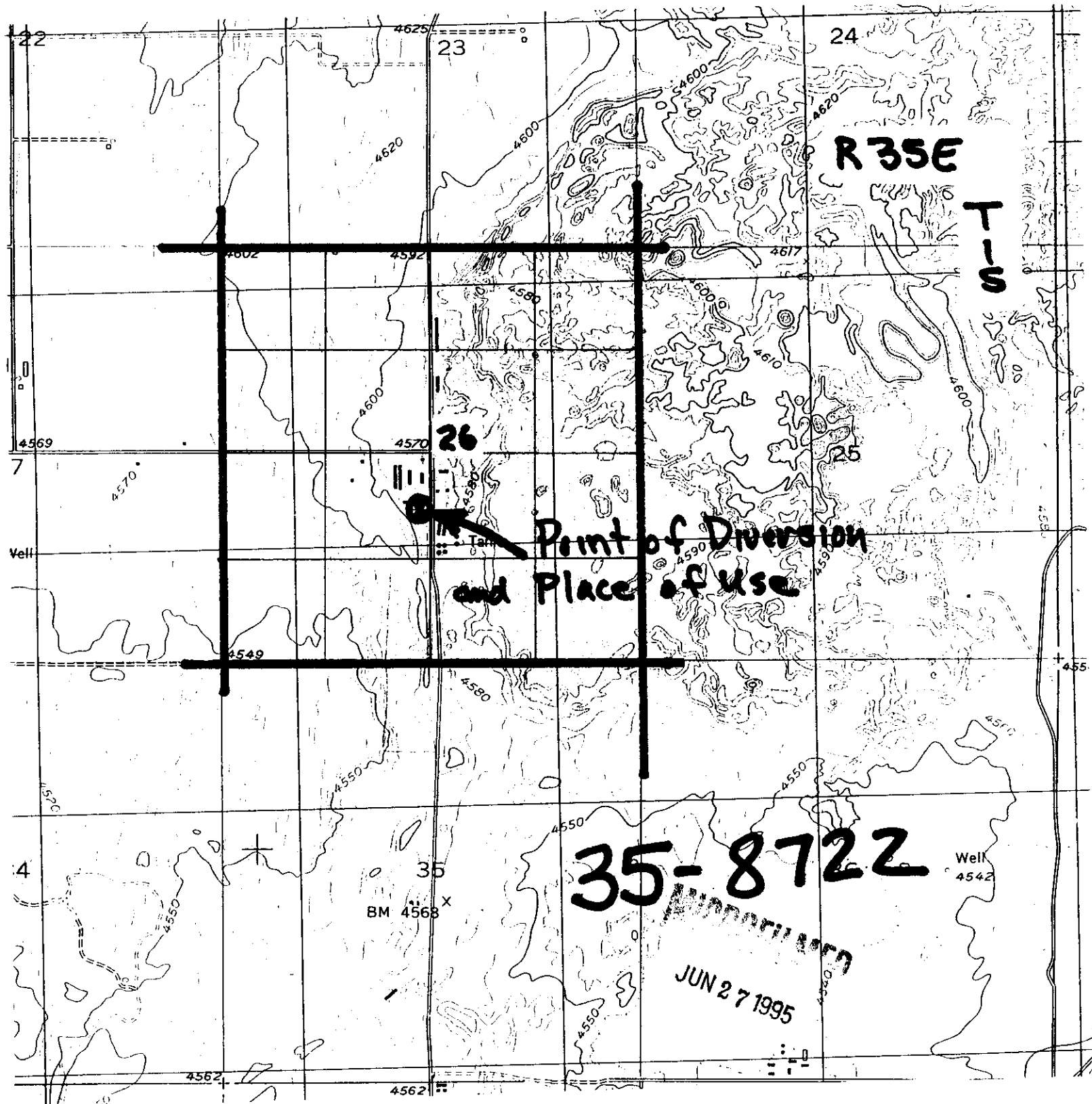
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JUN 27 1995

$$Q = \frac{(.75 \text{ HP})(8.814)(.7)}{[90.92 \text{ ft} + (32 \text{ psi})(2.308)]} = \frac{4.63}{164.8}$$

$$= 0.028083 \text{ cfs}$$

$$= 0.03 \text{ cfs}$$

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JUN 7 1995
35-8722



R35E

T1S

Point of Diversion
and Place of Use

35-8722

JUN 27 1995

BM 4568

Well 4542

4549

26

24

23

22

4569

Well

4

4562

4562

Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 35-8722

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 15, Rge 35E, Sec. 26, NW 1/4 SW 1/4
or Lot _____

2. Owner: c/o Glenn Matsaura
Matsaura Brothers Partnership

Address 426 N. 150 W., city Blackfoot, st ID

3. Casing $\geq$ 12 inches above ground: Yes ☒ No _____

4. Access Port: Yes ☒ No _____
Pressure Gauge: Yes _____ No ☒
Flowing: Yes _____ No ☒

Static Water Level: 90' 11"
Casing Diameter: 6"
Temperature: _____

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes _____ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: _____

JUN 27 1995

February 23, 1990

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08722

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED
MAR 06 1990

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 20, 1989

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

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P35-08722

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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.

We have enclosed 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 for your convenience is a form entitled "Proof of

Microfilm

OCT 26 1989

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

Microfilm
OCT 26 1989

27-07468

EASTERN IDAHO GRAZING ASSN.
C/O LEAH JONES
P.O. Box 308
Blackfoot, ID 83221
Source: TWITCHELL LAKE SPRING,
Tributary: SINKS
Diversion Pt: NWSWSE
Sec 4 T 04S R 39E
Use: STOCKWATER, (.040 CFS)
Date Filed: 5/22/1989
In: T04S R39E S04, SWSE

27-07469

EASTERN IDAHO GRAZING ASSN.
C/O LEAH JONES
P.O. Box 308
Blackfoot, ID 83221
Source: SPRINGS,
Tributary: SINKS
Diversion Pt: SESENE
Sec 12 T 03S R 39E
Use: STOCKWATER, (.040 CFS)
Date Filed: 5/22/1989
In: T03S R39E S12 SENE

27-07470

CHURCH OF JESUS CHRIST,
LATTER DAY SAINTS
REAL ESTATE DIVISION
Twelfth Floor
50 East North Temple St.
Salt Lake City, UT 84150
Source: GROUNDWATER
Diversion Pt: NWNENE
Sec 26 T 01S R 37E
Use: IRRIGATION, (.040 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 5/22/1989
In: T01S R37E S26 NENE
2.0 ACRES TOTAL

27-07471

CROFTS INC.
P.O. Box 296
Firth, ID 83236
Source: GROUNDWATER
Diversion Pt: SWSENE
Sec 25, T 01S R 36E
Use: INDUSTRIAL, (.250 CFS)
Date Filed: 6/01/1989
In: T01S R36E S25 SENE

27-07472

WREN, DEWANE
817 W. Riverton Rd.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: SENE
Sec 22 T 03S R 34E
Use: IRRIGATION, (.040 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 5/31/1989
In: T03S R34E S22 SENE
2.0 ACRES TOTAL

35-08722

MATSUURA BROTHERS, PARTNERSHIP
C/O GLENN MATSUURA
426 N. 150 W.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NWSWNW
Sec 28 T 01N R 35E
Use: INDUSTRIAL, (.040 CFS)
Date Filed: 4/21/1989
In: T01N R35E S28 SWNW

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OCT 26 1989

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AUG 22 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Michael Bell 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

3rd day of August, 19 89;

and the last publication having been made on the
10th day of August, 19 89;
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 21st day of August, in
the year 1989 before me a Notary Public of said State,
personally appeared

Michael Bell
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.

Wayne J. Nelson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee..... \$5.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 26, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 21, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

UNRECORDED

OCT 26 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following appl' ion(s) have been filed t ppropriate the public
waters of the State of Idaho:

MICROFILMED

OCT 26 1989

35-08722

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

Source: GROUNDWATER

Diversion Pt: NWSWNW Sec 28 T 01N R 35E

Use: INDUSTRIAL (.040 CFS)

Date Filed: 4/21/1989

In: T01N R35E S28 SWNW

MICROFILMED
OCT 26 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-2^c, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 21, 1989.

R. Keith Higginson, Director

Published 8/03/1989 & 8/10/1989

MICROFILMED

OCT 26 1989

18-July-1989

Matsuura Brothers, Partnership
c/o Glenn Matsuura
426 N. 150 W.
Blackfoot, ID 83221

RE: Application for Permit No. 35-8722

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. 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

Microfilm
OCT 26 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 17, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 7, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

Did not run

MICROFILMED

OCT 26 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

Microfilm

OCT 26 1989

35-08722

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

Source: GROUNDWATER

Diversion Pt: NWSWNW Sec 28 T 01N R 35E

Use: INDUSTRIAL (.040 CFS)

Date Filed: 4/21/1989

In: T01N R35E S28 SWNW

MICROFILMED
OCT 26 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based the criteria of Sec. 42-7 A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 7, 1989.

R. Keith Higginson, Director

Published 7/20/1989 & 7/27/1989

MICROFILMED

OCT 26 1989