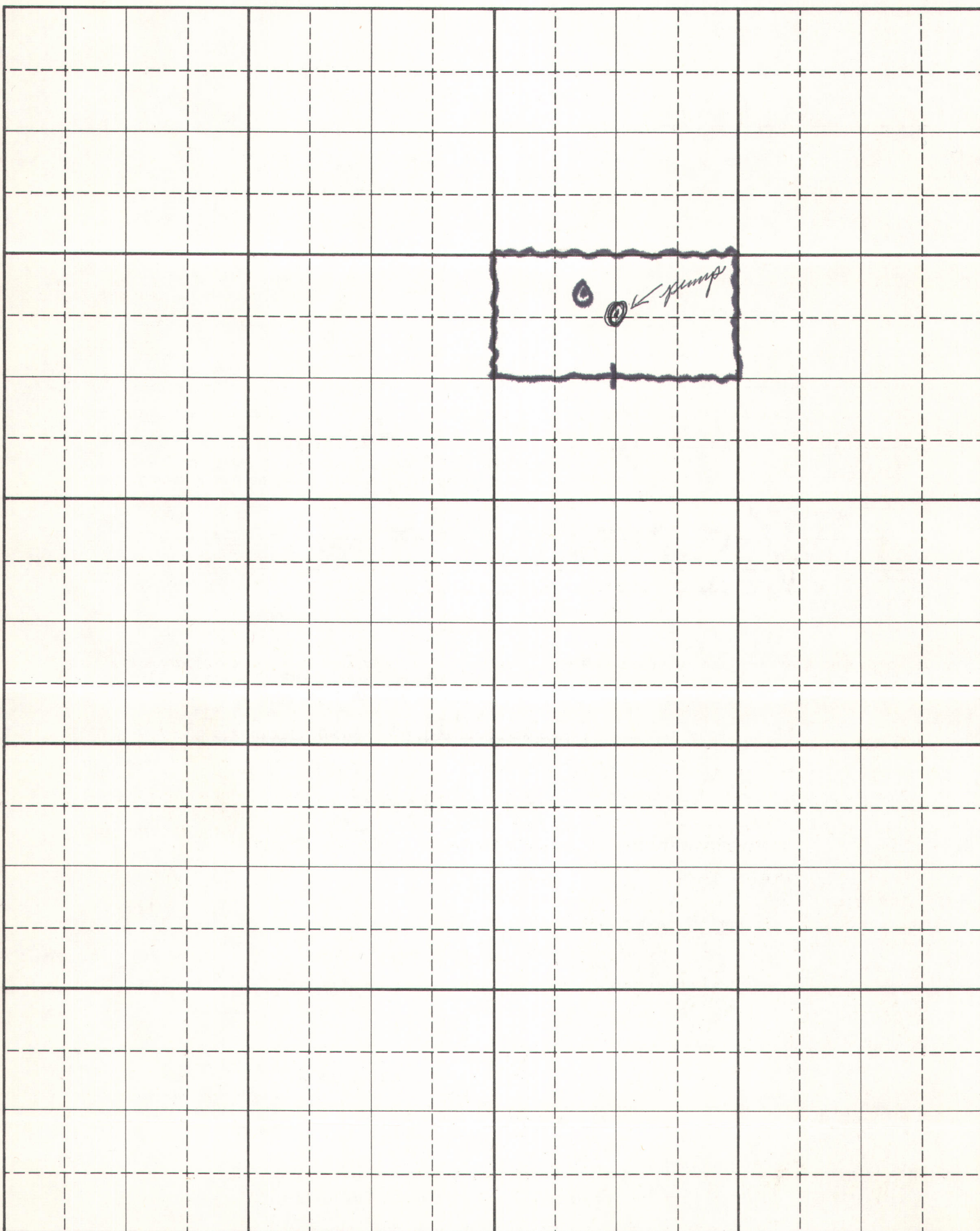


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

X Dave Jozaghi
(Applicant)

35-7171

RECEIVED
MAY 5 1971
Department of Water Administration

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho) ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of
The Blackfoot 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: Friday of each week; that the
notice attached hereto and which is a part of this affidavit
and part of the proof of publication was, published in said

Friday issue of said newspaper ... 2 consecutive

weeks, the first publication having been made on

the 22nd day of April, 1971

and the last publication having been made on the

29th day of April, 1971; 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.

Subscribed and sworn to before me this 29th

day of April, 1971

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Nov. 10, 1972

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Dave Aoyagi, Route 5, Box 113,
Blackfoot, Idaho, has on March
30, 1971, submitted Application
No. 35-7171 for a permit to
appropriate 2.40 cubic feet per
second of water from a ground
water source by means of well,
pump and motor within the
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, T. 2S, R. 32E,
B.M., Bingham County, to be
used from April 15 to Oct. 15 for
the irrigation of 320 acres within
the N $\frac{1}{2}$ Sec. 1, T. 2S, R. 32E,
B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water
Administration, Statehouse,
Boise, Idaho, 83707, on or before
May 10, 1971.

R. Keith Higginson
Director

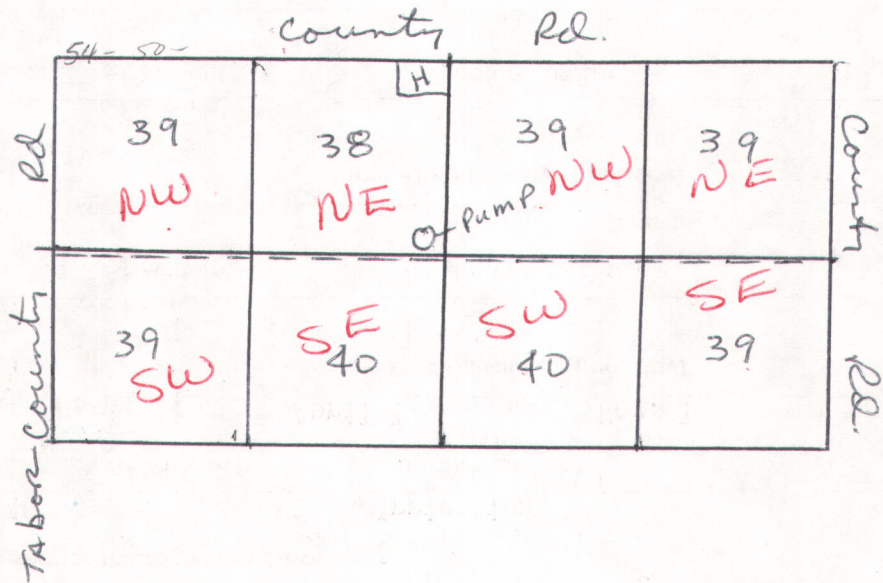
(2700)
Pub.: 4-22 and 29

35-7171

T
2
S

39	38*	40	39
39	40	39	39

Diagram of System



70
2450
2900

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7171 Priority March 30, 1971 Amount 0.67 cfs

THIS IS TO CERTIFY, that ELDON J. GOODWIN
of Blackfoot, Idaho, has complied with the terms and conditions of Permit
No. 35-7171 issued pursuant to Application for Permit dated March 30, 1971,
and has submitted proof to the Department of Water Resources on January 16, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.67 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 15</u> to <u>October 15</u>	at <u>2.40</u> cfs and	<u>870 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.67 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
870 acre feet per year, said waters to be diverted within the NE¹/₄NW¹/₄, Sec. 1, Twp. 2S,
Rge. 32E, B. M. in the County of Bingham

Description and location of place of use:

Twp.	Range	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	
2S	32E	1	39	40	39	39	38	39	39	40									313

Total number of acres irrigated 313

CONDITION:

The total volume of water diverted under this license and License No. 35-2253
shall not exceed 3.5 acre feet per acre per year.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of

May, 19 79.


Director

MICROFILMED

State of Idaho
Department of Water Resources

RECEIVED

JAN 23 1976

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Dave Aoyagi, hereby assign to Eldon J. Goodwin
of Route 2, Box 248, Blackfoot, Idaho 83221
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 35-7171
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 23rd day of JANUARY, 19 76.

Dave Aoyagi
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Bingham) ss.

On this 23rd day of JANUARY, 19 76, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Lesley B. [Signature]
Notary Public residing at

My commission expires:

lifetime

called the Buyers.

I. PROPERTY. The sellers in consideration of the agreements herein contained agree to sell and convey unto the buyers and the buyers agree to buy all the following described property, to-wit:

Township 2 South, Range 32, E. B. M., Bingham County, Idaho

Section 1: N $\frac{1}{2}$

Together with all water and water rights thereunto appertaining and belonging and particularly State water license no. G-23048 and water application no. 35-7171, and also all irrigation, ²²⁵²pumping and sprinkling equipment thereunto appertaining and belonging and particularly one U. S. 200 horsepower Motor, Serial no. 1083518 M., One Layne and Bowler Pump no. 25069 (P), One U. S. 100 horsepower Motor, no. 1185139, Deming Pump vertical turbine booster pump no. 11069, control panels, main line and fourteen one-quarter (1/4) mile aluminum laterals with risers, nozzles, and appurtenant equipment.

II. CONSIDERATION. The buyers agree to pay the sellers as the purchase price for said property the sum of \$80,000.00, as follows:

The sum of \$23,000.00 upon the execution of this agreement, the receipt of which is hereby acknowledged.

The sum of \$57,000.00, together with interest at 6 $\frac{1}{2}$ % per cent per annum from May 1, 1973, in installments as follows:

\$7,500.00 on the 1st day of March, 1974, and \$7,500.00 on the 1st day of each year thereafter until the whole of said sum together with interest thereon shall have been fully paid. Each installment payment shall be applied first to interest and the balance to the reduction of principal.

It is further understood and agreed the buyers may pay any additional amount at any time without penalty and thereby reduce the interest to accrue thereon.

III. POSSESSION. The sellers promise and agree to surrender possession of said property on or before May 1, 1973, provided however, that the sellers reserve the right to live in the house on the farm during the summer of 1973. All growing crops belong to the buyers.

IV. INSURANCE. Buyers agree to keep improvements on said property properly insured against fire with extended coverage for an amount not less than \$10,000.00, with loss payable to the sellers as Vendors.

ASSIGNED TO: ELDON J. GOODWIN
1-26-1976 Rt. 2, Box 248
Blackfoot, ID 83221

Identification No. 35-7171
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Dave Aoyagi
post office address Route #5, Box 113, Blackfoot, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 1 Township 2S
Range 32E B.M. Bingham County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.40 for irrigation purpose from Apr. 15 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.40 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. existing well, pump, & electric

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 20 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ existing.
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: _____ hp 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: _____

35-7171

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

Total number of acres to be irrigated 320

4.0 c.f.s.

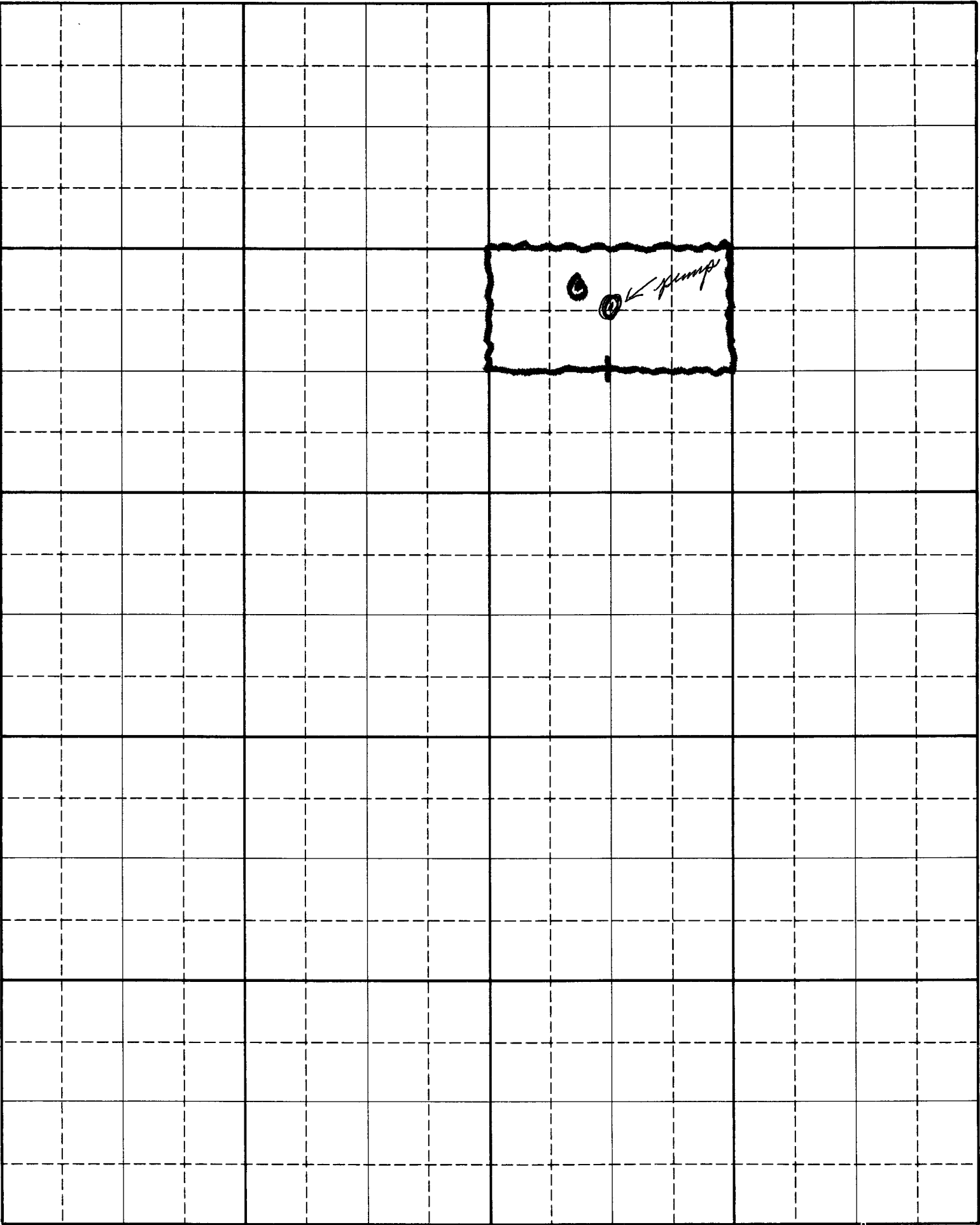
self

sep 4

applicant to make this filing

Remarks

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.

X Dave Jazaghi
(Applicant)

35-7171

Received by Date 3-30-71 Time 8:00
Preliminary check by BDF Fee \$ 30.00
Received by Date 4-12-71
Publication prepared by dt Date 4-14-71
Published in Blackfoot News
Publication dates 4-22 & 4-29, 1971
Publication approved Date 5-6-71
Priority reduced to Reason
Protests filed by:

Copies of protests forwarded by

Hearing held by Date
Recommended for approval denial by

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7171, and said application is hereby APPROVED.

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 May 1, 19 76.

- c. Other: The permit holder shall permanently install and maintain as part of the diverting works a measuring device at the point of diversion of a type approved by this Department.
This permit is supplemental to all prior rights.
2. Denial of said application is for the following reasons:

Witness my hand this 17th day of May, 19 71.

Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 35-7171 Name Dave Aoyagi

Source Ground water

Point of Diversion NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 2S, R. 32E, B.M., Bingham County

Quantity 2.40 Use Irrigation Period April 15 - Oct. 15

Quantity Use Period

Quantity Use Period

Well Size Diameter 20" Proposed Depth 300 Feet

Use 320 acres

Date Forwarded Date Returned Received by

COMMENTS: Water table is stable (W.B.#18).
Aquifer is Snake River Basin. Yields
are excellent, drawdowns are low.
Several irrigation wells are located
near the requested point of diversion.

RECOMMENDED:

Applied: Qty. 2.40 cfs Use irrig. Period 4-15 to 10-15 AF/A 2.75 AF 880

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. 6.40 cfs Use irrig. Period 4-1 to 11-1 AF/A 3.5 AF 1120

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved X Denied

Conditions of approval or reason for denial:

INVESTIGATION By Lorna C. Young Title W.R. Eyrer

Date 7-22-71

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho) ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of
The Blackfoot 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: Friday of each week; that the
notice attached hereto and which is a part of this affidavit
and part of the proof of publication was, published in said

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Dave Aoyagi, Route 5, Box 113,
Blackfoot, Idaho, has on March
30, 1971, submitted Application
No. 35-7171 for a permit to
appropriate 2.40 cubic feet per
second of water from a ground
water source by means of well,
pump and motor within the
NE¼NW¼ Sec. 1, T. 2S, R. 32E,
B.M., Bingham County, to be
used from April 15 to Oct. 15 for
the irrigation of 320 acres within
the N½ Sec. 1, T. 2S, R. 32E,
B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water
Administration, Statehouse,
Boise, Idaho, 83707, on or before
May 10, 1971.

R. Keith Higginson
Director

(2700)

Pub.: 4-22 and 29

Friday issue of said newspaper ... 2 consecutive
weeks, the first publication having been made on
the .. 22nd ... day of ... April, 19, 71

and the last publication having been made on the
..... 29th day of ... April, 19, 71; 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.

Subscribed and sworn to before me this 29th
day of April, 19 71

.....
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Nov. 10, 1972

May 30, 1979

Re: Permit No. 35-7171

Eldon J. Goodwin
Route #2, Box 248
Blackfoot, ID 83221

Dear Mr. Goodwin:

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 25, 1979

Re: Permit No. 35-7171

Eldon J. Goodwin
Route 2, Box 248
Blackfoot, Idaho 83221

Dear Mr. Goodwin:

*License changed
TO: 0.67 cfs per
review by Glen SANTON
SEE FIELD EXAM*

A representative of this Department made an examination of the works covered by your Permit No. 35-7171 on August 6, 1976, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 2.40 cfs Source: groundwater

The maximum quantity diverted shall not exceed 870 acre feet per year.

Point of diversion: NE¹/₄, Sec. 1, Twp. 2S, Rge. 32E, B. M.

Beneficial use: Irrigation of 313 acres within the NE¹/₄, NW¹/₄, Sec. 1, Twp. 2S, Rge. 32E, B. M.

Priority date established: March 30, 1971

*

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

* CONDITION: The total rate of diversion shall not exceed 4.67 cfs under this license when combined with License No. 35-2253.

MICROFILMED

MEMO TO FILE

LICENSE NO. 35-2253 & PERMIT NO. 35-7171

License 35-2253 (G-23048) has two wells, each irrigating separate and distinct lands. The well located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 2S, R. 32E (License G-23048) is the same well as shown on permit 35-7171.

This has been confirmed by a field check. Our records show a license of ~~4.00~~^{3.90} cfs with a priority of 7/15/1952 on this well. The field exam

on 35-7171 shows 313 acres which allow 6.26 cfs, less the ~~4.00~~^{3.90} cfs ~~PART B~~ already provided on License G-23048, and would mean that permit 35-7171

could possibly be licensed for 2.26 cfs. However, the well is only capable of producing ~~0.67~~^{0.99} cfs over that which it is already licensed for under G-23048. Permit 35-7171 should be licensed for ~~0.67~~^{0.99} cfs.

RODNEY A. PARKER
Sr. Water Resource Agent

We can condition the permit to read that no more than 4.67 cfs can be diverted from the well when the two rights are combined and issue this license for 2.40 cfs as the sands are completely different.

Jan J.
4/19/59

MICROFILMED

MEMO

To: Tony K.

From: JAN G.

Date: 6/8/78

Herewith forwarding field exam report for Permit No. 35-7171

Cannot issue license until the following is determined:

- ☐ Amount of water measured
- ☐ Location of point of diversion
- ☐ Place of use for domestic
- ☐ Place of use for stockwater
- ☐ Place of use for irrigation (number of acres in each 40-acre subdivision)
- ☐ Installation of measuring device
- ☐ Permit holder does not agree with findings of examiner, please re-examine
- ☒ Other

See Glen's memo - I think you'll have to re-exam this one to find out whether or not its the same well as that on 35-2253. I'm attaching copies of both exams, & license.

MICROFILMED

FROM Glen S.

DATE 6-7-78

TO Jan G.

~~SUBJECT~~ you need to find out from Region if the well on lic 35-2253 & well on proposed lic 35-7171 are the same well or diff. wells. If different proposed lic 35-7171 can be issued for 2.4 cfs. If the same well, lic 35-7171 should be issued for $4.67 \text{ cfs} \text{ minus } 4.0 \text{ cfs} = 0.67 \text{ cfs}$.



SIGNATURE



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

May 22, 1978

Re: Permit No. 35-7171

Eldon J. Goodwin
Route #2, Box 248
Blackfoot, ID 83221

Dear Mr. Goodwin:

A representative of this Department made an examination of the works covered by your Permit No. 35-7171 on ~~August~~ **August 6, 1976**, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 2.40 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1028 acre feet per
year.

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, Twp. 2S, Rge. 32E, B. M.

Beneficial use: Irrigation of 313 acres within the NE $\frac{1}{4}$ and NW $\frac{1}{4}$,
Sec. 1, Twp. 2S, Rge. 33E, B. M.

Priority date established: March 30, 1971

If you do not concur with these findings please contact us within 10 days, otherwise a
water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

MICROFILMED

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

RECEIVED

FEB 5 1976

1. Name of permit holder Mr Eldon J. Goodwin
Post office address Route 2, Box 248, Blackfoot, ID 83221 Phone Department of Water Resources Eastern District Office
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 2.40 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from April 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 35-7171
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 2.40 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 2S N/S, Range 32E E/W, B.M., Section 1, Subdivision NE $\frac{1}{4}$ NW $\frac{1}{4}$, Bingham
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: 200 hp motor, layne & bowler pump, 100 hp motor, deming pump, vertical turbine booster pump, mainline & 14 1/4 mile laterals

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	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	
2S	32E	1	40	40	40	40	40	40	40	40									320

MICROFILMED

Approved by _____ Date _____

January 30, 1976

Re: Permit No. 35-7171

Eldon J. Goodwin
Route 2, Box 248
Blackfoot, Idaho 83221

Dear Mr. Goodwin:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records have been changed.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field exam, please contact our Regional Office in Idaho Falls.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

see date of assignment
Department of Water Resources

1. a) Name of Permit Holder Dave Aoyagi Assigned to Eldon J. Goodwin
b) Post Office Address Rt. 2, Box 248 Blackfoot, Idaho 83221
2. Permit Number 35-7171
3. Date of Priority that you are prepared to establish March 30, 1971
4. a) Source from which water was appropriated ground-water
b) Location of the point of diversion: NE ¼ NW ¼, Section 1
Township 2S, Range 32E Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 2.40 for irrigation purposes from Apr. 1 to Nov. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2.40 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: N.A.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N.A.
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) U.S. 200 H.P. motor, serial No. 1083518 M, Layne & Bowler pump no. 25069(P), U.S. 100 H.P. motor no. 1185139, Deming pump, vertical turbine booster pump no. 11069, mainline & 14¼ mile laterals
b) Describe the type and size of measuring device which you have installed at your point of diversion: 10" in-line flow meter Purchased from G.T. Newcomb Corp.; will be installed spring of 1976.
c) Give well driller's name and address and the date the well was completed: Unknown
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: N.A.

1-30-76

WJG

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

[illegible]

Total number of acres irrigated 320

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

1/16/76
(Date)

Eldon J. Johnson
(Signature)

State of IDAHO)
) ss.
County of BONNEVILLE)

On this 16th day of JANUARY, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Ronald D. Carson
Notary Public residing at _____
IDAHO FALLS, IDAHO

My commission expires 2/14/78

January 20, 1976

Re: Permit No. 35-7171

Eldon J. Goodwin
Route 2, Box 243
Blackfoot, Idaho 83221

Dear Mr. Goodwin:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for above referenced permit. However, we cannot process the affidavit until it is assigned to you from Mr. Aoyagi.

We are, therefore, returning the proof affidavit along with an assignment form. Please have Mr. Aoyagi sign the assignment and have it notarized and returned to this office on or before May 1, 1976, as this is the proof of beneficial use due date. If you have any questions, please contact this office.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

Enclosures: Proof affidavit
Assignment Form

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 16 1976

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Dave Aoyagi Assigned to Eldon J. Goodwin
b) Post Office Address Rt. 2, Box 248 Blackfoot, Idaho 83221
2. Permit Number 35-7171
3. Date of Priority that you are prepared to establish March 30, 1971
4. a) Source from which water was appropriated ground-water
b) Location of the point of diversion: NE 1/4 NW 1/4, Section 1
Township 2S, Range 32E Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 2.40 for irrigation purposes from Apr. 1 to Nov. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2.40 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: N.A.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N.A.
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) U.S. 200 H.P. motor, serial No. 1083518 M, Layne & Bowler pump no. 25069(P), U.S. 100 H.P. motor no. 1185139, Deming pump, vertical turbine booster pump no. 11069, mainline & 14 1/4 mile laterals
b) Describe the type and size of measuring device which you have installed at your point of diversion: 10" in-line flow meter
Purchased from G.T. Newcomb Corp.; will be installed spring of 1976.
- c) Give well driller's name and address and the date the well was completed: Unknown
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: N.A.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	32E	1	40	40	40	40	40	40	40	40									320

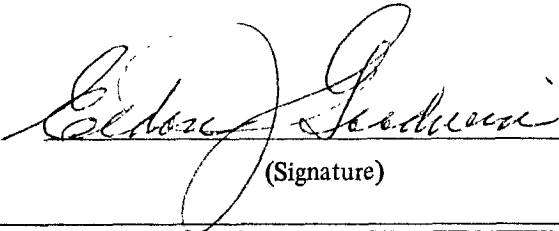
Total number of acres irrigated 320

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

1/16/76

(Date)



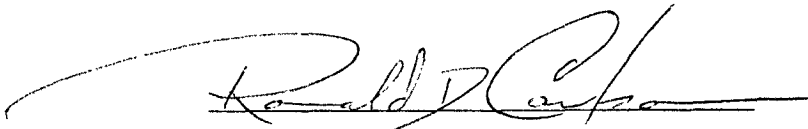
(Signature)

State of IDAHO)

) ss.

County of BONNEVILLE)

On this 16th day of JANUARY, 1976, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Notary Public residing at IDAHO FALLS, IDAHO

My commission expires 2/14/78

I. PROPERTY. The sellers in consideration of the agreements herein contained agree to sell and convey unto the buyers and the buyers agree to buy all the following described property, to-wit:

Township 2 South, Range 32, E. B. M., Bingham County, Idaho

Section 1: N $\frac{1}{2}$

Together with all water and water rights thereunto appertaining and belonging and particularly State water license no. G-23048 and water application no. 35-7171, and also all irrigation, ³⁵⁻²²⁵² pumping and sprinkling equipment thereunto appertaining and belonging and particularly one U. S. 200 horsepower Motor, Serial no. 1083518 M., One Layne and Bowler Pump no. 25069 (P), One U. S. 100 horsepower Motor, no. 1185139, Deming Pump vertical turbine booster pump no. 11069, control panels, main line and fourteen one-quarter (1/4) mile aluminum laterals with risers, nozzles, and appurtenant equipment.

II. CONSIDERATION. The buyers agree to pay the sellers as the purchase price for said property the sum of \$80,000.00, as follows:

The sum of \$23,000.00 upon the execution of this agreement, the receipt of which is hereby acknowledged.

The sum of \$57,000.00, together with interest at 6 $\frac{1}{2}$ % per cent per annum from May 1, 1973, in installments as follows:

\$7,500.00 on the 1st day of March, 1974, and \$7,500.00 on the 1st day of each year thereafter until the whole of said sum together with interest thereon shall have been fully paid. Each installment payment shall be applied first to interest and the balance to the reduction of principal.

It is further understood and agreed the buyers may pay any additional amount at any time without penalty and thereby reduce the interest to accrue thereon.

III. POSSESSION. The sellers promise and agree to surrender possession of said property on or before May 1, 1973, provided however, that the sellers reserve the right to live in the house on the farm during the summer of 1973. All growing crops belong to the buyers.

IV. INSURANCE. Buyers agree to keep improvements on said property properly insured against fire with extended coverage for an amount not less than \$10,000.00, with loss payable to the sellers as Vendors.

May 17, 1971

Re: Permit No. 35-7171 - Dave Aoyagi

Dave Aoyagi
Route #5, Box 113
Blackfoot, Idaho 83221

Dear Mr. Aoyagi:

Enclosed is a copy of your approved Application for Permit No. 35-7171. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOF
Assistant Director

BDF:kh

Enclosures

35-7171

April 14, 1971

Re: Application No. 27-7014 - Firth School Dist. #59
" " 27-7015 - City of Basalt
" " 35-7171 - Dave Aoyagi
Claim No. 35-4015 - Nora Eileen Orr

Blackfoot News
P.O. Box 70
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

Bill submitted 5-6-71 by hw

DWM:DR
Enc: Legal notices (4)

35-7171

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Dave Aoyagi, Route 5, Box 113, Blackfoot, Idaho, has on March 30, 1971, submitted Application No. 35-7171 for a permit to appropriate 2.40 cubic feet per second of water from a ground water source by means of well, pump and motor within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, T. 2S, R. 32E, B.M., Bingham County, to be used from April 15 to Oct. 15 for the irrigation of 320 acres within the N $\frac{1}{2}$ Sec. 1, T. 2S, R. 32E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before May 10, 1971.

R. Keith Higginson
Director

(2700)

Pub.: 4-22 and 29, 1971

O.K.
4-21-71
B.B.

35-7171

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dave Aoyagi, Route 5, Box 113, Blackfoot,
Idaho,
has on March 30, 1971, submitted Application No. 35-7171
for a permit to appropriate 2.40 cubic feet per second ~~none feet per second~~
of water from a ground water source
by means of well, pump and motor
within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, T. 2S, R. 32E, B.M., Bingham County,

to be used from April 15 to Oct. 15
for the irrigation of 320 acres

within the N $\frac{1}{2}$ Sec. 1, T. 2S, R. 32E, B.M.

issued

If ~~made~~, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before May 10, 1971.

R. KEITH HIGGINSON
Director

Published in the Blackfoot News, Blackfoot, Idaho,
on April 22 and April 29, 1971.

35-7171

April 12, 1971

Dave K. Aoyagi
Route #5
Box 113
Blackfoot, Idaho 83221

Dear Mr. Aoyagi:

Returned herewith is your receipt No. 5885 in the amount of \$30.00
for your application for permit,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

35-7171

April 6, 1971

Dave Aoyagi
Route #5, Box 113
Blackfoot, Idaho

Dear Mr. Aoyagi:

We are returning your filing fee in the amount of \$35 in the form of your personal check (No. 92-63).

We wish to advise you that the filing fee for your application is only \$30. Please submit this amount and we shall begin processing of the application.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cr

Enc: Check No. 92-63

35-7171

February 8, 1971

Mr. Dave Aoyagi
Route # 5
Post Office Box #113
Blackfoot, Idaho 83221

Dear Mr. Aoyagi:

Pursuant to our telephone conversation of February 5, 1971, please find enclosed an application for permit that we have prepared for your convenience. We have abstracted the information on this new application from your existing water license, number 35-2253. Please review all of the information contained on this application very carefully, and if you are in agreement with it, please sign it on page three and return it to this office with the required \$30.00 filing fee.

If we may be of any further assistance in this matter, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: prepared application for permit (signature required)

35-7171