

May 12, 1977

RE: 65-4536

Henggeler Packing Co., Inc.
Joseph G. Henggeler, Vice-President
Box 313
Fruitland, ID 83619

Dear Mr. Henggeler:

With respect to the Payette River adjudication, it is necessary to know the volume of water the packing plant uses so this water right can be recommended to the court.

If possible, would you please send us the average number of gallons of water the plant uses per day? The gallons per minute was shown on the claim to a water right but we doubt this amount of water is diverted every minute for 365 days a year. With this information, your water right in acre-feet per year can be recommended.

Thank you for your cooperation in this matter.

Sincerely,

DONALD V. SHAFF
Water Resource Agent

DVS:cs

On May 25 or 26, Mr. Henggeler talked with Robert Howard, dept agent, and said he could not estimate the volume of water the plant uses.

As a result, the following calculation was made:

$$1.5 \text{ cfs} \times 1.98 \times \frac{8 \text{ hrs}}{24 \text{ hrs/day}} \times 365 \text{ days} = 361 \frac{1}{2} \text{ AF/yr}$$

\$ 6/6/77

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: A65-04536
Date Received: 3/14/1990
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENGgeler PACKING CO. INC. 208-452-4212
Address: P.O. BOX 313
FRUITLAND, ID 83619

2. Date of Priority: APR 01, 1944

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	05W	36	NW	NW	SW		PAYETTE

5. Description of diverting works:
WELL, 40-50' DEPTH, W/PUMP & PIPE TO FRUIT PACKING PLANT.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
COMMERCIAL	01/01	12/31	1.460		361.40

7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) 362.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR OFFICE & LUNCH ROOM, COMMERC. FOR FRUIT PKG. PLANT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	05W	36	NW	SW		DOMEST	
			NW	SW		COMMER	

A65-04536

Page 1

Date: 03/14/90

MICROFILMED

SEP 22 1992

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
N/A

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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 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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

W.O.
4/1944

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: 65-04536
DATE RECEIVED: 3/14/1990
RECEIPT NO: X999 999
RECEIVED BY: EA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: HENGGELER PACKING CO. INC.
ADDRESS: P.O. BOX 313
FRUITLAND, ID 83619

2. DATE OF PRIORITY: APR 01, 1944

3. SOURCE: GROUNDWATER TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
08N	05W	36	NW	SW			PAYETTE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
DOMESTIC	01/01	12/31	0.040	-C	1.20
COMMERCIAL	01/01	12/31	1.460	-K	361.40

7. TOTAL QUANTITY APPROPRIATED IS:
1.500 C.F.S. (AND/OR) 362.60 A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
08N	05W	36	NW	SW		DOMEST	

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE
CASE NUMBER:
COURT :
DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS DECREE 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 ~~X~~ 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): _____ DATE: _____
_____ DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM President OF
TITLE

Haggerty Packing Co., Inc. ORGANIZATION, THAT I HAVE SIGNED THE FOREGOING
DOCUMENT IN THE SPACE BELOW AS President OF
TITLE

Haggerty Packing Co., Inc. ORGANIZATION AND THAT THE STATEMENTS CONTAINED IN THE
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Haggerty
SIGNATURE OF AUTHORIZED AGENT

Pres. Haggerty Packing Co., Inc.
TITLE AND ORGANIZATION

3-6-1990
DATE

STATE OF IDAHO)
COUNTY OF Layette) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 16th DAY

OF March 19 90

Phyllis McKee
NOTARY PUBLIC

SEAL

RESIDING AT Fruitland, Idaho

MY COMMISSION EXPIRES 10/7/92
DATE: 01/23/90 2258

01/08/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-4536

NAME AND ADDRESS: HENGGELEER PACKING CO INC
PO BOX 313
FRUITLAND, ID 83619

SOURCE: GROUND WATER

QUANTITY: 1.5 CFS
362.6 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1944

POINT OF DIVERSION: T08N R05W S36 NWNWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	1-01 12-31	1.46 CFS
		361.40 AFY
DOMESTIC	1-01 12-31	0.04 CFS
		1.20 AFY

DOMESTIC USE IS FOR OFFICE & LUNCH ROOM.

COMMERCIAL USE IS FOR COOLING HOT GASES IN COLD STORAGE
OPERATIONS AND FOR WASHING FRUIT.

PLACE OF USE:

COMMERCIAL Within PAYETTE County
T08N R05W S36 NWSW
DOMESTIC Within PAYETTE County
T08N R05W S36 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ0749NP
No. R65-04536

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

DATE: 06/05/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HENGGELEER PACKING CO INC PO BOX 313 FRUITLAND ID 83619 (208) 452-4212	04/01/1944	COMMERCIAL DOMESTIC	01-01 12-31 01-01 12-31	1.460 CFS 0.040 CFS	361.40 AFA 1.20 AFA
TOTAL DIVERSION:					1.500 CFS	362.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08N R05W S36 NWNWSW

PAYETTE County

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
				08N				05W				36							

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
				08N				05W				36							

POU County: PAYETTE

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N10
N12
CORRECTIONS

Remarks: USE

DOMESTIC USE IS FOR OFFICE & LUNCH ROOM.
COMMERCIAL USE IS FOR COOLING HOT GASES IN COLD STORAGE
OPERATIONS AND FOR WASHING FRUIT.

Dates: Exam Made Date: Verified Date: 06/05/2000 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

C 18

6-5-00
Ron Howerton
Sr Water Agent

AJ5809NP
No. A65-04536

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/05/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
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TOTAL DIVERSION:					1.500 CFS	362.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08N R05W S36

NWNWSW

PAYETTE County

Place of use Legal Description for: COMMERCIAL

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
---	---	---		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08N	05W	36	:					:					:					:						:	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
---	---	---		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08N	05W	36	:					:					:					:						:	

POU County: PAYETTE

Non-Irrigation Uses: DOMESTIC FOR OFFICE & LUNCH ROOM, COMMERC. FOR FRUIT PKG. PLANT.

USE REMARKS

Other Rights: N/A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

N10

N12 (NOT DIMENSIONAL)

for DOMESTIC

WR5809NP
No. 65-04536

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/05/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MENGGELER PACKING CO. INC. P.O. BOX 313 FRUITLAND ID 83619	04/01/1944	COMMERCIAL DOMESTIC	01/01 12/31 01/01 12/31	1.460 CFS 0.040 CFS	361.40 AFA 1.20 AFA
TOTAL DIVERSION:					1.500 CFS	362.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08N R05W S36

NWSW

PAYETTE County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
08N	05W	36	:																

Place of use location for COMMERCIAL is the same location as described for: DOMESTIC

Pou County: PAYETTE

Dates:	App. Received:	Priority Date:	04/01/1944
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 09/16/86 04/30/88 CONVERT

May 12, 1977

536

Hengeler Packing Co., Inc.
Joseph G. Hengeler, Vice-President
Box 313
Fruitland, ID 83619

Dear Mr. Hengeler:

With respect to the Payette River adjudication, it is necessary to know the volume of water the packing plant uses so this water right can be recommended to the court.

If possible, would you please send us the average number of gallons of water the plant uses per day? The gallons per minute was shown on the claim to a water right but we doubt this amount of water is diverted every minute for 365 days a year. With this information, your water right in acre-feet per year can be recommended.

Thank you for your cooperation in this matter.

Sincerely,

DONALD V. SHAFF
Water Resource Agent

DVS:cs

On May 25 or 26, Mr. Hengeler talked with Robert Howard, dept agent, and said he could not estimate the volume of water the plant uses.

As a result, the following calculation was made:
 $15 \text{ cfs} \times 1.98 \times \frac{8 \text{ hrs}}{24 \text{ hrs/day}} \times 365 \text{ days} = 361 \pm \text{AF/yr}$

5/26/77