

**STARTING
LEFT
SIDE OF
FILE**

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 69553
OF WATER RIGHT 45-7045 IN THE NAME
OF MITSUO OR MILDRED INOUE

ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER

On August 1, 2002 the Department approved the above referenced Application for Transfer with a condition that:

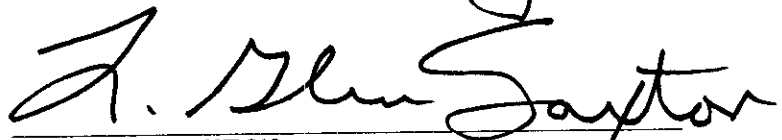
The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

The current right holder, La Vel Stoker, has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 69553 is granted an extension to August 1, 2006 in which to accomplish the transfer.

Dated this 28th day of July, 2003.



L. GLEN SAXTON
Administrator, Water Management Division

MICROFILMED
JUL 28 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69553

This is to certify that: MITSUO INOUE OR
MILDRED D INOUE
401 S HWY 77
DECLO ID 83323
(208)654-2742

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
45-7045	AJC/License	12/16/1969	5.47 cfs	1656.0 af		414.0	GROUND WATER

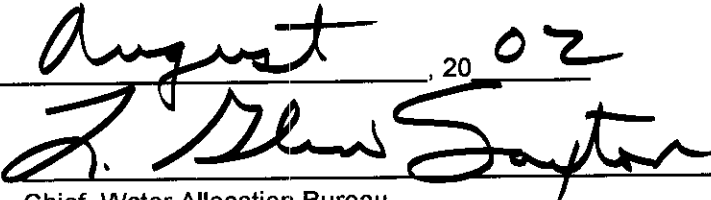
Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-7045	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
45-7045	45-7045	5.47 cfs	1656.0 af	N/A	414.0		N/A	N/A	NA	N/A
TOTALS		5.47 cfs	1656.0 af	N/A	414.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of August, 2002

 Chief, Water Allocation Bureau

MICROFILMED
AUG 15 2002

WATER RIGHT NO. 45-7045
As Modified by Transfer No. 69553

In accordance with the approval of Transfer No. 69553, Water Right No. 45-7045 is now described as follows.

Right Holder: LAVEL D STOKER
 WENDY W STOKER
 BRENT STOKER
 MARLA J STOKER
 707 E 500 S
 BURLEY ID 83318

Priority Date: 12/16/1969

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	5.47 CFS	1,656.0 AF
			5.47 CFS	1,656.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNENW Sec. 11 Twp 11S Rge 24E CASSIA County
GROUND WATER	SWNWNW Sec. 11 Twp 11S Rge 24E CASSIA County
GROUND WATER	SWNENW Sec. 14 Twp 11S Rge 24E CASSIA County
GROUND WATER	NENWNW Sec. 15 Twp 11S Rge 24E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	24E	11					28.0	30.0			40.0			40.0			40.0	40.0	218.0
11S	24E	14					40.0	36.0	32.0	35.0									196.0

Total Acres: 414

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Right 45-7045 shall not exceed 5.47 cfs, nor total combined annual volume of 1,656.0 af.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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WATER RIGHT NO. 45-7045
As Modified by Transfer No. 69553

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4-10-2000.
6. Approval of Transfer 69553 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner. Transfer 69553 is subject to agreement with Burley Irrigation District.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

Dated this 1st day of August, 2002


Chief, Water Allocation Bureau

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AUG 15 2002

(Internet)

RECEIVED

NOV 13 2001

Received @S.O.
2-4-2002Page 1 of 8STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCESTransfer No. 69553

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant MITSUO OR MILDRED INOUE Phone (208) 654-2742
Post Office address 401 S HWY 77 DELO, ID 83323

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes I HAVE DECIDED TO DRILL THE WELL
ALLOWED BY TRANSFER #5645 IN A DIFFERENT LOCATION

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>45-7045</u>	<u>12/16/1969</u>	<u>5.47 cfs</u> <u>1656 AF</u>	<u>IRRIGATION</u>	<u>04/01</u> to <u>10/31</u> to _____ to _____ to _____

2. Total amount of water being transferred 5.47 cubic feet per second and/or 1656 acre-feet per annum.3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	NW	11	11S	24E	CASSIA	EXISTING WELL
	SW	NW	NW	11	11S	24E	CASSIA	EXISTING WELL
	SW	NE	NW	14	11S	24E	CASSIA	EXISTING WELL
	NE	NW	NW	15	11S	24E	CASSIA	NEW WELL TO BE DRILLED

5. Lands irrigated or place of use: NO CHANGE

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11S	24E	11					28	30			40			40		40	40		218
11S	24E	14		40	13		40	36	32	35									196

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AUG 15 2002

69553

Total acres 414

PART 1

6. General Information:

a. Description of diversion system THREE EXISTING WELLS AND ONE NEW WELL
TO SPRINKLER SYSTEM.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

NO CHANGE PROPOSED

d. Remarks:

NEW WELL WILL DUMP WATER INTO BURLEY IRRIGATION
DISTRICT'S J-CANAL IN NWNW 1/4 OF SECTION 15, ~~AND~~ IN EXCHANGE
I WILL PUMP WATER FROM J-CANAL IN THE NENW 1/4 OF
SECTION 11 (SEE ATTACHED BID APPROVAL)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

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AUG 15 2002

Pg 3 of 8
Page 1

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

Current Water Right No. 45-7045

Priority Date: 12/16/1969
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

Trib

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	4/01 10/31	5.47 CFS	1,656.0 AFA	
Total Diversion		5.47 CFS	1,656.0 AFA	

Source and Point(s) of Diversion:

Source	Twp	Range	Section	1/4 of 1/4 of 1/4	Lot	County
GROUND WATER	11S	24E	11	SWNENW		CASSIA
GROUND WATER	11S	24E	11	NWNW		CASSIA
GROUND WATER	11S	24E	11	SWNWNW		CASSIA
GROUND WATER	11S	24E	14	SWNENW		CASSIA

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 24E 11					28.0	30.0			40.0				40.0				218.0
11S 24E 14																	196.0

Total Acres: 414

Conditions/Remarks:

- The total instantaneous diversion of water from all points of diversion under Transfer No. 5645 shall not exceed 5.47 cfs, nor total combined annual volume of 1656.0 af.^^ The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.^^
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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AUG 15 2002

Pg 4 of 8

Page 2

T69553

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

Current Water Right No. 45-7045

3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Documentation of Ownership of the Current Place of Use *TAX NOTICE*

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer *SEE PAGE 2*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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AUG 15 2002

Pg 5 of 8
Page 1

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

Current Water Right No. 45-7045

Priority Date: 12/16/1969
Origin: Adjudication Claim
Basis: License
Status: Active

Source: GROUND WATER

Trib

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	5.47 CFS	1,656.0 AFA	
Total Diversion		5.47 CFS	1,656.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	11S	24E	14	SWNENW		CASSIA
GROUND WATER	11S	24E	11	NWNWNW		CASSIA
GROUND WATER	11S	24E	11	SWNWNW		CASSIA
GROUND WATER	11S	24E	11	SWNENW		CASSIA

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11S	24E	11					28.0	30.0			40.0					40.0			218.0
11S	24E	14					40.0	13.0			40.0	36.0	32.0	35.0					196.0

Total Acres: 414

Conditions/Remarks:

1. THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANSFER NO. 5645 SHALL NOT EXCEED 5.47 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 1656.0 AF.
2. THE PERIOD OF USE FOR THE IRRIGATION DESCRIBED IN THIS APPROVAL MAY BE EXTENDED TO A BEGINNING DATE OF 3/15 AND AN ENDING DATE OF 11/15 PROVIDED THAT BENEFICIAL USE OF THE WATER CAN BE SHOWN AND OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE 4/1 AND AFTER 10/31 IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE OF THIS APPROVAL.

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AUG 15 2002

Pg 6 of 8

Page 2

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

Current Water Right No. 45-7045

3. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. CLAIM AMENDED PURSUANT TO TRANSFER 5645. DATA ENTERED 11-13-2001 KKC

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

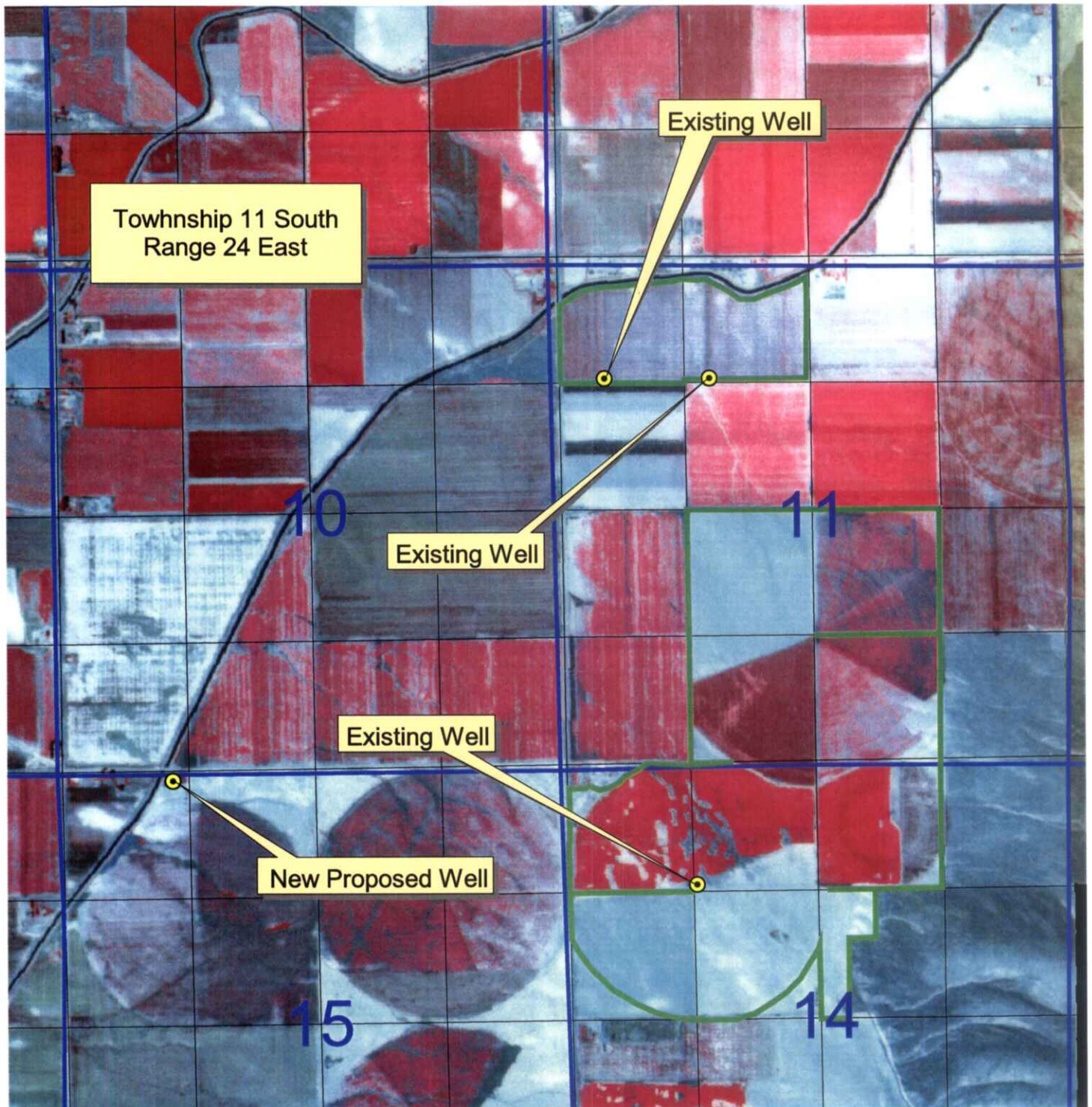
Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

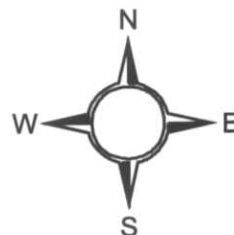
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AUG 15 2002

Inouye Transfer Application



- Points of Diversion
 - Place of Use
 - Sections.shp
 - T11s24e.shp
- MICROFILMED
AUG 15 2002



PART 3**B. CHANGES IN NATURE OF USE**

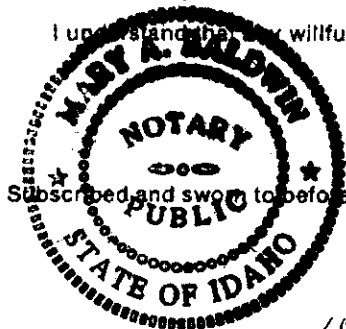
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Mitaw Liorupe
(Signature of Applicant)

Subscribed and sworn to before me this 13th day of November, 1st 2001

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/2004**FOR DEPARTMENT USE ONLY**Transfer contains 8 pages and 3 attachmentsReceived by C. SKINNER Date 11/13/2001 Protest filed by NonePrelim. check by C. SKINNER Fee \$450.00 S024425Received by C. SKINNER Date 11/13/2001Published in Idaho Press Copies of protest forwarded by _____Pub. dates 12/31/01 & 01/7/02 Hearing held by _____ Date _____Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial_____ rec'd. _____ by AM

Copy of transfer sent to lien holder _____

MICROFILMED

AUG 15 2002

T69553

APPLICATION TO BURLEY IRRIGATION DISTRICT
FOR STRUCTURE OR SPRINKLER IRRIGATION

SERIAL NUMBER _____ PHONE NUMBER _____

PRINT NAME OF LAND OWNER(S) Mits Inouye
NAME AND ADDRESS OF APPLICANT 400 S Hwy 77 Declo Idaho 83323

THIS CHANGE WILL BE (PERMANENT) (ONE YEAR) (TWO YEARS)

Application is hereby made by the undersigned to the Burley Irrigation District of Burley, Idaho, for permission to change stream flow or change irrigation method or point of diversion or alter structure, canals, laterals or drain ditches of the Burley Irrigation District in Cassia County, Idaho.

Street address, location of change _____
Lateral or Canal, the proposed change will be located on _____
Legal _____ Sec. _____ Tps. _____ Rg. _____

Written detailed description of proposed change.

Requests permission to transport 170 inches of water into the J canal on a perma basis from deep well to supplemental water headgate, which is upstream of his well about 1½ miles.

As shown by the sketch or map attached, which said map or sketch is made part of the application. Said description, sketch or map sets out in detail the method to be used by the undersigned in altering such property.

I, we hereby agree to replace premises and maintain specifications satisfactory to the Burley Irrigation District, at my sole expense. When any change occurs in the use of said property, or at any time when directed to do so by order of the Board of Directors of the Burley Irrigation District, I agree to comply with directions made. The above request cannot restrict the access of equipment or vehicles of Burley Irrigation District or its agents to canals, laterals, or structures for repair or water measurement. I understand that the water taken from BID is on a continuous flow basis and I will be responsible for said water as stated in BID Water Policy now or in the future.

The Landowner, his successors, agrees to be responsible for all costs in the event the change needs to be restored to its original condition. Landowner, his successors or agent, shall indemnify and hold District and United States harmless from and against any and all loss and damage that shall be caused by or to the change or its repair, construction, removal, operation or of any wrongful or negligent act or omission of Landowner.

The Landowner further covenants with the District and United States that Landowner, will pay for any damages caused by the change or done at any time hereafter to any and all Personal or Real Property as a result of the change. The landowner shall indemnify and hold District and United States harmless from and against any and all loss and damage that shall be caused by Burley Irrigation District or their agent to the change.

All titled land owners signatures Mits InouyeDate 11-13-01 Applicant _____

((All down stream waterusers signatures.))

Ditchrider signature _____

This application is approved by the Board of Directors of the Burley Irrigation District this 13th day of November, 1992 subject to execution of proper agreement and signatures.

President Cecil F. Blauer

MICROFILMED

AUG 15 2002

T69553

October 2, 2001
JOB # 6026-01B1
MITS INOUE SURVEY

NEW WELL SITE

PARCEL 1

L E G A L D E S C R I P T I O N

Part of the NW $\frac{1}{4}$ of Section 15 of Township 11 South, Range 24 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the North $\frac{1}{4}$ Section corner of Section 15 of T.11 S., R.24 E., B.M. said corner marked by a 5/8" rebar with a 3" cap on top; Thence South 89 degrees 27 minutes 33 seconds West along the north line of Section 15 for a distance of 1502.38 feet to the Point of Beginning;

THENCE South 26 degrees 49 minutes 08 seconds West for a distance of 25.99 feet to a $\frac{1}{2}$ " rebar;

THENCE South 26 degrees 49 minutes 08 seconds West for a distance of 30.28 feet to a $\frac{1}{2}$ " rebar;

THENCE South 89 degrees 27 minutes 33 seconds West for a distance of 50.98 feet to a $\frac{1}{2}$ " rebar;

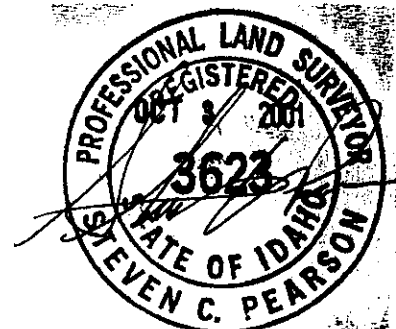
THENCE South 89 degrees 27 minutes 33 seconds West for a distance of 28.48 feet to the centerline of the "J" Canal;

THENCE North 26 degrees 49 minutes 08 seconds East along the center line of the "J" Canal for a distance of 56.27 feet to a P.K. Nail on the north line of Section 15;

THENCE North 89 degrees 27 minutes 33 seconds East along the north line of Section 15 for a distance of 79.46 feet to the Point of Beginning.

Said property contains 0.09 acres more or less and is subject to a county road right of way along the north side and is subject to a right of way for the "J" Canal along the west side and subject to an access easement more particularly described as follows: (insert Access Easement Description) and subject to any other easements or right of ways, existing or of record.

Prepared by:
DESERT WEST LAND SURVEYS
1751 Overland Ave.
Burley, Idaho 83318



MICROFILMED

AUG 15 2002

CHECK PAYABLE TO:
EREKSON
A COUNTY TAX COLLECTOR
OVERLAND PH: 878-7202
Y, ID 83318
ST HALF DUE
918.61

2001 TAX BILL/RECEIPT
LL# 11620
CODE AREA 10-00

PARCEL NUMBER
RP11S24E142400
75.01
T69553 336.36
TOT MV 111.38
TOT ACS 158.27

2ND HALF DUE
TAX 918.61
LATE
INT
COST
TOT

FULL DUE
TAX 1,837.22
LATE
INT
COST
TOT

INOUE MITSUO
& INOUE MILDRED D H/W
401 SOUTH HWY 77
DECLD ID 83323

TAXING DISTRICT
COUNTY .003197485 356.1
SCH DIST 151 .006381862 710.8
BURLEY HWY .001549888 172.6
N CASSIA FIRE .000436262 48.5
DISTRICT TOTAL .011565497 1,288.1
SOUTHWEST IRRIG 2 549.0
AMOUNT DUE 1,837.2

T 6825 (NW)
S 14 T 11 R 24

***** IMPORTANT *****
PLEASE READ BOTH FRONT AND BACK
***** MONTHLY PAYMENTS ARE ACCEPTED *****
 PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
 APPLIED TO THE OLDEST DELINQUENT YEAR.
 TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.
 KEEP TOP PORTION FOR YOUR RECORDS.
 PERSONAL CHECKS ARE YOUR RECEIPT
 SUBJECT TO BANK CLEARANCE.

ENTIRE NOTICE WHEN PAYING IN PERSON

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

E, MITSUO
2001
11620

INOUE, MITSUO
200
1162



2ND HALF


AMOUNT DUE 918.61



1ST HALF


AMOUNT DUE 918.61



FULL


AMOUNT DUE 1,837.2

A COUNTY
24E142400A
30
MICROFILMED
AUG 15 2002
JUNE 20, 2002
PAID BY
CHECK #
CASH

CASSIA COUNTY
RP11S24E142400A
10-00
LATE
INT
COST
TOT
DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
PAID BY

LATE
INT
COST
TOT
DECEMBER 20, 2001
CHECK #
CASH

CHECK PAYABLE TO: EREKSON
 A COUNTY TAX COLLECTOR BILL# 11618 CODE AREA 39-00 L
 OVERLAND PH: 878-7202
 Y, ID 83318
 ST HALF DUE 14.02 2ND HALF DUE 14.02 FULL DUE 28.04 TOT MV 2.75
 TAX LATE INT COST TOT
 TAX LATE INT COST TOT
 TOT ACS 41.14

PARCEL NUMBER
 RP11S24E141201
 2,75
T69553

INOUE MITSUO
 & INOUE MILDRED D H/W
 401 SOUTH HWY 77
 DECLO ID 83323

TAXING DISTRICT RATE AMOUNT
 COUNTY .003197485 8.6
 SCH DIST 151 .006381862 17.5
 ALBION HWY .000000000
 ALBION CEM .000165978 .4
 N CASSIA FIRE .000436262 1.2
 AMOUNT DUE .010181587 28.0

SWNE
 S 14 T 11 R 24

*** IMPORTANT ***
 PLEASE READ BOTH FRONT AND BACK

*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
 APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
 SUBJECT TO BANK CLEARANCE.

ENTIRE NOTICE WHEN PAYING IN PERSON

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

E, MITSUO

2001
 11618

INOUE, MITSUO

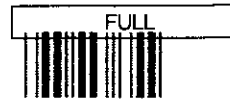
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AMOUNT DUE 14.02



AMOUNT DUE 14.02



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A COUNTY
 24E141201A
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MICROFILMED
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IF NOT PAID ON OR BEFORE

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 BY
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CASSIA COUNTY
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DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID
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LATE
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DECEMBER 20, 2001

CHECK #
 CASH

CHECK PAYABLE TO:

2001 TAX BILL/RECEIPT

PARCEL NUMBER

EREKSON

RP11S24E140600

A COUNTY TAX COLLECTOR

L L#

11617

CODE AREA 39-00

L

20,15

OVERLAND PH: 878-7202

T69553

ID 83318

ST HALF DUE

2ND HALF DUE

FULL DUE

TOT MV

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TAX

177.48

TAX

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LATE

LATE

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INOUE MITSUO

& INOUE MILDRED D H/W

401 SOUTH HWY 77

DECLD

ID 83323

TAXING DISTRICT

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COUNTY

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SCH DIST 151

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ALBION HWY

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3.3

N CASSIA FIRE

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DISTRICT TOTAL

.010181587

205.2

SOUTHWEST IRRIG 2

149.7

AMOUNT DUE

354.9

NWNE 14-11-24

*** IMPORTANT ***

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PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

E, MITSUO

2001
11617

INOUE, MITSUO

200
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2ND HALF



AMOUNT DUE

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1ST HALF



AMOUNT DUE

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FULL



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A COUNTY
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MICROFILMED

AUG 15 2002

LATE
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IF NOT PAID ON OR BEFORE

JUNE 20, 2002

PAID
BYCHECK #
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DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID
PAID BY

DECEMBER 20, 2001

CHECK #
CASH

CHECK PAYABLE TO:
EREKSON
A COUNTY TAX COLLECTOR
OVERLAND PH: 878-7202
Y, ID 83318
ST HALF DUE

2001 TAX BILL/RECEIPT

PARCEL NUMBER
RP11S24E117800
42,80

T69553

BILL# 11605 CODE AREA 41-00 L

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INDUYE MITSUD
& INUYE MILDRED D H/W
401 SOUTH HWY 77
DECLD ID 83323

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DECLD CEM	.000185530	7.9
N CASSIA FIRE	.000436262	18.6
DISTRICT TOTAL	.010201139	436.5
SOUTHWEST IRRIG 2		320.0
AMOUNT DUE		756.5

W1/2SE
S 11 T 11 R 24

*** IMPORTANT ***

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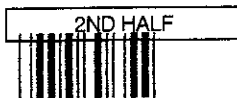
FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

E, MITSUD

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11605

INDUYE, MITSUD

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1160



AMOUNT DUE 378.29



AMOUNT DUE 378.29



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A COUNTY
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MICROFILMED
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CASSIA COUNTY
RP11S24E117800A
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IF NOT PAID ON OR BEFORE

JUNE 20, 2002

PAID
BY
CHECK #
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DELINQUENT IF NOT PAID ON OR BEFORE

DECEMBER 20, 2001

DATE PAID
PAID BY
CHECK #
CASH

CHECK PAYABLE TO:

2001 TAX BILL/RECEIPT

PARCEL NUMBER

ERIKSON

RP11S24E112500

A COUNTY TAX COLLECTOR

LL#

11599

CODE AREA 11-00

L

74,90

OVERLAND PH: 878-7202

T69553

ID 83318

1ST HALF DUE

2ND HALF DUE

FULL DUE

TOT MV

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720.07

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TAX

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INOUE MITSUO

& INOUE MILDRED D H/W

401 SOUTH HWY 77

DECLD

ID 83323

TAXING DISTRICT

RATE

AMOUN

COUNTY

.003197485

239.4

SCH DIST 151

.006381862

478.0

BURLEY HWY

.001549888

116.0

DECLD CEM

.000185530

13.9

N CASSIA FIRE

.000436262

32.6

DISTRICT TOTAL

.011751027

880.1

SOUTHWEST IRRIG 2

560.0

AMOUNT DUE

1,440.1

N1/2NW S/CANAL, E1/2SW

S 11 T 11 R 24

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E. MITSUO

2001

11599

INOUE, MITSUO

200

1159



2ND HALF

AMOUNT DUE

720.07



1ST HALF

AMOUNT DUE

720.07

FULL

1,440.1

A COUNTY
24E112500A
00

MICROFILMED

CASSIA COUNTY

LATE

RP11S24E112500A

INT

AUG 15 2002

11-00

COST

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IF NOT PAID ON OR BEFORE

JUNE 20, 2002

PAID
BYCHECK #
CASH

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID
PAID BY

DECEMBER 20, 2001

CHECK #
CASH

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 29, 2003

WENDY W STOKER
LAVEL D STOKER
MARLA J STOKER
707 E 500 S
BURLEY ID 83318

BRENT J STOKER
745 E 500 S
BURLEY ID 83318

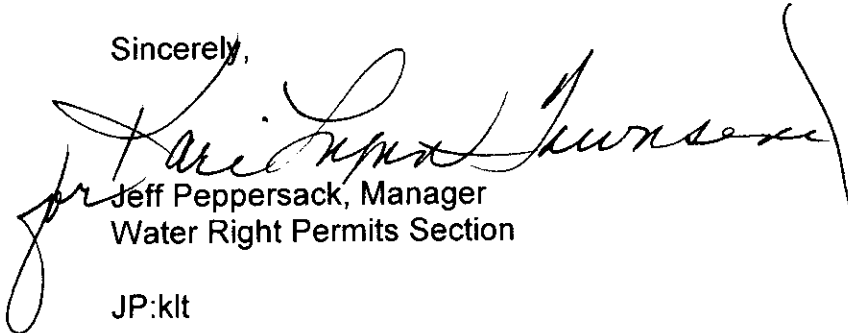
RE: Order In the Matter of Transfer 69553 in the name of Mitsuo or Mildred Inouye

Dear Interested Parties:

Enclosed please find Order Granting Extension of Time to Complete Transfer issued by the department in reference to the above listed information.

If you have any questions regarding this matter, please call me at 327-7940.

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
JUL 28 2003

RECEIVED

JUL 25 2003

Department of Water Resources

Lavel Stoker
707 E 500 S
Bunkley Id. 83318
July 22, 2003

I. D. W. R.

Last year we purchased the Mits Inouye farm and was granted the transfer # 69553 that Mr. Inouye had applied for before selling his farm.

We have not been able to drill this new well in the new location granted with this transfer. We would like an extension for 3 yrs. of this transfer so that we could complete this within the next three years. We have been getting to know the Inouye irrigation system to determine if the applied for location best meets our needs. Also another reason for the needed extra time is availability of our well driller who is very busy drilling replacement domestic wells.

Thank-you for your consideration in this matter.

Sincerely

Lavel D. Stoker

MICROFILMED
JUL 28 2003

45-7645



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 2, 2002

MILDRED D INOUE
MITSUO INOUE
401 S HWY 77
DECLO ID 83323

BRENT STOKER
LAVEL D STOKER
MARLA J STOKER
WENDY W STOKER
707 E 500 S
BURLEY ID 83318

RE: Transfer No.: 69553 - Water Right 45-7045 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

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

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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

MICROFILMED

310 1 5 2002

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Samula S. Skaggs

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

MICROFILMED

AUG 15 2002

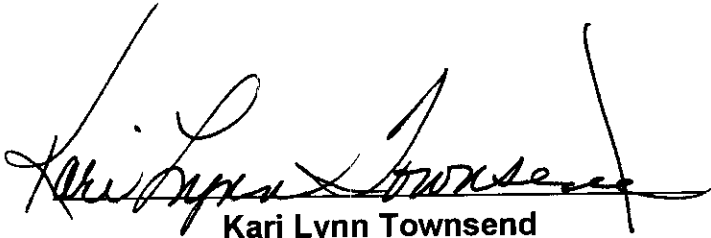
CERTIFICATE OF SERVICE

I hereby certify that on August 2, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69553 - WATER RIGHT 45-7045

**MILDRED D INOUE
MITSUO INOUE
401 S HWY 77
DECLO ID 83323**

**BRENT STOKER
LAVEL D STOKER
MARLA J STOKER
WENDY W STOKER
707 E 500 S
BURLEY ID 83318**



**Kari Lynn Townsend
Secretary**

MICROFILMED

AUG 15 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

RECEIVED

JUL 26 2002

Department of Water Resources

July 24, 2002

I. D. W. R.

This letter is a written Confirmation that we, Stokers, would like the application for transfer number 69553, now in the name of Inouye, moved to our name. As I mentioned on the phone with Pamela we may drill a new well as proposed by Inouye or we may drill some where different and we understand we would have to apply for a different location.

This transfer is in regards to water right # 45-7045 which should now be in our name.

MICROFILMED

AUG 15 2002

If there is more needed to complete this transfer please let me know

cell (208) 431-2887

home (208) 654-2745

Thank-You
David D. Stokers.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 19, 2002

LAVEL D STOKER
WENDY W STOKER
BRENT STOKER
MARLA J STOKER
707 E 500 S
BURLEY ID 83318

RE: Application for Transfer 69553 in the name of Inouye
Right 45-7045

Dear Right Holders:

I recently contacted Lavel Stoker by telephone regarding the above referenced transfer application. This application was filed by the previous owner of Right 45-7045 proposing to add a fourth well in the NENWNW, S15, T11S, R24E. I explained the proposal to Lavel and asked if you want to complete the transfer process. He said that you did and would send me written confirmation to that affect. As of this time, I have not received any correspondence from Lavel.

I have included a copy of the application for your review and will withhold the application from further processing for 15 days to allow for your written response. If I do not receive written confirmation that you want to complete the transfer, I will request that Mr. Inouye, as the applicant, withdraw the application.

If you require additional information regarding this matter, please call me directly at (208) 327-7943, e-mail me at pskaggs@idwr.state.id.us or contact me by mail, and I will be happy to assist you.

Sincerely,

Pamela S. Skaggs
Sr. Water Rights Agent

Enclosure

MICROFILMED

AUG 15 2002

Skaggs, Pam

From: Christensen, Kelly
Sent: Thursday, June 06, 2002 4:55 PM
To: Skaggs, Pam
Subject: T-69553, 45-7045

We have a data entered change of ownership for this right from Inouye to Stoker. I do not know how you handle this on your end but if you need the ownership change documents let me know.

Kelly K Christensen

MICROFILMED

AUG 15 2002

REC-11

FEB -4 2002

MEMO

FROM: Allen Merritt *AM*

DATE: January 30, 2002

TO: Transfer File No. T69553

In the name of: Mitsuo Inouye

Water Right(s): 45-7045

SUBJECT: **Review and Recommendation**

This transfer proposes to change the point of diversion of a right which has recently been transferred under T5645. The new proposal involves conveying water or exchanging water in the BID canal. The BID has granted approval as documented in the file.

The transfer was processed without protest.

The applicant has called and wishes to file an expedited request to drill the well.

Recommendation

I recommend that this transfer be approved subject to the following conditions:

WATER RIGHT NO. 45 7045

- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
- T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- W57 Approval of Transfer 69553 does not grant any right-of-way or easement for use of a

MICROFILMED
AUG 15 2002

delivery system owned by person(s) other than the right owner. Transfer 69553 is subject to agreement with Burley Irrigation District.

W61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

MICROFILMED
AUG 15 2002

Merritt, Allen

From: Skinner, Corey
Sent: Wednesday, January 30, 2002 11:14 AM
To: Merritt, Allen
Subject: Call from Mitsuo Inouye

Allen,

I just received a call from Mitsuo Inouye who was calling about the status his transfer (69553). I told him we had advertised it, and no protests were received, and it was in your office, under final regional review. He asked to speak to you about it, but you were on another line. He asked that you give him a call at 654-2742.

Corey

He wants to file expedited request.
I told him about the process and
he will come in to file request of
drilling permit application.

AC 1/30/02

RECEIVED

JAN - 9 2002

Department of Water Resources
Southern Region

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

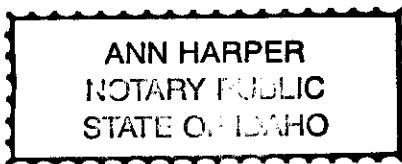
County of Cassia)
) ss
STATE OF IDAHO)

Ruth Anne Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated December 31, 2001 and ending with the issue dated January 7, 2002.

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 7th day of January in the year of 2002 before me, a Notary Public, personally appeared Ruth Anne Holmes, 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 she executed the same.



Ann Harper
Notary Public for Idaho

Residing at: Burley, Idaho

My commission expires: 9-14-2007

Cost of Publication 75.79
Affidavit Fee 5.00
Total Cost 80.79

OK
MB
1/9/02

01-539
NOTICE OF PROPOSED CHANGE
TO WATER RIGHTS

Notice is hereby given that two Applications for Transfer have been filed with the Idaho Department of Water Resources for changes to water rights within Cassia County, as listed below:

MITSUO OR MILDRED INOUE, 401 S HWY 77; DECLO ID 83323 filed Application No. 69553 on November 13, 2001 for diversion of 5.47 cfs from ground water for irrigation of 414 acres. Transfer proposes adding a new well to be located 3 miles South and 0.75 miles West of Declo to an existing system of three wells used to irrigate land 2 miles to 3.5 miles South of Declo, East of Highway 77. The applicant plans on pumping water from the new well into the Burley Irrigation District J-Canal in exchange for diverting water from the J-Canal about 1.5 miles upstream of the new well to be used on the land described above.

GARY B. &/OR SUSAN C. HARP-ER, 2040 E 850 S; DECLO ID 83323 filed Application No. 69577 on August 28, 2001 for diversion of a combined total of 16.74 cfs from ground water. The purpose of the transfer is to inter-connect 4 existing wells, drill 1 new well to replace recently abandoned bad well and describe a place of use for irrigation of 1042 acres within a 1205 acre permissible place of use located 2 miles South of Idaho Rd. along East side of Hwy 81.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-232, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before January 18, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the South Idaho Press on December 31, 2001 and January 7, 2002.

MICROFILMED

AUG 15 2002

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that two Applications for Transfer have been filed with the Idaho Department of Water Resources for changes to water rights within Cassia County, as listed below:

MITSUO OR MILDRED INOUE, 401 S HWY 77; DECLO ID 83323 filed Application No. 69553 on November 13, 2001 for diversion of 5.47 cfs from ground water for irrigation of 414 acres. Transfer proposes adding a new well to be located 3 miles South and 0.75 miles West of Declo to an existing system of three wells used to irrigate land 2 miles to 3.5 miles South of Declo, East of Highway 77. The applicant plans on pumping water from the new well into the Burley Irrigation District J-Canal in exchange for diverting water from the J-Canal about 1.5 miles upstream of the new well to be used on the land described above.

GARY B. &/OR SUSAN C. HARPER, 2040 E 850 S; DECLO ID 83323 filed Application No. 69577 on August 23, 2001 for diversion of a combined total of 16.74 cfs from ground water. The purpose of the transfer is to inter-connect 4 existing wells, drill 1 new well to replace recently abandoned bad well and describe a place of use for irrigation of 1042 acres within a 1205 acre permissible place of use located 2 miles South of Idahome Rd. along East side of Hwy 81.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before January 18, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 12/31/01 & 01/07/02.

MICROFILMED

AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax: 736-3037

December 21, 2001

ATTN KAY MOORE
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318

Dear Ms. Moore:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033.

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

Sincerely

Mary A. Baldwin
Administrative Assistant

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AUG 15 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 21, 2001

MITSUO OR MILDRED INOUE
401 S HWY 77
DECLO ID 83323

RE: Application for Transfer No. 69553

Dear Applicants:

The Department of Water Resources acknowledges receipt of your application. Please refer to the number(s) in all correspondence regarding the above referenced application.

This office has scheduled advertising the application in the South Idaho Press for 12/31/01 and 01/07/02. The advertisement will be published for two weeks, and a period of ten calendar days following the second publication will be allowed for the submittal of protests. (January 18, 2002)

If an application is protested, the applicant 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.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

State Office personnel will conduct a complete review prior to final processing of the application(s) and will notify the applicant of the outcome of this review.

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

Sincerely,

Mary A. Baldwin
Administrative Assistant

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AUG 15 2002

STAFF ANALYSIS SUPPLEMENT

Mitena Enouye

Local Description of new proposed site:

_____ miles N/S and _____ miles EW of _____

(City or local landmark).

☐

Other:

TRANSFER PROPOSES ADDING A NEW WELL
LOCATED 3 MILES SOUTH AND 3/4 MILES WEST OF
DEULO TO A SYSTEM OF THREE NEW EXISTING
WELLS LOCATED USED TO IRRIGATE
LAND 2 MILES TO 3 1/2 MILES SOUTH OF DEULO,
EAST OF HIGHWAY 77. THE APPLICANT PLANS ON
PUMPING WATER FROM THE NEW WELL INTO THE
BURLEY IRRIGATION DISTRICT'S THE "J-CANAL"
IN EXCHANGE FOR DIVERTING WATER FROM THE
J-CANAL ABOUT 1 1/2 MILES UPSTREAM OF THE
NEW WELL TO BE USED ON THE LAND 2 TO 3 1/2
MILES SOUTH OF DEULO, EAST OF HIGHWAY 77.

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AUG 15 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69553

MITSUO INOUE

401 S HWY 77

DECLO ID 83323, has filed Application No. 69553 for changes to the following water rights within CASSIA County:

Right No. 45-7045

Priority 12/16/1969

Source GROUND WATER

Use IRRIGATION (414 acres) 5.47 CFS 1,656.0 AFA

Total Amount 5.47 CFS 1,656.0 AFA

Point(s) of Diversion SWNENW S11 T11S R24E
NWNWNW S11 T11S R24E
SWNWNW S11 T11S R24E
SWNENW S14 T11S R24E

Place of Use S11 T11S R24E
S14 T11S R24E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 45-7045

Priority 12/16/1969

Source GROUND WATER

Use IRRIGATION (414 acres) 5.47 CFS 1,656.0 AFA

Total Amount 5.47 CFS 1,656.0 AFA

Point(s) of Diversion SWNENW S11 T11S R24E
SWNWNW S11 T11S R24E
SWNENW S14 T11S R24E
NENWNW S15 T11S R24E

Place of Use S11 T11S R24E
S14 T11S R24E

Remark: Transfer proposes adding a new well to be located 3 miles south and 0.75 miles west of Declo to an existing system of three wells used to irrigate land 2 miles to 3.5 miles south of Declo, east of Highway 77. The applicant plans on pumping water from the new well into the Burley Irrigation District J-Canal in exchange for diverting water from the J-Canal about 1.5 miles upstream of the new well to be used on the land 2 to 3.5 miles south of Declo and east of Highway 77.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before January 18, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on _____ and _____

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AUG 15 2002