

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-07485

Date Received: 11/ 5/1993

Receipt No: C028433

Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: BUSCH AGRICULTURAL RESOURCES INC. 314-577-9987
Address: ONE BUSCH PLACE
ST. LOUIS MO 63118-1852

2. Date of Priority: FEB 1, 1989

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	37E	2	NW	SE	SE		BONNEVILLE
			SE	SE			BONNEVILLE

5. Description of diverting works:
PUMPED TO HOLDING TANK FOR MALTING PLANT; APPROX. 500 ' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	6.000		

7. Total Quantity Appropriated is:
6.000 C.F.S. (and/or) 1950.00 A.F.A.

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INDUSTRIAL, MALTING PROCESSING PLANT

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	37E	2	NE	SE		INDUST	
			NW	SE		INDUST	

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
25-07486

14. Remarks:
A SMALL PORTION OF THIS RIGHT IS USED TO IRRIGATE LANDSCAPED
AREAS AROUND THE PLANT.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ Print Name

acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

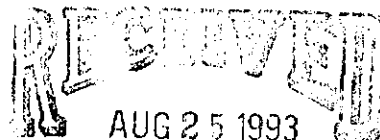
Ident. Number 25-7485

Date Received

Receipt Number

C028433

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Busch Agricultural Resources, Inc. Phone (314) 577-9987Mailing Address One Busch Place, St. Louis, MOZip 63118-18522. Date of Priority (Only one (1) per claim) February 1, 19893. Source of water supply (a) Groundwater

which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 1N Range 37E Section 2,1/4 of NW 1/4 of SE 1/4, Govt. Lot, B.M., County of BonnevilleAdditional points of diversion if any: SE 1/4, SE 1/4, Section 2, T1N, R37E, B.M.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. The water is used at the claimant's
malting plant in Idaho Falls, ID. ~~Wells and pumps #1 and 2 pump to a~~

~~holding tank through separate mainlines. Water for malting process~~
~~is pumped from the holding tank into the plant.~~

~~Wells are drilled to a depth of approximately 500 feet.~~

MICROFILMED

APR 12 1994

Copies: White-State, Yellow-Claimant

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

342-6571
Gunnella
Church Org. Inc.
25-11-12 86

\$1300

Frida

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Industrial purposes from 1/1 to 12/31 amount 6.0 or 1950 per year
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 60 (cfs) and/or (b) 1950 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic; Give number of households served; Stockwater; Type and number of livestock Etc.) Water is used in claimant's barley malting plant to process

approximately 16 million bushels of barley annually.

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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	
1N	37E	2													I	I			

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Bonneville

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Permit #25-7486 or None ()

14. Remarks:
A small portion of this right is used to irrigate landscaped areas
around the plant.

Last Name Busch Agri. Res., Inc Ident No. 25-7485

MICROFILMED
Copies: White-State, Yellow-Claimant
APR 12 1994

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Topographic map of the York School area in Idaho Falls, ID. The map shows the Snake River, Sunnyside, and various landmarks including the Dam, Powerhouse, York Sch, and York Sch. The map includes a grid with section numbers 35 and 36, and a scale of 1 inch = 2000 feet. Handwritten notes indicate the NW 1/4 of SE 1/4 of Section 2 and the SE 1/4 of SE 1/4 of Section 2, along with the plant location near York Sch. The map also shows the Sunnyside Canal, Yellow River, and various other features like the Fielding Memorial Cam, Sewage Disposal, and Gravel Pits.

IDAHO FALLS, ID
MICROFILME
APR 12 1994

IDAHO FALLS, ID
APR 12 1994

Busch Agri.Res., Inc. Ident No. 25-7485

Scale: 2 inches equals 1 mile

[illegible]

Last Name Busch Agri.Res., Inc. Ident No. 25-7485

Copies: White-State, Y... Claimant

15. Basis of Claim (check one) ☒ Beneficial Use ☐ Posted Notice ☐ License ☒ Permit ☒

Decree 25-7485

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

☒ For Organizations: I do solemnly swear or affirm that I am Vice President _____ Title

of Busch Agricultural Resources, Inc. _____, that I have signed the foregoing Organization

document in the space below as Vice President _____ of Busch Agri. Res., Inc. _____ Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Tom Tjorne _____

Title and Organization Vice President _____ Date 8/24/93

Busch Agricultural Resources, Inc.

☒ State of Missouri)
City of St. Louis) SS.

Subscribed and sworn (or affirmed) before me this 24th day of August 19 93

SEAL

Notary Public Marilyn K Brand

Residing at City of St. Louis

My Commission Expires 12-29-96

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Michael C. Creamer will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Michael C. Creamer _____
Givens Pursley & Huntley

Address P. O. Box 2720, Boise, ID 83701

Date August 25, 1993

MICROFILMED

Last Name Busch Agri. Res., Inc. Document Number 25-7485

Copies While-State-Below-Claimant APR 12 1994

AJ0749NP
No. A25-07485

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/21/98
PAGE: 2

Conditions of Approval:
- Standards.

Remarks: GEN A SMALL PORTION OF THIS RIGHT IS USED TO IRRIGATE LANDSCAPED
AREAS AROUND THE PLANT.
CHANGED ADDRESS PER REQUEST/JH/8-21-98

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number 25-7485

Date Received

Receipt Number C011892

WITHDRAWN

COPIES OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 29 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Busch Agricultural Resources, Inc. Phone (314) 577-4424
c/o Clifford Mahin, Anheuser-Busch Co.'s, Inc.
Mailing Address One Busch Place, St. Louis, MO Zip 63118

2. Date of Priority (Only one (1) per claim) groundwater

3. Source of water supply (a) _____
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 1N. Range 37E. Section 2,
NW 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Bonneville

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

22 inch well with pump, to a depth of approximately 500 feet.

A2507485

MICROFILMED

NOV 07 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For industrial purposes from Jan. 1 to Dec. 31 amount 6.0 or 1950

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6.0 (cfs) and/or (b) 1950 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Industrial use in a barley malting plant to process approximately 16 million bushels of barley annually.

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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	
1N.	37E.	2													I	I			

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Bonneville

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
25-7486 or None ()

14. Remarks:
There are three surface irrigation water rights appurtenant to the applicant's property: Snake River Valley Irrigation District Water Right Nos. 01-00171A and 01-00172A and Idaho Irrigation District Water Right NO. 01-00312.

A small portion of this water right and 25-7486 will be/is used to irrigate approximately 8 acres of lawn and landscape around the plant.

MICROFILMED

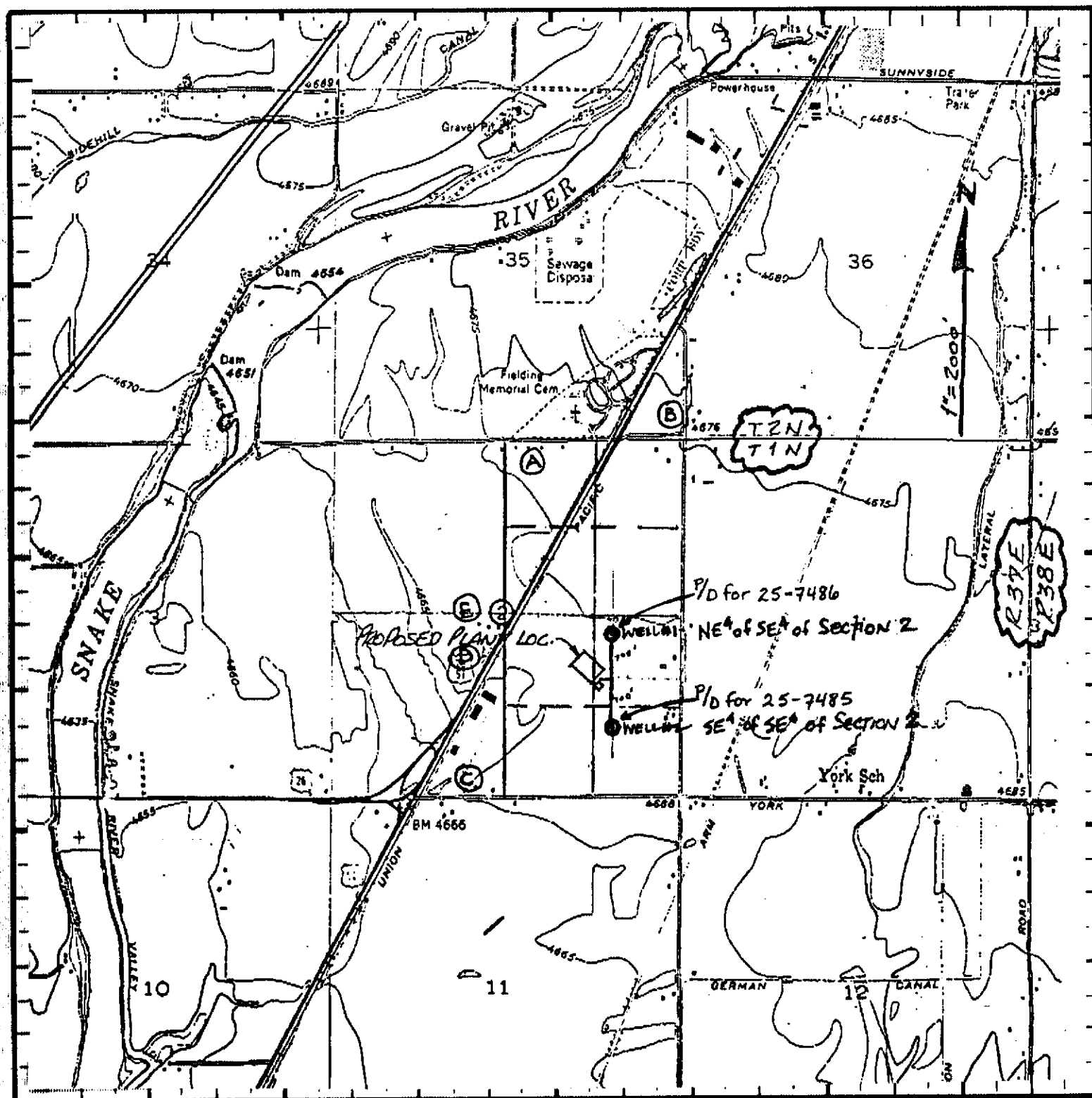
NOV 07 1992

Last Name Bush Agri. Resources, Inc. Ident No. 25-7485

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



MICROFILMED

NOV 07 1992

Last Name Busch Agri. Resources, Inc. Ident No. 25-7485

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit X
Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) James D. Hansen Date 9/29/89

Date _____

For Organizations: I do solemnly swear or affirm that I am Attorney-in-Fact
Title

of Busch Agricultural Resources, Inc. that I have signed the foregoing
Organization

document in the space below as Attorney-in-Fact of Busch Agricultural Resources, Inc.
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent James D. Hansen 9/29/89

Title and Organization Busch Agricultural Resources, Inc. Date 9-29-89

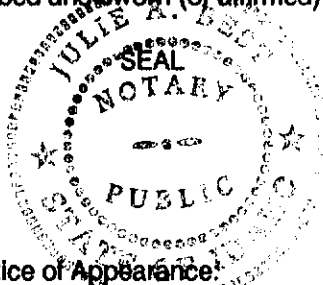
State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 29th day of Sept. 1989

Notary Public Julie A. Best

Residing at Boise, Idaho

My Commission Expires 4-21-95



Please Print Name

17. Notice of Appearance: Jeffrey C. Fereday
Notice is hereby given that we, & James D. Hansen will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature James D. Hansen

Address Givens, Pursley, Webb & Huntley
277 N. 6th Street, P. O. Box 2720, Boise, ID 83701

Date 9-29-89

MICROFILMED
NOV 07 1992

Last Name Busch Agri. Resources, Inc. Ident. Number 25-7485

Copies White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 21, 1998

BUSCH AGRICULTURAL RESOURCES INC
PO BOX 51628
IDAHO FALLS ID 83405

RE: CHANGE OF ADDRESS FOR ADJUDICATION CLAIM(S) A25-07485, A25-07486

Dear Sir:

On August 18, 1998, this office received a change of address for the above-referenced claims. Enclosed are copies of the above-referenced claims for your files.

Sincerely,

Jennifer Hoagland
Technical Records Specialist

Enclosure

RECEIVED

AUG 18 1998

CHANGE IN ADDRESS

Department of Water Resources
Eastern Region

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): A25-07485 A25-07486

[] Old Mailing Address: Busch Agricultural Resources Inc.

One Busch Place

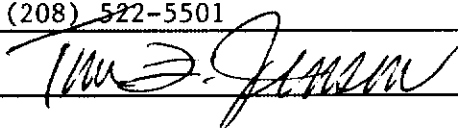
St. Louis, MO 63118-1852

[] New Mailing Address: Busch Agricultural Resources Inc.

P.O. Box 51628

Idaho Falls, ID 83405

[] Telephone Number: (208) 522-5501

[] Signature of Claimant: 

[] Date: August 13, 1998

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

NOVEMBER 5, 1993

MICHAEL C CREAMER
PO BOX 2720
BOISE ID 83701

RE: NOTICES OF CLAIMS A25-07485 AND A25-07486 FOR BUSCH
AGRICULTURAL RESOURCES

Dear Mr. Creamer:

Enclosed are two sets of copies of Notices of Claim A25-07485 and A25-07486. One set contains copies of the original claims as you submitted them in August, 1993. The other set contains computer generated copies. Also, as requested in the Notice of Appearance on the original claims, your name as Attorney has been data entered in the computer, but will not show up on the computer copy. Any future correspondence regarding these Notices of Claim will be mailed to you.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: copies of claims

MICROFILMED

APR 12 1994

DEBRA ALSAKER-BURKE
REBECCA W. ARNOLD
JOSEPH H. BAIRD
CHRISTOPHER J. BEESON
JOANN C. BUTLER
MICHAEL C. CREAMER
JEFFREY C. FEREDAY
JULIE KLEIN FISCHER
RAYMOND D. GIVENS
JUDITH K. HOLCOMBE
ROBERT C. HUNTLEY, JR.
DAVID R. LOMBARDI
KENNETH R. MCCLURE
CHRISTOPHER M. MEYER
L. EDWARD MILLER
PATRICK J. MILLER
JUDSON S. MONTGOMERY
TERRY L. MYERS
STEVEN L. OLSEN
KENNETH L. PURSLEY
RAMONA L. SCHWEHR
GREGORY J. VIETZ
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

LAW OFFICES
GIVENS PURSLEY & HUNTLEY

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

RECEIVED

NOV 10 1993

JAMES A. MCCLURE
OF COUNSEL

Department of Water Resources
LEGISLATIVE SPECIALIST
Eastern District Office

RECEIVED

DAVID E. MABE

TELEPHONE
(208) 342-6571

NOV 04 1993

Department of Water Resources
FACSIMILE
(208) 343-9492
(208) 342-8920

November 4, 1993

11-5-93 Q. will d.e.

Mr. David Shaw
Adjudication Bureau Chief
Idaho Department of Water Resources
1301 N. Orchard
Statehouse Mail
Boise, ID 83706

via **HAND DELIVERY**

Re: Busch Agricultural Resources, Inc.'s Notices of Claim to a Water Right
for Permit Nos. 25-07485 and 25-07486
GP&H File: 60-10

Dear Mr. Shaw:

I am enclosing a copy of Busch Agricultural Resources, Inc.'s Notices of Claim to the above-referenced water rights in the Snake River Basin Adjudication which were filed with the Department on August 25, 1993. Also enclosed is a copy of our canceled check dated August 25, 1993, in the sum of \$1,300.00 which covered the required claim filing fees, together with a copy of the Idaho Department of Water Resource's Receipt of the same date acknowledging the Department's receipt of the Notices of Claim and filing fees.

Please forward to me a conformed copy of the Notices of Claim.

Sincerely,


Michael C. Creamer

MCC/sr
Enclosures
cc: Sally Frazee, IDWR

MICROFILMED

APR 12 1994

LAW OFFICES
GIVENS, PURSLEY & HUNTLEY
SUITE 200, PARK PLACE
377 NORTH 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

FIRST SECURITY BANK OF IDAHO
P.O. BOX 7069
BOISE, IDAHO 83730

92-6
1241

006821

AUG 25 RECD

DATE 8/25/93

PAY ONE THOUSAND THREE HUNDRED and no/100 DOLLARS DOLLARS \$ 1,300.00
TO THE ORDER OF

IDAHO DEPARTMENT OF
WATER RESOURCES

AUTHORIZED SIGNATURE

⑈006821⑈ ⑆124100064⑆003 01113 63⑈

⑈0000130000⑈

POOR ORIGINAL

*FEDERAL RESERVE BOARD OF GOVERNORS REG. C.C.

AG '93 27

1241
00064

26 AUG 93

⑈124100093⑈
FIRST INTERSTATE
BANK OF
IDAHO, N.A. AG 26
9700 BETHEL CT
P.O. BOX 57
BOISE ID 83757-0486

124100093

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
THE FOLLOWING INFORMATION IS REQUIRED FOR DEPOSIT:

Pay to the order of
STATE TREASURER
Dept of Water Resources

MICROFILMED

APR 12 1994

DEBRA ALSAKER-BURKE
REBECCA W. ARNOLD
JOSEPH H. BAIRD
NANCY A. BASKIN
CHRISTOPHER J. BEESON
JOANN C. BUTLER
MICHAEL C. CREAMER
JEFFREY C. FEREDAY
JULIE KLEIN FISCHER
RAYMOND D. GIVENS
JUDITH K. HOLCOMBE
ROBERT C. HUNTLEY, JR.
DAVID R. LOMBARDI
KENNETH R. MCCLURE
CHRISTOPHER H. MEYER
L. EDWARD MILLER
PATRICK J. MILLER
TERRY L. MYERS
STEVEN L. OLSEN
KENNETH L. PURSLEY
CONLEY WARD
STEPHANIE C. WESTERMEIER

LAW OFFICES
GIVENS PURSLEY & HUNTLEY

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

JAMES A. MCCLURE
OF COUNSEL
DAVID E. MASE
LEGISLATIVE SPECIALIST

TELEPHONE
(208) 342-6571

FACSIMILE
(208) 343-9492
(208) 342-6920

August 25, 1993

Mr. David Shaw
Adjudication Bureau Chief
Idaho Department of Water Resources
1301 N. Orchard
Statehouse Mail
Boise, ID 83706

via **HAND DELIVERY**

Re: Busch Agricultural Resources, Inc.'s Notices of Claim to a Water Right
for Permit Nos. 25-07485 and 25-07486
GP&H File: 60-10

Dear Mr. Shaw:

I am enclosing Busch Agricultural Resources, Inc.'s Notices of Claim to the above-referenced water rights for filing in the Snake River Basin Adjudication. Also enclosed is a check for \$1,300.00 to cover the required claim filing fee. These claims are for rights that currently are in the permit stage. A proposed license has been issued by the Department for our review.

Based on my recent telephone conversation with you, I understand that there will be no late-filing fee due for these claims because they are not subject to a mandatory filing requirement.

If you have any questions, please feel free to call.

Sincerely,



Michael C. Creamer

MCC/mc
Enclosure
cc: Jane Ferguson-Klamer
Cliff Mahin

60105SHAW.L01

MICROFILMED

APR 12 1994

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

POOR ORIGINAL

Receipt No: 0028433

Date: 8/25/1993
Time: 10:59:55

Received
From: GIVENS PURSLEY & HUNTLEY

Type of Payment	Program A cct	Amount
ADJUDICATION FILING FEE		
41503	337 1155	1,300.00

Total

\$1,300.00

CHECK 6821

Region: STATE

Signature: R. McCarthy

MICROFILMED

APR 12 1994

Jeffrey C. Fereday
Michael C. Creamer
GIVENS PURSLEY & HUNTLEY
277 North Sixth Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701
(208) 342-6571
60\10\notapp.ab

RECEIVED
AUG 26 1993
Department of Water Resources
Adjudication Bureau

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication)
of Rights to the Use of Water)
from the Snake River Basin)
Water System)

Case No. 39276

The State of Idaho, ex rel.)
R. Keith Higginson in his official)
capacity as director of the)
Idaho Department of Water)
Resources,)

NOTICE OF
APPEARANCE

Petitioner,)

vs.)

The United States;)
The State of Idaho;)
and All Claimants to the Use)
of Water from the Snake River)
Basin Water System,)

Defendants.)

25-07486
25-07485
25-08776
98-07654
98-07651
98-07631
98-07632

Descriptive Summary

This is a Notice of Appearance of the firm of Givens Pursley & Huntley as
attorneys of record for Busch Agricultural Resources, Inc.

MICROFILMED
APR 12 1994

PLEASE TAKE NOTICE that Jeffrey C. Fereday of the firm of Givens Pursley and Huntley hereby enters the appearance of the firm as the attorneys of record for Busch Agricultural Resources, Inc. in this matter.

DATED this 25th day of August, 1993.

GIVENS PURSLEY & HUNTLEY

By: Jeffrey C. Fereday
Jeffrey C. Fereday

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of August, 1993, I served a true and correct copy of NOTICE OF APPEARANCE by depositing same in the United States mail, postage prepaid, to the following persons at the last known address as set forth below:

1. Chief, Natural Resources Division, Office of the attorney General, State of Idaho, P. O. Box 44449, Boise, Idaho 837119-4449
2. The United States Department of Justice, Environment and Natural Resources Division, 550 West Fort Street, Box 33, Boise, ID 83734
3. One copy of each party listed on the Court Certificate of Mailing as of 8/2/93 (copy attached).

Melby A. Crowell

MICROFILMED

APR 12 1994

COURT CERTIFICATE OF MAILING AS OF 8/2/93

James Annest
Law Office of James Annest
1742 Overland Avenue
Burley, ID 83318

Cliff S. Bentz
Yturri, Rose, Burnham,
Bentz & Helfrich
P.O. Box 450
Fruitland, ID 83619

Carl F. Bianchi
2153 Pebblecreek Lane
Boise, ID 83706

Randall C. Budge
Racine, Olson, Nye, Cooper &
Budge, Chartered
201 East Center, Suite 2A
P.O. Box 1391
Pocatello, ID 83204-1391

Scott L. Campbell
Josephine P. Beeman
Davis Wright Tremaine
702 West Idaho Street, Suite 700
Boise, ID 83702

Lynn R. Collins
Intermountain Regional Solicitor
Office of the Regional Solicitor
U.S. Department of the Interior
6201 Federal Building
125 South State Street
Salt Lake City, UT 84138-1180

Rebecca Craven, Deputy Counsel
Robert T. Anderson, Staff Attorney
Nez Perce Tribal Executive Committee
Office of Legal Counsel
P.O. Box 305
Lapwai, ID 83540-0305

Richard A. Cummings
Meuleman, Miller, Strother &
Cummings
960 Broadway, Suite 400
P.O. Box 955
Boise, ID 83701

Brad A. Flinders
Stunz, Fonda, Nichols, Kiyuna
Okai, Horton & Flinders
P.O. Box 1565
Nyssa, OR 97913

Kent W. Foster
Holden, Kidwell, Hahn & Crapo
330 Shoup Avenue
P.O. Box 50130
Idaho Falls, ID 83405

Randall C. Fredricks
Cosh, Humphrey, Greener &
Welsh, P.A.
Carnegie Building
815 West Washington Street
Boise, ID 83702

MICROFILMED

APR 12 1994

Blair J. Grover
Grover Law Office, Chtd.
102 North Clark
P.O. Box 36
Rigby, ID 83442-0036

Jim Hansen
Office of Conflict
Management Services
Boise State University
1910 University Drive
Boise, ID 83725

John. D. Hansen
Hansen, Beard, St. Clair
Peterson & Sullivan, Chartered
683 North Capitol Avenue
P.O. Box 51718
Idaho Falls, ID 83402-1718

Leif M. Johnson
Lauren N. Soll
U.S. Department of Justice
Environment & Natural Resources
Division
Indian Resources Section
P.O. Box 44378
Washington, DC 20026-4378

K. Jack Haugrud
Geoffrey A. Garver
Trial Attorneys
U.S. Department of Justice
Environment & Natural Resources
Division
General Litigation Section
P.O. Box 663
Washington, DC 20044-0663

Hepworth, Nungester & Lezamiz
Chartered
133 Shoshone Street North
P.O. Box 389
Twin Falls, ID 83303-0389

Steven L. Henn
Assistant General Counsel
Idaho Power Company
P.O. Box 70
Boise, ID 83707

Cecil D. Hobdey
Hobdey & Hobdey
Attorneys at Law
125 Fifth Avenue West
P.O. Box 176
Gooding, ID 83330

John J. Hockberger, Jr.
Boise Field Solicitor
Office of the Field Solicitor
U.S. Department of the Interior
Federal Building & U.S. Courthouse
550 West Fort Street, Box 020
Boise, ID 83724

Dana L. Hofstetter
Murray D. Feldman
Holland & Hart
West One Plaza, Suite 1400
101 South Capitol Boulevard
P.O. Box 2527
Boise, ID 83701

William R. Hollifield
- Hollifield, Tolman & Bevan, P.A.
249 Third Avenue East
P.O. Box 66
Twin Falls, ID 83303-0066

David B. Lincoln
Elam, Burke and Boyd
Key Financial Center, 10th Floor
702 West Idaho Street
P.O. Box 1539
Boise, ID 83701

MICROFILMED

APR 12 1994

Roger D. Ling
Ling, Nielsen and Robinson
615 H Street
P.O. Box 396
Rupert, ID 83350

William A. Parsons
Kent Fletcher
Parsons, Smith, Stone &
Fletcher
137 West 13th Street
P.O. Box 910
Burley, ID 83318

J. Dee May
May & May Law Offices
516 Second Street East
P.O. Box 1846
Twin Falls, ID 83303

Rebecca Ransom
Deputy Division Counsel
U.S. Army Corps of Engineers
P.O. Box 2870
Portland, OR 97208

Carolyn M. Minder
Staff Attorney
Snake River Basin
Adjudication
7283 Obsidian
Boise, ID 83709

Jerry R. Rigby
Rigby, Thatcher, Andrus,
Rigby & Kam, Chartered
P.O. Box 250
Rexburg, ID 83440

Peter G. Monson
U.S. Department of Justice
Environment & Natural
Resources Division
Indian Resources Section
999 18th Street, Suite 945
Denver, CO 80202

William F. Ringert
Daniel V. Steenson
Ringert Clark Chartered
455 South Third Street
P.O. Box 2773
Boise, ID 83701-2773

Don A. Olowinski
Albert P. Barker
Richard B. Burleigh
Hawley Troxell Ennis &
Hawley
877 West Main Street
P.O. Box 1617
Boise, ID 83701

John A. Rosholt
Gary D. Slette
Rosholt, Robertson & Tucker
142 Third Avenue North
P.O. Box 1906
Twin Falls, ID 83303-1906

Bert L. Osborn
Attorney at Law
26 South Ninth Street
P.O. Box 158
Payette, ID 83661

Barbara Scott-Brier
U.S. Department of the Interior
Office of the Regional Solicitor
500 N.E. Multnomah, Suite 607
Portland, OR 97232

MICROFILMED

APR 12 1994

Wayne B. Slaughter
Terry T Uhling
J.R. Simplot Company
P.O. Box 912
Pocatello, ID 83204

Gray Young
Attorney
J.R. Simplot Company
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707

James P. Speck
Hogue, Speck & Aanestad, P.A.
120 East Avenue
P.O. Box 987
Ketchum, ID 83340

Craig R. Zaiss
Craig R. Zaiss, P.A.
Attorney at Law
305 Grover Street
P.O. Box 628
Parma, ID 83660

Randy Stapilus
P.O. Box 1855
Boise, ID 83701

Larry Sullivan
Schroeder, Hutchens & Sullivan
P.O. Box 220
Vale, OR 97918

James C. Tucker
Bruce M. Smith
Rosholt, Robertson & Tucker
1221 West Idaho, Sixth Floor
P.O. Box 2139
Boise, ID 83702-2139

Douglas R. Whipple
Whipple's Law Office, Chtd
111 West 15th Street
P.O. Box 249
Burley, ID 83318

Jeanette Wolfley
Candy L. Jackson
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, ID 83203

MICROFILMED

APR 12 1994

REFUND REQUEST

Hold Until To Fiscal 04-29-91 *sf*

TO: Debbie Allen

THRU: Don Shaff

Approved Initials/Date
 4-26-91

FROM: John Carlson

Approved gnc 4/25/91RE: Payor Givens, Pursley, Webb & Huntley and
Address Busch Agricultural Resources, Inc.
attn: Jim Hansen
Po Box 2720 Boise, ID 83701Claimant if NOT Payor Busch Agricultural Resources, Inc.Receipt # 0011892 Attached ✓ Logged 09-26-90 *sf*Amount \$1,300.00 Claim Location attachedW/R #(s) 25-07485 & 25-07486 Extension Filed? Y/N NACopy Attached? Y/N NARefund Generated By claimant Late Fees Paid? Y/N NANot Refunded as of 9-26-90 *sf* On Receipt # Reason for Refund withdrawn - Dave Shaw told them not neces, tableDate of Last Correspondence 9-27-89 Dave Shaw - 10-3-89Data Base Modified? Y/N NA By Date REMARKS: Debbie Allen said it was okay to make ✓ payable to
BOTH payor and claimant.25-07485 - priors date 2/1/89, + 25-07486 same priority, date
OK to refund.

Don:

Claims are lacking
PD, POU, we can obtain
from P. for date only.gncBeing w/d, OK
w/o POD, POU

09/20/90

NOV 7 1992



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 29, 1991

Jim Hansen
Givens, Pursley, Webb
& Huntley
P.O. Box 2720
Boise, ID 83701

RECEIVED

MAY - 2 1991

RE: Snake River Basin Adjudication (SRBA)
Bonneville County - #25-07485 & #25-07486
Receipt #C011892, \$1,300.00

Department of Water Resources
Eastern District Office

Dear Mr. Hansen:

Due to the fact your client has withdrawn the above claims, the refund process has been initiated with the State Auditor's Office. You should receive your check in the near future.

We have also enclosed Receipt #C011892 for your file.

Sincerely,

John D. Carlson

John D. Carlson
Adjudication Supervisor

JDC:sf:ref:east
Enclosure:

Receipt #C011892

cc: Busch Agricultural Resources, Inc.,
to the attention of Clifford Mahin, P.E.

MICROFILMED
NOV 07 1992

425-07485 - 86
C011892

STATE OF IDAHO
Office of State Auditor

AGENCY USE

4996
Date 05/01/91
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY

TO

GIVENS, PURSLEY, WEBB ET. AL.
BUSCH AGRICULTURAL RESOURCES
ATTN: JIM HANSEN
PO BOX 2720
BOISE, ID 83701

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	6831		REFUNDS PER D. SHAFF WR#25-07485/25-07486 RECEIPT #C011892 9/26/90 1300.00 <i>original claims here</i>	1,300.00	
TOTAL						1,300.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service; that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

LAW OFFICES

GIVENS, PURSLEY, WEBB & HUNTLEY

SUITE 200, PARK PLACE

277 NO. 8TH STREET

POST OFFICE BOX 2720

BOISE, IDAHO 83701

TELEPHONE
(208) 342-6571

OCT 06 1989

REBECCA W. ARNOLD
ELEANORE S. BAKENDALE*
CHRISTOPHER J. BEESON
JEFFREY C. FEREDAY
RAYMOND D. GIVENS
JAMES D. HANSEN
JUDITH K. HOLCOMBE
ROBERT C. HUNTLEY, JR.
KENNETH R. MCCLURE
L. EDWARD MILLER
PATRICK J. MILLER
TERRY L. MYERS
STEVEN L. OLSEN
KENNETH L. PURSLEY
MICHAEL T. SPINK
CONLEY WARD
JAY L. WEBB

LISTED ALPHABETICALLY
*ALSO ADMITTED IN OREGON

Department of Water Resources

TELECOPIER
(208) 343-9492
(208) 342-8920

October 3, 1989

Mr. Don Shaff
Adjudications Bureau
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Attention: Danni Smith

Re: Notice of Claims for Water Right Permit No.s 25-07485 and 25-07486

Dear Mr. Shaff:

This is to confirm the conversation I had with Ms. Dai officially request the refund of the filing fee presented to the D accompanying the filing for the two permits identified above. clear whether the Department would require the filing of a No though the permits were issued after the adjudication commen Bonneville County was upon us, and to ensure that the permit water rights in the adjudication, the Notice of Claims were file

Yesterday, our client, Busch Agricultural Resources, I from Mr. David B. Shaw that a Notice of Claim filing on the copy of that letter dated September 27, 1989 is attached to this understand that the Department will still process these water ri Notice of Claim unless and until notification is given that such is necessary. We respectfully request that such notice be give Agricultural Resources, Inc. Please retain the Notice of Claim Appearance of Counsel.

However, we hereby request a refund of the filing fee. If the check delivered to the Department from this firm last Friday has already been deposited, please write a check made payable to both this firm and Busch Agricultural Resources, Inc. and send it to us in the enclosed envelope. Thank you for your assistance in this matter. Please do not hesitate to contact us if you have any questions.

Very truly yours,

James D. Hansen
James D. Hansen

JDH:jb
Enclosure

cc: Mr. Clifford Mahin, P.E.

342-6571
Jim Hansen
Busch Ag, Inc.
25-7485 & 86

\$1300 yds
Friday -

NOV 07 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720 -(208) 327-7900

RECEIVED
September 27, OCT 2 1988
ENVIRONMENTAL ENGRS
DEPT.

CECIL D. ANDRUS

GOVERNOR

K. KEITH HIGGINSON
DIRECTOR

Busch Agricultural Resources Inc.
C/O Clifford Mahin, P.E.,
Anheuser-Busch Cos., Inc,
One Busch Place
St. Louis, MO 63118

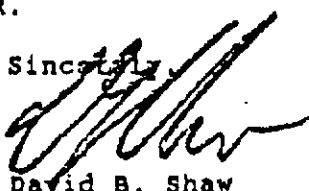
Dear Sirs:

I am writing in regards to the approved Application for Permit Nos. 25-07485 and 25-07486, to appropriate water in Bonneville County, which was sent to you recently.

On November 19, 1987, the Fifth Judicial District Court issued a Commencement Order, which began a general adjudication of water rights from the Snake River Basin water system in Idaho. A general adjudication is a court case which will result in a decree determining all rights to water from the water system. Idaho Code §42-1409 requires all persons owning water rights within the Snake River Basin water system to file a Notice of Claim to a water right with the Idaho Department of Water Resources for each water right, with certain exceptions. Your Permit Nos. 25-07485 and 25-07486 is for the appropriation of water within the Snake River Basin water system, but applications for permits approved after entry of the Commencement Order is one of the exceptions to the requirement to file a Notice of Claim in the adjudication. You therefore may but are not required to file a Notice of Claim for your Permit Nos. 25-07485 and 25-07486 in the adjudication. The validity of the permit will not be affected if you choose not to file a Notice of Claim at this time.

The adjudication statute does authorize the director of IDWR to issue an order at a later date requiring persons with permits who file proof of beneficial use after entry of the Commencement Order to file a Notice of Claim in the adjudication. An order requiring you to file a Notice of Claim has not been issued, and you will be notified by mail if such an order is issued. For further information about the Snake River Basin Adjudication, you may call the Adjudication Hotline toll-free at 1-800-451-4129 (for callers in Idaho) or any of the offices of IDWR.

Sincerely,


David B. Shaw

Adjudications Bureau Chief

MICROFILMED

NOV 07 1992