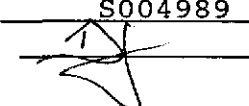


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A47-12566
Date Received: 12/22/1988
Receipt No: S004989
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: THE AMALGAMATED SUGAR CO 208-438-2115
Address: C/O BASIL TUPYI
PO BOX 1520
OGDEN UT 84401

2. Date of Priority: JUN 1, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	17E	25	NE	NW	NW		TWIN FALLS

5. Description of diverting works:
6" WELL 425' DEEP WITH 3/4 HP. SUB. PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/ MAINTENANCE SHOP TRUCK WASHING ETC.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	17E	23	NW	NW		COMMER	

11. Place of use in counties: TWIN FALLS

MICROFILMED
DEC 10 1996

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

13. Other Water Rights Used:
NONE

14. Remarks:

AG. DEPT.

2/29/95, DJ: DESCRIPTION OF POINT OF DIVERSION WAS CORRECTED TO
AGREE WITH MAP AND ACTUAL WELL LOCATION. EVIDENCE OF PRIORITY
WAS ALSO SUBMITTED.

15. Basis of Claim: BENEFICIAL USE

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 X 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 TWINFALL DISTRICT AGRICULTURAL MANAGER of
Title

THE AMALGAMATED SUGAR COMPANY, that I have signed the foregoing
Organization

document in the space below as TWINFALLS DISTRICT AGRICULTURAL MANAGER of
Title

THE AMALGAMATED SUGAR COMPANY and that the statements contained in the
Organization

foregoing document are true and correct.

Leonard D. Kerlin

Signature of Authorized Agent

TWINFALLS DISTRICT AGRICULTURAL MANAGER
Title and Organization

6-29-95

Date

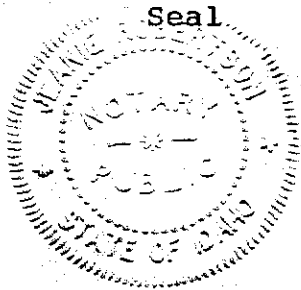
MICROFILMED
DEC 10 1996

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 29th day

of June 19 95

Jeanie Robertson
Notary Public



Residing at Twin Falls, ID.

My Commission Expires 9-23-2000

MICROFILMED
DEC 10 1996

THIS IS MY STATEMENT TO THE AMALGAMATED SUGAR COMPANY TAKEN ON
MAY 9, 1995

MY SISTER WAS ILL AND AT THE REST HOME THERE IN '37, THE REST HOME
HAD WATER AND EVERYTHING, BUT NO ONE CAN GIVE ME ANY INFORMATION ON
THE WELL.

I HAD HEARD AT ONE TIME THAT THIS WELL AND THE WELL AT TWIN
FALLS FEED AND ICE WERE THE TWO DEEPEST WELLS IN THIS AREA.

Cora F. Pitts

DATED: JUNE 15, 1995

STATE OF IDAHO }
TWIN FALLS COUNTY } SS

I ATTEST THAT CORA PITTS APPEARED BEFORE ME THIS DAY
JUNE 15, 1995 AND THAT HE FREELY SIGNED THE ABOVE STATEMENT.

Yatt E. Balth MY COMMISSION EXPIRES: 5/20/2000

RECEIVED

JUN 20 1995

Department of Water Resources
Southwest Region

A47-12566

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

April 10, 1995 12:47pm

HE SAID THEY OVERLOOKED THE NEED TO GET THIS INFO IN AND WILL BE SUBMITTING IT ASAP... I WILL NOTE THE FILES THAT THE INFO IS COMING. HE WILL CALL BACK W/ THE FILE NUMBERS INVOLVED.
PHONE: 733-4104.

April 10, 1995 4:30pm

HE FORWARDED THE FOLLOWING:
A47-04051 RESEARCH LAB CLAIM
A47-12566 AG. MAINTENANCE SHOP
A47-12581 MAINTENANCE SHOP @ CURRY

MICROFILMED
DEC 10 1996



Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-12566

THE AMALGAMATED SUGAR CO.,

C/O BASIL TUPYI

P.O. BOX 1520

OGDEN

UT 84402

RE: Evidence of Priority

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

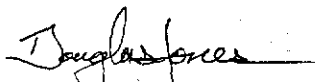
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor

Enc.

MICROFILMED
DEC 10 1998



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 1, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

THE AMALGAMATED SUGAR COMPANY
ATTN: VIC JARO
PO BOX 127
TWIN FALLS ID 83303-0127

RE: PROOF OF PRIORITY DOCUMENTATION FOR SRBA CLAIMS

Dear Mr. Jaro,

Your recent correspondence has resulted in the following actions on your Company's SRBA claims:

A47-04051 WELL #1

The proof submitted appears to support the dates you have mentioned and will be filed with the claim. No further action is needed until IDWR staff completes the field exam for this area; which could be 2-3 years from now.

A47-12566 WELL #2

You have noted the signed versions of these affidavits are coming; please note the UNsigned copies are not valid proof of priority. As far as content, the statement by Ira Pitts indicates the well was abandoned by 1968 since the well was covered up and buildings moved off. This would indicate the current use as claimed was developed sometime after 1968. A commercial use after this date would be subject to the mandatory permit process. The second affidavit attempts to describe the original use but is contradicted by the 1968 statement in actual uses of the well as currently developed.

Secondly, you mention the legal description of the claim is changed. The only way to change this information is to file an amended claim with our office. You can come to our office and do this with a simple signature of an authorized company officer.

A47-12581 WELL #3

Since you do not own this well and have no interest in the claim it appears the claim should be forwarded to the Curry Bean Co. Enclosed is the form used by IDWR to show the change of ownership of this claim. You may sign the claim over to Curry Bean Co. by having an officer of your Company sign the form as

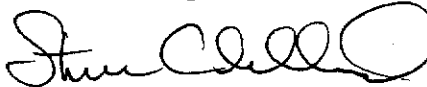
COPILED
1996

PAGE 2

indicated. Then either return the form to IDWR or forward to the Curry Bean and explain the reason for the document. Ideally, they should then sign the form and return it to us.

I hope this helps clarify some of the issues that have been raised upon receipt of your documentation. If you have any questions please feel free to call me at our office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steve Clelland", with a large, stylized loop at the end.

STEVE CLELLAND
Water Resource Agent

ENC:

MICROFILMED
DEC 10 1996



THE AMALGAMATED SUGAR COMPANY

P. O. BOX 127 • TWIN FALLS, IDAHO 83303-0127 • PHONE (208) 733-4104

RECEIVED

May 25, 1995

MAY 26 1995

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
222 SHOSHONE ST E
TWIN FALLS ID 833301

Enclosed are supporting documents pertaining to two wells we are currently using:

WELL #1 FACTORY WELL

REF: A47-04051

For Well #1, located in NE4, NW4 Section 26, Township 10 South, Range 17 EBM. We are submitting our well logs and associated correspondence. The estimated priority date is June 29, 1945.

WELL #2 SHOP WELL - PITTS

REF: A47-12566

For Well #2, located in NW4, NW4 Section 25, Township 10 South, Range 17 EBM, we are submitting an affidavit from Mr. & Mrs. Ira Pitts. Present estimated priority date (per your documentation) is June 1, 1950. Accordingly, the enclosed affidavits will show the date is estimated back to approximately 1937.

Please also note that we have corrected the land description from S23, T 10S, R 17 EBM to S25, T 10S, R 17 EBM.

WELL #3 CURRY

REF: A47-12581

In researching a well that we thought was ours, located in the SE4, SE4 Section 10, Township 10 South, Range 16 EBM, we discovered that we do not own it, nor did we put it in. Currently this land is owned by Curry Bean Company, Curry, ID.

MICHO
DEC 10 1995

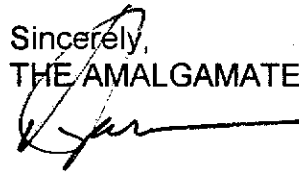
A47-12566

Regarding affidavits for Well #2 (A47-12566) due to a medical emergency Mr. and Mrs. Ira Pitts will not be readily available to sign their affidavits; however, we will be able to secure a notarized document as soon as they return from Boise. We will enclose the unsigned documents until we can provide you with the notarized statement.

Please notify us if you need further information.

Sincerely,

THE AMALGAMATED SUGAR COMPANY



VIC JARO

Twin Falls Factory Superintendent

VJ:rmw
attachments

MICROFILMED
DEC 10 1996

THIS IS MY STATEMENT TO THE AMALGAMATED SUGAR COMPANY TAKEN ON
MAY 9, 1995

WE ORIGINALLY BOUGHT THE LAND IN 1968. THE WELL WAS ON SITE AT
THAT TIME, BUT ALL THE BUILDINGS HAD BEEN MOVED AND THE GROUND WAS
LEVELED AND THE WELL WAS COVERED UP.

I WANTED TO USE THE WELL FOR A STOCK WELL AND I HAD TO CHASE
AROUND TO FIND OUT WHERE THE WELL WAS ACTUALLY LOCATED. I GOT MOST
OF MY INFORMATION FROM FLOYD LILLY CO. (THE YOUNG GUYS GRANDDAD PUT
IN THE PUMP FOR ME) I STEPPED OFF THE AREA FOR THE WELL LOCATION AND
BROUGHT A BACK-HOE IN AND DUG OUT THE OLD WELL HOUSING AND SET IN A
PUMP.

I HAVE HEARD THAT THIS PARTICULAR WELL IS 800'-900' DEEP.

I PUT IN A STOCK PUMP ABOUT 63 FOOT DOWN AND USED IT FOR STOCK
WATER.

I HAD HEARD THAT THE SUGAR COMPANY ORIGINALLY OWNED THE
BUILDING ON THE POOR FARM AND THAT THE COUNTY PURCHASED THE
BUILDING FOR USE ON THE POOR FARM AND IT WAS LATER SOLD TO SOMEONE
FOR A RESTHOME. THE COUNTY MADE THE GUY UPGRADE THE WELL BECAUSE
THE WATER WAS CONDEMNED AND THEY HAD TO GO IN AND SHORE UP THE
CASING AND FIX THE WELL SO THAT IT PASSED THE BUILDING CODE AND THEN
THEY COULD BUILD THEIR REST HOME.

THE PUMP THAT WAS TAKEN OUT OF THE OLD WELL WAS REBUILT AND
SOLD TO BYRON WHITE TO USE OUT ON THE SALMON TRACT.

IRA PITTS

DATED: _____

STATE OF IDAHO }
TWIN FALLS COUNTY } SS

I ATTEST THAT IRA PITTS APPEARED BEFORE ME THIS DAY

AND THAT HE FREELY SIGNED THE ABOVE STATEMENT

MY COMMISSION EXPIRES: _____

NOTICED
DEC 10 1996

THIS IS MY STATEMENT TO THE AMALGAMATED SUGAR COMPANY TAKEN ON
MAY 9, 1995

MY SISTER WAS ILL AND AT THE REST HOME THERE IN '37, THE REST HOME
HAD WATER AND EVERYTHING, BUT NO ONE CAN GIVE ME ANY INFORMATION ON
THE WELL.

I HAD HEARD AT ONE TIME THAT THIS WELL AND THE WELL AT TWIN
FALLS FEED AND ICE WERE THE TWO DEEPEST WELLS IN THIS AREA.

DATED: _____

STATE OF IDAHO }
TWIN FALLS COUNTY } SS

I ATTEST THAT _____ PITTS APPEARED BEFORE ME THIS DAY
_____ AND THAT HE FREELY SIGNED THE ABOVE STATEMENT.

_____ MY COMMISSION EXPIRES: _____

MICROFILMED
DEC 10 1996

DEC 22 1988

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: A47-12566

Date Received: 12/20/1988

Receipt No: 5004989

Received By: ADR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE AMALGAMATED SUGAR CO. 208-438-2115
Address: C/O BASIL TUPYI
P.O. BOX 1520
OGDEN, UT 84402

2. Date of Priority: JUN 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	NE 1/4	of 1/4	of 1/4	Lot	County
10S	17E	23	NW	NW	NW		TWIN FALLS

5. Description of diverting works:
6" WELL 425' DEEP WITH 3/4 HP. SUB. PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/ MAINTENANCE SHOP TRUCK WASHING ETC.

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
10S	17E	23	NW	NW		COMMER	

11. Place of use in counties: TWIN FALLS

A47-12566

Page 1

Date: 12/20/88

MICROFILMED
MAR 17 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:
AG. DEPT

15. Basis of Claim: BENEFICIAL USE

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 NO wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Basil J. Jany Date: 22 Dec 88

Date: _____

State of Idaho)
County of _____) SS.

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

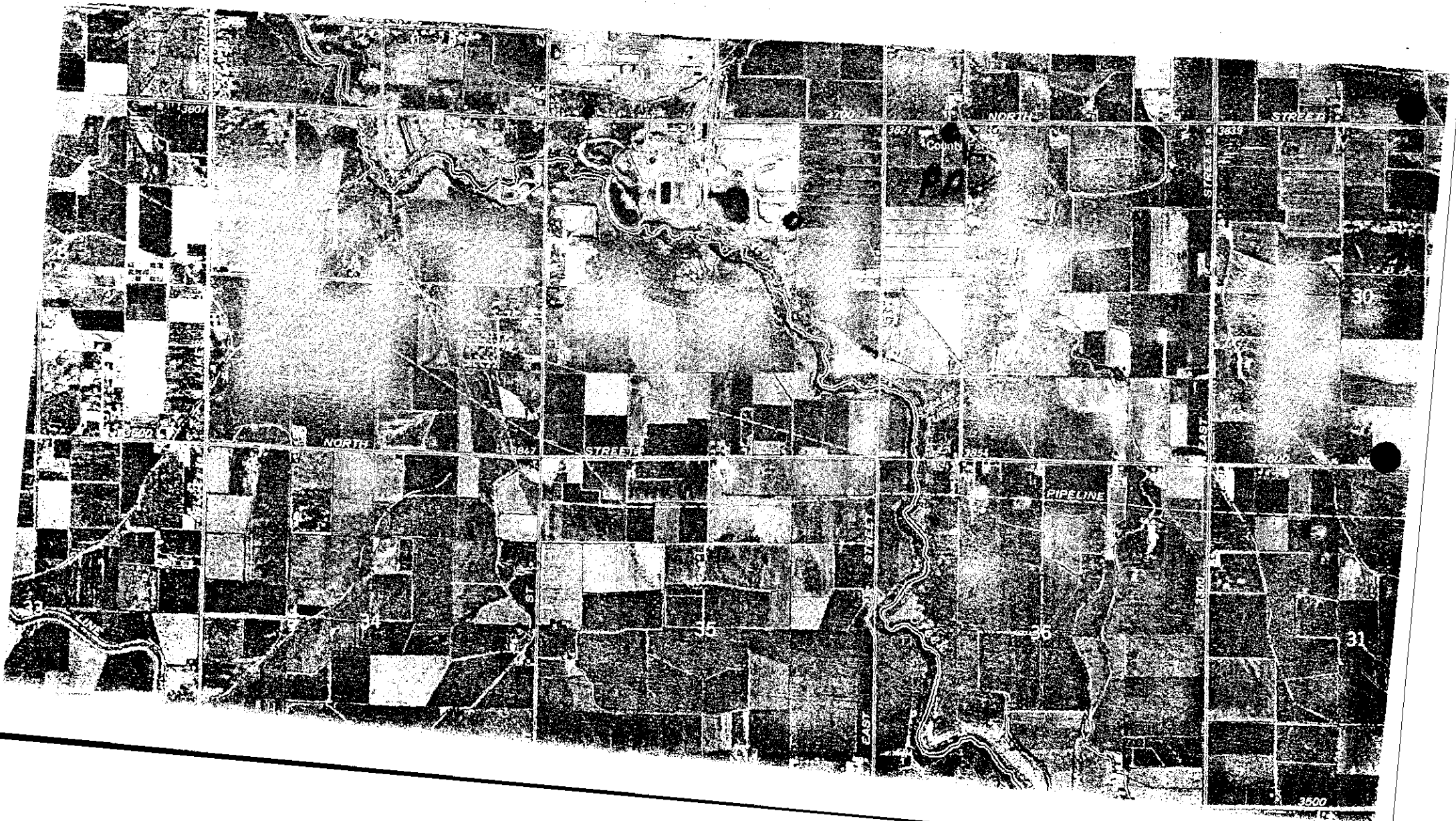
Notary Public

Seal

Residing at _____

My Commission Expires _____

Agriculture Maintenance SHOP



(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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

MICROFILMED
MAR 17 1993