

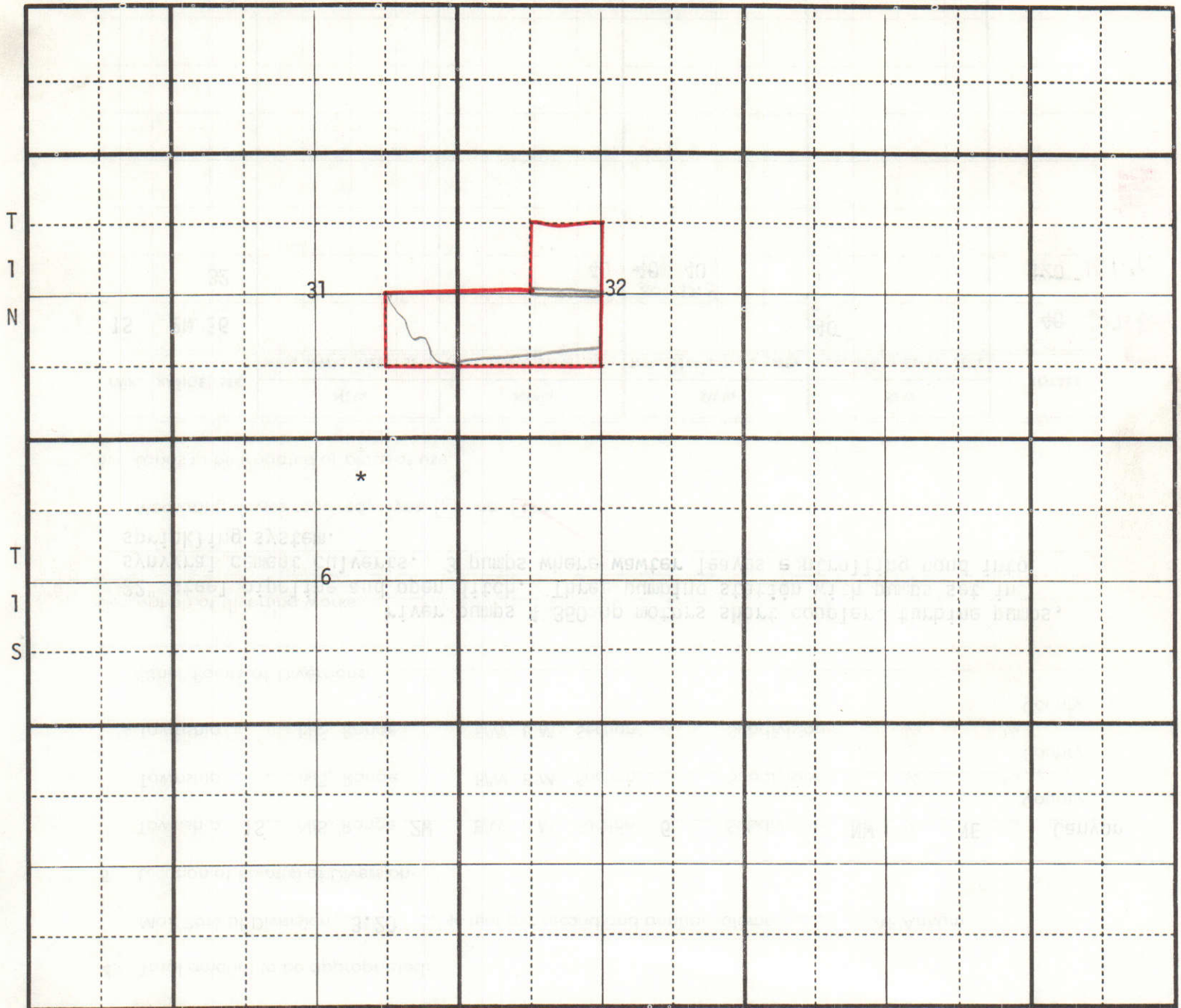
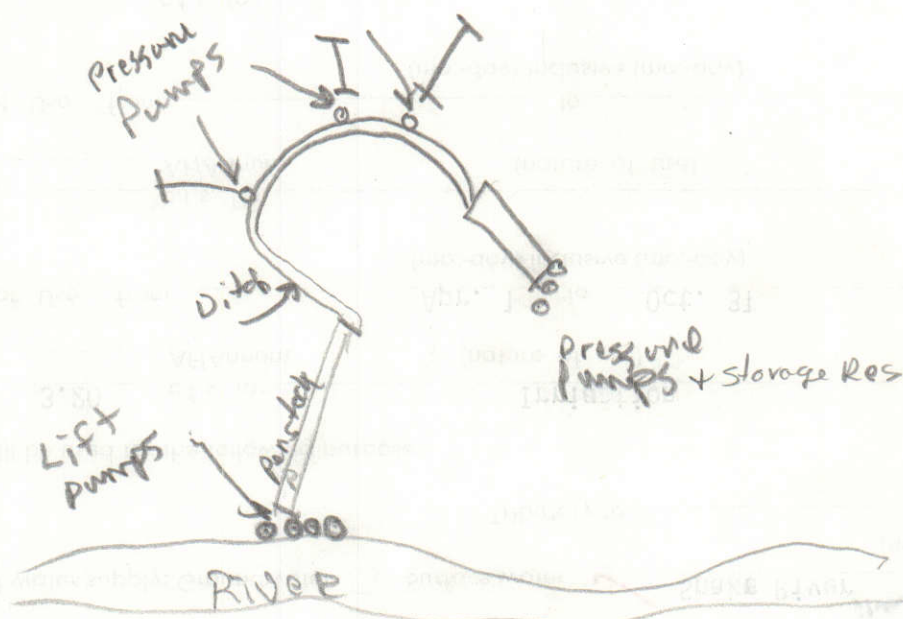


Diagram of System



AFFIDAVIT OF PUBLICATION

RECEIVED
APR 4 1969
Department of Reclamation

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

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

February 6, 13, 1969

Verla Harker

Subscribed and sworn to before me this

13th day of February, 19 69

Adam & Kato

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES JUNE 20, 1971

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Kondo Brothers, a Co-partnership, c/o Henry T. Kondo, Route 4, Nampa, Idaho, has received an approved permit No. 31798 to divert 3.2 cubic feet per second of water from Snake River tributary of the Columbia River. The priority to be established under this permit is March 25, 1964. Water will be diverted by pumping plants, pipes, ditches and ponds within the Lot 6 (NW 1/4 NE 1/4), Sec. 6., R. 1 S., R. 2 W., B.M., Canyon County and is to be used for irrigation in the NE 1/4 SE 1/4, Sec. 31; SE 1/4 NW 1/4, N 1/2 SW 1/4, Sec. 32, T. 1 N., R. 2 W., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

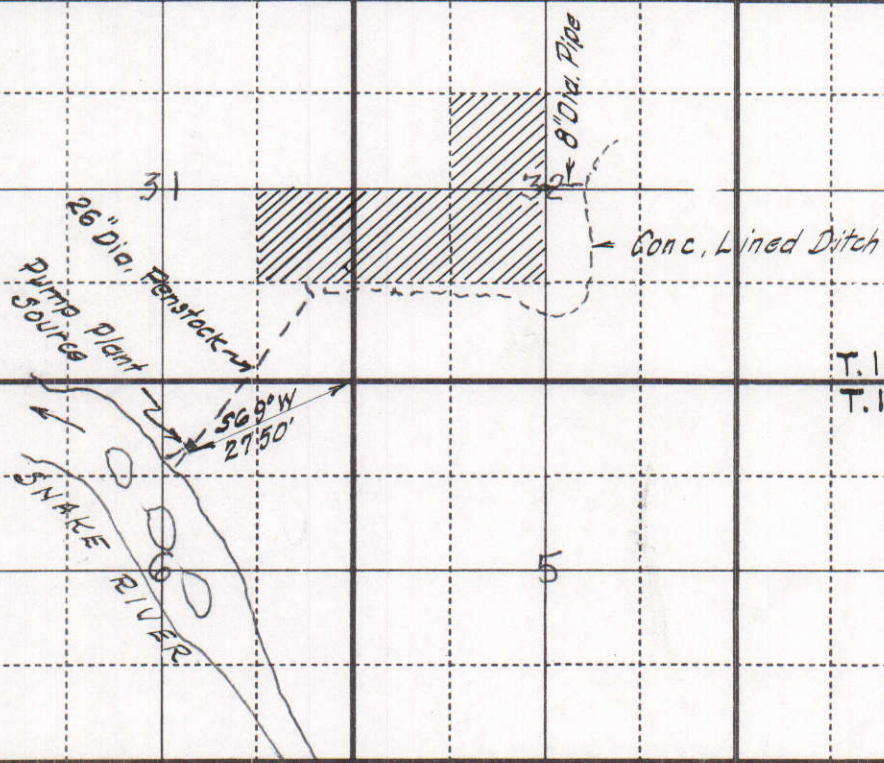
R. KEITH HIGGINSON
State Reclamation
Engineer

February 6, 13, 1969

31798

NAME OF APPLICANT Kondo Brothers, A Co-partnership

Form No. 0



T. 1 N., R. 2 W., B. M.
T. 1 S., R. 2 W., B. M.

LEGEND

 Area to be irrigated

Permit Map No. 31798

As Approved

CARL E. TAPPAN MAR 27 1964

State Reclamation Engineer



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

31798

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31798/02-2294 Priority March 25, 1964 Amount 2.58 cfs

THIS IS TO CERTIFY, that TRAVELERS INSURANCE CO. & KONDO FARMS & KONDO BROTHERS
of Portland, Oregon & Nampa, Idaho, has complied with the terms and conditions of Permit
No. 31798/02-2294 issued pursuant to Application for Permit dated March 25, 1964,
and has submitted proof to the Department of Water Resources on June 9, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 19.3 cfs of water from Snake River,
tributary to Columbia River, 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>2.58</u> cfs and <u>580.5</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 2.58 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
580.5 acre feet per-year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 1S,
Rge. 2W, B.M. in the County of Canyon

Description and location of place of use:

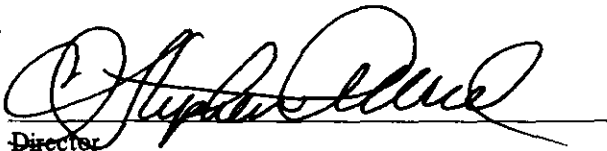
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1N	2W	31																	27.6
		32								38.2	36.7	32.5							107.4

Total number of acres irrigated 129

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 18th day of
October, 19 77.


Director

RECEIVED

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Department of Water Resources

ASSIGNMENT OF PERMIT

Kondo Farms, Inc., an Idaho Corporation The Travelers Insurance Company and
 I, and Kondo Brothers, hereby assign to Kondo Farms, Inc., and Kondo Brothers
 707 S.W. Washington Street, Real Estate Investment Dept., Name Portland, Oregon 97205
 of and Route 4, Box 4061, Nampa, Idaho 83651
 Address

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No.'s 02-2246 and 02-2294 to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho. (Give that portion of the permit being assigned by describing the land list and the point of diversion - describe by acreage within each 40-acre subdivision.)

Made this _____ day of _____, 19____.

Kondo Farms, Inc., an Idaho Corp.

Kondo Brothers

BY: James L. Kondo Pres.

Permit Holder

BY: Olivia L. Kondo Sec.

Wife of Permit Holder

State of Idaho

County of CANYON ss.On this 9TH day of June, 1976, personally

appeared before me the signer(s) of the above instrument, who duly acknowledged to me that ~~he~~ (she) (they) executed the same.

Notary Public residing at NampaMy commission expires 5-8-78

ACKNOWLEDGMENT—CORPORATION OR INDIVIDUAL.

STATE OF IDAHO,

County of CANYON } ss.

On this 9th day of JUNE, in the year 19 26, before me,
Rodney C. Astleford, a Notary Public for said State,
personally appeared Henry T. Kanda + Alice S. Kanda
known to me ~~(or proved to me on the oath of~~

to be the ~~persons whose name are~~ subscribed to
President + Secretary of the corporation that executed the within instrument,
(President, or Vice President, Secretary, or Asst Secretary)

and acknowledged to me that such corporation executed the same.
(he, they or such corporation)

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

Rodney C. Astleford
Notary Public for the State of Idaho,
Residing at Vanapa, Idaho.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR EXTENSION OF TIME

RECEIVED

FEB 26 1975

State of Idaho)
County of Canyon)

Department of Water Resources
Permit No. 31798/02-2294

Kondo Brothers, c/o Henry T. Kondo of Route 4, Box 4061, Nampa
(name) (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. 31798/02-2294.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before March 27, 1975.

That he has heretofore performed the following work described under said permit:
Constructed pump base and related facilities including penstock and concrete
delivery ditch. Installed all but one pump.

Costing \$145,000.00

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: Waiting to install the additional pump pending a
Desert Entry, whose water will be delivered thru the facilities. The Desert
Entry is my own.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to March 27, 1977.

Henry T. Kondo
(signature) *

Subscribed and sworn before me this 25th day of February, 1975.

seal

Kenneth L. White
Notary Public residing at Nampa

My commission expires 3-22-78

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Operations Division
I, A. KENNETH DUNN, Admin., ~~Director~~ of the Idaho Department of Water Resources,
hereby approve the above application for extension of time for Permit No. 02-2294
to March 27, 1977.

Witness my hand this 3rd day of March, 19 75.

A. Kenneth Dunn
Administrator, Operations Division

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, State Capitol, Boise, Idaho 83720.

MICROFILMED

02-0001

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 39919
PERMIT No. 31798
DISTRICT No.

1. Name of Applicant: **Kondo Brothers, a Co-partnership**
Postoffice address: **c/o Henry T. Kondo**
R. 4, Nampa County: **Canyon** State: **Idaho**
 - I. If applicant is a corporation, give:
 - (a) Date and place of incorporation:
 - (b) Amount of capital stock:
 - (c) Amount paid in:
 - (d) Names and addresses of directors:
 - II. The financial resources of the applicant are:
 - (a) Cash on hand: **\$50,000**
 - (b) Treasury stock:
 - (c) Bond to be issued:
 - (d) Other resources: **1,000 acres row crop land**
2. Quantity of water claimed: **3.2** cubic feet per second.
3. Source of water supply: **Snake River** which is a tributary of **Columbia River**
4. Location of point of diversion: **2,750** feet distant from the **N.E.** corner of Section **6**, T. **1 S.**, R. **2 W.**, B.M., and is in the **Lot 6** of section **6**, T. **1 S.**, R. **2 W.**, B. M., County of **Canyon**
5. Water is to be used for **Irrigation**
6. If for mining, milling, power or manufacturing purposes, give:
 - (a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section of , T. , R. , B.M.
 - (b) Amount of power generated: H.P., under feet head.
 - (c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.
7. Estimated cost of works: \$ **15,000.00**
8. Kind of works: **Pumping plants, pipes, ditches and ponds**
9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom **2** feet; width at water line **7** feet; depth of water **2.6** feet;
dimensions of flume:
Diameter of pipe **26** inches; length of conduit **1.5** miles.
Average grade per mile **5.3** feet.
12. The time required for the completion of such work is **5** years.
13. The time required for the complete application of the water to the proposed use is **6** additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **USRS #38811**

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

Kondo Brothers, Applicant.
A Co-partnership
By s/ J. A. Redman Agent.

Date of first receipt at Department of Reclamation: 11:45 A.M. March 25, 1964

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 31798
Recorded in Book 111 Page 31798 Approved March 27, 1964
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before May 27, 1964 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before September 27, 1966
The whole of said work to be completed on or before March 27, 1969
Beneficial use of water appropriated in accordance herewith, to be made on or before March 27, 1975

WITNESS My hand this 27th day of March, 1964
s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 27th day of March, 1964.
Countersigned:
STATE OF IDAHO
(SEAL) By s/ ROBERT E. SMYLIE Governor.
By s/ ARNOLD WILLIAMS Secretary of State.

REMARKS: See application for permit to irrigate 1282 acres in Sections 28, 29, 32, 33 and 34, T.1N., R. 2 W., B.M. and Sections 3 and 4, T. 1 S., R. 2 W., B.M., with water from same source by Kondo Bros.

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1 N	2 W	31																	40
"	"	32							40		40	40							120
											Total Number of Acres to be Irrigated								160



THE TRAVELERS

RECEIVED

JUN 11 1979

Real Estate Investment Department
Agricultural Division
Emil A. Schmitt, Regional Manager

Department of Water Resources

June 7, 1979

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Permit No. 31561/02-2246 and
Permit No. 31798/02-2294
Kondo Farms and Kondo Brothers
Route 4, Box 4061
Nampa, Idaho 83651

Loan No. 500290 2

Gentlemen:

This letter is to advise you that the captioned loan has been paid in full and Travelers no longer has an interest in the security or the water rights.

If you have any questions or need additional information, please contact this office.

Very truly yours,

THE TRAVELERS INSURANCE COMPANY

Helen M. Neville
(Mrs.) Helen M. Neville
Assistant Manager

BMN:nk
cc: Kondo Farms and Kondo Brothers
cc: Area Manager Reed

October 19, 1977

Re: Permit No. 02-2294

Travelers Insurance Co.
807 S. W. Washington St.
Portland, Oregon 97205

and

Kondo Farms, Inc.
Route 4, Box 4061
Nampa, Idaho 83651

Gentlemen:

Enclosed is a copy of the water right license issued on the above referenced permit.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

JG:JFR

Encl.

October 4, 1977

Re: Permit No. 31798/02-2294

Traveler's Insurance Co.
707 S. W. Washington Street
Portland, OR 97205

- and -

Kondo Farms, Inc.
Route #4, Box 4061
Nampa, ID 83651

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 02-2294 on September 28, 1976 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 2.58 c.f.s. Source: Snake River

The maximum quantity diverted shall not exceed 580 acre feet per year.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 1S, Range 2W.

Beneficial use: Irrigation of 129 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ (27.6 acres),
Section 31, SE $\frac{1}{4}$ NW $\frac{1}{4}$ (38.2 acres), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (36.7 acres), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (32.5
acres), Section 32, Township 1N, Range 2W, B.M.

Priority date established: March 25, 1964

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

cc: Traveler's Insurance Co.

PZ #02-2446
#02 2294

DEPARTMENT OF RECLAMATION *2:50 PM*

Date 29 Sept, 1976 DISCHARGE MEASUREMENT NOTES No upstream discharge
Kondo Ditch River at 1/2 mi below discharge from Anstock

[illegible]

No. 1 of 1 Sheets. Comp. by E. M. Ballou Chk. by _____

M E M O

TO: Files 02-2294 & 02-2446 DATE: March 28, 1977
FROM: Ervin E. Ballou 
RE: Measurement For Exams

After completion of the measurement I contacted the Kondo Brothers' office in Nampa on the 30th of September and told them I measured only 15 cfs of water and possibly they would want another measurement prior to my recommending this amount for license. Later on the 12th of October while drafting a license I found an error in my calculations and having not received word about the measurement, I called again and related my corrected total at 19.3 cfs.

I felt the system could possibly be producing more and if they desired, I would return to re-measure the system. The lady in their office said Henry Kondo was away, but she would have him contact our office. As of this date, we have not been contacted so I recommend the permits to be licensed as drafted.

RECEIVED
MAY 1 1977
FBI - MEMPHIS

State of Idaho
Department of Water Resources

ROUGH DRAFT

WATER RIGHT LICENSE

License of Water Right No. 02-2294 Priority _____ Amount 2.58 cfs

THIS IS TO CERTIFY, that Kondo Brothers
of Nampa, has complied with the terms and conditions of Permit
No. 02-2294 issued pursuant to Application for Permit dated _____,
and has submitted proof to the Department of Water Resources on _____,
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 19.3 cfs of water from Green Snake River
tributary to Columbia R, 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>Irr.</u>	from <u>4-1</u> to <u>10-31</u>	at <u>2.58</u> cfs and	<u>580</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 2.58 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
580 acre feet per year, said waters to be diverted within the NWNE sec 6 1S, 2W
in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>1N</u>	<u>2W</u>	<u>31</u>													<u>27.6</u>				<u>27.6</u>
		<u>32</u>											<u>38.23</u>	<u>732.5</u>					<u>101.4</u>

Total number of acres irrigated 129

ROUGH DRAFT

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 _____ day of

_____, 19 ____.

Director

ON 495-2811
yko

Phone

Phone

- Permit No. 02-2294
- Examination for b/u

- $$\overline{160} - 129$$

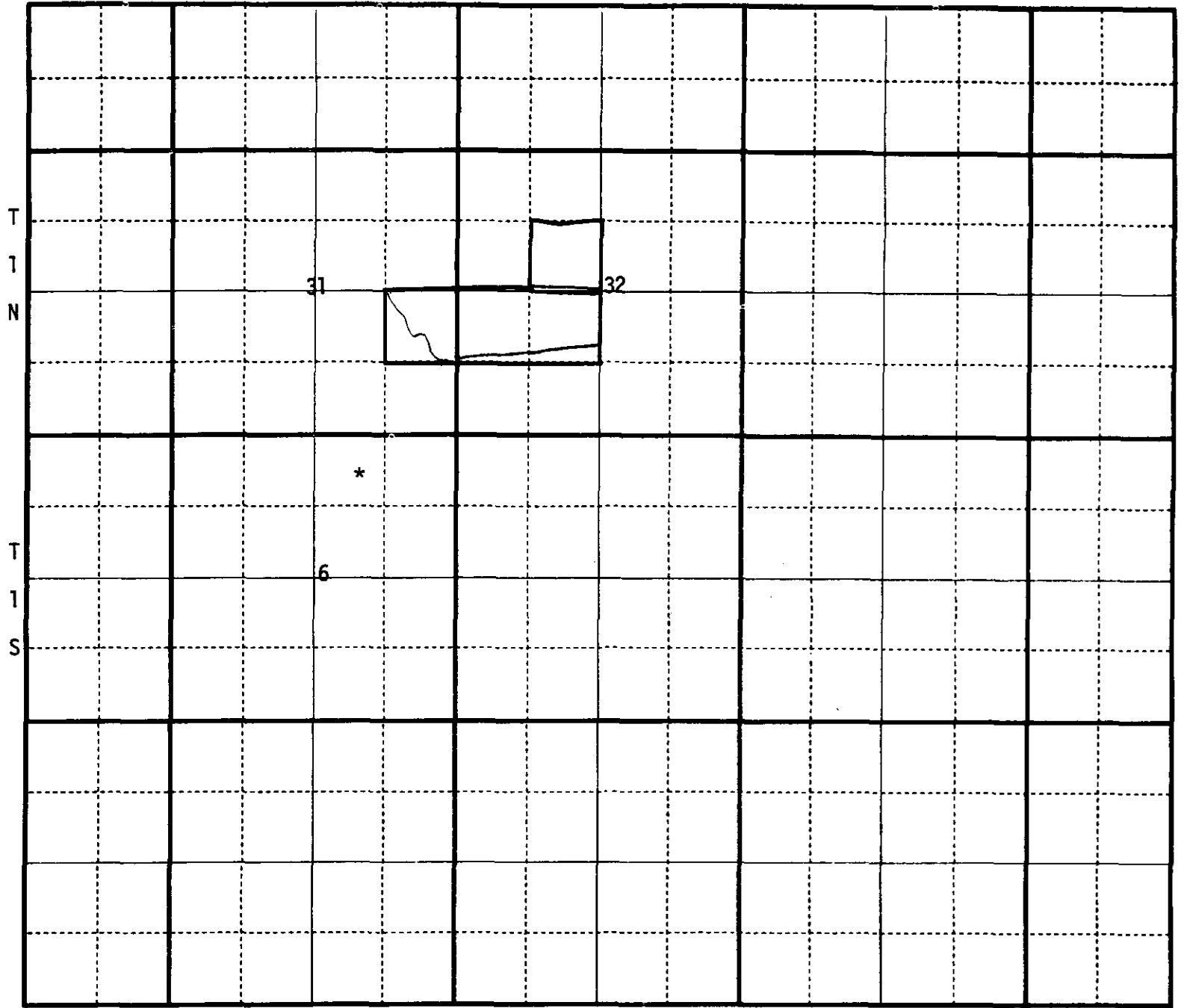
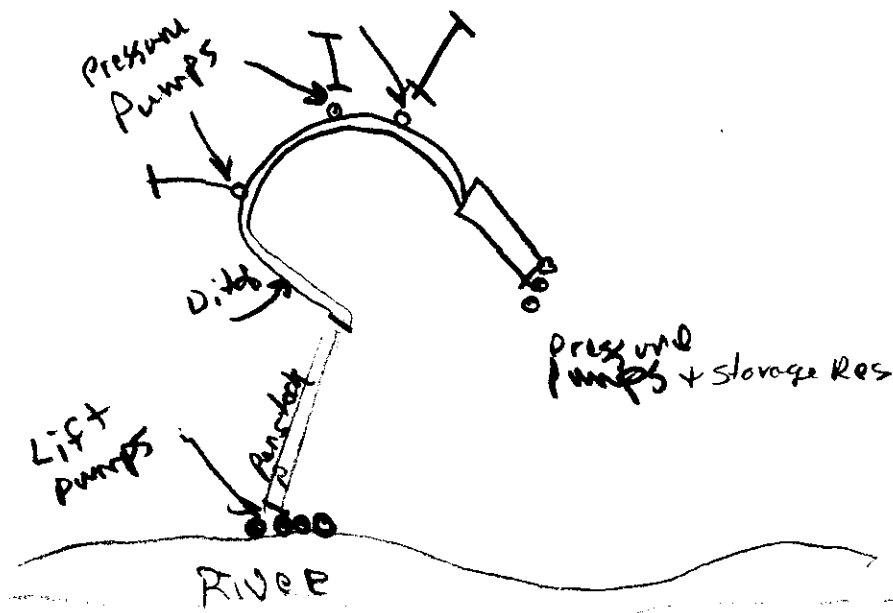


Diagram of System



DATE OF EXAM 2 September 1976

ACREAGE

Found 129
Recommended 129

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q = 2.58 c.f.s. V = 580 AF/Ann. from 4-1 to 10-31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes ☒ no _____

Name source: Some source some PD / su 02-2446
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 19.3 cfs (02-2446) Method of measurement CFS

Total Q recommended 2.58 Meter No. 4314 Type AA Condition Good

Total V recommended 580 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

See measurement notes (attached)

SYSTEM DESCRIPTION:

4/ 350 HP pumps + Motors Pumps ① Layne Bowler
sm # 44631 w/ us motor sm # 1271639 # ② Layne Bowler sm # 44627
w/ us motor sm # 1262306 ③ Layne Bowler sm # 44373 w/ us
motor sm # 1277304 ④ Layne Bowler sm # 44629 w/ us
motor sm # 1271636 - discharge into pipe line to open
ditch

REMARKS:
System in operation Dick Y. (German) present during
exam + acreage check / all pump running during
exam

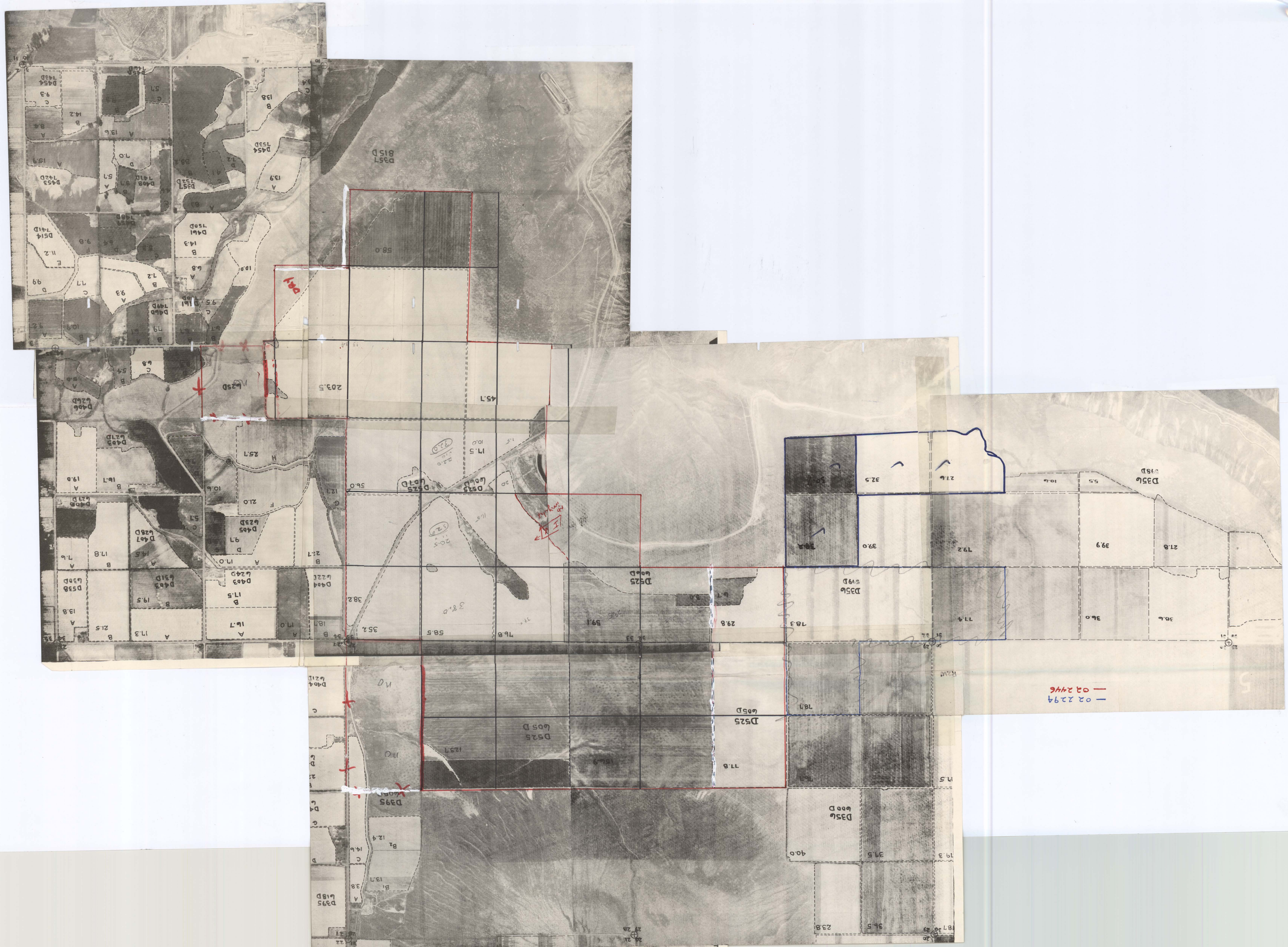
Examiner's Signature Erwin Ballance Date 28 Sept 1976

Checked by _____ Date _____

Approved by _____ Date _____

1277304

MICROFILMED





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

July 9, 1976

Re: Permit No. 02-2246 and 02-2294
Loan No. 500290 2

Travelers Insurance Company	Kondo Farms, Inc.
707 S. W. Washington Street	Route 4, Box 4061
Portland, Oregon 97205	Nampa, ID 83651

Gentlemen:

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

Please be advised that field examinations should be made on these two permits shortly and then the licensing of the permits will take place.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR



THE TRAVELERS

RECEIVED

JUN 23 1976

Real Estate Investment Department
Agricultural Division
Emil A. Schmitt, Regional Manager

Department of Water Resources

June 18, 1976

Department of Water Resources
State Capitol
Boise, Idaho 83720

RE: Permit Nos. 02-2246 and 02-2294
Kondo Farms, Inc./Kondo Brothers
Route 4, Box 4061
Nampa, Idaho 83651

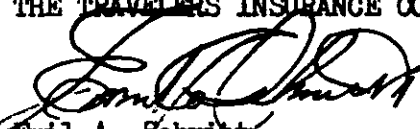
Gentlemen:

Enclosed is an Assignment which we hold in connection with our real estate loan on the property served by the permits indicated. We hope to have the permits developed into licenses at the earliest possible date.

Would you please file this Assignment so that the permits may not be transferred.

Very truly yours,

THE TRAVELERS INSURANCE COMPANY


Emil A. Schmitt
Regional Manager

EAS:dq
enclosure
cc: Mr. Donald S. Reed

June 10, 1976

Re: Permit No. 2 2294

Kondo Brothers
Route #4, Box 4061
Nampa, Idaho 83651

Dear Gentlemen:

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 during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in **Boise**

Sincerely,

D. Darlene Reich
Water Rights Supervisor

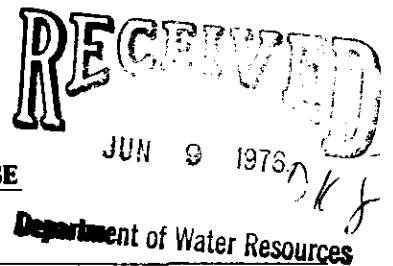
DDR:JG

Identification No. _____

Permit No. 02-2294

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE



1. a) Name of Permit Holder Kondo Bros.
b) Post Office Address Rt. #4, Box 4061, Nampa, ID _____
2. Permit Number 02-2294
3. Date of Priority that you are prepared to establish March 25, 1964
4. a) Source from which water was appropriated Snake River
b) Location of the point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6
Township 1S, Range 2W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 3.2 for Irrigation purposes from Apr 1 to Oct 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 3.2 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: None made
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) River pumps four 350 HP motors short coupler, turbin pumps 22" steel pipeline & open ditch. Three pumping station with pumps set in synvyral cement culverts. Three pumps where water leaves controlling pond into sprinkling system.
b) Describe the type and size of measuring device which you have installed at your point of diversion: None required.
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

6-15-76
J

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	2W	31									40								40
		32								40	40	40							120

Total number of acres irrigated 160

10. Remarks:

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

6-8-76 (Date) Linda Bero. by Kenev Kenev (Signature)

State of Idaho)
County of Ada) ss.

On this 8th day of June, 1976, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Boise, Id

My commission expires March 8, 1980

March 4, 1975

Re: Permit No. 31798/02-2294

Kondo Brothers
c/o Henry T. Kondo
Route #4, Box 4061
Nampa, ID, 83651

Dear Mr. Kondo:

Enclosed is a copy of the approved application for extension of time submitted in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to March 27, 1977.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosure

Sent Jimmy Kondo
ext. application on
2/10/75 per phone call
w/ Bob Fleener on
2/6/75.

Jan G.

- **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:

Kondo Bros

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

26338

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

4.

DATE OF DELIVERY

1-2-72

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300**



**RETURN
TO**



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

December 31, 1974

CERTIFIED MAIL

Re: Permit No. 02-2294

#26338

Kondo Brothers
c/o Henry Kondo
Route #4
Nampa, ID 83651

Dear Mr. Kondo:

One of the conditions of approval of your water Permit No. 31798/02-2294 (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 March 27, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

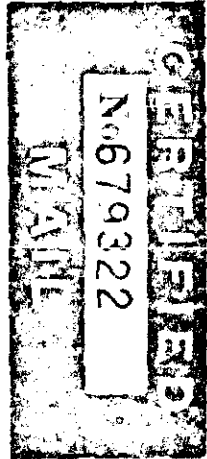
If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency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

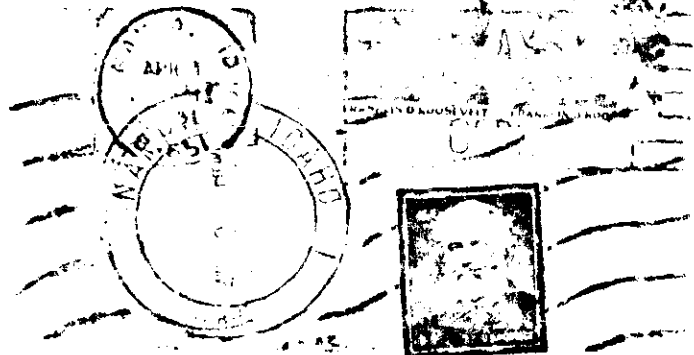
R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

Henry Mondo
Route # 4
Nampa, Idaho 83651



*Returned for
postage. When remaining
this notice of postage stamps*



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
STATEHOUSE * ANNEX 2
BOISE, IDAHO 83707

317 98

April 8, 1969

Re: Permit No. 31798

Kondo Brothers
c/o Henry T. Kondo
Route 4
Nampa, Idaho

Gentlemen:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until March 27, 1975 the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

31 798

AFFIDAVIT OF PUBLICATION

RECEIVED
JAN 4 1969
Department of Reclamation

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

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

February 6, 13, 1969

Verla Harker

Subscribed and sworn to before me this

13th day of February, 19 69

Adam & Kato

Notary Public, Residing at Nampa, Idaho

NOT COMMISSION EXPIRES JAN 30, 1971

31798

STATEMENT

The Idaho Free Press

P. O. Box 88 — Nampa, Idaho, 83651

Date February 13, 1969

Henry Kondo
Route 4
Nampa, Idaho

RECEIVED
APR 4 1969
Department of Reclamation

NOTICE OF APPROVED APPLICATION FOR WATER

32 lines 2 days — February 6, 13, 1969

1 day @ .14 per col. line	\$4.48
1 day @ .10 per col. line	<u>3.20</u>
	7.68

*128
3/28/69* Upon receipt payment of this statement,
affidavit will be sent on last date of
publication.

31498

The Idaho Free Press

Published Daily Except Sunday

P. O. BOX 88 NAMPA, IDAHO, 83651

AREA CODE 208
466-7891

NA NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Kondo Brothers, a Co-partnership, c/o Henry T. Kondo, Route 4, Nampa, Idaho, has received an approved permit No. 31798 to divert 3.2 cubic feet per second of water from Snake River tributary of the Columbia River. The priority to be established under this permit is March 25, 1964. Water will be diverted by pumping plants, pipes, ditches and ponds within the Lot 8 (NW 1/4 NE 1/4), Sec. 6, R. 1 S., R. 2 W., B. M., Canyon County and is to be used for irrigation in the NE 1/4 SE 1/4, Sec. 31; SE 1/4 NW 1/4, N 1/2 SW 1/4, Sec. 32, T. 1 N., R. 2 W., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation
Engineer

February 6, 13, 1969

NA NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Henry T. Kondo, Route 4, Nampa, Idaho has received an approved permit No. 31581 to divert 6.4 cubic feet per second of water from The Snake River tributary of the Columbia River. The priority to be established under this permit is December 5, 1962. Water will be diverted by well, pump, pipes, ditches and ponds within Lot 2 (NW 1/4 NE 1/4), Sec. 8, T. 1 S., R. 2 W., B. M., Canyon County and is to be used for irrigation in the SW 1/4 NE 1/4, Sec. 28; SW 1/4 NE 1/4, Sec. 29, T. 1 N., R. 2 W., B. M.; NW 1/4 NW 1/4, Sec. 4; E 1/2 NW 1/4 NW 1/4 NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4, Sec. 4, T. 1 S., R. 2 W., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
February 6, 13, 1969

Above is a proof of your copy as it will appear in our paper beginning March 13, 69, unless we hear from you prior to that time concerning any corrections or changes.

Lula Barker

Adam J. Kallb
Publisher

31798

April 1, 1969

Re: Permit No. 31798

Kondo Brothers,
a co-partnership
c/o Henry T. Kondo
Route 4
Nampa, Idaho

Dear Mr. Kondo:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until March 27, 1975 however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Idaho Free Press, Nampa, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

31798

January 29, 1969

Re: Permit Nos. 31581 and 31798
Henry Kondo

Idaho Free Press
Nampa, Idaho

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.
Henry Kondo

The expense of the publication is to be paid by _____
Route 4, Nampa, Idaho

_____ ,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: legal notices (2)

cc: Henry Kondo

NOTE: The permit holder is required to obtain an affidavit of publication for each of the above permits from the above referenced newspaper and to submit them to the Department at once.

31798

NOTICE OF APPROVED APPLICATION FOR WATER

rec'd
1-27-69
73

Notice is hereby given that ~~Kende Brothers, a Co-partnership,~~
~~c/o Henry T. Kende, Route 4, Nampa, Idaho~~
has received an approved permit No. 31798 to divert ~~store/~~
3.2 cubic feet per second ~~in~~ acre feet of water from
~~SNAKE RIVER tributary of the Columbia River~~
. The priority to be established
under this permit is March 25, 1964.
Water will be diverted by ~~pumping plants, pipes, ditches and ponds~~
within the ~~NE1/4~~ Lot 6(NW1/4NE1/4),
~~Sec. 6., R. 1 S., R. 2 W., B. N., Canyon County~~
and is to be used for irrigation
in the ~~NE1/4NE1/4, Sec. 31; SE1/4NW1/4, NW1/4SW1/4, Sec. 32, T. 1 N., R. 2 W.,~~
B. N.

Any protests against the intent of the permit must be filed with the
Department of Reclamation within ten days from the last date of publication
of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Nampa,
~~Idaho Free Press, 1964, Idaho~~
on February 6 and February 13, 1969

State Reclamation Engineer: Permit No. 31798

You are hereby authorized to have the attached notice published at my expense
in the Idaho Free Press of Nampa, Idaho;
published in the county in which the works are situated.

Henry T. Kende
(signature)

P.O. Box 4 Nampa, Idaho
(address)

1-27-69
(date)

31798

DON SAMUELSON
GOVERNOR



rec'd - 27-69
R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

July 9, 1968

Re: Permit No. 31798, 31581

Kondo Brothers
c/o Henry T. Kondo
Route 4
Nampa, Idaho

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than _____.

Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces on both forms, sign the form authorizing us to publish the notice at your expense, and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.

R. Keith Higginson
State Reclamation Engineer

RE LINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____

Permit Holder

31798

rec'd
1-27-69
tg

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

31798

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 31798)

in the name of Kondo Brothers, a Co-)
partnership, c/o Henry T. Kondo,)
Route 4, Nampa, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

rec'd
1-27-69
kg

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

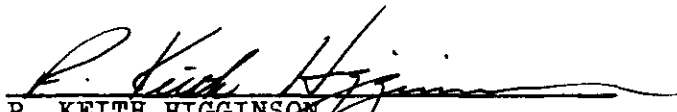
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 31798 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before March 27, 1975. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this 6th day of January, 19 69.


R. KEITH HIGGINSON
State Reclamation Engineer

31798

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 31798)

in the name of Kondo Brothers, a Co-)
partnership, c/o Henry T. Kondo,)
Route 4, Nampa, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

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 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before March 27, 1975. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this 6th day of January, 19 69.


R. KEITH HIGGINSON
State Reclamation Engineer

31798

January 2, 1969

Re: Permit No. 31798

Kondo Brothers,
a Co-partnership
C/o Henry T. Kondo
Route 4, Nampa, Idaho

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit ~~which is subject to the provisions of the Idaho Water Code.~~ Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWMLtg
Enc: order
advertising package

31798

April 7, 1964

Re: Permit No. 31798
Kondo Brothers

Mr. J. A. Redman,
McCarty Building,
Boise, Idaho.

Dear Mr. Redman:

We enclose Permit No. 31798 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~XXXXXXXXXXXX~~ We also enclose Departmental Receipt No. 32150 which was issued covering payment in the amount of \$ for the filing fee of the above mentioned permit. ~~was given to you while in our office.~~

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

cc: Kondo Brothers
c/o Henry T. Kondo
Rt. 4,
Nampa, Idaho

31798

NAME OF APPLICANT Kondo Brothers, A Co-partnership

Form No. 0

