

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 5068
WATER RIGHT NO(S). 35-02603/35-04127/35-12670

Eastern
RECEIVED

JUN 19 1998

Department of Water Resources
Eastern Region

AMENDED

This is to certify that: **LAMB WESTON INC**
PO BOX 489
AMERICAN FALLS ID 83211

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 35-02603 :			
INDUSTRIAL	01/01 to 12/31	3.34 CFS	2418.1 AF
Priority: 07/07/1960			
Right No. 35-04127 :			
INDUSTRIAL	01/01 to 12/31	4.68 CFS	3388.2 AF
FIRE PROTECTION	01/01 to 12/31	4.68 CFS	
Priority: 08/12/1961			
		4.68 CFS	3388.2 AF
Right No. 35-12670 :			
INDUSTRIAL	01/01 to 12/31	2.01 CFS	1455.2 AF
Priority: 08/24/1962			
	TOTAL:	* 10.03 CFS	* 4408.0 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 35, Township 07S, Range 30E
SWSE , Sec. 35, Township 07S, Range 30E
POWER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

07S 30E 35

NENW
SENW
SWSW
SWSE

NWNW
NESW
SESW

SWNW
NWSW
NWSE

CONDITIONS OF APPROVAL AND REMARKS

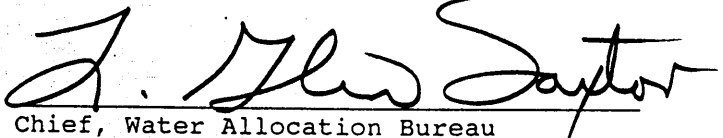
1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

TRANSFER NO. 5068
WATER RIGHT NO(S). 35-02603/35-04127/35-12670

CONDITIONS OF APPROVAL AND REMARKS

3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- * 5. The total instantaneous diversion of water from all points of diversion under Transfer 5068 shall not exceed 10.03 cfs, nor a total combined annual volume of 4408.0 af.
- * 6. Rights 35-02603, 35-04127 and 35-12670 when combined shall not exceed a total annual diversion volume of 4408.0 af.
7. Approval of Transfer 5068 does not confirm claimed Rights 35-04127 and 35-12670.
8. The water used for industrial use under this transfer approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used for industrial use as authorized by these water rights.
9. Industrial use includes a potato processing plant located in the W1/2SE, S35, T07S, R30E.
10. Two points of diversion are located within NWSE, S35, T07S, R30E.

Dated this 15th day of June, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 35-02603, 35-04127 & 35-12670

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5068

DATE: May 26, 1998

Transfer 5068 adds points of diversion and changes the place of use under Rights 35-02603, 35-04127 and 35-12670. The applicant is identifying the place of use for the land application area needed to comply with water quality requirements and the use of the three wells and rights as a single combined system.

The priority of A3512670, fire protection use on 35-04127, diversion rates under 35-04127 and 35-12670, and diversion volume were adjusted according to SRBA recommendations, the transfer application and current standards. The additional place of use described for land application is not considered an enlargement of the use of these rights when water is first used for industrial use in the potato processing plant.

Recommended conditions include multiple points of diversion limits, measuring & reporting, land application limits and standard transfer conditions.

SRBA CLAIMS
NOT DECREED
AS OF 6-1-98

MICROFILMED

JUN 02 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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Priority: 07/07/1960			
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FIRE PROTECTION	01/01 to 12/31	4.68 CFS	
Priority: 08/12/1961			
		4.68 CFS	3388.2 AF
Right No. 35-12670 :			
INDUSTRIAL	01/01 to 12/31	2.01 CFS	1455.2 AF
Priority: 08/24/1962			
	TOTAL:	* 10.03 CFS	* 4408.0 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 35, Township 07S, Range 30E
SWSE , Sec. 35, Township 07S, Range 30E
POWER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

07S 30E 35

NENW
SENW
SWSW
SWSE

NWNW
NESW
SESW

SWNW
NWSW
NWSE

CONDITIONS OF APPROVAL AND REMARKS

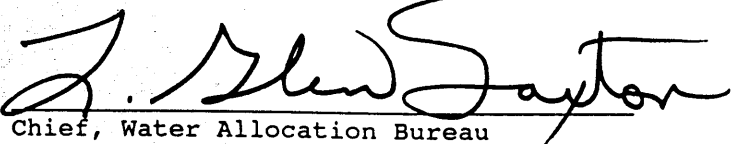
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8. The water used for industrial use under this transfer approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used for industrial use as authorized by these water rights.
9. Industrial use is for a potato processing plant located in the W1/2, S35, T07S, R30E.
10. Two points of diversion are located within NWSE, S35, T07S, R30E.

Dated this 1st day of June, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 35-02603, 35-04127 & 35-12670

FROM: Pam Skaggs²⁸/State Office

SUBJECT: Transfer 5068

DATE: May 26, 1998

Transfer 5068 adds points of diversion and changes the place of use under Rights 35-02603, 35-04127 and 35-12670. The applicant is identifying the place of use for the land application area needed to comply with water quality requirements and the use of the three wells and rights as a single combined system.

The priority of A3512670, fire protection use on 35-04127, diversion rates under 35-04127 and 35-12670, and diversion volume were adjusted according to SRBA recommendations, the transfer application and current standards. The additional place of use described for land application is not considered an enlargement of the use of these rights when water is first used for industrial use in the potato processing plant.

Recommended conditions include multiple points of diversion limits, measuring & reporting, land application limits and standard transfer conditions.

SRBA CLAIMS
NOT DECREED
AS OF 6-1-99


Transfer No. 5068

Name of applicant Lamb-Weston, Inc. Phone (208) 226-2301
Post Office address P. O. Box 489, American Falls, ID 83211 (2975 Lamb Weston Road)

2. Describe the reason for the proposed changes Add land application area to comply with
DEQ water quality requirements. Show
existing Wells #1, #2 and #3 as points of diversion
on all Lamb-Weston water rights.

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
~~A35-02603~~	~~7/7/60~~	~~3.34~~	~~Industrial~~	~~01/01 to 12/31~~
A35-12670	8/24/62	2.01	Industrial	01/01 to 12/31
~~A35-04127~~	~~8/12/61~~	~~4.68~~	~~Indus/Fire Protct.~~	~~01/01 to 12/31~~
~~35-08669~~	~~4/21/88~~	~~1.00~~	~~Irrigation (.03)~~	~~04/01 to 10/31~~
			~~Industrial (.97)~~	~~01/01 to 12/31~~
2. Total amount of water being transferred	<u>10.03</u>	cubic feet per second and/or		acre-feet per annum
3. Source of water	<u>ground water</u>	tributary to		
4. Point(s) of Diversion:				

[illegible][illegible]

PART 1

6. General Information:

a. Description of diversion system Existing wells, pumps and pipeline system with treatment ponds and land application system (see maps).

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. See attached Power County tax records, dated 3/14/97.

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

d. Remarks:

Land application area in NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of Section 35, T7S, R30E, requested per application processing memorandum no. 61.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____

PART 2

TRANS NO. 5068

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-04127

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
FIRE PROTECTION	01/01 to 12/31	6.00 CFS

SOURCE

GROUNDWATER

Priority: 08/12/1961

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 35, Township 07S, Range 30E
POWER County

PLACE OF USE: FIRE PROTECTION

TWN RGE SEC

07S 30E 35 NWSE

CONDITIONS/REMARKS:

PART 2

TRANS NO. 5068

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-02603

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
INDUSTRIAL	to	3.34 CFS

SOURCE

GROUNDWATER

Priority: 07/07/1960

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 35, Township 07S, Range 30E
POWER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

07S 30E 35 NWSE

SWSE

CONDITIONS/REMARKS:

PART 2

TRANS NO. 5068

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. A35-12670

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
INDUSTRIAL	01/01 to 12/31	6.69 CFS

SOURCE

GROUNDWATER

Priority: 08/01/1960

LOCATION OF POINT(S) OF DIVERSION:NWSE , Sec. 35, Township 07S, Range 30E
POWER CountyPLACE OF USE: INDUSTRIALTWN RGE SEC

07S 30E 35 NWSE

CONDITIONS/REMARKS:

1. WELL PUMPS ~3000 GPM.
2. A35-04127 USED AS BACKUP WELL FOR INDUSTRIAL USE AND ALSO FOR FIRE PROTECTION.

PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

Robert G. Bloom
(Signature of Applicant)

Subscribed and sworn to before me this 25th day of March, 19 97.

E. Louis Cluff
(Notary Public)

My commission expires 02/19/98

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and attachments

Received by HWT Date 3-27-97

Prelim. check by Fee \$100.00

Receipted by HWS # E023063 Date 3-27-97

Published in Lower County Press

Pub. dates May 1 and 8, 1997

Watermaster recommendation requested on

Protest filed by

Copies of protest forwarded by

Hearing held by Date

Recommended for ☒ approval ☐ denial

by

Copy of transfer sent to lien holder

28-Jun-1991

LAMB WESTON INC
BOX 489
AMERICAN FALLS, ID 83211

RE: **Evidence of Priority** A35-12670

Dear Claimant:

The Notice of Claim identified with the numbers shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the 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, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by JULY 29, 1991, 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.

MICROFILMED
DEC 11 1992

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

MICROFILMED

DEC 11 1992

Lamb Weston

June 25, 1991

RECEIVED

JUN 27 1991

Department of Water Resources
Eastern District Office

Eric Verner
Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401

Dear Sir:

I am enclosing a copy of the well drilling log and information on Evidence of Priority #A35-04127.

I, Wally Buffi, have been employed at the Lamb Weston facility since July 1, 1962, and I have observed the Facility using water from the Number 1 Well (Priority No. A35-04127) for the past 29 years.

Wally Buffi

Wally Buffi
Plant Engineer

WB/jv

*Per Phone Call -
This is also to
support A35-12670
EGT 7/19/91*

MICROFILMED

DEC 11 1992

RECEIVED
JUN 27 1991

Department of Water Resources
Eastern District Office

September 1, 1961

Lamb-Weston, Inc.
American Falls, Idaho

Attention: Mr. A. R. Davidson

Gentlemen:

Enclosed is copy of Well Driller's log of the well drilled for you last summer at your American Falls plant. Our report on the test has been delayed because we were unable to get the log until a few days ago.

The well was tested by pumping on August 30, 1960. During the first 15 minutes of pumping the water was dark color from the lava cinders. After that time the water remained clear. Discharge was measured by an 8" orifice at the end of 10" discharge pipe.

The static water level was ^{74'} 2.4 feet below ground surface. At discharge of 1500 gpm draw-down was 3 feet.

At 2150 gpm draw-down was 6 feet.

This rate of discharge was maintained for 6 hours with draw-down remaining steady.

The discharge was then increased to 2700 gpm with draw-down of 10 feet. This rate of pumping was continued two hours with draw-down remaining steady at 10 feet.

Very truly yours,

HAMILTON AND VOELLER

R. F. Hamilton

RJH/ma
Enc.

DEC 11 1992

WELL DRILLING
GEORGE VOLLMER
ROUTE 1
AMERICAN FALLS, IDAHO

Owner -- Lamb Weston, Inc.

Well No. 1

Depth of hole 220'

Static water 74'

Water temp, 54 degrees

Pump test
3000 G. P. M. 10' drawdown
1500 G. P. M. 3' drawdown

Casing in well

16" O. D. x .250 from 0 - 202'
14" O. D. x .250 from 193 - 208'

14" pipe cemented into 16" pipe
and rock to seal out surface water
and sand.

Well started 7-7-60 **Completed 8-13-60**

Well log

0-5	Sand
5-55	Clay
55-75	Sandy clay (Gray)
75-97	Sandy clay (Tan)
97-130	Sandy clay (Gray)
130-145	Clay (Gray)
145-202	Sand & clay streaks (Gray)
202-220	Lava
210-220	Water bearing formation

DEC 11 1962