

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO**

IN THE MATTER OF TRANSFER NO. 5645)	ORDER GRANTING
IN THE NAME OF MITSUO INOUE)	EXTENSION OF TIME TO
OR MILDRED INOUE)	COMPLETE TRANSFER
_____)	

FINDINGS OF FACT

1. On April 10, 2000, the Department of Water Resources (Department) approved Application for Transfer No. 5645 (transfer) in the name of Mitsuo Inouye or Mildred Inouye (right holder) with the following condition of approval:

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

2. On March 19, 2001, the right holder requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

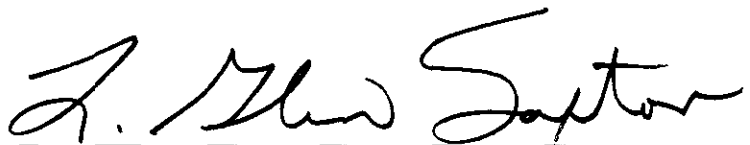
CONCLUSIONS OF LAW

3. The Department should grant an extension of time in which to complete the change authorized by the transfer.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that the time period within which Transfer No. 5645 must be accomplished is extended to April 10, 2002.

Dated this 20th day of March, 2001.



L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5645
WATER RIGHT NO. 45-07045

This is to certify that: **MITSUO INOUE**
MILDRED INOUE
401 S HWY 77
DECLO ID 83323

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	5.47 CFS	1656.0 AF

SOURCE

GROUNDWATER

Priority: 12/16/1969

LOCATION OF POINT(S) OF DIVERSION:

SWNENW , Sec. 11, Township 11S, Range 24E
NWNW , Sec. 11, Township 11S, Range 24E
SWNWNW , Sec. 11, Township 11S, Range 24E
SWNENW , Sec. 14, Township 11S, Range 24E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S 24E 11	NENW 28	NWNW 30	NESW 40	
	SESW 40	NWSE 40	SWSE 40	218
14	NWNE 40	SWNE 13	NENW 40	
	NWNW 36	SWNW 32	SESW 35	196
Total number of acres irrigated:				414

CONDITIONS OF APPROVAL AND REMARKS

1. 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.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5645
WATER RIGHT NO. 45-07045

CONDITIONS OF APPROVAL AND REMARKS

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
6. 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.
7. 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.
8. 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.

Dated this 10th day of April, 2000


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5645

RECEIVED
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEC 01 1999

Name of Applicant Mitsuo or Mildred Iyouda Phone 208-654-2742
Post Office address 401 S. Hwy 77 DECHO ID 83323

PURPOSE OF TRANSFER

- ☐ 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 Need to Drill for a 4th well
Because of shortage of water in the Existing 3 wells

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>45-07045</u>	<u>12-16-69</u>	<u>5.47 CFS</u>	<u>Irrigation</u>	<u>4-1</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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	11	11S	R24E	CASSIA	New Well to be Drilled
		NE	NW	11	11S	R24E	"	Existing Well
		NW	NW	11	11S	R24E	"	"
		SE	NW	14	11S	R24E	"	"

5. Lands irrigated or place of use: NO CHANGE

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	24E	11					28	30			40			40		40	40		218
11S	24E	14		40	13		40	36	32	35									196
																			414

Total acres

PART 1

6. General Information:

a. Description of diversion system 4 Wells to common Sprinkling 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 affect on the-land now irrigated if the place of use is changed pursuant to this transfer:

No Change

d. Remarks:

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 _____

MICROFILMED

APR 18 2000

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-07045

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	5.47 CFS	1656.0 AF

SOURCE

GROUNDWATER

Priority: 12/16/1969

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 11, Township 11S, Range 24E
 NWNW , Sec. 11, Township 11S, Range 24E
 SENW , Sec. 14, Township 11S, Range 24E
 CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	24E	11	NENW 28	NWNW 30	NESW 40	
			SESW 40	NWSE 40	SWSE 40	218
		14	NWNE 40	SWNE 13	NENW 40	
			NWNW 36	SWNW 32	SESW 35	196
Total number of acres irrigated:						414

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
6. 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.
7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4853 shall not exceed 5.47 cfs, nor total combined annual volume of 1656.0 af.

MICROFILMED

APR 18 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

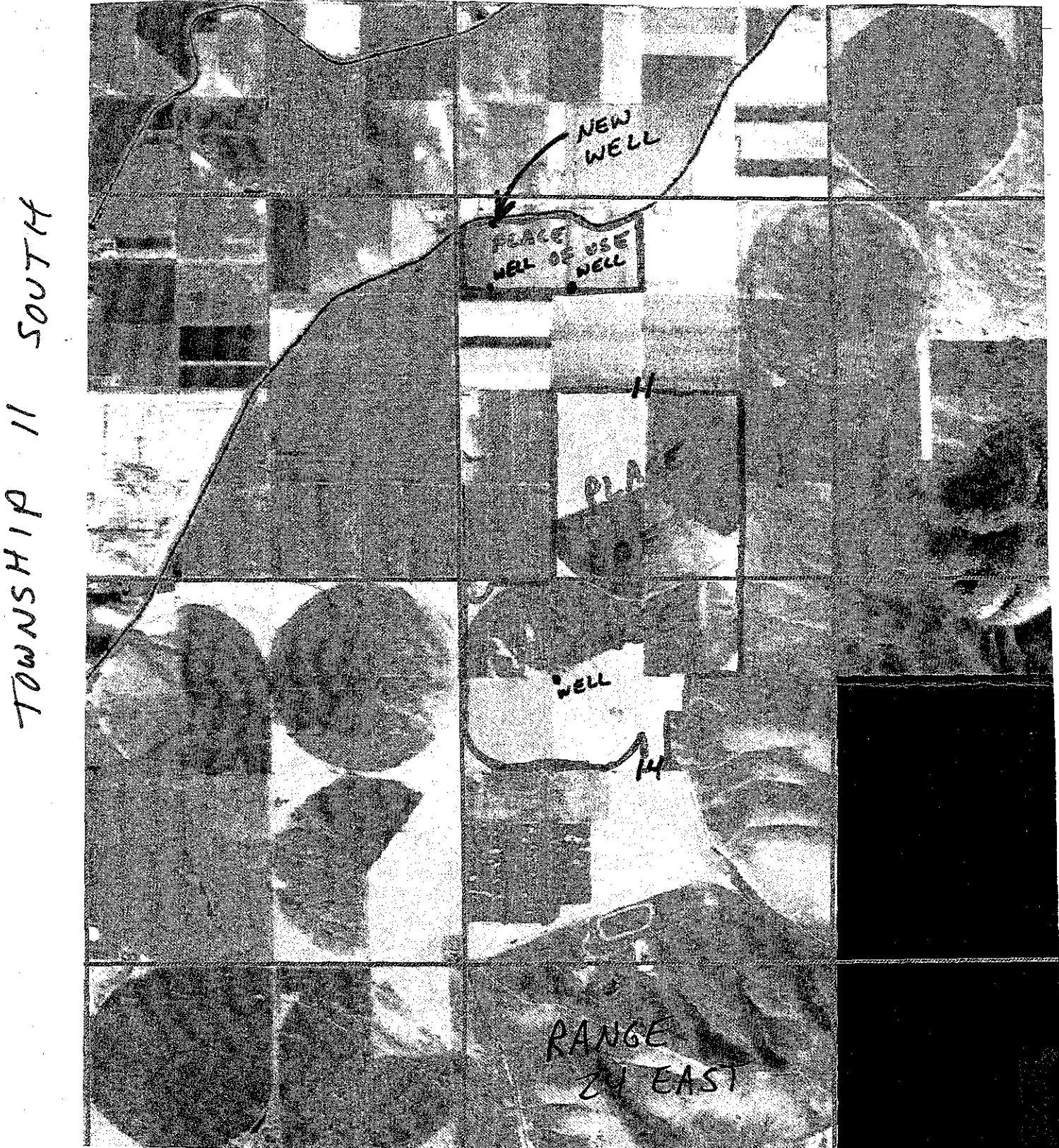


TOWNSHIP 11 SOUTH

MICROFILMED

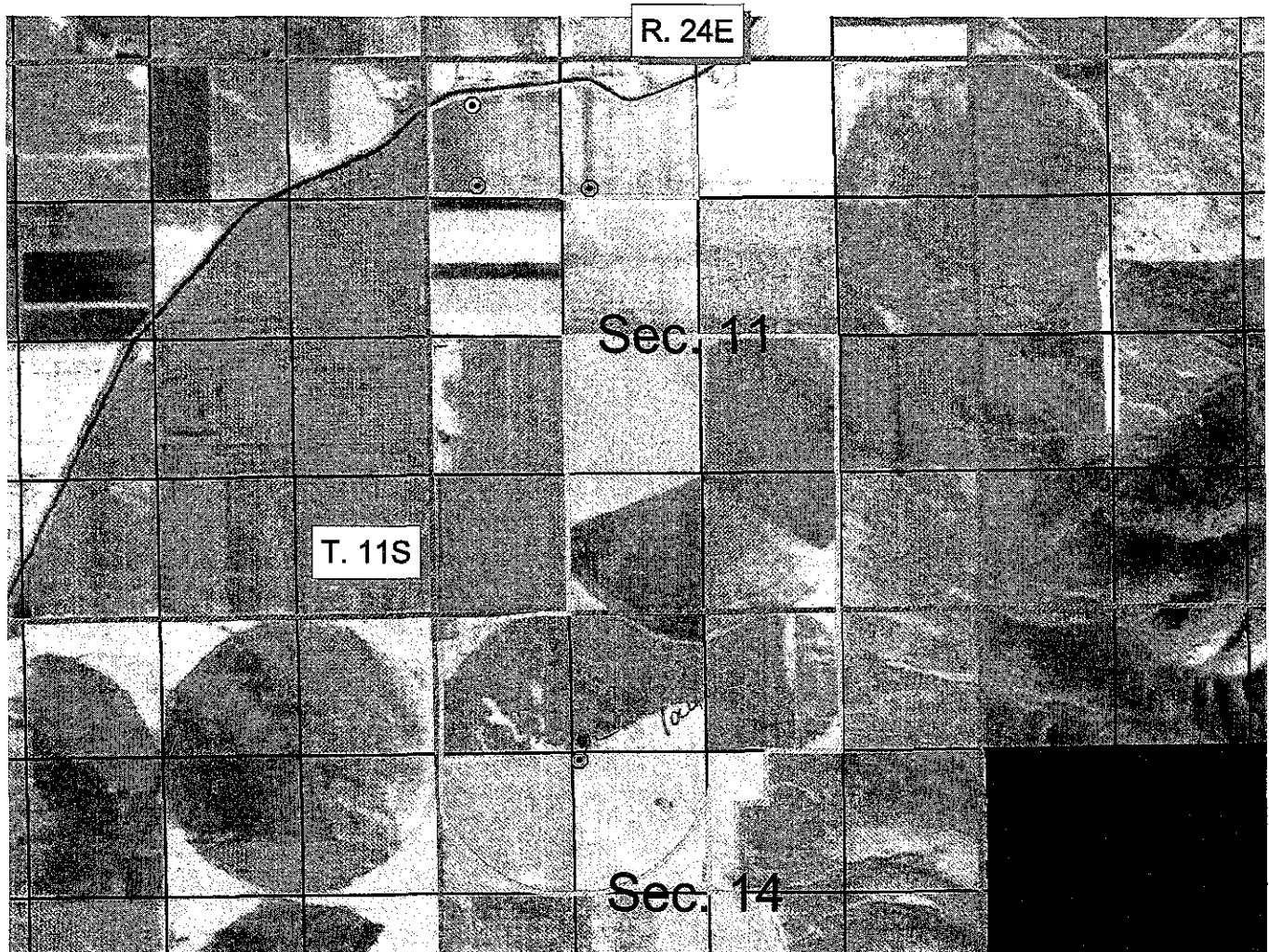
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



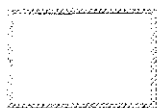
MICROFILMED

APP. FOR TRANSFER - MITSUO INOUYE



⊙ Existing Well

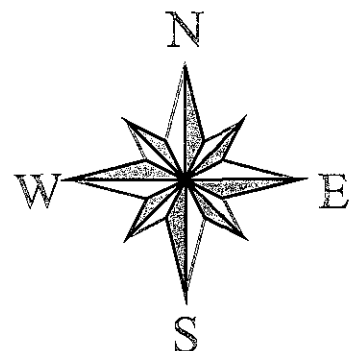
⊙ New Well To Be Drilled



Existing Place of Use

Prepared By J E Stanton
1-27-2000

MICROFILMED
APR 18 2000



PART 3

T#5645

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.

Mitsuo Laroya
(Signature of Applicant)

Subscribed and sworn to before me this 19th day of August, 19 99.

John Ollie
(Notary Public)

My commission expires 12/7/2000

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 2 attachments

Received by MB Date 12/1/99

Protest filed by None

Prelim. check by JP Fee \$100.5022689

Receipted by JP Date 12-1-99

Published in So. Ed. Press

Copies of protest forwarded by _____

Pub. dates 2/21 & 2/23/00

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by ADW

Copy of transfer sent to lien holder _____

MICROFILMED
APR 18 2000

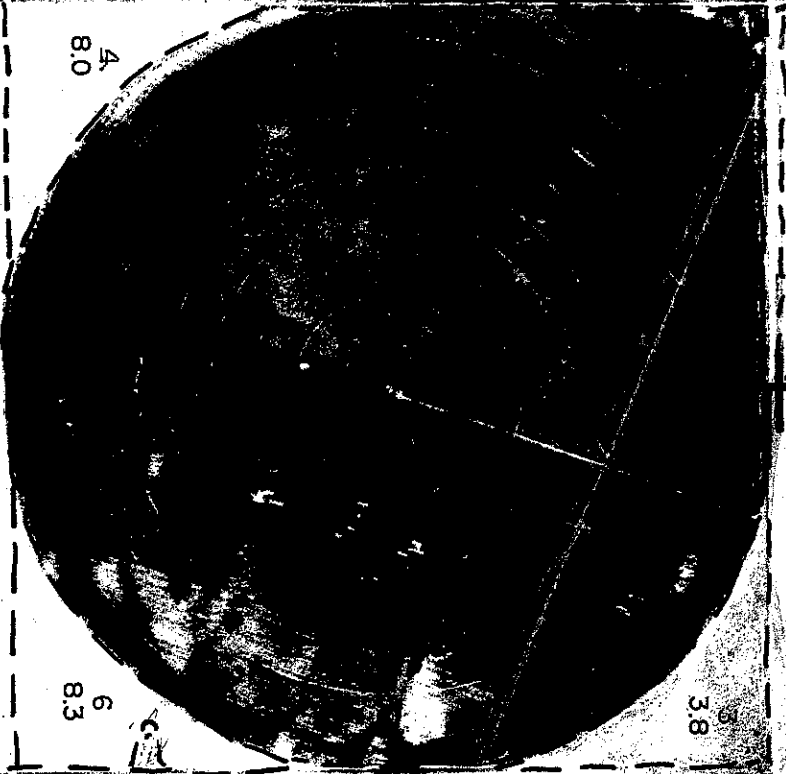
1992 Photo

MICROFILMED
APR 18 2000

T# 5645

21

SEE MAP V12.



3.8

6
8.3

4
8.0

7
69.5

3
9.9, 9.8

4
164.7

7
1.9

11
TH39

15

14
11.6
9.8

CRP
10489.98

T#5645

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4853
WATER RIGHT NO. 45-07045

This is to certify that: **MITSUO INOUE**
MILDRED D INOUE
401 S HWY 77
DECLO ID 83323

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	* 5.47 CFS	* 1656.0 AF

SOURCE

GROUNDWATER

Priority: 12/16/1969

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 11, Township 11S, Range 24E
NWNW , Sec. 11, Township 11S, Range 24E
SESW , Sec. 14, Township 11S, Range 24E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	24E	11	NENW 28	NWNW 30	NESW 40	
			SESW 40	NWSE 40	SWSE 40	218
		14	NWNE 40	SWNE 13	NENW 40	
			NWNW 36	SWNW 32	SESW 35	196
Total number of acres irrigated:						414

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

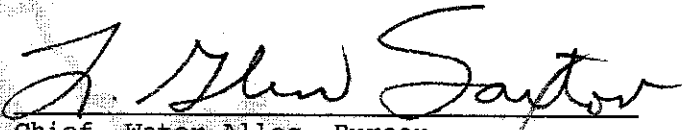
MICROFILMED
MAR 25 1987

TRANSFER NO. 4853
WATER RIGHT NO. 45-07045

CONDITIONS OF APPROVAL AND REMARKS

4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. 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.
6. 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.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4853 shall not exceed 5.47 cfs, nor total combined annual volume of 1656.0 af.

Dated this 17th day of March, 1997.


Chief, Water Alloc. Bureau

MICROFILMED
MAR 25 1997

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 03/17/97
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

45-07045

INOUE , MITSUO
INOUE , MILDRED D

5.47

RECORDED
MAR 23 1997

Page 1 of STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4853AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Mitsuo Inouye &/or Mildred D. Inouye Phone 654-2742
Post Office address 401 S Hwy. 77, Declo, I

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 Dry up some land under license in order to irrigate new land. Hopefully this amended application will resolve the protest of Bruce Turner

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

1. Right Number 45-07045 Priority 12-16-1969 Amount (cfs/ac-ft) 5.47 cfs Nature of Use Irrig. Period of Use 4-1 to 10-31

2. Total amount of water being transferred 5.47 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County

3-14-97
Vanessa -
Send a copy of
approval to both
Bruce Turner &
Bill Parsons also.
Addresses in file.
Cam

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	24E	11			*		28	30			40			40		40	40		* 216 218
		14		40	13	15	40	36	32	35									* 198 196

RECEIVED
NOV 9 7 1996
Department of Water Resources
MICROFILMED* m.d.
10/24/96

Total acres

MAR 2 1997
914

PART 1

6. General Information:

a. Description of diversion system 3 existing well, pumps, sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ✓ 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will no longer be irrigated.

d. Remarks:

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 .

MICROFILMED
MAR 25 1987

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-07045

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	5.47 CFS	1656.0 AF

SOURCE

GROUNDWATER

Priority: 12/16/1969

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 11, Township 11S, Range 24E
NWNW , Sec. 11, Township 11S, Range 24E
SEnw , Sec. 14, Township 11S, Range 24E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	24E	11	NENW 29	NWNW 30	NESW 40	
			SESW 40	NWSE 40	SWSE 40	219
		14	NWNE 40	NENW 40	NWNW 36	
			SWNW 39	SEnw 40		195
				Total number of acres irrigated:		414

CONDITIONS/REMARKS:

MICROFILMED

MAR 25 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

*See Attached
of original
transfer.***A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

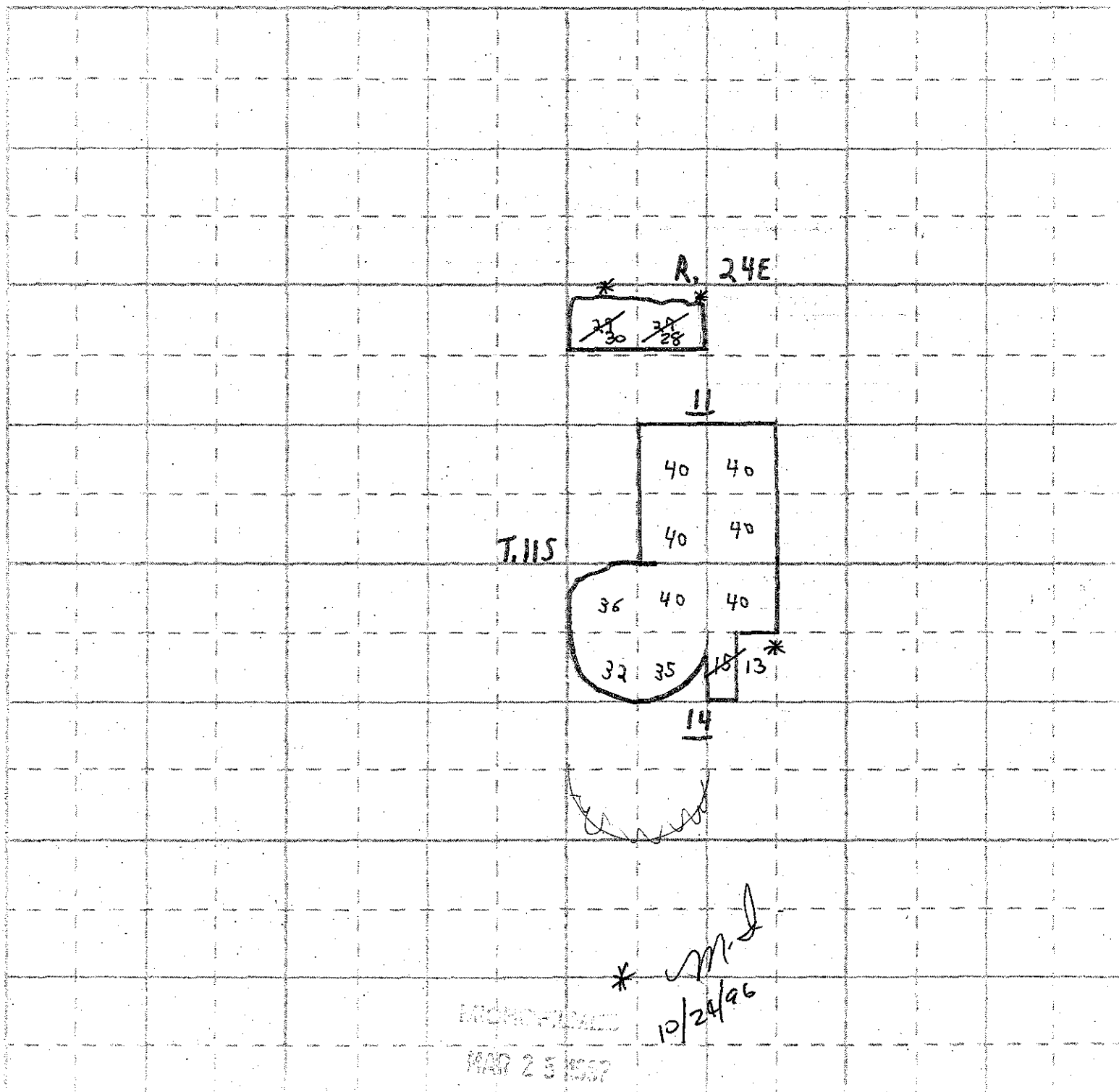
3. Lands irrigated or place of use:

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	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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.

Subscribed and sworn to before me this 26th day of July, 19 96.

(Signature of Applicant)

J. F. Stanton
(Notary Public)

My commission expires 10-25-2000**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 0 attachmentsReceived by J. F. Stanton Date 7-26-96 Protest filed by Bruce TurnerPrelim. check by _____ Fee \$50.00 5019380 (with drawn 10/24/96)Receipted by JS Date 7-26-96Published in So. So. Press Copies of protest forwarded by _____Pub. dates 8/5 + 8/12/96 Hearing held by _____ Date _____Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial_____ rec'd. by AD

Copy of transfer sent to lien holder _____

RECORDED
MAR 25 4 43 PM '97

Page 1 of 7STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4853

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

~~AMENDED~~
Name of applicant Mitsuo Inouye &/or Mildred D. Inouye Phone 654-2742
Post Office address 401 S Hwy 77, Declo, 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 Create PPU
2. Describe the reason for the proposed changes Some land is in CRP until 1998. I have purchased the SW/NE Sec. 14 to square up the farm. I need to create a permissible place of use to cover this situation

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

1. Right Number 45-07045 Priority 12-16-1969 Amount (cfs/ac-ft) 5.47 cfs Nature of Use Irrig. Period of Use 4-1 to 10-31
2. Total amount of water being transferred 5.47 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: No Change
- ~~AMENDED~~
Replaced

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use: PPU not to exceed 414 acres per annum

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	24E	11					29	30			40			40		40	40		219
																			235
		14		40	40		40	36	39	40									

~~AMENDED~~
RECEIVED
MAY 23 1997

Total acres 454

PART 1

6. General Information:

- a. Description of diversion system Existing well & pump, mainlines to 4 pivots & wheel lines
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Unless additional water rights can be purchased, irrigation will be moved around the farm so as not to exceed licensed acres.
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

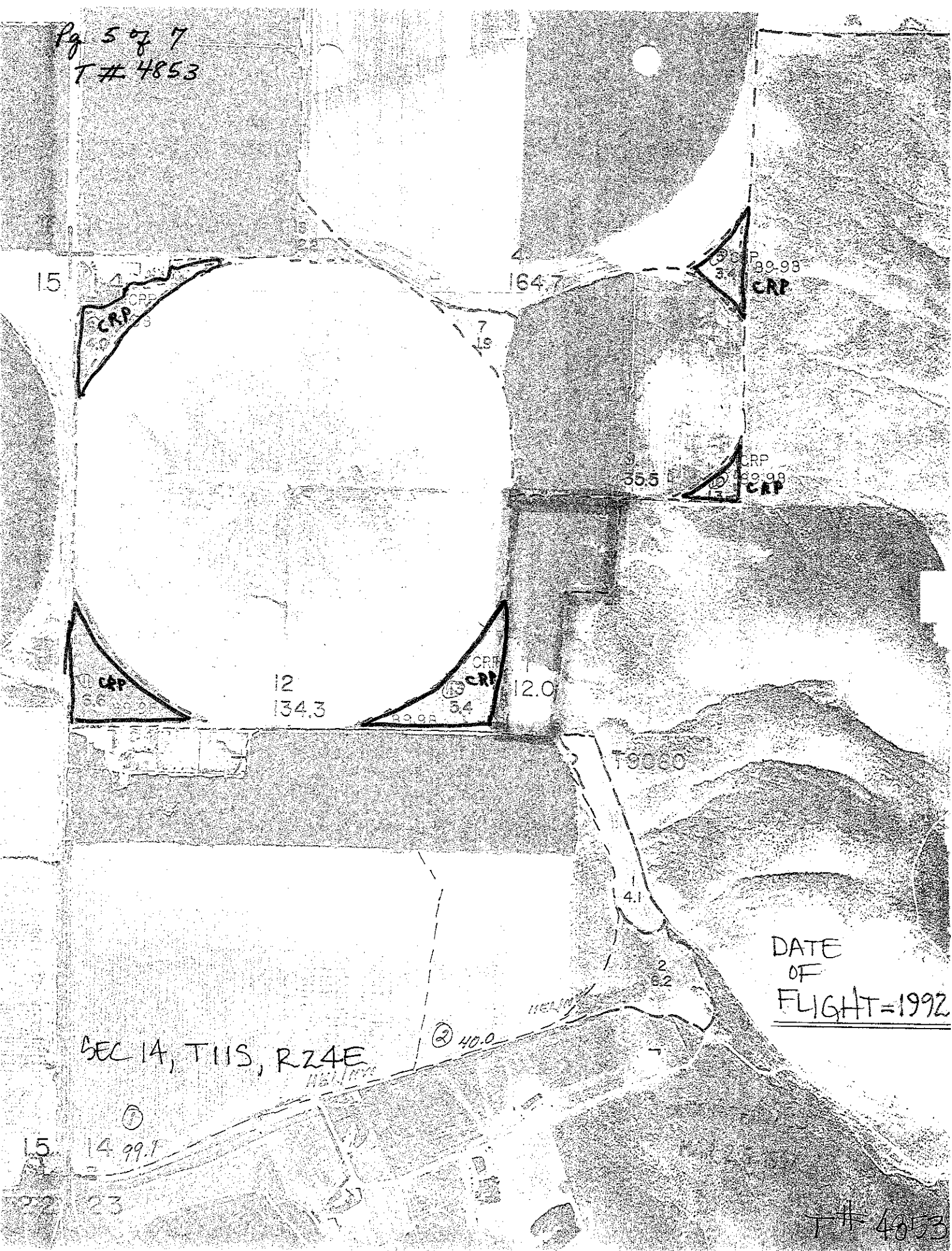
And said application is hereby _____, subject to the following limitations and conditions:

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

MICROFILMED

MAR 25 1997

Pg 5 of 7
T# 4853

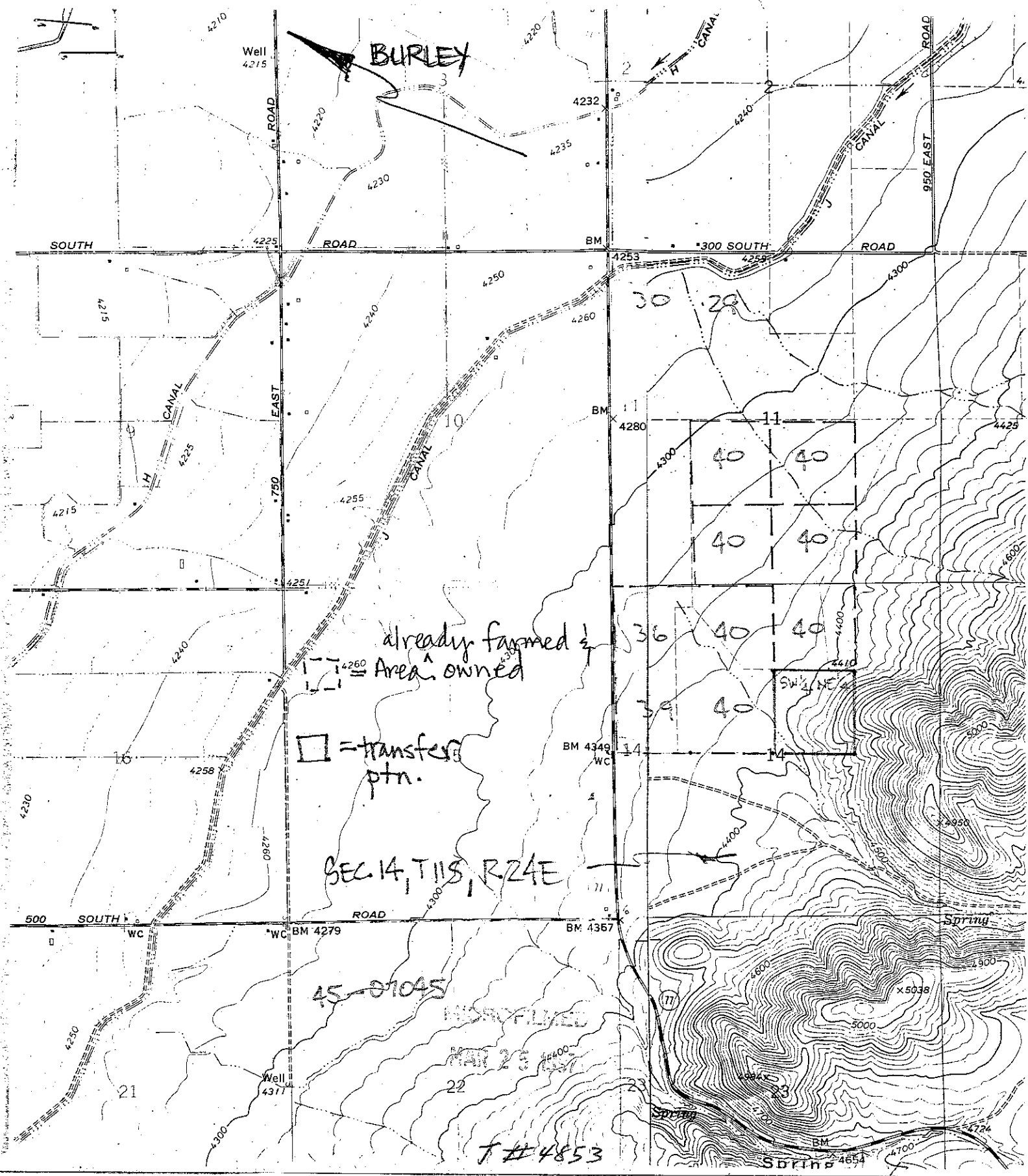


DATE
OF
FLIGHT=1992

井 4952

VIEW
7.5 MINUTE QUAD
1964

ALBION
7.5 MIN QUAD
1968



PART 2

TRANS NO. 4853

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-07045

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	5.47 CFS	1656.0 AF

SOURCE

GROUNDWATER

Priority: 12/16/1969

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 11, Township 11S, Range 24E
NWNW , Sec. 11, Township 11S, Range 24E
SENE , Sec. 14, Township 11S, Range 24E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	24E	11	NENW 29	NWNW 30	NESW 40	
			SESW 40	NWSE 40	SWSE 40	219
		14	NWNE 40	NENW 40	NWNW 36	
			SWNW 39	SENE 40		195
				Total number of acres irrigated:		414

CONDITIONS/REMARKS:

MICROFILMED

MAR 25 1987

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. A45-07045

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	5.47 CFS

SOURCE

GROUNDWATER

Priority: 12/16/1969

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 11, Township 11S, Range 24E
NWNW , Sec. 11, Township 11S, Range 24E
SENW , Sec. 14, Township 11S, Range 24E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	24E	11	NENW 29	NWNW 30	NESW 40	
			SESW 40	NWSE 40	SWSE 38	217
		14	NWNE 37	SWNE 20	NENW 40	
			NWNW 36	SWNW 33	SENW 33	199
Total number of acres irrigated:						416

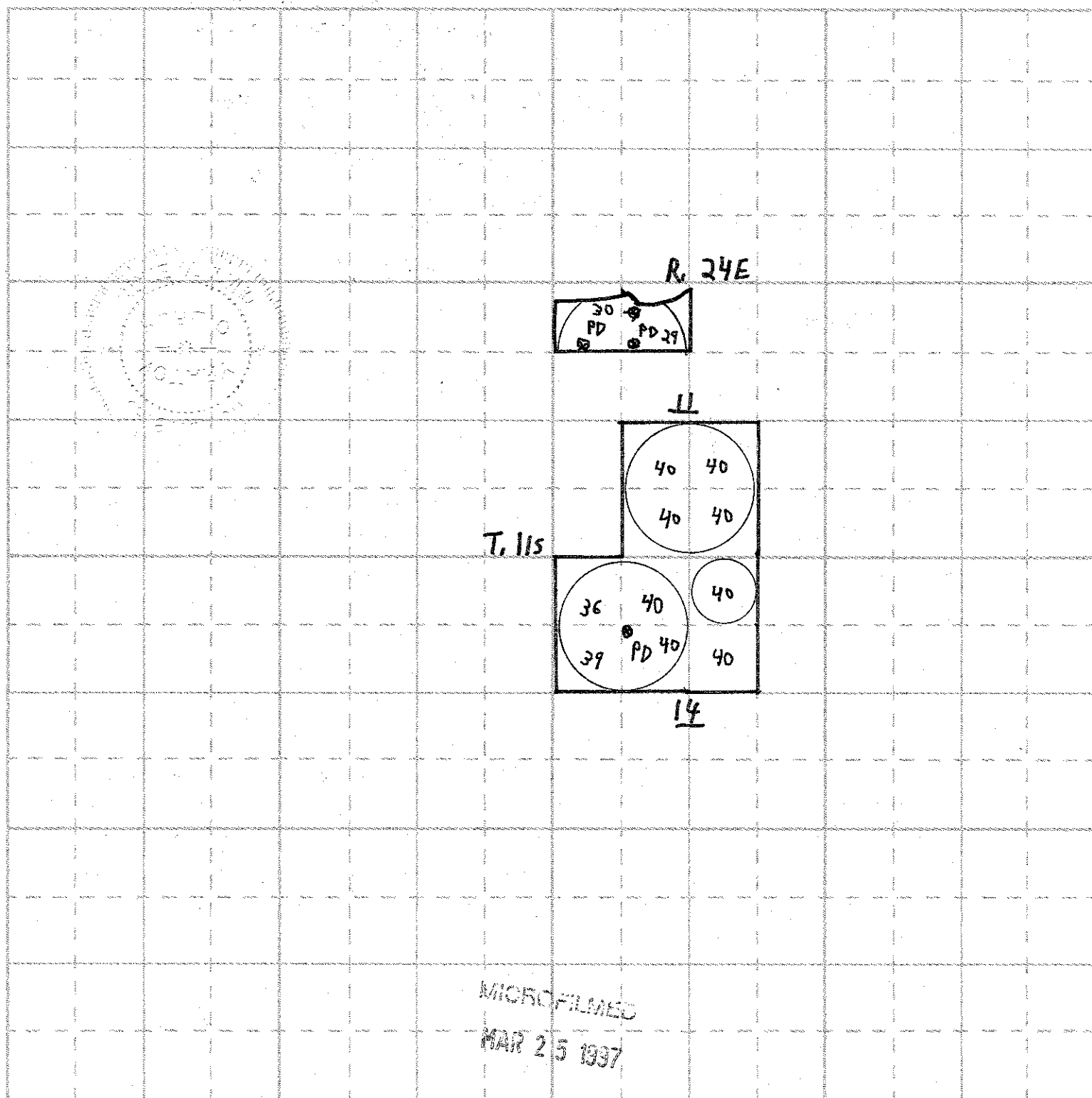
CONDITIONS/REMARKS:

MICROFILMED

MAR 25 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



MICROFILMED
 MAR 25 1997

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.

Mitao Ino
(Signature of Applicant)
Subscribed and sworn to before me this 29th day of March, 19 96.

JF Stanton
(Notary Public)
My commission expires 10-25-2000

FOR DEPARTMENT USE ONLYTransfer contains 7 pages and 1 attachmentsReceived by JF Stanton Date 3-29-96 Protest filed by _____Prelim. check by GS Fee \$100. 50/8975Receipted by GS Date 3-29-96Published in So. So. Press Copies of protest forwarded by _____Pub. dates 6/24 + 7/1/96 Hearing held by _____ Date _____Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED
MICROFILMED

MAR 25 1997

APR 01 1996

Department of Water Resources
Southern Region

5/31/96
15:03:57

UNIFORM ASSESSMENT DEVELOPMENT
SOFTWARE SYSTEMS

PAGE 1

PM8001
NUMERIC ROLL

PARCEL KEY **
TYPE PARCEL NO STATUS
CODE OLD PARCEL NO
MAP NUMBER

NAME/ADDRESS	LEGAL DESCRIPTION	CAT	QUANTITY	UNIT	MARKET	REVIEW YEAR
--------------	-------------------	-----	----------	------	--------	-------------

RP 11S24E112500 A	INOUE, MITSUO	PT N1/2NW, E1/2SW	1	140.000	AC	74,900	1991
011-00 RP11S24E112500A	& INOUE, MILDRED D H/W	S 11 T 11 R 24	19	700	AC		1989
	RT 1						
	DECLD	ID 83323					

168072

PROPERTY ADDRESS: RT 1 83323 140.700 ** 74,900 ***

INSP YR: 1989

RP 11S24E117800 A	INOUE, MITSUO	W1/2SE	1	80.000	AC	42,800	1991
041-00 RP11S24E117800A	& INOUE, MILDRED D H/W	S 11 T 11 R 24					
	RT 1						
	DECLD	ID 83323					

168072

PROPERTY ADDRESS: RT 1 83323 80.000 ** 42,800 ***

INSP YR: 1991

RP 11S24E140600 A	INOUE, MITSUO	NWNE 14-11-24	1	37.440	AC	20,030	1996
007-00 RP11S24E140600A	& INOUE, MILDRED D H/W		5	4.000	AC	128	1996
	RT 1						
	DECLD	ID 83323					

168072

PROPERTY ADDRESS: RT 1 83323 41.440 ** 20,158 ***

INSP YR: 1996

RP 11S24E141201 A	INOUE, MITSUO	SWNE	3	12.000	AC	1,740	1996
039-00 RP11S24E141201A	& INOUE, MILDRED D H/W	S 14 T 11 R 24	5	29.140	AC	932	1996
	850 EAST 400 SOUTH						
	DECLD	ID 83323					

236777

213457

213288

185871

PROPERTY ADDRESS: 41.140 ** 2,672 ***

INSP YR: 1996

RP 11S24E142400 A	INOUE, MITSUO	T 6825 (NW)	1	137.270	AC	73,439	1996
010-00 RP11S24E142400A	& INOUE, MILDRED D H/W	S 14 T 11 R 24	3	7.500	AC	1,088	1996
	RT 1		5	13.500	AC	432	1996
	DECLD	ID 83323	32			36,369	1996

168072

MAR 25 1997

T #4853

JUN-3-96 MON 4:13 PM

5/31/96
15:00:57

UNIFORM ASSESSMENT DEVELOPMENT
SOFTWARE SYSTEMS

PAGE 2

PM8001
NUMERIC ROLL

** PARCEL KEY **

TYPE	PARCEL NO	STATUS	NAME/ADDRESS	LEGAL DESCRIPTION	CAT	QUANTITY	UNIT	MARKET	REVIEW
CODE	OLD	PARCEL NO							YEAR
MAP	NUMBER								

INSP YR: 1996	PROPERTY ADDRESS:	RT 1	83323	158.270 **	111,328 ***
---------------	-------------------	------	-------	------------	-------------

RP 11S24E143175 A	INDUYE, MITSUO	T 3687 (NW)	1	.200	AC	107	1996
010-00 RP11S24E143175A	& INDUYE, MILDRED H/W	S 14 T 11 R 24	10	1.000	AC	3,135	1996
	RT 1	CONTIGUOUS WITH 11S24E142400	19	.290	AC		1996
	DECLD	ID 83323	31			97,051	1996

TYPE: CL	LOCATION:	PROPERTY ADDRESS:	400	S 050 E	83318	1.490 **	100,293 ***	*HO*
INSP YR: 1996								

NUMBER OF PARCELS-	6	TOTAL QUANTITY	463.040	TOTAL MARKET **	352,151
--------------------	---	----------------	---------	-----------------	---------

**** PROMPT RESPONSES ****

LOCATION CODES INCLUDED -ALL

PARCEL TYPES INCLUDED -ALL

LIMITS	FROM	TO
	RP11S24E112500A	RP11S24E112500A
	RP11S24E117800A	RP11S24E117800A
	RP11S24E140600A	RP11S24E140600A
	RP11S24E141201A	RP11S24E141201A
	RP11S24E142400A	RP11S24E142400A
	RP11S24E143175A	RP11S24E143175A

MICROFILMED
MAR 25 1997

T#4853

JUN-9-96 MON 4:17 PM

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(late proof)
License of Water Right No. 45-7045 Priority December 16, 1969 Amount 5.47 cfs

THIS IS TO CERTIFY, that Mitsuo & Mildred D. Inouye
of Declo, Idaho, has complied with the terms and conditions of Permit
No. 45-7045 issued pursuant to Application for Permit dated December 8, 1969,
and has submitted proof to the Department of Water Resources on December 12, 1979,
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 5.47 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 1</u> to <u>October 31</u> at <u>5.47</u> cfs and <u>1656.0</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 5.47 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1656.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11;
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14; Twp. 11S, Rge. 24E in the County of Cassia

Description and location of place of use:

Twp.	Range	Section	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	
11S	24E	11			29	30				40			40	40	219
		14	40		40	36	39	40							195

Total number of acres irrigated 414

MICROFILMED

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 5TH day of FEBRUARY, 19 84.

Acting for the Director

Norman C Young

RECEIVED

JAN 3 1983

STATE OF IDAHO
Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

To change the point of diversion and/or the place of use

APPROVED

Comes now Mitsuo & Mildred D. Inouye Phone _____
of (address) 850 East 400 South, Declo, ID 83323, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 45-7045, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW ¼ NW ¼, Section 11, Township 11S, Range 24E, B.M.,
County of Cassia. Other points of diversion: _____
NE ¼ NW ¼, Sec. 11; SE ¼ NW ¼, Sec. 14; Twp. 11S, Rge. 24E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 5.47 for irrigation purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	24E	11					29	30			40			40		40	40		219
		14		40			40	36	39	40									195

Total number of acres to be irrigated = 414

4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or the place of use? _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

EX-100

Not Necessary

[illegible]

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Matsuo Inoue
(Signature)

Preliminary check by Jim Fee = \$20.00

Received by HA Date 1-4-83 # 25378

Publication prepared by N/A Date _____

Published in

Publication dates _____

I, A. KENNETH DUNN, of the Department of Water Resources hereby

APPROVE the above Application for Amendment of Permit No. 45-7045.

Witness my hand this 8TH day of FEBRUARY, 19 84

Acting for the Director 

Dr. 1/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

RECEIVED
SEP 7 1979
Department of Water Resources
Southern District Office

Comes now Mitsuo & Mildred D. Inouye

of (address) 850 East 400 South (Route 1), Declo, Idaho, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 45-7045, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW ¼ NW ¼, Section 11, Township 11S, Range 24E, B.M.,
County of Cassia. Other points of diversion: NE ¼ NW ¼ Sec. 11; NE ¼ NW ¼ Sec. 14
T. 11S R. 24E

*Per phone conversation w/applicant 10-29-79

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) No Change

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

3. Place of use or land to be irrigated: No Change

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

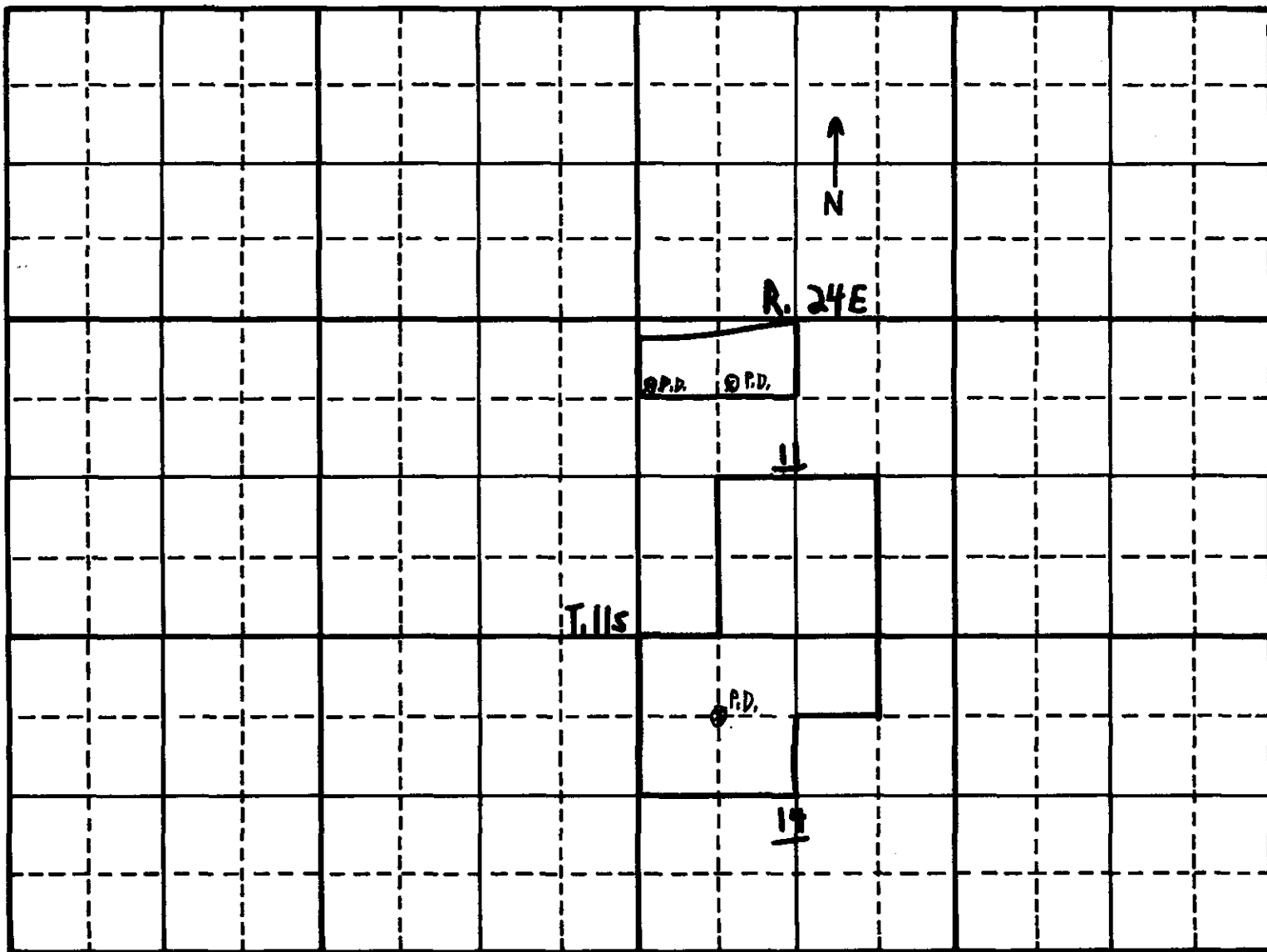
Total number of acres to be irrigated =

4. a. Who owns the property at the point of diversion? Applicants
b. Who owns the land to be irrigated or the place of use? "
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing:

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, this 7th day of Sept., 19 79.

Mitsuo Osage
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by LD Fee = \$20.00

Received by JS Date 9-7-79 #13322

Publication prepared by mcguy Date 9/12/79

Published in South side press

Publication dates 9/25 + 10/2/79

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Chief, Operations Bureau

of the Department of Water Resources hereby

APPROVE this Application for Amendment submitted on Permit No. 45-7045.

Witness my hand this 19th day of December

19 79

L. Glen Saxton
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 45-7045

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR EXTENSION OF TIME

State of Idaho)

County of Minidoka)

Permit No. 45-7045

Raymond L. & Mitsuo Commons of Rupert, Idaho
(name) Inouye (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to Appropriate the Public Waters of the State of Idaho No. 45-7045.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before 12-8, 19 74.

That he has heretofore performed the following work described under said permit:

Two wells drilled. All mainlines have been installed. Wheel lines, hand lines
are used to irrigate the entire acreage.

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: The wells are pumping sand. The wells are not producing
the amount of water needed for good crop production. Time is needed to change
the pumping system.

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to December 8, December 8, 19 79.

Raymond Commons
(signature) *

Subscribed and sworn before me this 8th day of January, 19 75.

seal

[Signature]
(notary public)

My commission expires 1-15-76

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time for Permit No. 45-7045
to January 1, 1980.

Witness my hand this 14 day of January, 19 75.

[Signature]
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707.

MICROFILMED

RECEIVED

JUN 25 1979

Department of Water Resources

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 457045 to MITSUO INOUE and MILDRED D. INOUE
Address: 850 East 400 South, Declo, Idaho 83323

*

+ Ray L. Commons
Permit Holder

Violet Commons
Wife of Permit Holder

STATE OF IDAHO)
): ss
County of Cassia)

On this 1st day of June, 19 79, before me, a Notary Public for the State of Idaho, residing at Burley, Idaho personally appeared RAY L. COMMONS and VIOLET COMMONS, known to me to be the person s whose name s ^{are} ~~is~~ subscribed to the within instrument and duly acknowledged to me that he executed the same.

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

William A. Parris
Notary Public

Residing at Burley

My commission expires: Lifetime

Note:

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

MICROFILMED

ASSIGNED TO:
Mistsuo and Mildred D. Inouye
850 E. 400 S.
Declo, ID 83323
6/25/79

Identification No. 45-7045
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

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

Power of Atty.
Jack A. Baenett
Idaho Building
Boise, Id.
APPROVED

1. Name of applicant Raymond L. Commons and ^{Mitsuo}~~Mildred~~ Inouye
post office address Route 5, Rupert, Idaho 83350
2. Source of water supply Underground which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 11 Township 11S
Range 24E B.M. Cassia County; additional points of diversion if any: a
second well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11, and a third well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11,
T.11S., R. 24E.
- b. If water is not consumed, it will be discharged into N.A. 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 7 cfs for irrigation purpose from April 1 to Oct. 31, (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. 7 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Water will be pumped from wells
by electric motor driven pumps up to 350 HP each and conveyed by pipe lines
to various fields and applied by sprinkler systems
- b. Height of storage dam NA 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 1000 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 \$ 80,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NA $\frac{1}{4}$ 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: _____

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	24E	11					36	38			40			40		40	40		234
11S	24E	14		40			40	40	40	40									200

Total number of acres to be irrigated 434

c. Describe any other water rights used for the same purposes None - The land is now dry

9. a. Who owns the property at the point of diversion Partly applicant's

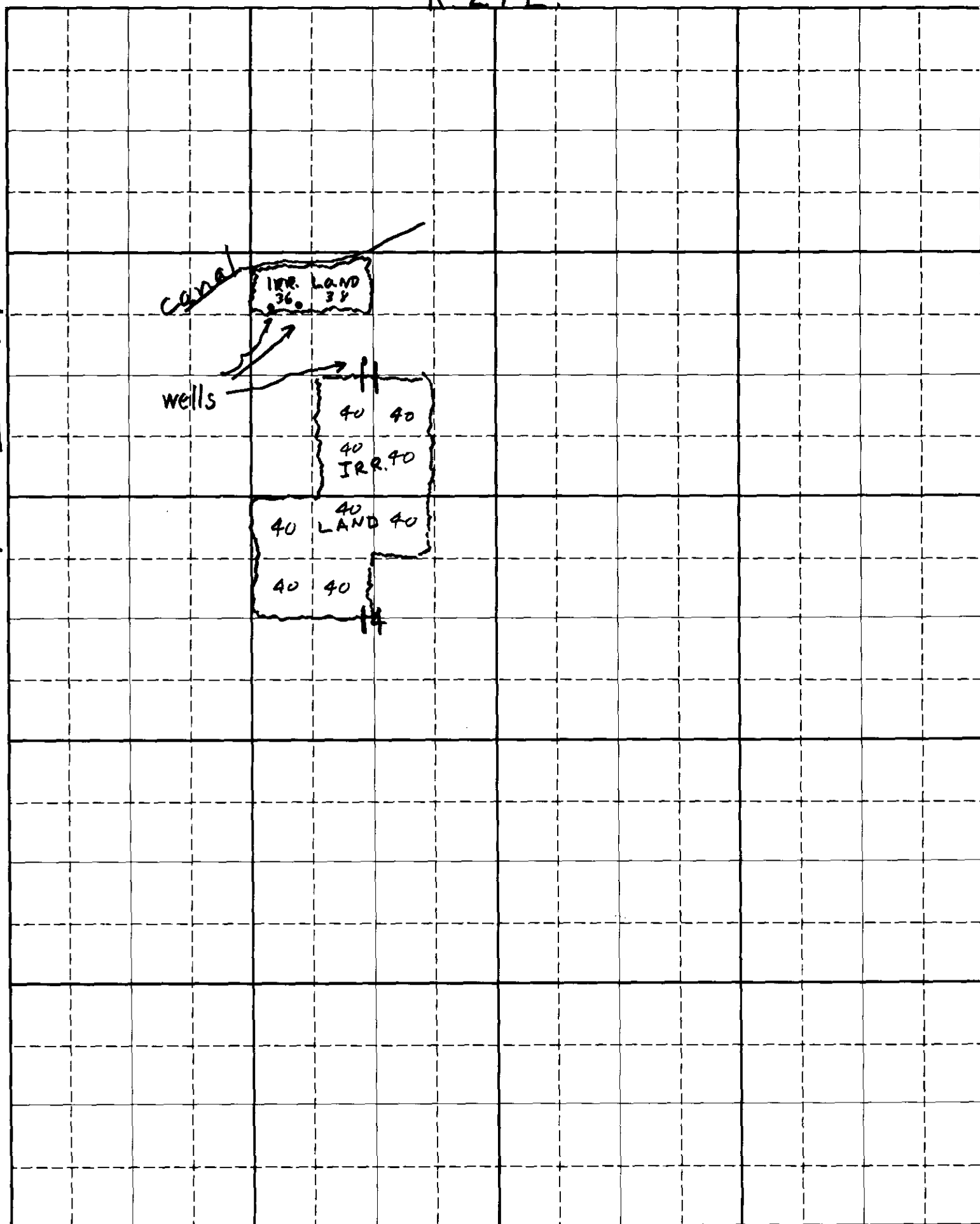
b. Who owns the land to be irrigated or place of use Applicant's

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

10. Remarks One of the points of diversion is owned by Austin Walker. Walker is involved in the overall development in an effort to obtain water for lands he owns which are not included in the above description. A filing to cover Walker's use of water is filed at this same time. All wells may not be drilled if enough water is obtained from the first or second well.

11. Map of proposed project:

R 24 E



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.

Raymond J Commons and Mitsu Inouye
By Jack A Barnett
(Applicant)

Received by ef Date 12-8-69 Time 2:55 pm.
Preliminary check by D Fee \$ 50⁰⁰ 12-8-69
Receipted by ef Date 12-9-69
Publication prepared by he Date 12-22-69
Published in Idaho Press
Publication dates Jan. 1 + 8, 1970
Publication approved he Date 1-12-70
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by D R W H P
HE AKD

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 45-7045, 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 January 1, 1975.
- c. Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. Maximum rate of diversion shall not exceed 7 c.f.s.

2. Denial of said application is for the following reasons: _____

Witness my hand this 22nd day of January 19 70.

R. Keith Higgins
State Reclamation Engineer

STATE OF IDAHO
OFFICE OF STATE RECLAMATION ENGINEER
POWER OF ATTORNEY

The undersigned owner (s) of Permit (Application) No. _____
of the State Reclamation Engineer of the State of Idaho hereby nominates
and appoints Jack A. Barnett, whose address is
Box 1471 - Boise, Idaho, as attorney-in-fact with full author-
ity to act for and on behalf of the undersigned in all matters pertaining
to Application or Permit. Such acts shall include, but not be limited to
the filing of applications, receiving of all notices, the signing and
filing of applications for extension of time and for amendment of said
Permit, and the submission of proofs of completion of works and beneficial
use of water.

Dated this 4th day of December, 1969.

_____ Raymond L. Commons
Notary Public

State of Idaho)
 : ss
County of Cassia)

On this 4th day of December, 1969,
personally appeared before me the signer (s) of the above instrument, who
duly acknowledged to me that he (she)(they) executed the same.

Jean Carey
Notary Public for Idaho
residing: Burley, Idaho

My commission expires:

July 1, 1973

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Ruth Chambers, being first

duly sworn, deposes and says that she is the

Bookkeeper 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 weeks, commencing with the issue

dated January 1, 1970, and ending

with the issue dated January 8, 1970.

Ruth Chambers

Subscribed and sworn to before me

this 9th day of January

1970.

Edith Raustadt Notary Public

Cost of Publication \$ 7.50

Notary Fee

Total Cost

My commission expires October 23, 1971



Bill submitted
1-12-70
45 7045

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Raymond L. Commons being first

duly sworn, deposes and says that he is the

Raymond L. Commons 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 consecutive weeks, commencing with the issue dated 19....., and ending with the issue dated 19.....

Raymond L. Commons

Subscribed and sworn to before me

this day of

19.....

Robert L. Hight Notary Public

Cost of Publication \$

Notary Fee

Total Cost

My commission expires October 23, 1971

70-3.

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Raymond L. Commons and Mitsuo Inouye, Route 5, Rupert, Idaho, have on December 8, 1969, applied for permit under application No. 45-7045 to divert 7.0 cubic feet per second of water from a groundwater source. Water will be diverted by wells, motors, pumps, pipelines and sprinkler systems within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (2 points) and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T. 11S, R. 24E, B.M., Cassia County and is to be used from April 1 to October 31 for irrigation in the N $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 14, T. 11S, R. 24E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in South Idaho Press
January 1 and 8, 1970



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

March 20, 2001

MITSUO INOUE
MILDRED INOUE
401 S HWY 77
DECLO ID 83323

RE: Water Right 45-07045 (Transfer 5645)

Dear Water Right Holder(s):

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

Please be advised that the Department cannot grant additional extensions of time to complete this transfer.

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

MAR 29 2001

RECEIVED

MAR 19 2001

Department of Water Resources

Idaho Dept. of Water Resources

C/o Glen Saxton Chief, Water Allocation Bureau
1301 N. Orchard St.
Boise, Idaho 83706

DEAR Glen Saxton,

I would like to extend my transfer of
Water Right # 5645 for another year. The reason
being of not having collected for my 2000 crop plus
poor prices. I would appreciate it you would
extend it for another year

Thank you,
Mits Inouye
Mits Inouye

MICROFILMED

MAR 29 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 11, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MITSUO INOUE
MILDRED INOUE
401 S HWY 77
DECLO ID 83323

RE: Water Right 45-07045 (Transfer 5645)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5645). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

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

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

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

APR 18 2000

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of April, 2000 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 45-07045 (Transfer 5645)

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


**Karl Lynn Townsend
Secretary**

MICROFILMED
APR 18 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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APR 18 2000

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
APR 18 2000

Water Right No. 45-07045

CONDITIONS/REMARKS:

6. 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.
7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4853 shall not exceed 5.47 cfs, nor total combined annual volume of 1656.0 af.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? ____ If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

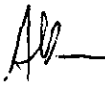
☐ Tax Notice ☐ Warranty Deed ☐ Other _____

RECEIVED

MAR 23 2000

MEMO

Department of Water Resources

FROM: Allen Merritt 

DATE: March 22, 2000

TO: Transfer File No. 5645
Water Right(s): 45-07045

In the Name of: Mitsuo or Mildred Inouye

SUBJECT: Review and Recommendation

This transfer proposes to add a new well to a system that currently has 3 wells. The reason for the additional well is to recover the licensed diversion rate that has deteriorated in the existing wells. The licensed rate is 5.47 cfs. Measurements through the West ESPA Measurement district confirm the three wells normally pump around 2.87 cfs.

The transfer has been GIS'd and GPS data gathered from the West ESPA Measurement district has been used to site the wells in GIS. Using this analysis it is found that the well in section 14 appears to be in the SWNENW although the license records it in the SENW. GPS puts it approx 30 feet from center of the NW¼ of Section 14. Note that I have changed "T" record to conform to GIS/GPS well locations.

Review of the AJ claim finds it is claimed for 416 acres although the license is for 414 acres and GIS as drawn shows approximately 414 acres. Note that the distribution of acres within tracts is not exactly like the that with is on the license but close.

Recommendation

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

- The new well authorized is subject to drilling permit requirements.
- Authorized change pursuant to this transfer must be completed within 1 year of approval.
- Subject to SRBA.
- Total diversion rate from all four wells is limited to 5.47 cfs and 1656 afa.

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APR 18 2000

FILE PROGRESS SUMMARY

APPLICANT:

Mouge Mitsuo

WATER RIGHT NO.

45-07045

[illegible]

POD

#16	SW NE NW	Sec 14	A0002983	673
17	SW NW NW	Sec 11	A0002984	410
18	SW NE NW	Sec 11	A002985	<u>207</u>
19	~~SW~~ NW NW	Sec 11	New well	287

PO4

21

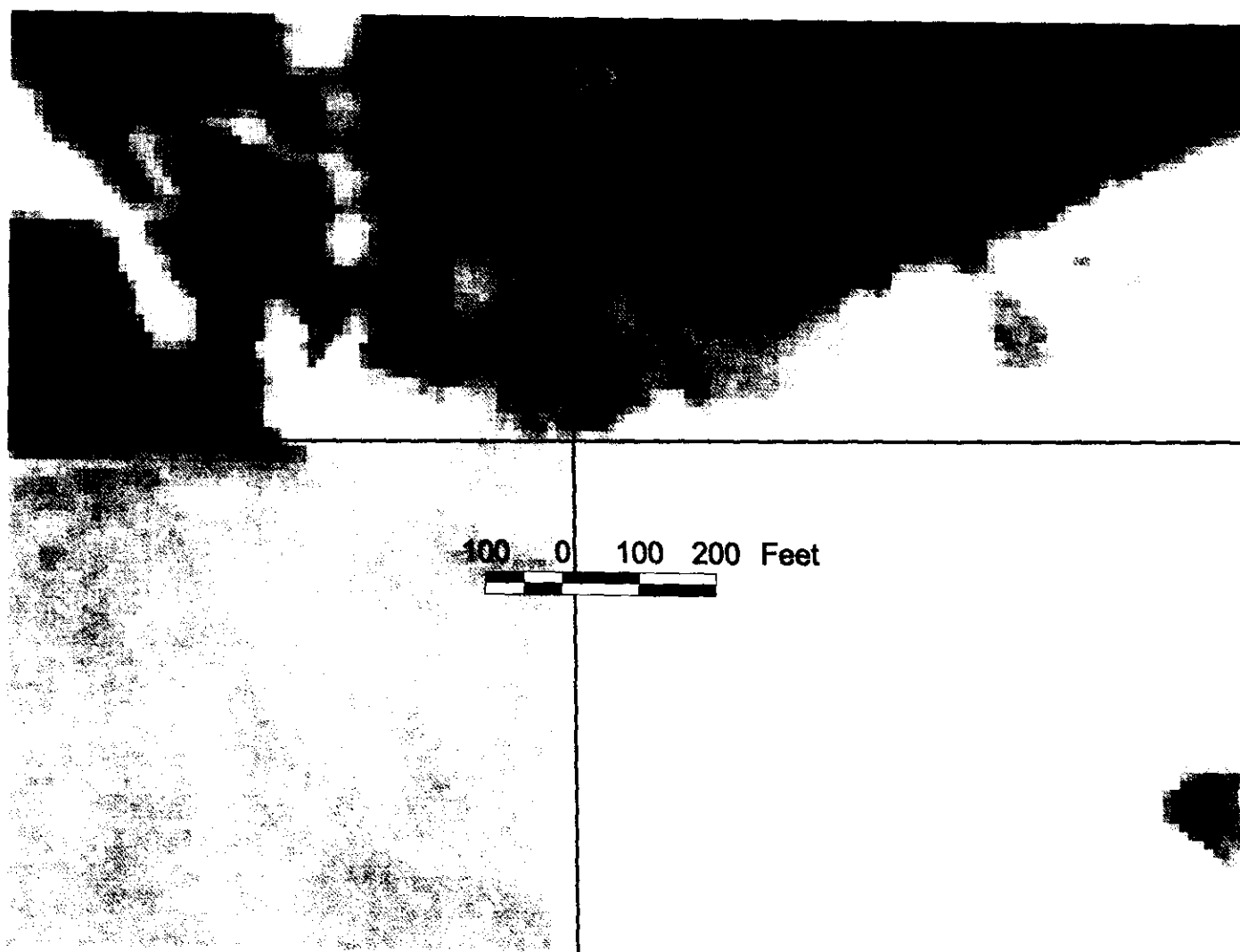
22

MICROFILMED
APR 18 2000

T5645

Inouye

Location of Well in Sec 14 per GPS



- T11s24eqq.shp
- B45-pod.shp

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes and is a legal clerk of the South Idaho Press, a published at Burley, Idaho, in the county aforesaid. The paper is of general circulation therein. Deponent that the printed notice attached hereto was according to law in the regular editions of Press for 2 consecutive week(s), commencing issue dated February 21, 2000, and ending with February 28, 2000.

Ruth Holmes

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 28th day of February in the year of 2000, me, a Notary Public, personally appeared Ruth Holmes identified to me to be the person whose name is set forth within instrument, and being by me first duly sworn, the statements therein are true, and acknowledged and executed the same.

Kay Moore
Notary Public for ID
Residing at: Paul,
My commission expires

Cost of Publication 84.96
Affidavit Fee 5.00
Total Cost 89.96

00-062
**NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS**

Notice is hereby given that applications have been filed with the Department of Water Resources for changes to water rights as described below.

Transfer No. 5638 by Duncan Ltd Partnership; 750 E 100 S; RUPERT ID 83350 requests to split a water right and change point of diversion by drilling a new well. Right No. 36-07356B (2.94 cfs) recorded with priority date of 07/24/1973 from ground water within SENE for irrigation of 257 acres within E1/2. The applicant proposes to divert 1.81 cfs from a new well within NENE for irrigation of 158 acres within NE; all S36, T07S, R25E; Minidoka County using Designated Right No. 36-07356D. The remainder (1.13 cfs) will continue to be diverted and used at the original sites to irrigate 99 acres.

Transfer No. 5648 by F. Stanley Lloyd, HC-61 Box 1510; ELBA ID 83326 requests to split a water right and change point of diversion by drilling a new well. Right No. 43-02580A (5.28 cfs) recorded with priority date of 07/13/1964 from ground water within SWSW for irrigation of 264 acres within W1/2. The applicant proposes to divert 0.40 cfs from a new well within Lot 4 (SWSW) for irrigation of 20 acres there, all S18, T14S, R27E; Cassia County using Designated Right No. 43-02580D. The remainder, Designated Right No. 43-02580C (4.88 cfs) will continue to be diverted and used at the original sites to irrigate 244 acres.

Transfer No. 5645 by Mitsuo or Mildred Inouye, 401 S Hwy 77; DECLO ID 83203 requests to add an additional diversion point because existing three wells are unable to produce licensed flow due to dropping water levels. Right No. 45-07045 (5.47 cfs) recorded with priority date 12/16/1969 from ground water within NENW & NWNW, S11 and SENW, S14 for irrigation of 414 acres within Sections 11 & 14. The applicant proposes to drill a new well within NWNW, S11, all T11S, R24E; Cassia County.

Any protest against the proposed changes 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 on or before March 10, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. (Each transfer requires a separate protest.) The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the South Idaho Press on
February 21 and 28, 2000.

REC

MAR 01 2000

Department of Water Resources
Southern Region

MICROFILMED
APR 18 2000



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**

February 9, 2000

**ATTN LEGALS DEPT
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318**

Ladies and 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 required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED

APR 18 2000

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Transfer No. 5645 by Mitsuo or Mildred Inouye, 401 S Hwy 77; DECLO ID 83323 requests to add an additional diversion point because existing three wells are unable to produce licensed flow due to dropping water levels. Right No. 45-07045 (5.47 cfs) recorded with priority date of 12/16/1969 from ground water within NENW & NWNW, S11 and SENW, S14 for irrigation of 414 acres within Sections 11 & 14. The applicant proposes to drill a new well within NWNW, S11, all T11S, R24E; Cassia County.

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Karl J. Dreher, Director

Published in the South Idaho Press on 02/21 & 02/28/2000.

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APR 18 2000



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

January 27, 2000

Mitsuo Inouye
400 S Hwy 77
Declo, ID
83323

RE: App. for Transfer #5645

Dear Mr. Inouye;

Preliminary review of your proposed transfer has been completed, and the application will now go to our senior secretary for advertising. Enclosed are the tax notices that your provided as proof of ownership for this property. Also enclosed is the receipt for your filing fee.

Regards,

James E. Stanton
Sr. Water Resource Agent

REC'D

2000

T#5645

RECEIVED
OCT 25 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Department of Water Resources

Name MINNIE Mitsuo Inouye

Address route #1, Declo, Idaho 83323

Owner's Permit No. 75-7045

2. NATURE OF WORK 45-80-C-0001-000

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness	Diameter	From	To
.250 inches	20 inches	1 feet	428 feet
.250 inches	12 inches	260 feet	842 feet
.250 inches	14 inches	240 feet	760 feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☒ Factory ☐ Knife ☐ Torch
Size of perforation 3/16 inches by 3 inches

Number	From	To
1950 perforations	299 feet	429 feet
2624 perforations	760 feet	842 feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 36 Material used in seal: ☐ Cement grout ☒ Well cuttings
clay ☐ Puddling clay
Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld
☐ Cemented between strata
Describe access port 2 in. pipe

7. WATER LEVEL

Static water level 329 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other

Discharge G.P.M.	Pumping Level	Hours Pumped
2000	400 ft.	12

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
24	0	5	top soil		
	5	25	gravel & clay		
	25	38	sd. clay & gravel		
	38	55	gravel & clay		
20	55	62	brown clay		
	62	295	brown clay & gravel		
	295	301	brown rhyolite		
	301	316	black clay & rock		
	316	320	brown clay & gravel		
	320	333	brown clay & rock (water 325)	x	
	333	350	black coarse rock & clay		
	350	367	gray shale rock & clay		
	367	396	black rock & clay		
	396	470	gray rhyolite & clay		
	470	492	black rhyolite (coarse cuttings) (water)		x
	492	515	gray rhyolite & clay		
	515	585	brown rhyolite		
16	585	632	black rhyolite (16" @ 590 ft.)		
	632	640	black rhyolite (coarse cuttings)		
	640	755	black & gray rhyolite (coarse cuttings water cleared)		x
	755	772	gray mountain rock & clay		
	772	795	gray loose rock		x
	795	812	black loose rock		
	812	830	brown loose rock (caving)		x
	830	850	black coarse rock (caving)		x

6. LOCATION OF WELL

Sketch map location must agree with written location.

Subdivision Name _____

Lot No. _____ Block No. _____

County Cassia

NE 1/4 N12 1/4 Sec. 14, T. 11 N/S, R. 24 E/W.

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name R.O. DENTON & SON Firm No. 83

Address Paul, Idaho 83347 Date 7-19-80

Signed by (Firm Official) R.O. Denton
and
(Operator) Charles Baker



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 17, 1997

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

RE: Water Right No. 45-07045 (Transfer No. 4853)

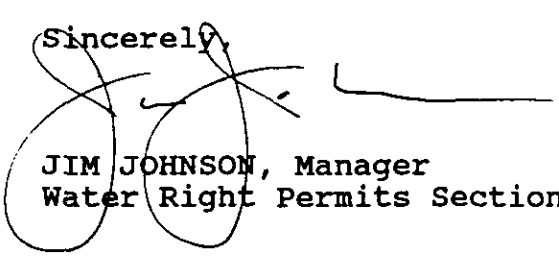
Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4853). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer. We have made the appropriate changes in our data base.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR to July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify 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 to obtain the proper reporting form.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:vrr

Enclosure

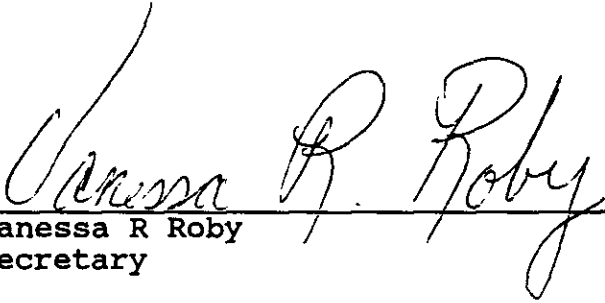
100-11010
MAR 25 1997

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of March, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **APPROVED TRANSFER OF WATER RIGHT** to the person(s) listed below:

Water Right No. 45-07045
Transfer No. 4853

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



Vanessa R Roby
Secretary

MAR 25 1997

MEMORANDUM

TO: FILE NO. 45-07045
FROM: PAM SKAGGS/STATE OFFICE
SUBJECT: TRANSFER NO. 4853
DATE: March 14, 1997



Transfer No. 4853 changes the place of use under Right No. 45-07045 shifting 13 acres to an adjacent quarter-quarter. The application was amended to resolve a protest and the place of use is limited to the licensed 414 acres.

Recommended conditions include irrigation overlap, multiple points of diversion/measuring devices, future annual reporting and standard transfer conditions.

100-10012
MAR 25 1997

FROM: Allen Merritt *AM*

DATE: November 5, 1996

TO: Transfer File No. 4853

In the Name of: Mitsou & Mildred Inouye

SUBJECT: Review and Recommendation

This transfer proposed to change the place of use of a few acres. In essence, drying up some acres in corners of a pivot and along a field road and in an area where a pond was constructed to allow for the irrigation of a small parcel adjacent to the original place of use. The application was protested but on amendment of the application during the prehearing conference allowed the protestant to withdraw his protest.

No expansion of the right is considered.

Recommendation:

I recommend the transfer be approved as amended with the following conditions:

- Subject to SRBA.
- Measuring device & control works be maintained at the point of diversion.

*****Additionally a copy of the approved transfer should be sent to protestant, Bruce Turner and his lawyer, Bill Parsons per agreement at the prehearing conference.

RECORDED

MAR 25 1997



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

October 30, 1996

WILLIAM A. PARSONS ESQ
PARSONS SMITH STONE & FLETCHER
PO BOX 910
BURLEY ID 83318

RE: Application for Transfer No. 4853 (45-07045, Mitsuo &/or
Mildred D. Inouye)

Dear Mr. Parsons:

This office acknowledges receipt of the withdrawal of the protest
on behalf of Bruce Turner against the above referenced application.

Since Mr. Turner was the only protestant, the issue of the protest
has been resolved and the Department is now prepared to proceed
with the normal processing of the application which includes
regional review prior to being forwarded to our State Office.

The Department will continue review of the application without
further contact unless information is requested.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

cc: Bruce Turner, Water Canyon #13; DECLO ID 83323

MAILED
OCT 31 1996

PARSONS, SMITH, STONE & FLETCHER

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

October 24, 1996

OCT 28 1996

Mr. Allen D. Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RE: Mitsuo Inouye and Mildred D. Inouye
No. 4853

Dear Allen:

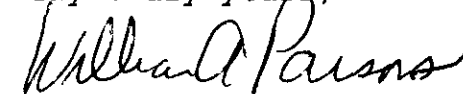
This will confirm the stipulation made at the pre-hearing conference that Bruce Turner does hereby withdraw his protest of the Amended Application of the above named persons.

This protest is withdrawn on the basis that you amended the Amended Application at the hearing by interlineation. The interlineation is reflected in your official records and initialed by Mitsuo Inouye.

You indicated you would also provide us a copy of the action by the Department verifying the issuance of the permit on the basis of the action taken at the pre-hearing conference.

We appreciate your consideration at the hearing and believe that a satisfactory solution has been obtained.

Very truly yours,



William A. Parsons

WAP:rt

cc: Bruce Turner
Water Canyon #13
Declo, Idaho 83323

Roger Ling
Box 396
Rupert, Idaho 83350

FROM: Allen Merritt

DATE: October 24, 1996

TO: TRANSFER FILE NO. 4853

SUBJECT: Prehearing Conference

On this day I conducted a prehearing conference in Burley, ID for the matter of protested transfer #4853. The applicant was Mits Inouye who was represented by Roger Ling and the protestant was Bruce Turner who was represented by William Parsons.

At the conference the issue was discussed as well as the amendment to the transfer application. After fully understanding the transfer as amended it appears the issue was expansion of the water right. The matter was further discussed and a resolution was made by the applicant slightly modifying the acres being moved around to assure that no more than what is presently irrigated would be irrigated in the future. Instead of moving 15 acres it was decided to only dry up the 12 acres in the southern corners of the southern pivot and the 1 acre associated with the new pond to the north. This then reduced the allowable land to be moved to 13 acres. It was discussed that the other 2 acres proposed to be moved was under a field road on the north parcel and it was not clear that it was ever irrigated so to resolve that problem the license was left as it was in this area. The land that is already irrigated was measured as 12 acres and it was Mits Inouye's contention that it was all he was going to add or change. There was discussion that this land may be 13 acres in area instead of 12 acres so everyone settled on the recording of 13 acres on the transfer to be safe.

Mr. Inouye initialed the change to the application to indicate the change in location of 13 acres. The protestant agreed to the change and agreed to withdraw his protest. Mr. Parsons intends to send a letter of withdrawal of protest in the next few days.

After the conference I conducted a compliance conference with Mr. Ling and Mr. Inouye for the NOV sent Mr. Inouye.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-15-97 BY 60323 JAV

RE: TR# 4853 (45-07045, Mitsuo &/or Mildred Inouye)

PLACE: Commissioners' Rm, Cassia County Courthouse; Burley, ID

DATE: 10:00 a.m., Thursday; October 24, 1996

CONFERENCE OFFICER: Allen D. Merritt

ASSISTED BY:

ROSTER OF ATTENDANCE

[illegible]

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION
FOR TRANSFER NO. 4853

MITSUO &/OR MILDRED D. INOUE,
Applicants

BRUCE B. TURNER,
Protestant

NOTICE OF
PRE-HEARING CONFERENCE

SOURCE: groundwater

COUNTY: Cassia

On March 29, 1996 Mitsuo &/or Mildred D. Inouye, applicants, filed with the Department of Water Resources an application to transfer the public waters of the State of Idaho. The Department has received a protest against the approval of said application from the above captioned protestant.

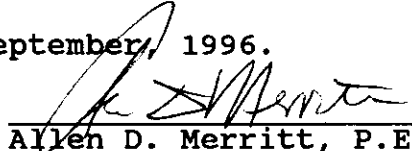
The Department has set the matter of protest for conference on Thursday, October 24, 1996 at 10:00 a.m. in the Commissioners' Room, Cassia County Courthouse, 1459 Overland Avenue; Burley ID 83318.

The purpose of the conference is to formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

The conference will be held in accordance with Chapter 2, Title 42, of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources.

If you require special accommodations in order to attend, participate in or understand the conference, please advise the department within (10) days prior to the conference.

Dated this 16th day of September, 1996.


Allen D. Merritt, P.E.
Regional Manager

RECEIVED
MAR 25 1997

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of September, 1996, a true and correct copy of the foregoing Notice of Pre-Hearing Conference was forwarded with all required charges prepared, by the method(s) indicated below, to the parties listed:

Mary Baldwin
Secretary

MITSUO INOUE &/OR
MILDRED D INOUE
401 S HWY 77
DECLO ID 83323

Hand delivered _____
U.S. Mail-Regular X
U.S. Mail-Certified _____
Fax _____

BRUCE TURNER
#13 WATER CANYON
DECLO ID 83323

Hand delivered _____
U.S. Mail-Regular X
U.S. Mail-Certified _____
Fax _____

WILLIAM A PARSONS ESQ
PARSONS SMITH STONE & FLETCHER
PO BOX 910
BURLEY ID 83318

Hand delivered _____
U.S. Mail-Regular X
U.S. Mail-Certified _____
Fax _____

ROGER LING ESQ
PO BOX 396
RUPERT ID 83350

Hand delivered _____
U.S. Mail-Regular X
U.S. Mail-Certified _____
Fax _____

SEP 23 1997

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR TRANSFER ISSUES

Section 42-222, Idaho Code, identifies the following potential issues that the department can consider in connection with an application for transfer:

1. Will the proposed transfer injure other water rights?
2. Will the proposed transfer constitute an enlargement in the use of the original right?
3. Is the proposed transfer in the local public interest, where local public interest is defined as the affairs of the people in the area directly affected by the proposed use?
4. Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, and 4 above and must provide evidence for the department to evaluate these criteria. The initial burden of proof on issue 3 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a pre-hearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement. The department may issue a "pre-conference statement order" which requires response to the inquiries.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape. The hearing likely will be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director. Parties may by written stipulation waive the right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer. As part of the conference a date may be set by which exchange of exhibits and witness lists must occur.

EFFECT OF FAILURE TO APPEAR AT A CONFERENCE OR HEARING

Failure to appear at the time and place set for a conference or hearing by the applicant or protestant(s) may allow the department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing party.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within (10) days prior to the hearing.

MAY 23 1997

Schedule Conf.

Trans. P853

Inouye — Late October — Early Nov.

Turner — Late October
will have surgery Nov. 2

Rosen
Lins. 436-4717 23rd — End of Oct. OK

Bill
Persons. 678-8382 24th or 25th OK
Oct

RECORDED

MAR 25 1967

PRLAB

MAILING LIST

RE: TR#4853, 45-07045

Applicants:

MITSUO INOUE &/OR
MILDRED D INOUE
401 S HWY 77
DECLO ID 83323

Legal Counsel for Applicant:

ROGER LING ESQ
PO BOX 396
RUPERT ID 83350

Protestant:

BRUCE TURNER
#13 WATER CANYON
DECLO ID 83323

Legal Counsel for Protestant:

WILLIAM-A PARSONS ESQ
PARSONS SMITH STONE & FLETCHER
PO BOX 910
BURLEY ID 83318

RECEIVED

MAR 25 1977



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

September 16, 1996

ATTN RANDI
CASSIA COUNTY COURTHOUSE
1459 OVERLAND AVE
BURLEY ID 83318

Dear Randi:

This is a follow-up to our telephone conversation of September 13, 1996 to confirm the reservation of the Commissioners Room for a meeting to be held by this office on Thursday, October 24, 1996 from 10:00 a.m. - 2:00 p.m.

If you have any questions please feel free to contact me or Allen Merritt, Southern Regional Office Manager.

Thank you very much for your assistance in this matter.

Very truly yours,

Mary Baldwin
Senior Secretary

RECEIVED
SEP 25 1996

11 September 1996

TO: File for Mitsuo Inouye
FROM: Georgia Satterlee

On 10 September 1996, after conferring with Norm Young and Allen Merritt regarding the alleged Inouye violation, I was asked to verify the situation.

I departed the office at 0830 hrs. on 11 September 1996. I arrived to the Inouye property at approximately 0945 hrs. The land in question, several pivot corners, which are all in CRP, is located 3 miles south of Declo. The specific corners I looked at today are as follows: approximately 1.5 acres located in SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T11S, R24E; also, 3 acres, more or less, situated in NW $\frac{1}{4}$ NE $\frac{1}{4}$, and approximately 4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, both quarter-quarters located in Section 14, T11S, R24E.

The pivot corners, A-C (see Attachment "A"), were plowed. In addition to the corners being cultivated, I observed main lines. Some of the main lines were tied into the risers, and, in one area, although sprinklers were not in operation, there was water running through the main line. As stated before, the sprinklers and handlines that were present today were not running.

Regarding the portion that is under the transfer #4853, the cross hatched area (see Attachment "A") appeared to be harvested. Wheel lines were sitting in a north-south direction on the eastern portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 14, T11S, R24E. I observed no water coming from the wheel lines at this time.

The northerly portion of this area (2-3 acres, more or less) has an existing crop. I observed no water being applied to this area.

In the north-eastern portion of the area under consideration for transfer (containing 2-3 acres more or less) was plowed only.

After making the above observations, I departed the area at approximately 1045 hrs.

UNRECORDED

MAR 25 1997

ATTACHMENT
"A"

PIVOT CORNER (A)

PIVOT CORNER (B)

PIVOT CORNER (C)

PLOWED AREA - MAIN LINE 8-10 HAND LINES W/ SPRINKLER MAINLINE - RUNNING E-W APPROX. IN THE MIDDLE OF FIGURE.

PLOWED AREA - MAIN LINE WITH 1/2 DOZ HAND LINES W/ SPRINKLERS MAIN LINE RUNNING S-N ON E. EDGE

HAND LINES WERE PRESENT 09 SEPT 96, HOWEVER TODAY THE HAND LINES WERE STACKED NEATLY TO THE EASTERN EDGE OF PLOWED AREA.

EXISTING CROP

GRASSY AREAS

PLOWED AREA

HARVESTED CROP WHEEL LINES PRESENT

DATE OF FLIGHT = 1992

SEC 14, T11S, R24E

① 14 99.1

② 40.0

③ 14 99.1

④ 23

⑤ 14 99.1

⑥ 23

⑦ 14 99.1

⑧ 23

⑨ 14 99.1

⑩ 23

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㊿ 23

MITSUBU INDUVE 25 1997

PLOWED AREA - MAIN
 LINE WITH 1/2 DOZ.
 HAND LINES W/
 SPRINKLERS
 2-09 MAIN LINE
 -AP RUNNING
 G-N ON E. EDGE

PLOWED HAND LINES WERE PRESENT 09 SEP 66, HOWEVER TODAY THE HAND LINES WERE STACKED NEATLY TO THE EASTERN EDGE OF PLOWED AREA.

EXISTING CROP

GRASSY AREAS

PLOWED
AREA

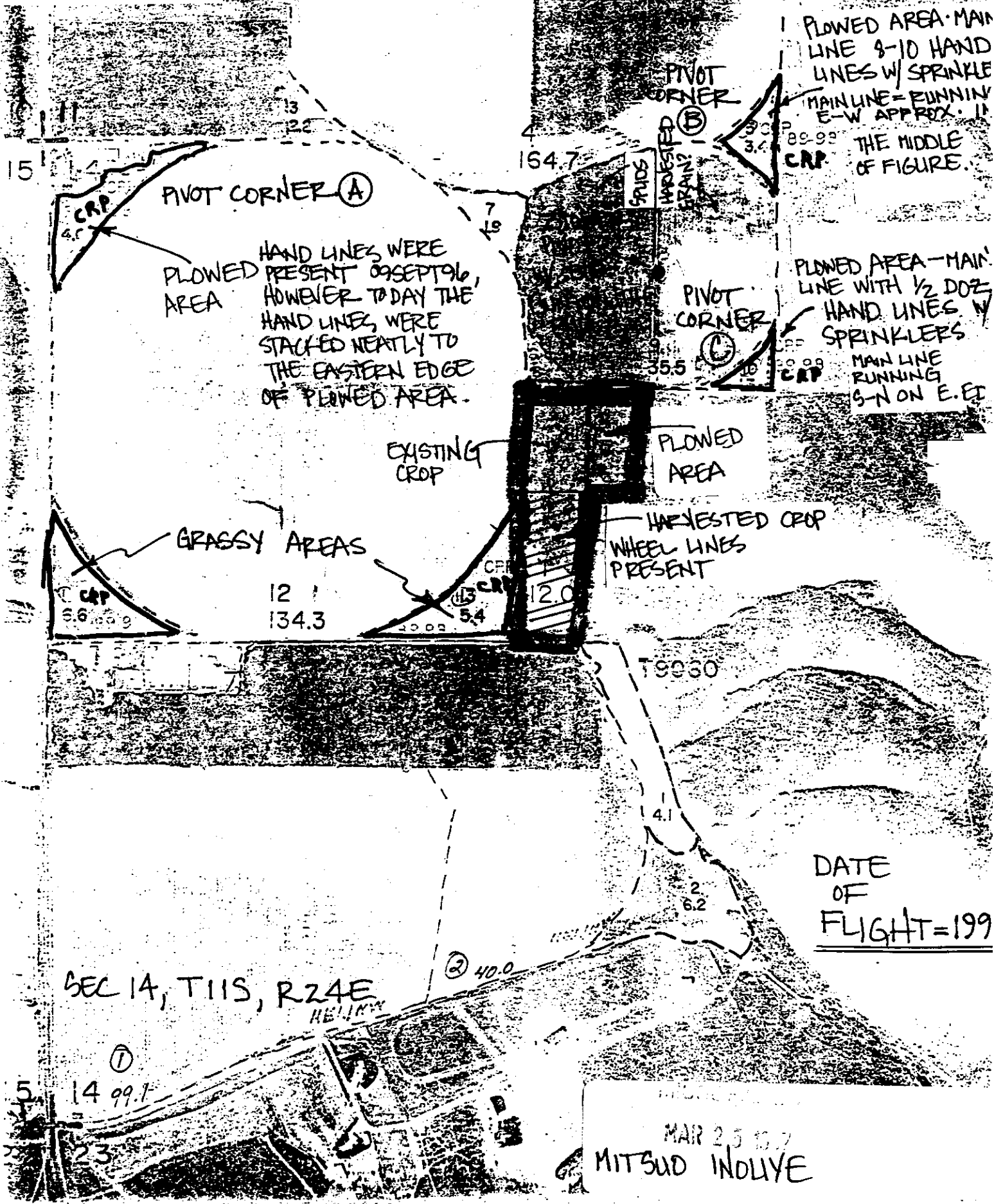
HARVESTED CROP
WHEEL LINES
PRESENT

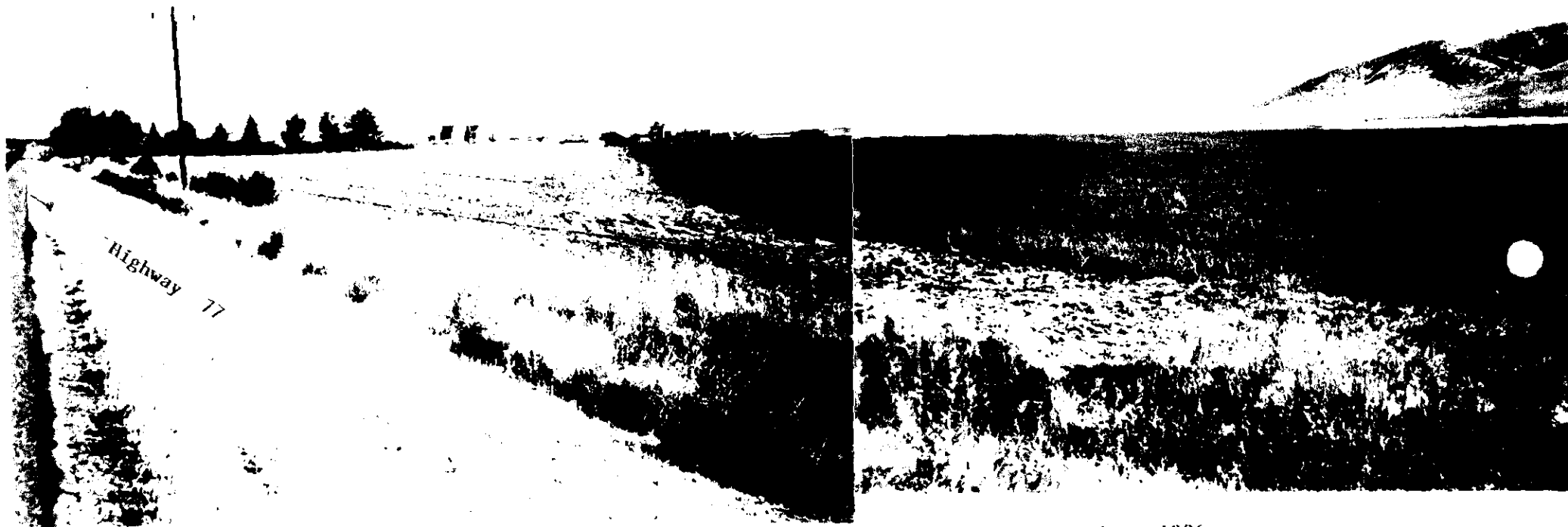
DATE
OF
FLIGHT=1992

SEC 14, T11S, R24E

MITSUO INOUE 25 1957

ATTACHMENT "A"





Area photographed:
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, T11S, R24E

I re-visited the area 11 Sept 1996.
It was freshly plowed and the hand lines
and sprinklers were stacked on the
easterly edge of area.

09 September 1996 1000 hrs.
Examiner: G. Satterlee

Photo looking N'ly, along Hwy 77.

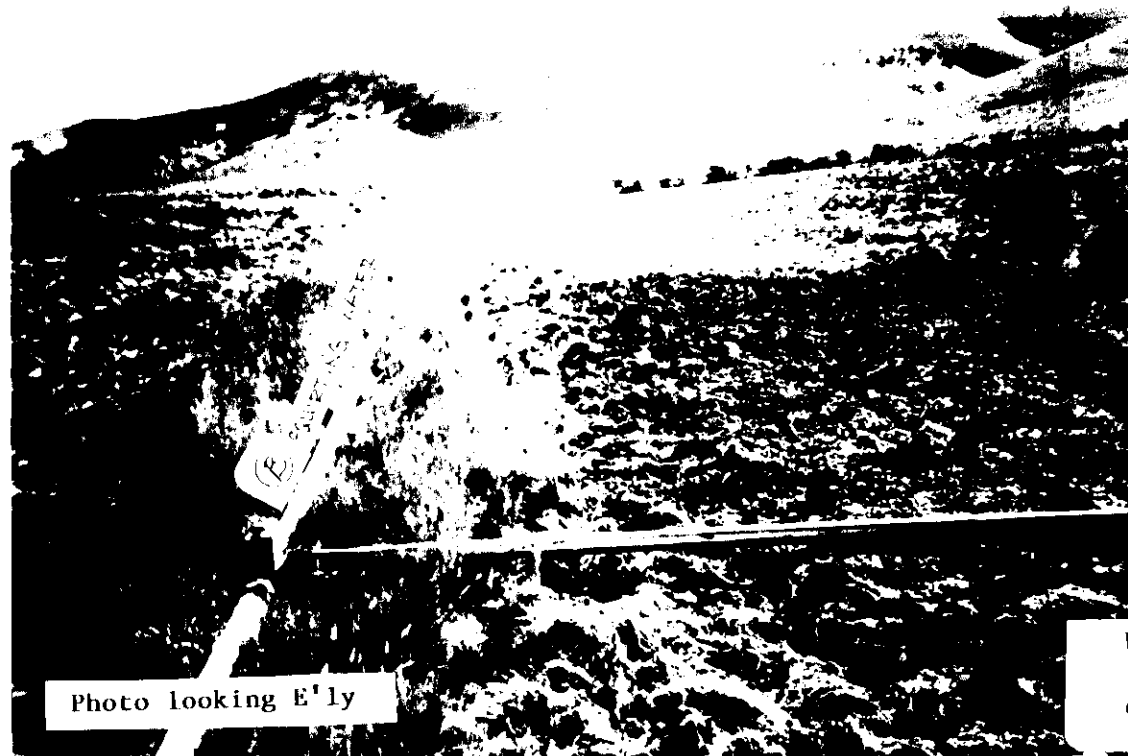


Photo looking E'ly

Photographed Area:

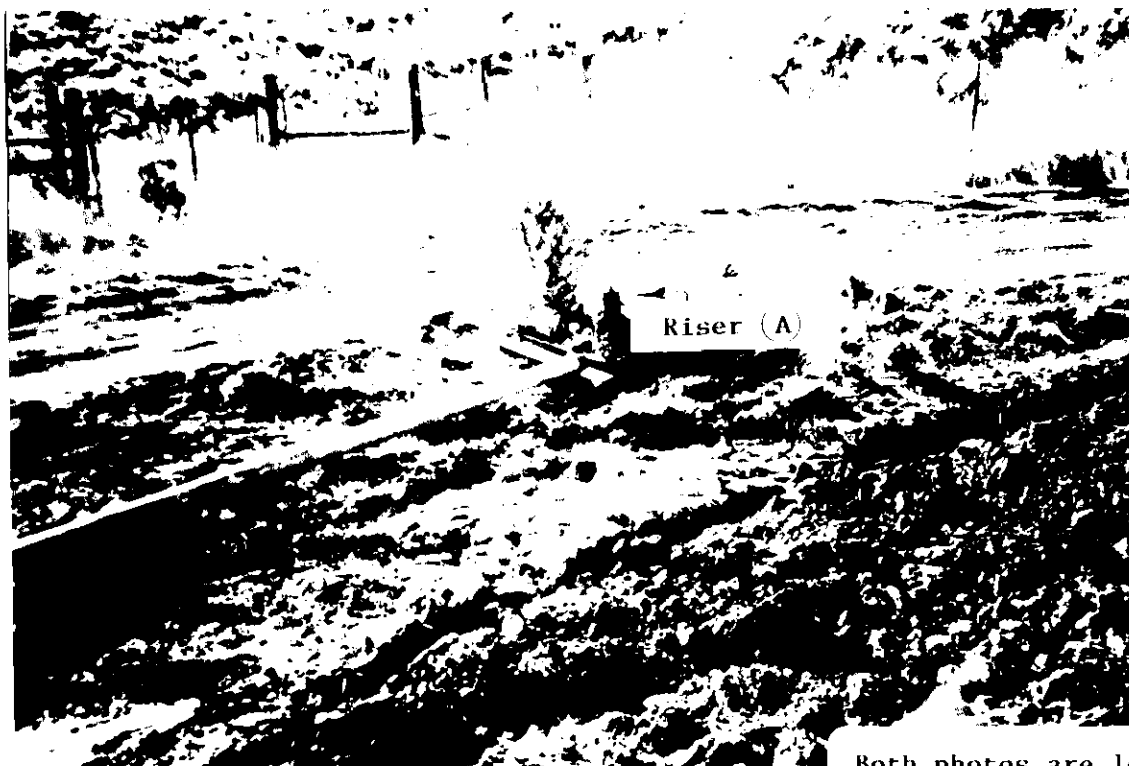
Section 11, T11S, R24E SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.5 ac+
 " " 14, " " NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.0 ac±

Water squirting from main line. The riser is situated on the easterly edge of area at about the section line.



Photo looking NE'ly

11 September 1996 1000 hrs.
 For inar: G Satterlee



Both photos are looking S'ly

Photographed Area:
Section 14, T11S, R24E NW $\frac{1}{4}$ NE $\frac{1}{4}$
1.0 acre $\pm$



11 September 1996 1000 hrs
Examiner: G. Satterlee



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

September 11, 1996

Bruce B. Turner
Water Canyon #13
Declo, ID 83323

**RE: WARNING LETTER REGARDING CONTINUED VIOLATION OF CONDITIONS OF
USE OF TRANSFER NO. 3663 OF WATER RIGHT 45-07120A**

Dear Mr. Turner:

As you know our office received a complaint regarding your continued excess diversion and use of the above referenced water right. Our investigation found that the complaint was justified. We found that you were again diverting water at a rate in excess of 1.67 cfs in violation of the conditions of Transfer No. 3663 and specifically your actions appear to be in total disregard to the "Consent Order and Agreement" you recently signed regarding this same matter. I understand your explanation of this current violation is that it was a mistake in communication with your irrigator.

I urge you to gain control of your operation and abide by the laws of the state. For your benefit I point out condition #4 of Transfer #3663 which states: "Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded." Please also be mindful of Section 42-352, Idaho Code, which states: "Any person who wilfully violates any cease and desist order issued under chapter 3, title 42, Idaho Code, after the same has been served on that person shall be subject to a civil penalty to be imposed by the director of the department of water resources not to exceed one hundred dollars (\$100) per diversion for each calendar day, or any part of a calendar day, ..." Please be advised that if our office finds further violations of the conditions of Transfer No. 3663 we will not hesitate to recommend to the director that Transfer No. 3663 be rescinded and that further civil penalties be imposed.

Regarding the measuring device presently installed on your pump, we request that the lock be removed to allow monitoring of the diversion rate by the department or that the department be provided a key.

The solution to this matter or future course of events this matter will take is presently under your control. I reiterate our agent's (Georgia Satterlee) offer to you to work with you to

Page 2
September 11, 1996

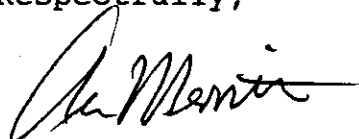
calibrate your meter, if and when you re-nozzle your sprinkler system so that both pivots can be operated at the same time without violating the conditions of the transfer.

Regarding your complaint about the Inouye illegal water use, we have provided the factual information regarding this alleged violation to our administrator, Norm Young. It will be up to Mr. Young to determine if a "notice of violation" is warranted in this situation.

On a related matter, I am presently attempting to schedule a prehearing conference for the matter of your protest of the Inouye transfer. I propose to schedule the conference in the latter part of October or early November. Please advise what dates may be acceptable to you and your attorney.

If you have questions please feel free to contact our office.

Respectfully,

A handwritten signature in cursive script, appearing to read "Allen Merritt", written in dark ink.

Allen Merritt, PE
Southern Region Manager

CC: Norm Young - IDWR

County of Cassia)
) ss
STATE OF IDAHO)

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

OK
NB
2/23/46

On this 15th day of August in the year of 1994 before me, a Notary Public, personally appeared Kary D. Miller, 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.

Annak Burns
Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication 20.52
Notary Fee .50
Total Cost 21.02

RECEIVED

AUG 19 1996

**Department of Water Resources
Southern Region**

**NOTICE OF AMENDED
APPLICATION FOR TRANSFER OF
WATER RIGHT**

Notice is hereby given that Application for Transfer No. 4853 of Licensed Water Right No. 45-07045 filed by MITSUO &/OR MILDRED INOUE, 401 S HWY 77; DECLO ID 83323 and published on 6/24 & 7/1/96 has been AMENDED to reduce the place of use to only 414 acres within parts of S11 and S14, T11S, R24E; Cassia County. Any protest against approval of the Amended Transfer must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 22, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on
8/5 & 8/12/96.

96-388

**NOTICE OF AMENDED APPLICATION
FOR TRANSFER OF WATER RIGHT**

Notice is hereby given that Application for Transfer Nol 4853 of Licensed Water Right No. 45-07045 filed by MITSUO &/OR MILDRED INOUE, 401 S HWY 77; DECLO ID 83323 and published on 6/24 and 7/1/96 has been AMENDED to reduce the place of use to only 414 acres within parts of S11 and S14, T11S, R24E; Cassia County. any protest against approval of the Amended Transfer must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 22, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on
August 5 and August 12, 1996.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

August 1, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

NOTICE OF AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

Notice is hereby given that Application for Transfer No. 4853 of Licensed Water Right No. 45-07045 filed by MITSUO &/OR MILDRED INOUE, 401 S HWY 77; DECLO ID 83323 and published on 6/24 & 7/1/96 has been AMENDED to reduce the place of use to only 414 acres within parts of S11 and S14, T11S, R24E; Cassia County.

Any protest against approval of the Amended Transfer must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 22, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 8/5 & 8/12/96.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

August 1, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MITSUI &/OR MILDRED INOUE
401 S HWY 77
DECLO ID 83323

Re: Application for Transfer No. 4853 (45-07045)

Dear Mr. & Mrs. Inouye:

The Department of Water Resources acknowledges receipt of your Amended Application for Transfer.

This office has scheduled advertising the application in The South Idaho Press for 8/5 and 8/12/96.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

Allen D. Merritt, P.E.
Regional Manager

AM:MB

8/1/96

Call Roger Ling

4364717

I called Roger & let him know of the pending NOV to Inouye. I asked if he was going to represent Inouye in the protest letter & in the NOV. He indicated he probably would. I indicated that I would move Pre-leaving conf. & for compliance conf. along as swiftly as I could depending on their desire. He indicated he would be back in touch. He was leaving next week but would be back after next week & would talk to Inouye and then could schedule conference.

AO

10/1/96

10/1/96

From: DWR60::AMERRITT 24-JUL-1996 10:20:55.66
To: DWR03::NYOUNG
CC: AMERRITT
Subj: draft NOV to Mitsuo Inouye

NORM

I'VE TALKED TO JIM STANTON AND HE CONFIRMS THAT APPROXIMATELY 12 ACRES ARE BEING IRRIGATED IN A TRACT NOT LICENSED UNDER 45-07045. THESE TWELVE ACRES ARE PLANTED TO APPROXIMATELY 7 ACRES GRAIN AND 5 ACRES POTATOES. BELOW IS A DRAFT NOV FOR YOUR CONSIDERATION. IF YOU DECIDE TO SEND IT I CAN PLACE IT ON THE PCCOMMON DIRECTORY ON NODE 3. LET ME KNOW.

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF THE DIVERSION OF)	
WATER ON LANDS OWNED OR CONTROLLED)	NOTICE OF VIOLATION
BY MITSUO INOUE WITHOUT AN)	AND
APPROVED WATER RIGHT)	CEASE AND DESIST ORDER
_____)	

The Director of the Department of Water Resources (department), being charged with the duties of protecting vested water rights, enforcing specific statutes of the state of Idaho and the rules promulgated by the department, and being authorized to order the cessation of violations or attempted violations of the provisions of the law relating to all aspects of the appropriation and distribution of water, has caused an investigation of certain diversions of water being made by or under the control of Mitsuo Inouye (alleged violator).

Based upon the department's investigation and understanding of the law, the Director makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On July 18th, 1996 a department representative conducted a field examination and determined that Mitsuo Inouye is diverting water from wells located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, Twp. 11S, Rge. 24E, B.M. for irrigation of lands within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14, Twp. 11S, Rge. 24E, B.M. without an approved water right.

2. On March 29, 1996 Mitsuo Inouye filed an application for transfer pursuant to Section 42-222, Idaho Code, of water right 45-07045 proposing to use groundwater on the above described lands to be diverted from the wells described above. Said transfer is numbered #4853 and processing of the transfer has not been concluded nor has authorization to divert been approved by the department. Transfer #4853 has been protested by Bruce Turner through his attorney William Parsons.

3. The department has received over the last month complaints from the protestant Bruce Turner about the use of water.

on the above described lands.

CONCLUSIONS OF LAW

1. Section 42-351(1), Idaho Code, provides as follows:

If the director of the department of water resources finds, on the basis of available information, that a person is diverting water or has diverted water from a natural watercourse or from a ground water source without having obtained a valid right to do so or is applying water or has applied water not in conformance with a valid water right, then the director of the department of water resources shall have the discretion to take action against such person. The director may file an action seeking injunctive relief or may commence an administrative enforcement action by issuing the person a written notice of violation directing the person to cease and desist the activity or activities alleged to be in violation of applicable law or any existing water right. The notice of violation shall be served upon the alleged violator in person or by certified mail. The notice of violation shall identify the alleged violation and specify whether that person is diverting water or has diverted water not in conformance with a valid water right. The notice of violation shall state the remedy, including any restoration and mitigation measures, and the civil penalty the director seeks for redress of the violation and shall contain a statement of findings of fact and conclusions of law that provide a factual and legal basis for the initiation of the administrative enforcement action.

2. Section 42-201, Idaho Code, provides in part as follows:

All rights to divert and use the waters of this state for beneficial purposes shall hereafter be acquired and confirmed under the provisions of this chapter and not otherwise.

3. Section 42-352, Idaho Code, provides in part as follows:

Any person who wilfully violates any cease and desist order issued under chapter 3, title 42, Idaho Code, after the same has been served on that person shall be subject to a civil penalty to be imposed by the director of the department of water resources not to exceed one hundred dollars (\$100) per diversion for each calendar day, or any part of a calendar day, ...

4. The lands described in the findings of fact above are being irrigated in violation of state law.

5. The diversion of the public waters of the state of Idaho not in compliance with existing water rights must be stopped to prevent injury to other water rights, to protect the water resources of the state and to assure that the allocation and use of available water supplies takes place in an orderly manner.

6. The Director of the department should issue a Notice of

Violation to the applicant directing the applicant to immediately cease diversion of water for irrigation of the above described lands and to pay a civil penalty for each day of unauthorized use of water not in conformance to a valid water right.

ORDER

IT IS HEREBY ORDERED as follows:

1. Mitsuo Inouye shall immediately cease diversion of water for irrigation of lands within the SW¹/₄NE¹/₄, Section 14, Twp. 11S, Rge. 24E, B.M. without an approved water right.

2. Mitsuo Inouye shall submit to the department a civil penalty in the amount of \$100 per diversion day after receipt of this order for which water is diverted and used for irrigation of the lands within the SW¹/₄NE¹/₄, Section 14, Twp. 11S, Rge. 24E, B.M.

IT IS FURTHER HEREBY ORDERED as follows:

1. Mitsuo Inouye is entitled to a compliance conference with department staff, if the applicant contacts the department and requests a conference within fifteen (15) days of receipt of this Notice of Violation.

2. The applicant shall have the opportunity to enter into a consent agreement with the department to remedy the damage caused by the violation and to assure future compliance with the laws of the state of Idaho.

DATED this _____ day of July, 1996.

NORMAN C. YOUNG, Administrator

TRANSMITTAL COVER SHEET

OMNIFAX G66

TO: 678-0146

TOTAL PAGES SENT: 10

DOCUMENT DESCRIPTION: License 45-7045

FROM: IDAHO DEPARTMENT OF WATER RESOURCES
222 SHOSHONE AVE E
TWIN FALLS ID 83301

PHONE: 736-3033

FAX: 736-3037

SENDER: Allen MerriTT

CHARGES:

One (1) free copy per request, cover sheet not counted. Two (2) or more copies per request will cost \$0.25 per page. (\$0.50 minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: _____
Please remit to the above address.

COMMENTS: _____

APR 11 1991

RECEIVED

FEB 15 1984

State of Idaho
Department of Water Resources

Department of Water Resources
Southern District Office

WATER RIGHT LICENSE

(late proof)

License of Water Right No. 45-7045 Priority December 16, 1969 Amount 5.47 cfs

THIS IS TO CERTIFY, that Mitsuo & Mildred D. Inouye
of Declo, Idaho, has complied with the terms and conditions of Permit
No. 45-7045 issued pursuant to Application for Permit dated December 8, 1969,
and has submitted proof to the Department of Water Resources on December 12, 1979,
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 5.47 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>October 31</u>	at <u>5.47</u> cfs and	<u>1656.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 5.47 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
1656.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11;
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14; Twp. 11S, Rge. 24E in the County of Cassia

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	24E	11					29	30			40			40		40	40		219
		14		40			40	36	39	40									195

Total number of acres irrigated 414

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 8TH day of FEBRUARY, 19 84.

Acting for the Director

Norman C Young

45-7045

Page 1 of 7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4853

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Mitsuo Inouye &/or Mildred D. Inouye Phone 654-2742
Post Office address 401 S Hwy 77, Declo, ID 83323

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create PPU
- Describe the reason for the proposed changes Some land is in CRP until 1998. I have purchased the SW/NE Sec. 14 to square up the farm. I need to create a permissible place of use to cover this situation

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

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|-------------------|--------------------|---------------|----------------------------|
| <u>45-07045</u> | <u>12-16-1969</u> | <u>5.47 cfs</u> | <u>Irrig.</u> | <u>4-1</u> to <u>10-31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
- Total amount of water being transferred 5.47 cubic feet per second and/or _____ acre-feet per annum.
- Source of water Groundwater tributary to _____
- Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use: PPU not to exceed 414 acres per annum

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>11S</u>	<u>24E</u>	<u>11</u>					<u>29</u>	<u>30</u>			<u>40</u>			<u>40</u>		<u>40</u>	<u>40</u>		<u>219</u>
																			<u>235</u>
		<u>14</u>		<u>40</u>	<u>40</u>		<u>40</u>	<u>36</u>	<u>39</u>	<u>40</u>									

Total acres 454

PART 1

6. General Information:

a. Description of diversion system Existing well & pump, mainlines to 4 pivots & wheel lines

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ✓ 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Unless additional water rights can be purchased, irrigation will be moved around the farm so as not to exceed licensed acres.

d. Remarks:

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 _____.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-07045

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	5.47 CFS	1656.0 AF

SOURCE

GROUNDWATER

Priority: 12/16/1969

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 11, Township 11S, Range 24E
NWNW , Sec. 11, Township 11S, Range 24E
SEnw , Sec. 14, Township 11S, Range 24E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	24E	11	NENW 29	NWNW 30	NESW 40	
			SESW 40	NWSE 40	SWSE 40	219
		14	NWNE 40	NENW 40	NWNW 36	
			SWNW 39	SEnw 40		195
				Total number of acres irrigated:		414

CONDITIONS/REMARKS:

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. A45-07045

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	5.47 CFS

SOURCE

GROUNDWATER

Priority: 12/16/1969

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 11, Township 11S, Range 24E
NWNW , Sec. 11, Township 11S, Range 24E
SENE , Sec. 14, Township 11S, Range 24E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	24E	11	NENW 29	NWNW 30	NESW 40	
			SESW 40	NWSE 40	SWSE 38	217
		14	NWNE 37	SWNE 20	NENW 40	
			NWNW 36	SWNW 33	SENE 33	199
Total number of acres irrigated:						416

CONDITIONS/REMARKS:

15

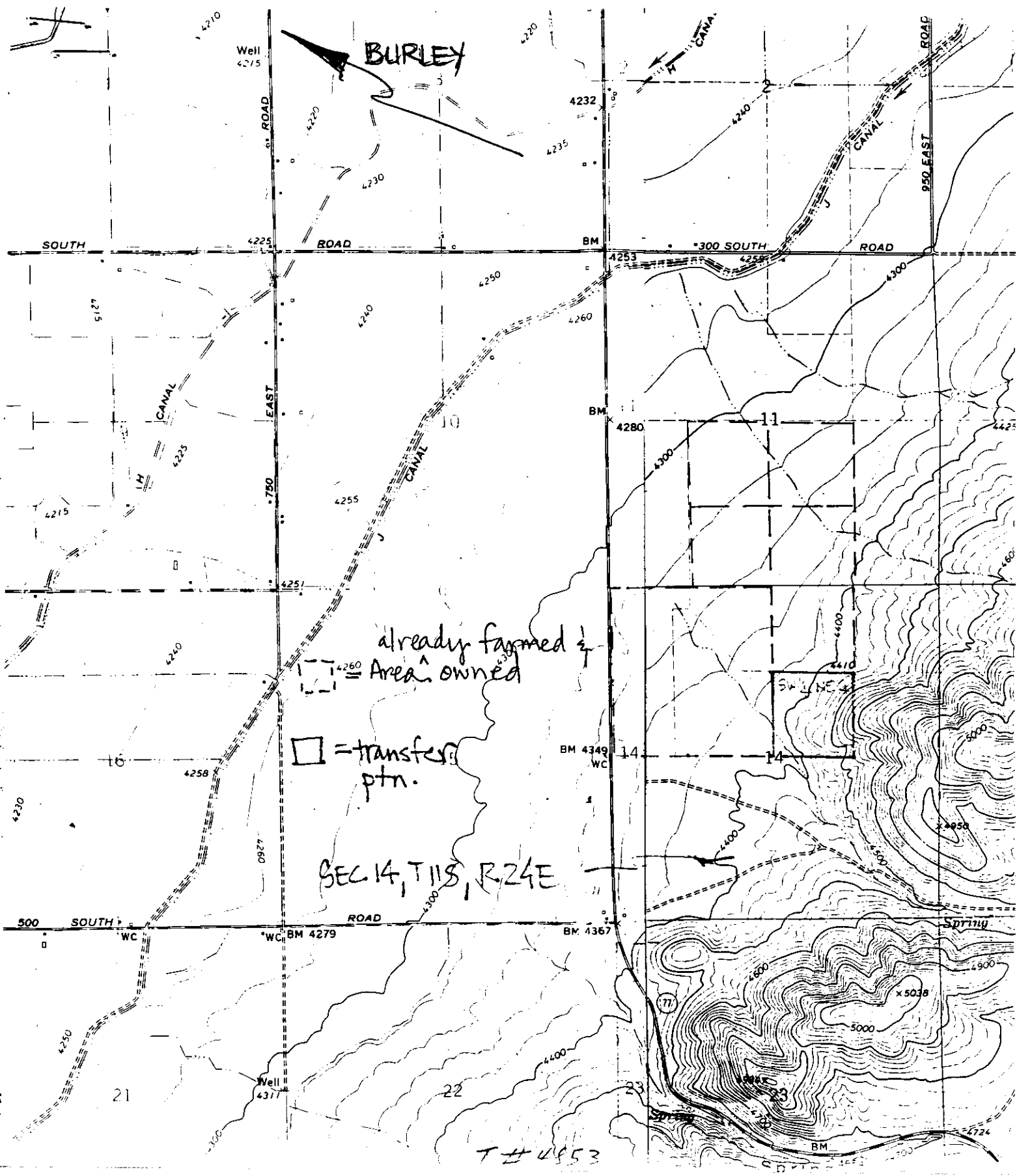


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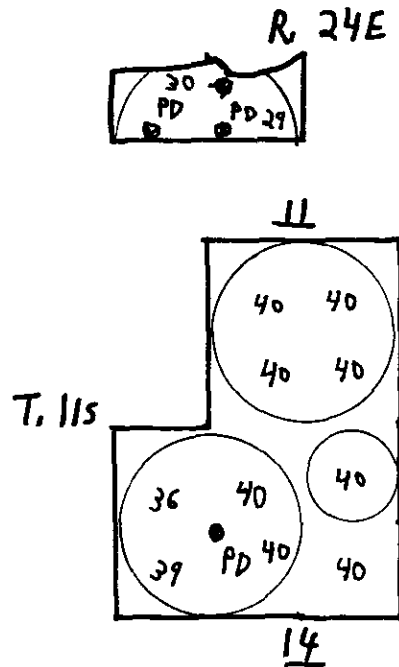
VIEW
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1964

ALBION
7.5 MIN QUAD
1968



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of March, 19 96.

[Signature]
(Notary Public)

My commission expires 10-25-2000**FOR DEPARTMENT USE ONLY**Transfer contains 7 pages and 1 attachmentsReceived by J.F. Stanton Date 3-29-96 Protest filed by _____Prelim. check by GS Fee \$100. 5018975Receipted by [Signature] Date 3-29-96Published in So. Ill. Press Copies of protest forwarded by _____Pub. dates 6/24 + 7/1/96 Hearing held by _____ Date _____Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED

APR 01 1996

Department of Water Resources
Southern Region



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

July 24, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MITSUO INOUE &/OR
MILDRED D INOUE
401 S HWY 77
DECLO ID 83323

RE: APPLICATION FOR TRANSFER NO. 4853 (45-07045)

Dear Mr. & Mrs. Inouye:

Enclosed is a copy of a protest filed against the above referenced application.

The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

July 24, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

WILLIAM A PARSONS ESQ
PO BOX 910
BURLEY ID 83318

RE: APPLICATION FOR TRANSFER NO. 4853 (45-07045)

Dear Mr. Parsons:

The protest against the approval of the above referenced application filed on behalf of your client, Bruce Turner, has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)

TO: Allen M.

DATE: July 19, 1996

FROM: Jim Stanton

SUBJECT: Present P/U, T. 4853, Mitsuo Inouye

Per your request, I visited the subject property yesterday. The owner accompanied me. After visiting the property, I met with the protestant Bruce Turner.

The 1992 ASCS photo shows 20.7 acres of pivot corners in CRP. It also shows 12 acres being irrigated in the SW/NE Sec. 14. According to the owner, he went into the CRP program in 1989, and started irrigating the additinal 12 acres about the same time. The protestant confirmed this. So althought Mr. Inouye is in technical violation by irrigating land that has no water right, it appears that the actual number of irrigated acres has been within the limits of the license. Mr. Turner thinks we should be fining Mr. Inouye for this illegal diversion (since he got fined for not having a meter on his well), but I told him that this would be your decision. Their personal feud goes back a long time, but now they have managed to get us involved. Anyway, it does not appear that other water users have been harmed by Mr. Inouye's failure to obtain an approved transfer before irrigating the 12 acres (12 acres by ASCS figures, about 13 by my count).

There is a problem with the transfer as proposed, however. Since only about 21 acres were put in CRP, the permissable place of use should only be allowed to increase by 21 acres. The CRP program runs thru 1998 on this land. Most of the SW/NE Sec. 14 is a steep hillside, but the owner said he wanted to be able to water a few additional spots above the 12 acres. The other 28 acres is essentially unfarmable, so will see minimal water use. According to Mr. Inouye, the southernmost pivot corners will probably not be irrigated in the future, so this would balance out the 12 acres in the SW/NE. Unless he can come up with specific additional acres that could be left out of production part of the time, we should limit the PPU description to 435 acres.

PARSONS, SMITH, STONE & FLETCHER

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

July 9, 1996

Mr. Allen Merritt
Idaho Department of Water
Resources
222 Shoshone Avenue East
Twin Falls, Idaho 83301

RE: Inouye 45-7045

Dear Allen:

I am enclosing the Protest on the Inouye application. I have prepared it in view of the fact that Mr. Turner is in the hospital in Arizona and cannot sign within the time frame allowed by the rules on protest.

The \$25.00 check is enclosed.

Very truly yours,


William A. Parsons

WAP:rt
Enc.

RECEIVED

JUL 10 1996

Department of Water Resources
Southern Region

100
100

PARSONS, SMITH, STONE & FLETCHER
137 West 13th Street
P.O. Box 910
Burley, Idaho 83318
(208) 678-8382
Attorneys for

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

In the Matter of the Application)
of) Transfer Application
) 4853
MITSUO and MILDRED D.) Claim No. 45-07045
INOUE.) PROTEST

COMES NOW, Bruce Turner, and protests the application
of Mitsuo Inouye and Mildred D. Inouye for the transfer of water
rights under Water License NO. 45-7045 and alleges:

1. The application proposes to increase the number of
acres authorized by the license in that it would allow water over
454 acres when the license is only 414 acres.

2. If the transfer were allowed there would be no way
to monitor that only 414 acres were irrigated.

3. The proposed transfer constitutes water spreading.

4. If additional lands are to be irrigated under the
license then other lands under the license need to be removed
from the list of authorized place of use. Current law does not

allow for a "floating water right".

5. The application is for an expanded water right which may very well jeopardize other wells in the area.

6. The Protestant reserves the right to raise other issues in protest if the same are ultimately discovered as the application for transfer and the license cannot completely be understood relative to other unknown issues.

DATED this 9th day of July, 1996.

PARSONS, SMITH, STONE & FLETCHER



William A. Parsons
Attorneys for Protestant
137 West 13th Street
P. O. Box 910
Burley, Idaho 83318

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of July, 1996, I served a copy of the foregoing Protest upon the following:

Mitsuo Inouye and Mildred D. Inouye
401 South Highway 77
Declo, Idaho 83323

Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Bruce Turner
#13 Water Canyon
Declo, Idaho 83323

by depositing a copy thereof in the United States mail, postage

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prepaid, in an envelope addressed to the above named persons at the above addresses, their last known address.

PARSONS, SMITH, STONE & FLETCHER



William A. Parsons
Attorneys for Protestant
137 West 13th Street
P. O. Box 910
Burley, Idaho 83318

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

RECEIVED

County of Cassia)

) ss

STATE OF IDAHO)

JUL 09 1996

Department of Water Resources
Southern Region

Kary D. Miller, being first duly sworn, deposes and says that she is the General Manager 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 two consecutive week(s), commencing with the issue dated June 24 1996, and ending with the issue dated July 1 1996

Kary D Miller

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 5th day of July in the year of 1996 before me, a Notary Public, personally appeared Kary D. Miller, 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.

Shirley K Burns
Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication

31.32

Notary Fee

.50

Total Cost

31.82

OK
MB
7/9/96

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

Notice is hereby given that MITSUO &/OR MILDRED D. INOUE, 401 S HWY 77; DECLO ID 83323 have filed a transfer application pursuant to Section 42-222 of IDAHO CODE. The purpose of Transfer No. 4853 is to change the place of use.

Water Right No. 45-07045 (5.47 cfs) with a priority date of 12/16/1969 will be diverted from existing wells within N1/2NW1/4, S11, T11S, R24E; SE1/4NW1/4, S14, T11S, R24E; Cassia County to irrigate 414 acres within 454 acre permissible place of use within parts of S11 and S14, T11S, R24E. A total of 5.47 cfs of water is being transferred.

Any protest against approval of the proposed changes must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before July 12, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 6/24 & 7/1/96.

96-314

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Published in the South Idaho Press on June 24 & July 1, 1996.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

June 14, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MESSAGE CONFIRMATION
TRANSMISSION

JAN-06-'00 FRI 13:50

TERM ID: IDWR SOUTH
TEL NO.:

P-9999

NO.	DATE	ST. TIME	TOTAL TIME	ABBR/SBD	ID	DEPT CODE	AFGS
011	01-06	13:49	00'00'47		2086700146		OK- 1 NG- 0

Post-It® Fax Note 7671		Date 7/9/96	# of pages 1
To Bill Parsons	From Allen Merritt		
Co./Dept.	Co.		
Phone #	Phone #		
Fax # 678-0146	Fax #		

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Karl J. Dreher, Director

Published in the South Idaho Press on 6/24 & 7/1/96.

OK /H-



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

June 13, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MITSUO INOUE &/OR
MILDRED D. INOUE
401 S HWY 77
DECLO ID 83323

Re: Application for Transfer No. 4853 (45-07045)

Dear Applicants:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in The South Idaho Press for 6/24 and 7/1/96.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

Georgia Satterlee L.S.I.T.
Water Resource Agent

GS:mb

07 JUNE 1996

TO: FILE #45-07045
FROM: GEORGIA SATTERLEE
RE: TRANSFER - INOUYE, MITSUO

ON 06 JUNE 1996 I WENT OUT IN THE FIELD AND LOOKED AT THE LAND THAT MR. MITSUO WOULD LIKE TO TRANSFER WATER RIGHTS TO. THE ASCS PHOTO DEPICTS THE SAME SITUATION AS I VIEWED, WHICH IS: ALTHOUGH THE TRANSFER IS CALLING TO THE ENTIRE SW $\frac{1}{4}$ NE $\frac{1}{4}$ IN SEC 11, T11S, R24E, THERE IS APPROXIMATELY 12 ACRES OF THE SW $\frac{1}{4}$ NE $\frac{1}{4}$ BEING IRRIGATED.

THE WATER RIGHT CLAIM OF #45-07045 DOES NOT HAVE ANY REFERENCE TO THE SW $\frac{1}{4}$ NE $\frac{1}{4}$ IN SEC 11, T11S, R24E. HOWEVER, THE ADJUDICATION CLAIM A45-07045 CALLS TO 20 ACRES IN SW $\frac{1}{4}$ NE $\frac{1}{4}$ IN SEC 11, T11S, R24E.

T #4853

1984
~~January 13, 1984~~

RE: Permit No. 45-7045

Mitsuo & Mildred D. Inouye
850 E. 400 S.
Declo, ID 83323

Dear Mr. and Mrs. Inouye:

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment. Also enclosed is Departmental Receipt No. 25378 in the amount of \$20.00.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosures

RECEIVED
JAN 15 1984
DECLO, ID

INTER-DEPARTMENT MEMO — 1

DATE 12-7-83

FROM Bob Fleenor

TO File 45-7045

SUBJECT License Exam

I asked Loren to send the data obtained by Jim during his measurements of well #3. By using the system pumping pressure as found by Jim during normal operation we can determine the most likely flow rate using the RPA measurements after the pump impeller was adjusted.

Jim's original ~~exam~~ data should also assure us that the pumping system has not been enlarged since his original measurement.

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM Jim, Southern

DATE 10-26-83

TO Jim Johnson

SUBJECT Field Exam for Permit 45-7045, Mitsuo Inouye

The measurement on the large well (P.D. #3) was done by Richard Stroh of the Bonneville Power Administration in Idaho Falls. A Hall meter by Cox was used; the meter was calibrated at Fresno State Univ. in 1980. Mr. Stroh could not find his field notes on the test. He is well experienced with well testing, however, so it seems reasonable to accept his findings. Also, six separate readings should provide a good amount of data to ~~the~~ support his results.

date of exam: 8/10/1981
(as per exam sheets)

OK KW



SIGNATURE

ACTION REQUIRED

FROM:

Joni

TO:

file

Prepare special license letter
to explain different amount on
license .



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

April 15, 1983

Mitsuo Inouye
850 East 400 South
Declo, Idaho 83323

Re: Permit 45-7045

Dear Mr. Inouye:

We need more information on the pumping tests performed on your large irrigation well by the B.P.A. in 1981. This is the well on the hill above your house.

We need to know who made the measurements, what method or measuring device was used, and when the instrument was last calibrated prior to the measurement.

Please find out this information and inform this office at your earliest convenience as we cannot license this water right without the information.

We are including copies of the well tests for your information. Copies of the B.P.A. field notes should provide sufficient information.

Sincerely,

James E. Stanton
Sr. Water Resource Agent

LOH:JES:marya

Encl:

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

45-7045

Permit No. _____

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	1-7-80	GLF	
☐ Telephone call made: (List Telephone No. used)			
☒ Appointment scheduled for: (Date, time, location)	7-21-80 1980 6-25-81 8-10-81	js js	Wells #1 & 2 measured. Low reading on #3 - do again in Well #3 measured - still low. Ground verified. Well #3 Tested By Bonneville Power Admin.

EXAMINATION

Date See above Accompanied by Niteno Inouye Total Q measured 5.40 cfs
If source is surface water, estimate total flow of source _____
Methods of measurement Annular, Collins Tube Meets Permit requirements? ✓

Measurement calculations:

#1 - measure 3.6" = 2.4" corrected = 1.33 cfs #2 measured 6.3" = 5.1" corrected = 1.23 cfs
 #3 average 1273 ^{No. sec pump curve} / 448.8 ^{1 sec 2.91} cfs / cfs = 2.84 cfs total ~~5.48 cfs~~ CAPACITY
 Volume - 400 ¹⁴ ac x 4.0 AFA/ac = ~~1600~~ ¹⁶⁵⁶ AFA ok
 $5.4 \times 1.9835 \times 213 = 2281.4$ $V = 4.0 \times 414 = 1656$ AFA kw

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
1	75	GE	AST 227348	Burbank	7701049	10.02" Annubar	Good	
2	100	H. & J. Motors	C2955-01-192	Laguna Brothers	-	9.981" Annubar	Good	
2	350	GE	CST 319011	Burbank	7701041	Gillies Tube	-	BPA measurement

System Description *three wells connected together, sprinkler system (pivots, handlines)*

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

Irrigation requirement = $\frac{4.0}{5.47}$ AFA/Acre

Q (cfs)	V (afa)	FROM	TO
~~5.40~~ 5.47	~~1070~~ 1656	4-1	10-31

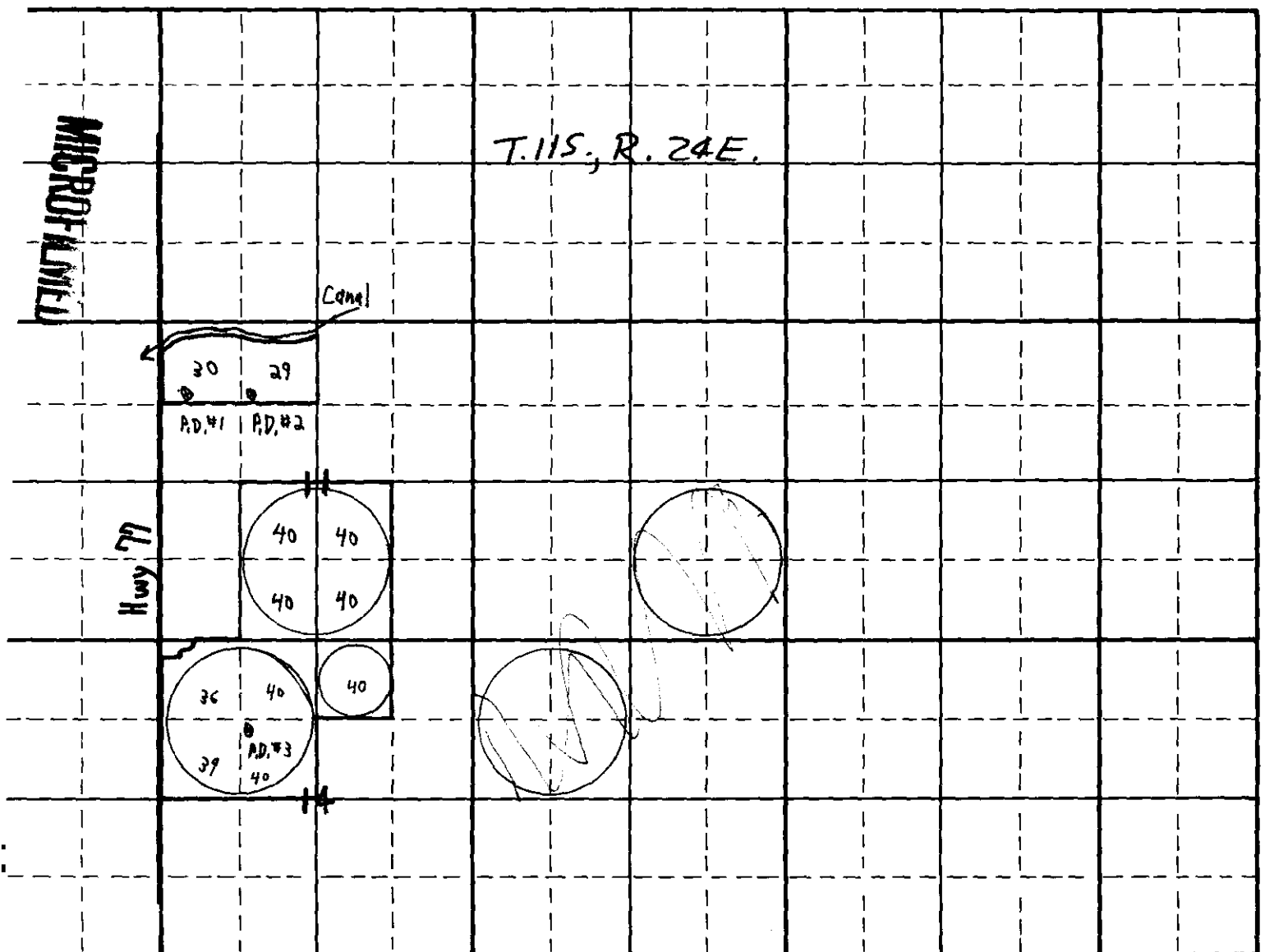
USE	Q (cfs)	V (afa)	FROM	TO
<i>irrigation</i>	-5.48 ✓ ^{5.47}	~~1674~~ 1656 ^{op}	4-1	10-31
Total				

Remarks

Not in CGWA per USGS

12-19-82

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: Well #1 NW 1/4 NW 1/4 Sec. 11; Well #2 NE 1/4 NW 1/4 Sec. 11; Well #3 SE 1/4 NW 1/4 Sec. 14
T. 115 R. 24E

Place(s) of Use

[illegible]

Recommended Amendments:

- ☒ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above

- ☐ None
- ☐ Other

~~Examiner's Signature~~

Checked by

Approved by

Date 9-9-81

Date 10/2/81

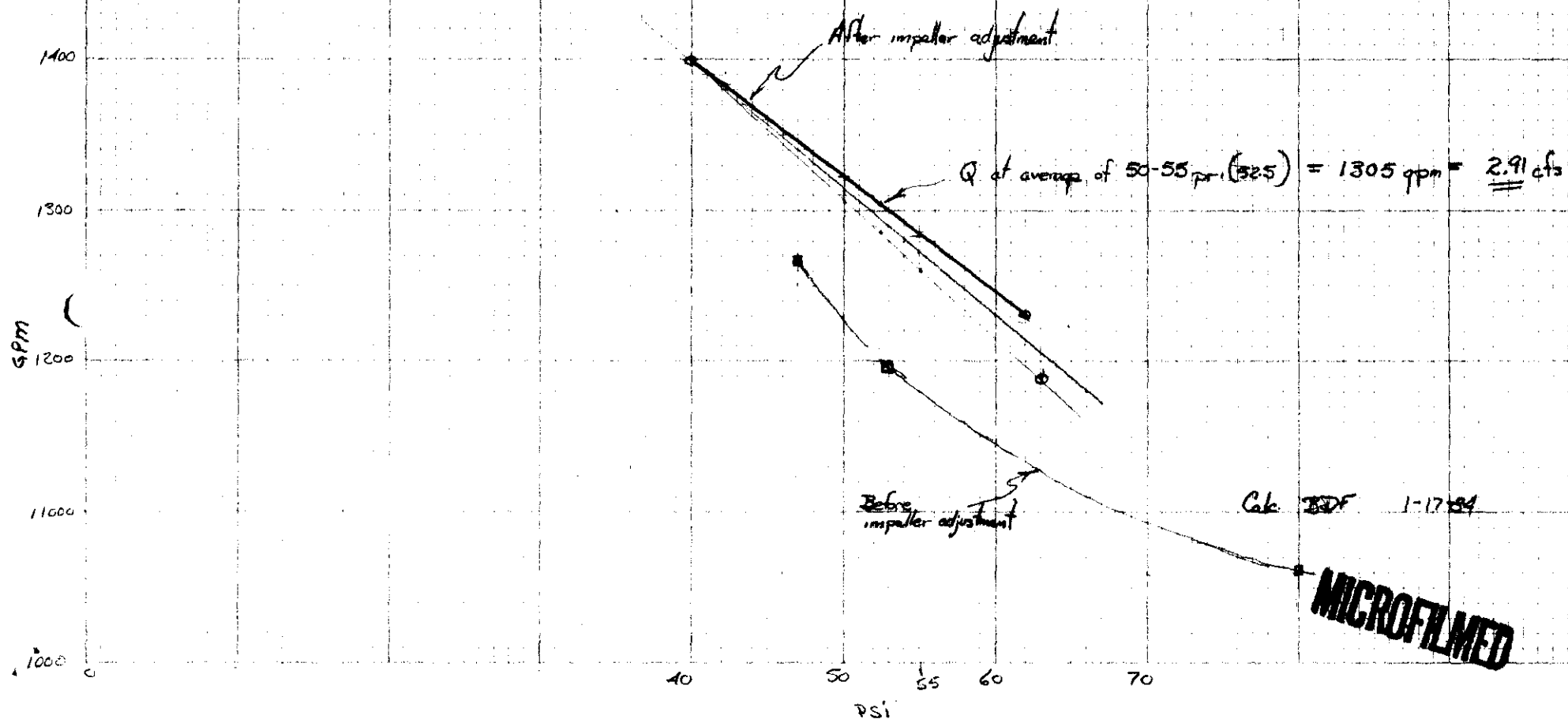
Date 11-17-82

Supplement to Field Exam

Mitsui Inoue 45-7045

Well No 3.

50-55 psi is the system pressure according to Jim Stephens memo -



Xsuo Inouye

Utility South Side Electric Lin

No. _____

Tested 8/10/81

Tests After Pump Impeller Adjustment

EXISTING SYSTEM

	<u>Test 1</u>	<u>Test 2</u>	<u>Test 3</u>
Pumping Water Lift (ft)	<u>430</u>	<u>430</u>	<u>430</u>
Standing Water Level (ft)	<u>390</u>	<u>390</u>	<u>390</u>
Flow (gpm)	<u>1231</u>	<u>1399</u>	<u>1187</u>
Motor Demand (Hp)	<u>351</u>	<u>351</u>	<u>351</u>
Rated Horsepower	<u>350</u>	<u>350</u>	<u>350</u>
Pump Efficiency (%)	<u>50.8</u>	<u>52.6</u>	<u>49.2</u>
Drawdown (ft)	<u>40</u>	<u>40</u>	<u>40</u>
Yield (gpm/ft drawdown)	_____	_____	_____
Hours Operation	_____	_____	_____

	<u>Test 1</u>	<u>Test 2</u>
Pressure (psi)	<u>62</u>	<u>40</u>
Total Operating Head (ft)	<u>573</u>	<u>522</u>
Percent of Rated Motor Load	<u>100</u>	<u>100</u>
System Efficiency (%)	_____	_____
Inches Applied	_____	_____
Acre-feet/year	_____	_____
kWh/acre-foot	_____	_____

IF SYSTEM IS IMPROVED TO

% EFFICIENCY:

gpm _____

Hours _____

kWh/acre-foot _____

kWh Savings _____

Percent Savings _____

Dollar Savings/Year _____

WATER MANAGEMENT

<u>Crop</u>	<u>Est. Seasonal Water Requirement</u> <u>(Acre-ft/year)</u>	<u>Est. Applied (acre-ft/yr)</u>
_____	_____	_____
_____	_____	_____
Total	_____	_____
Water Savings (acre-ft/yr)	_____	_____
Reduced Hours of Operation	_____	_____
kWh Savings/Year	_____	_____
Dollar Savings/Year	_____	_____

TOTALS

(Water Management & Efficiency Improvements)

Total kWh Savings/Year _____

Hours Operation _____

Total \$ Savings/Year _____

Percent Savings _____

Calculations Available Upon Request

MICROFILMED

Name Mitsuo In

Util South Side Electric
Lines

Account No. _____

Date Tested 8/10/81

Tests Before Pump Impeller Adjustment

	EXISTING SYSTEM		
	Test 1	Test 2	Test 3
Pumping Water Lift (ft)	430	430	430
Standing Water Level (ft)	390	390	390
Flow (gpm)	1266	1196	1063
Motor Demand (Hp)	348	343	340
Rated Horsepower	350	350	350
Pump Efficiency (%)	49.4	48.6	48.5
Drawdown (ft)	40	40	40
Yield (gpm/ft drawdown)			
Hours Operation			

	Test 1	Test 2	Test 3
Pressure (psi)	47	53	80
Total Operating Head (ft)	539	552	61
Percent of Rated Motor Load	99.4	98.0	97.1
System Efficiency (%)			
Inches Applied			
Acre-feet/year			
kWh/acre-foot		1460	

IF SYSTEM IS IMPROVED TO 65 % EFFICIENCY:

gpm _____
kWh/acre-foot 1116
kWh Savings _____
Dollar Savings/Year _____

Hours _____
Percent Savings 34

WATER MANAGEMENT

Crop	Est. Seasonal Water Requirement (Acre-ft/year)	Est. Applied (acre-ft/yr)
_____	_____	_____
_____	_____	_____
Total	_____	_____

Water Savings (acre-ft/yr) _____
Reduced Hours of Operation _____
kWh Savings/Year _____
Dollar Savings/Year _____

TOTALS (Water Management & Efficiency Improvements)

Total kWh Savings/Year _____
Total \$ Savings/Year _____

Hours Operation _____
Percent Savings _____

Calculations Available Upon Request

INTER-DEPARTMENT MEMO — 1

DATE 7-23-80

FROM Jim Stanton

TO File

SUBJECT Field Exam, Permit 45-7045, Mitsuo Inouye

On 7-21-80, I measured three wells supplying water for this permit. The two smaller wells gave satisfactory measurements with the Annubar, and Mr. Inouye was satisfied with my findings. The large well, however, gave a reading of about 1000 gpm at 50-55 psi. But Mr. Inouye stated that the well was rated at 1800 gpm at 95 psi. Due to this large discrepancy, I gave him until 1981 to make the necessary repairs to his system. It should not be necessary to measure the small wells again, but I feel that a re-measurement of the large well is reasonable.

MEMO



SIGNATURE

$425 \times 9 = 3800$

P.D. #1 NW/NW Sec. 11 GE 75 hp motor # 85J227348
Berkeley Vertical turbine pump # 7901049

10.020" Annubar # 091421
~~measure 3.35" - 1.2 = 2.15" @ 13' meter box~~
system at 92 psi
measure 3.6" - 1.2 = 2.4 = 1.33 gfs

PD #2 NE/NW Sec 11 U.S. Motors High Torque motor 100 hp
C2755-01-172 82-01451
Layne & Bowler pump no tag

7.981" Annubar # 91139

measure 6.3" - 1.2 = 5.1 = 1.23 gfs

PD #3 SE/NW Sec 14 GE ³ 50 hp motor # C5J317011
Berkeley Vertical turbine pump # 7901041

10.020" Annubar # 91149

measured 8" - 1.2 = 6.8" _{dp} = 2.25 ^{gfs} _{cfs}

6-25-81

TO Jim
From LAF

It looks like ~~we~~ have
2 choices.

(1) Measure well # 3

(2) get the measurement
notes showing who measured,
method, etc from Mr Inouye
or BPA.

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM Jim

APR 1 1983

DATE 2-4-83

TO LOREN

Department of Water Resources
Southern District Office

SUBJECT Measurements made by non-dept. personnel

Loren, I have been requested to return the field exam for Permit 45-7045 FOR MORE BACKGROUND INFORMATION ON THE BPA MEASUREMENT. See attached sheets. I believe the department needs want the same info on measurements made by other sources as we have ~~on~~ when our people make the exam. and/or measurements. Please take action on this ASAP As ~~when~~ we have already received the license amendment on this and it is ready to be licensed.

SIGNATURE

Over → Jim
Let's discuss
what is needed
to accept BPA
measurement.

Jim: Let's return exam
& BPA sheets so they
can be documented re:
date of exam, person making
exam, how meas. was conducted,
etc.

Dave



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 17, 1982

RE: Permit No. 45-7045

Mitsuo & Mildred D. Inouye
850 East 400 South
Declo, ID 83323

Dear Mr. and Mrs. Inouye:

A representative of this Department made an examination of the works covered by your Permit No. 45-7045 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 5.40 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1656.0 acre feet
per year.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; Twp. 11S,
Rge. 24E, Cassia County
Beneficial use: Irrigation of 414 acres within the N $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 11; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 14; Twp. 11S, Rge. 24E

Priority date established: December 16, 1969 (late proof)

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

Mitsuo Inouye
850 East 400 South
Declo, Idaho
83323

January 7, 1980

RE: Water Permit 45-7045

Dear Mr. Inouye;

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

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

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Senior Water Resource Agent

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 45-7045

Name(s) of Permit Holder: Mitsuo & Mildred J. Inuzuka

Post Office Address: 850 East 400 South

Declo, Idaho _____

Source of Water: Ground Water Department of Water

Extent of Use: ☐ Domestic _____ (number of households)

☐ Stockwater _____ (number and type of stock) _____

XX Irrigation 425 (acres)

☐ Other _____

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

Access Port: Required? ☒ Yes ☐ No Installed? ☐ Yes ☒ No

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

Date 12/12/201


Signature of Permit Holder

RECEIVED

DEC 13 1979

Department of Water Resources



**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

**PLACE
TEN CENT
STAMP
HERE**



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3573

September 12, 1979

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Notice of Amendment to a Water Permit No. 45-7045 - Mitsuo & Mildred D. Inouye

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 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. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Secretary

Encl:

MICROFILMED

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 45-7045

Notice is hereby given that Mitsuo & Mildred D. Inouye are the holders of approved permit No. 45-7045 authorizing the diversion of 7.0 cubic feet per second of water from groundwater source in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, (2 wells), SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T.11S, R.24E T county of Cassia, to be used for irrigation purposes on 434 acres within N $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 14, T.11S, R.24E, B.M.

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, to change the points of diversion as follows:

Points of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T.11S, R.24E; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T.11S, R. 24E, B.M., Cassia County. No other change.

Any protest against approval of the amending of Permit No. 45-7045 as set forth above must be filed with the Idaho Department of Water REsources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before October 12, 1979.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on September 25 and October 2, 1979.

SEP 25 1979



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

October 31, 1979

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Notice of Correction No. 45-7045 - Mitsuo & Mildred D. Inouye

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 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. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Secretary

Encl:

MICROFILMED

NOTICE OF CORRECTION

Notice is hereby given that Notice of Amendment to a Water Permit No. 45-7045 in the name of Mitsuo & Mildred D. Inouye was advertised incorrectly on September 25 and October 2, 1979. The point of diversion was advertised as being within the NW¹/₄NW¹/₄, NE¹/₄NW¹/₄, Sec. 11; NE¹/₄NE¹/₄, Sec. 14, T. 11S, R.24E, B.M., Cassia County. Whereas, the actual point of diversion is within the NW¹/₄NW¹/₄, NE¹/₄NW¹/₄, Sec. 11; NE¹/₄NW¹/₄ Sec. 14, T.11S, R.24E, B.M., Cassia County.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before November 30, 1979.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on November 13 and November 20, 1979.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss.

STATE OF IDAHO)

Donna J. Fithugh being first

duly sworn, deposes and says that she is the

owner 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 five consecutive weeks, commencing with the issue

dated Sept. 25 1979, and ending

with the issue dated Oct. 2 1979

Donna J. Fithugh Subscribed and sworn to before me

this 2nd day of Oct.

1979.

Norma M. Peterson Notary Public

Cost of Publication 12.30

Notary Fee 12.30

Total 24.60

NOTARY PUBLIC COMMISSION AT
BURLEY, IDAHO
EXPIRES JUNE 30, 1981

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 45-7045

Notice is hereby given that Mitze & Mildred D. Inouye are the holders of approved permit No. 45-7045 authorizing the diversion of 7.0 cubic feet per second of water from groundwater source in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (2 wells), SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T.11S, R.24E B.M. county of Cassia, to be used for irrigation purposes on 45 $\frac{1}{2}$ acres within NW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 14, T.11S, R.24E, B.M.

The permit holder has applied to the Department of Water Resources for an Amendment to the permit to change the points of diversion as follows:

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T.11S, R.24E NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T.11S, R.24E, B.M.; Cassia County. No other change.

Any protest against approval of the expanding of Permit No. 45-7045 on the forth above must be filed with the Idaho Department of Water Resources, 1841 Blue Lakes Blvd. North, Fair Falls, Idaho, 83421, on or before October 12, 1979.

C. STEPHEN ALLEN
Director

Published in the South Idaho Press on September 25, 1979.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

ss.

STATE OF IDAHO)

[Signature] being first

duly sworn, deposes and says that he is the

owner and publisher 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 consecutive weeks, commencing with the issue dated 1977, and ending with the issue dated 1977

Subscribed and sworn to before me

this day of

1977.

[Signature] Notary Public

Cost of Publication 2.36

Notary Fee

Total Cost 2.36

79-297

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 45-7045

Notice is hereby given that Mitsuo & Mildred D. Inouye are the holders of approved permit No. 45-7045 authorizing the diversion of 7.0 cubic feet per second of water from groundwater source in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (2 wells), SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T.11S, R.24E B.M. county of Cassia, to be used for irrigation purposes on 434 acres within N $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 14, T.11S, R.24E, B.M.

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, to change the points of diversion as follows:

Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T.11S, R.24E; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T.11S, R. 24E, B.M., Cassia County. No other change.

Any protest against approval of the amending of Permit No. 45-7045 as set forth above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before October 12, 1979.

C. STEPHEN ALLREC
Director

Published in the South Idaho Press on September 25, October 2, 1979.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss.

STATE OF IDAHO)

Donna Pittaugh, being first
duly sworn, deposes and says that she is the

clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for five
consecutive weeks, commencing with the issue
dated Nov 13, 1979, and ending
with the issue dated Nov 20, 1979.

Donna Pittaugh

Subscribed and sworn to before me
this 20th day of Nov
1979.

Norman M. Peterson Notary Public

Cost of Publication 9.02

Notary Fee

Total Cost 9.02

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

79-389

NOTICE OF CORRECTION

Notice is hereby given that Notice of Amend-
ment to a Water Permit No. 45-7045 in the name
of Mitsuo & Mildred D. Inouye was advertised
incorrectly on September 25 and October 2, 1979.
The point of diversion was advertised as being
within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 11S, R. 24E, B.M., Cassia
County. Whereas, the actual point of diversion is
within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11;
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14, T. 11S, R. 24E, B.M., Cassia
County.

Any protest to the above correction must be
filed with the Idaho Department of Water
Resources, 1041 Blue Lakes Blvd. North, Twin
Falls, Idaho, 83301, on or before November 30,
1979.

C. STEPHEN ALLRED

Director

Published in the South Idaho Press on November
13, 20, 1979.

RECEIVED

old
mayer
11/26/79

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss.

STATE OF IDAHO)

Dorothy Hittinger, being first
duly sworn, deposes and says that she is the

Dorothy Hittinger of the South Idaho
Press, a daily newspaper published at Bur-
ley Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for three
consecutive weeks, commencing with the issue
dated Nov 12 1979, and ending
with the issue dated Nov 20 1979.

Subscribed and sworn to before me
this 20th day of Nov
1979.

Notary Public

Cost of Publication 9.05

Notary Fee

Total Cost 9.05

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

79-389

NOTICE OF CORRECTION

Notice is hereby given that Notice of Amend-
ment to a Water Permit No. 45-7045 in the name
of Mitsuo & Mildred D. Inouye was advertised
incorrectly on September 25 and October 2, 1979.
The point of diversion was advertised as being
within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 11S, R. 24E, B.M., Cassia
County. Whereas, the actual point of diversion is
within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11;
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14, T. 11S, R. 24E, B.M., Cassia
County.

Any protest to the above correction must be
filed with the Idaho Department of Water
Resources, 1041 Blue Lakes Blvd. North, Twin
Falls, Idaho, 83301, on or before November 30,
1979.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on November
13, 20, 1979.

*do
may
11/26/79*



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

101464

October 31, 1979

Mitsuo and Mildred D. Inouye
850 East 400 South
Declo, ID 83323

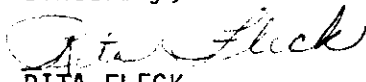
Dear Mr. and Mrs. Inouye:

One of the conditions of approval of your water Permit No. 45-7045 was that evidence of the extent of development must be submitted to this office on or before January 1, 1980. (See last page of your approved permit). Enclosed is a post card which may be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use post card or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect within 60 days.

Sincerely,


RITA FLECK
Sr. Secretary

Enc: 1

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

October 31, 1979

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosures

Northern Region Office
Rt. #5, Box 203 Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Street
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Blvd. North
Twin Falls, Idaho 83301

Western Region Office
92 S. Cole Road
Boise, Idaho 83705

RECEIVED

December 21, 1979

Mitsuo and Mildred D. Inouye
850 East 400 South
Route 1
Declo, ID 83323

Dear Mr. and Mrs. Inouye:

Re: Permit No. 45-7045

Enclosed is a copy of the approved application for amendment submitted on the above-referenced permit.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

Enclosure

ENCLOSURE

July 2, 1979

Mitsuo and Mildred D. Inouye
850 East 400 South
Declo, ID 93323

Dear Mr. and Mrs. Inouye:

Re: Permit No. 45-7045

This office acknowledges receipt of the assignment conveying the above-referenced permit to you. The assignment has been entered into the Department's records.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

cc: William A. Parsons

PARSONS, SMITH & STONE

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER
ASSOCIATE

ATTORNEYS AT LAW
137 WEST 13TH STREET
BURLEY, IDAHO 83318

P. O. BOX 910
TELEPHONE
(208) 678-8382

June 22, 1979

Re: State of Idaho - Inouye

State of Idaho
Department of Water Resources
373 West Franklin
Boise, Idaho

RE: Commons - Inouye
Permit No. 457045

Gentlemen:

Enclosed is and Assignment of the above permit. Would you please make the appropriate changes on the records regarding that permit.

Very truly yours,



William A. Parsons

WAP:rt

MICROFILMED

January 21, 1975

Re: Permit No. 45-7045

Raymond L. Commons & Mitsuo Inouye
Route #5
Rupert, ID 83350

Gentlemen:

Enclosed is an Order which reinstates the above referenced permit; please note that the priority has been advanced to December 16, 1969.

Also enclosed is a copy of the approved application for extension of time submitted in connection with this permit. The time within which to submit proof of beneficial use of water has been extended to January 1, 1980.

If you have any questions concerning this matter, please contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosures

MICROFILMED

PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

26194

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

Mrs. L. L. Lamm

DATE OF DELIVERY

POSTMARK

2 Nov 1974

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

November 1, 1974

CERTIFIED MAIL

#26194

Re: Permit No. 45-7045

Raymond L. Commons & Mitsuo Inouye
Route #5
Rupert, ID 83350

Gentlemen:

One of the conditions of approval of your water Permit No. 45-7045 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg

Enc: Proof affidavit

cc: Jack A. Barnett

MICROFILMED

JACK A. BARNETT
CONSULTANT
520 IDAHO BUILDING - BOISE, IDAHO
Phone 344-1541

GROUND-WATER HYDROLOGY • WATER RIGHTS • GEOLOGIC ENGINEERING

March 25, 1971

Mr. Don McEldowney
Department of Water Administration
Annex 2
Boise, Idaho 83707

Dear Don:

Following is a list of files for which I have power of attorney:

45-7043
45-7044
45-7045

Would you please correct the address on those files to show my current address of Room 520 of the Idaho Building.

Sincerely,


Jack A. Barnett
Consultant

JAB:cww

45 7045

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Reclamation

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer
within 30 days after completion or abandonment of the well.

1. WELL OWNER

Name Ray Commons, Mits Inouye, Cleo Larson
Address Rt. # 5 - Rupert, Idaho
Owner's Permit No. 45-7045

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test
☐ Municipal ☐ Industrial ☐ Stock

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 20 inches Total depth 630 feet
Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>1/4</u> inches	<u>22</u> inches	<u>+1</u> feet	<u>17</u> feet
<u>1/4</u> inches	<u>22</u> inches	<u>17</u> feet	<u>152</u> feet
<u>1/4</u> inches	<u>18</u> inches	<u>152</u> feet	<u>350</u> feet
<u>1/4</u> inches	<u>18</u> inches	<u>350</u> feet	<u>630</u> feet

Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☒ Factory ☐ Knife ☐ Torch
Size of perforation 3/16 inches by 2 inches

Number	From	To
<u>5 & 10</u> perforations	<u>67</u> feet	<u>12</u> feet
<u>10</u> perforations	<u>120</u> feet	<u>20</u> feet
<u>5</u> perforations	<u>220</u> feet	<u>30</u> feet

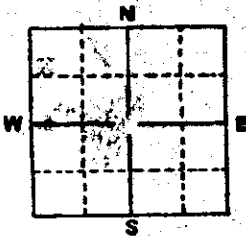
Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter or Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal? ☐ Yes ☐ No To what depth 17 feet
Material used in seal ☐ Cement grout ☒ Puddling clay
Puddling clay - (surface)

6. LOCATION OF WELL

Sketch map location must agree with written location.



County Cassia
NW 1/4 NW 1/4 Sec. 11 T. 11 N/S, R. 24 E/W

7. WATER LEVEL

SWL - 80' after pump testing
Static water level 50 feet below land surface
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Other
Discharge G.P.M. Draw Down Hours Pumped
2,000 plus Pumping level 15
175 - 180

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Wat.	
	From	To		Yes	No
22	0	9	Topsoil		
22	9	52	Sandy clay - yellow - solid		
22	52	145	Sand & gravel strips	X	
			Sandy clay (yellow & brown)		
20	145	175	Cemented gravel strips		
			(solid & brown)	X	
20	175	344	Sticky clay (yellow & brown)		
20	344	354	Clay & gravel & lava		
			signs - solid	X	
18	354	365	Dark gray lava - solid	X	
18	365	373	Dark gray lava - softer	X	
18	373	377	Dark gray mud & fine		
			broken lava - sticky	X	
18	377	419	Dark gray lava - solid	X	
			lava - solid	X	
18	419	434	Orange clay & sand	X	
18	434	506	Tan clay - sandy - same		
			gravel	X	
18	506	532	Brown rock (possibly lava)		
			solid	X	
18	532	545	Brown loose rock & mud?		
18	545	630	Light Tan & brown		
			mud clay & decomposed rock	X	

10. Work started Dec 9-1962 finished March 4, 1970

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Commons Drilling Co. Number 46
Driller's or Firm's Name
P.O. Box 126 - Rupert, Idaho
Address
Ray L. Commons Date March 21
Signed by

January 23, 1970

Re: Permit No. 45-7045

Raymond L. Commons and Mitsuo Inouye
Route 5
Rupert, Idaho 83350

Gentlemen:

We enclose a copy of your approved application for permit 45-7045 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, ~~Assistant~~ Deputy
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit
2 letters of information

P.S. 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.

cc. Jack A. Barnett
Box 1471
Boise, Idaho

45 7045

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

December 22, 1969

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

Re: Application for Permit No. 45-7043 - Austin Walker
45-7044 - Cleo Larson
45-7045 - Raymond L. Commons & Mitsuo Inouye

South Idaho Press
Box 190
Burley, Idaho 83318

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 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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Legal notices (3)

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Raymond L. Commons and Mitsuo Inouye, Route 5, Rupert, Idaho, have on December 8, 1969, applied for permit under application No. 45-7045 to divert 7.0 cubic feet per second of water from a groundwater source. Water will be diverted by wells, motors, pumps, pipelines and sprinkler systems within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (2 points) and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. II, T. IIS, R. 24E, B.M., Cassia County and is to be used from April 1 to October 31 for irrigation in the N $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. II; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 14, T. IIS, R. 24E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in South Idaho Press
January 1 and 8, 1970

45 7045

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Raymond L. Commons and Mitsuo Inouye, Route 5,

Rupert, Idaho, have on 12/8/69 December 8, 1969,

applied for permit under application No. 45-7045

to divert ~~7499~~ 7.0 cubic feet per second ~~7499/9999~~

of water from a groundwater source

Water will be diverted by wells, motors, pumps, pipelines and
sprinkler systems

within the NW¹/₄ (2 points) and SE¹/₄, Sec. 11, T. 11S, R. 24E, B.M.

Cassia County

and is to be used from April 1 to October 31 for irrigation

in the N¹/₂ NW¹/₄, E¹/₂ SW¹/₄, W¹/₂ SE¹/₄, Sec. 11; NW¹/₄ NE¹/₄, NW¹/₄, Sec. 14, T. 11S, R. 24E,
B.M.

Any protest against this application must be filed with the Department
of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

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on January 1 and January 8, 1970.

Kd.

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