



Water Right Number 63-2553, Estimated 1987 Places of Use and Points of Diversion, B.B. One, Inc.



T4N, R1E S.17

x = artesian wells

AG3-2553



Idaho Department of Water Resources

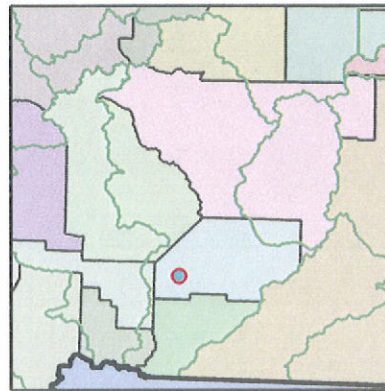
SRBA Recommendation:

63-2553

(Irrigation)

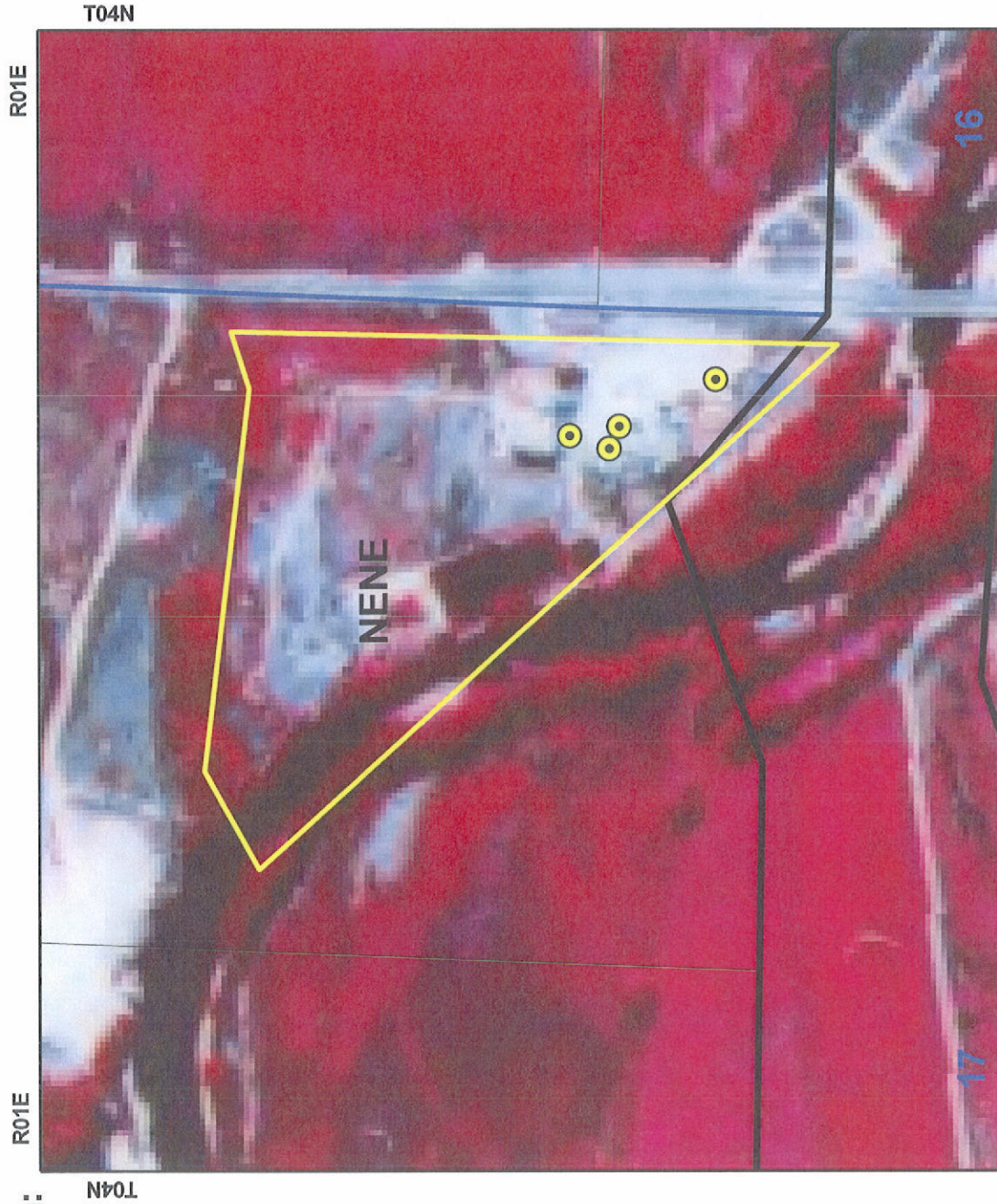
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Ada County
IDWR Basin 63

Prepared by K. Walker
On Tuesday, March 20, 2007
1987/88 Aerial Photography



0 0.1 0.2 Miles

Idaho Department of Water Resources

T04N, R01E,
S17

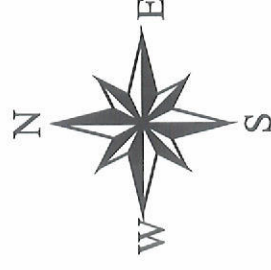
Claim No: 63-2553
Prepared By: Kimberly Brown
Date: October 20, 2005

 Place of Use

 Section Lines

 1/4 1/4

 Point of Diversion



300 0 300 600 Feet

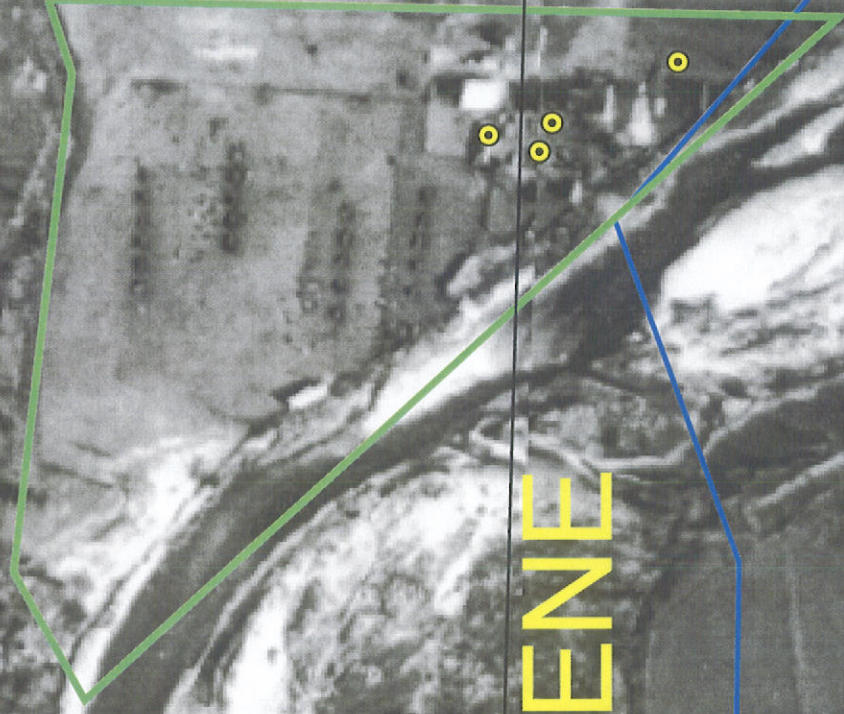

1987 NAPP



NENE

1939 NAPP
#63-2553

SENE

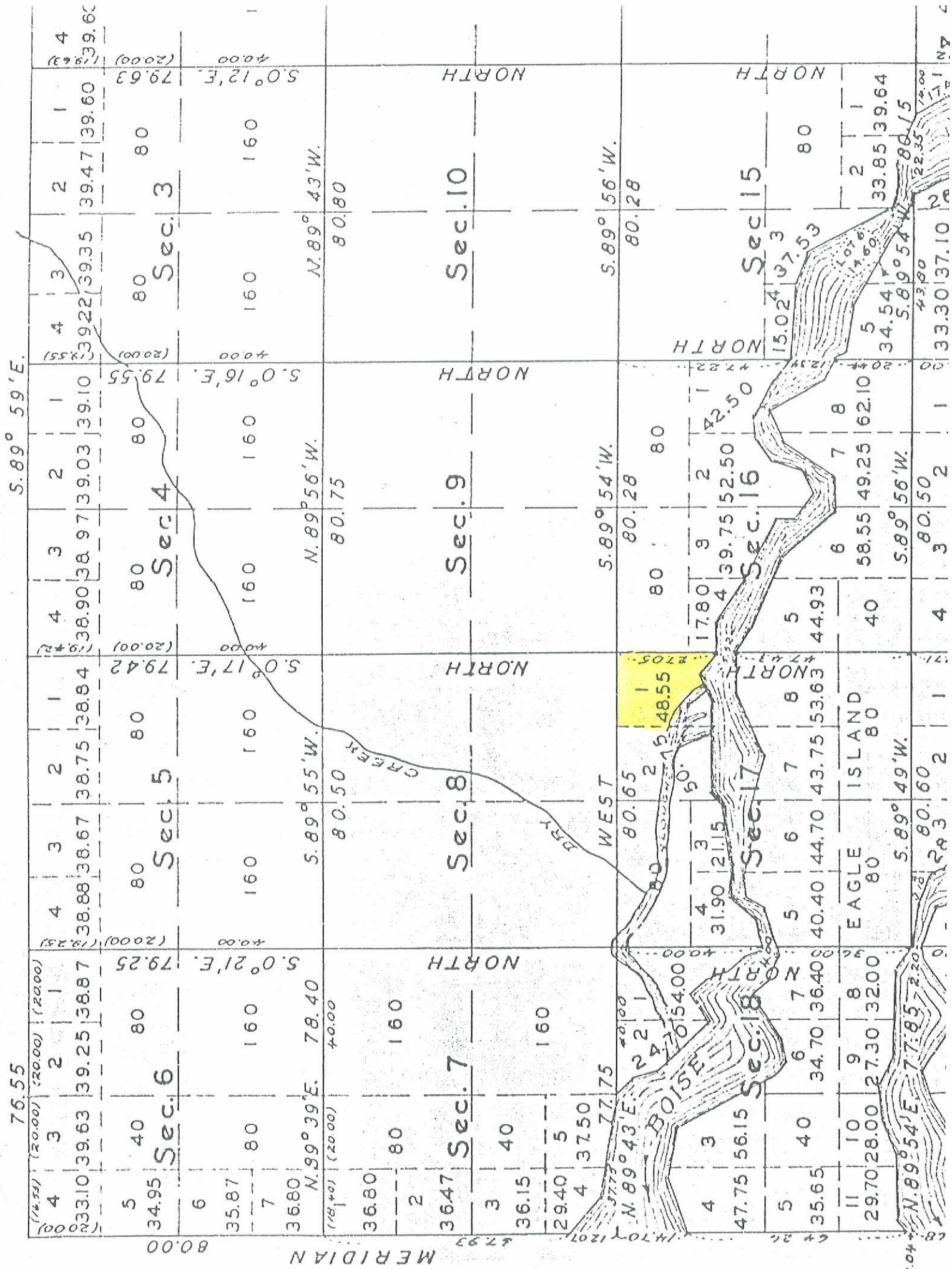


NENE

1986 NAPP
#63-2553

SENE





NENE

SENE

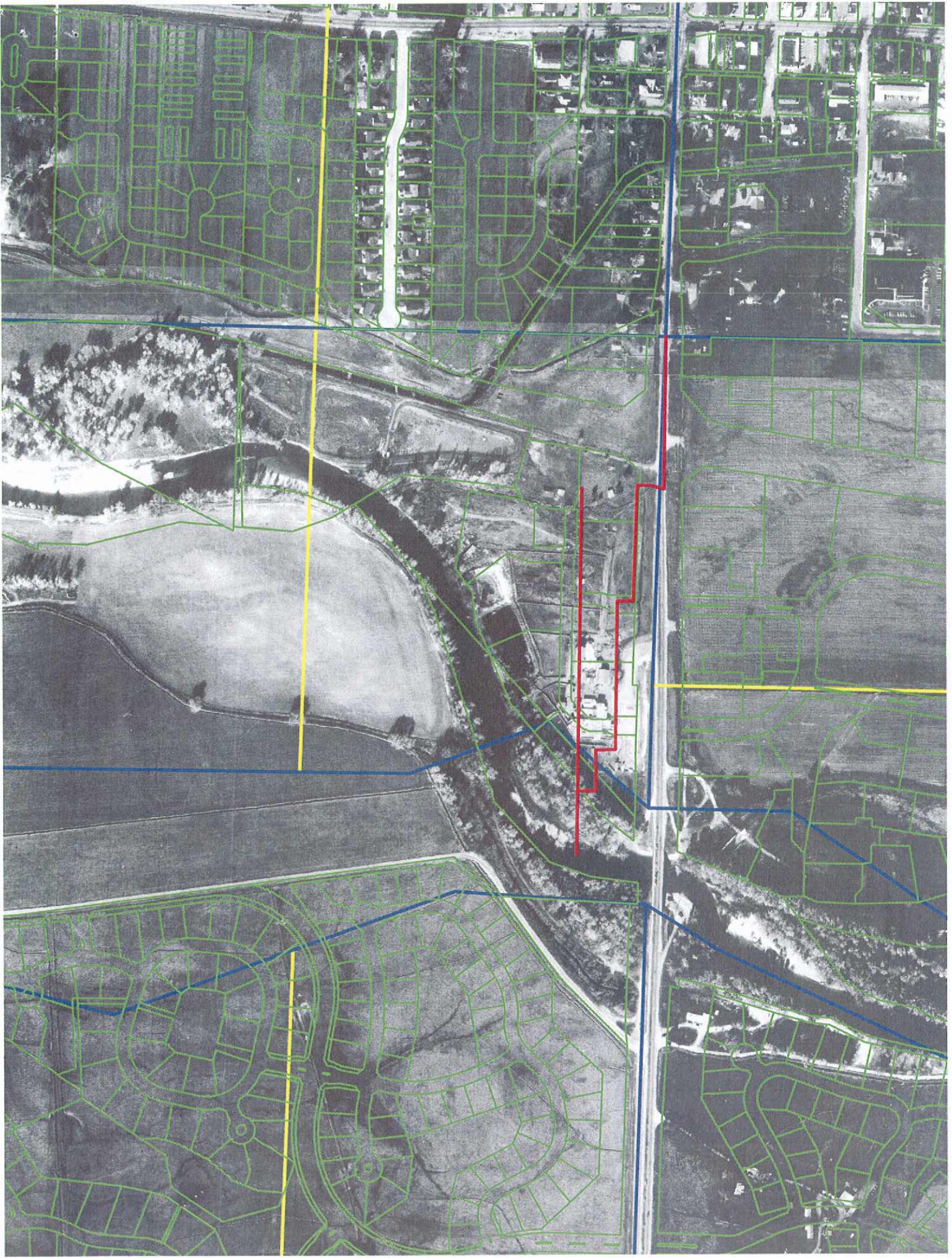
NESE

1987 NAPP
#63-2553

* DEPICTS 1987 NAPP



Water Right Number 63-2553, Current (2003 Photo) Place of Use and Point of Diversion, B.B. One, Inc.



1986 NAPP



Water Right Number 63-2553, Estimated 1987 Places of Use and Points of Diversion, B.B. One, Inc.

I will abandoned near the southern yellow po.

STATE OF IDAHO

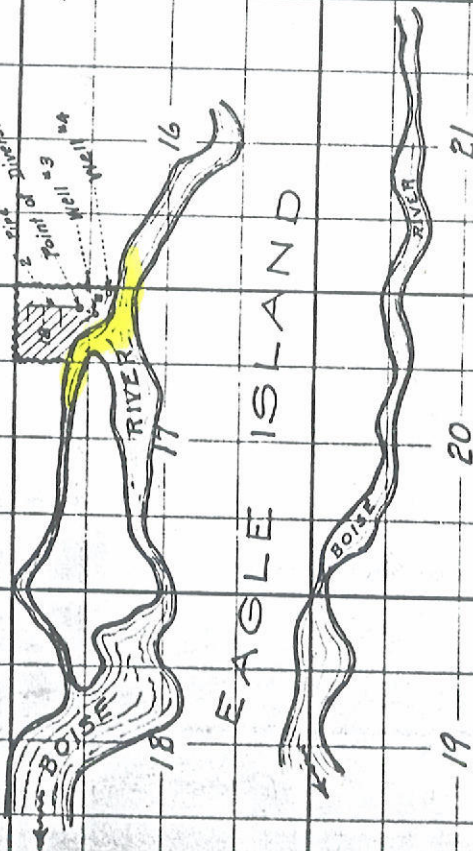
DEPARTMENT OF RECREATION

BOISE

REPORT OF ENGINEER

STATION NO. 1000

DATE OF TRIP



T. 4 N. R. 1 E. B.M.
ADA COUNTY

Lot 1

4 artesian wells

Packing
Plant

Note: Approx. 18 A.

17

17

Scale 4" = 1 Mi.

19016

Permit Map No. 19016

As Approved

JUL 22 1940

JAMES SPOFFORD

Commissioner of Reclamation

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 63-2553
Date Received: 8/14/1989
Receipt No: W004412
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

B.B. ONE, INC Phone: (208)375-6666

250 S. BEECHWOOD, SUITE 120
BOISE ID USA 83709

2. Date of Priority: 07/17/1940

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04N	01E	17	NE	NE	1	ADA	
04N	01E	17	SE	NE	1	ADA	

5. Description of diverting works:

ARTESIAN WELL, 2 W/PUMPS-5 HP & 1 HP, TROUGHS, DITCHES, PIPES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.36	
STOCKWATER	1/01	12/31	0.09	
COMMERCIAL	1/01	12/31	0.76	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:

1.25 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
04N	01E	17	NE	NE		IRRIGATION	12
			SE	NE		IRRIGATION	6
			SE	NE		COMMERCIAL	
			NE	NE		STOCKWATER	
			SE	NE		STOCKWATER	
			SE	NE		DOMESTIC	
						Section Acres	18
						Total Acres	18

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

CHANGE OF OWNERSHIP 2/23/05 LG

THERE IS ALSO A SEWAGE TREATMENT PLANT ON THIS LOT. THE WATER FOR THE PLANT IS OVERFLOW AND IS USED IN CONJUNCTION WITH PLANT OPERATIONS.

THERE ARE 4 ARTESIAN WELLS, 1 IS LOCATED IN THE NE1/4, NE1/4 AND THE OTHER 3 ARE LOCATED IN THE SE1/4, NE1/4 ALL IN SECTION 17.

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

FEB 16 2005

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-2553	63-2553				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Boise Valley Packing Co. Inc., c/o Doren Ellis
Box 67, Eagle, Idaho 83616
4. New Owner/Claimant(s) B.B. One, Inc (Dennis M. Baker)
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 250 S. Beechwood, Suite 120
- City, State and ZIP Code Boise, Idaho 83709
- New Telephone Number 208) 375-6666
5. Date you acquired the property 08-24-1993

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) X D Baker
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u>KL B</u>	Date <u>2/16/05</u>	Fee <u>Ø</u>	
Received by _____	Date _____	Receipt No. _____	
Processed by _____ AJ	Date _____	WR _____	Date _____

NENE

WATER

RIVER

EAGLE

Points of
Diversion

No. A63-7008

Water Right Number 63-2553, Estimated 1987 Places of Use and Points of Diversion, B.B. One, Inc.



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702-5836 / Telephone (208) 336-6700

1993 AUG 25 PM 2:37

Reviewed & Approved Imb

WARRANTY DEED
(CORPORATE FORM)

BOISE VALLEY PACKING COMPANY, INC. , a corporation
organized and existing under the laws of the State of Idaho, with its principal office at 725 EAGLE RD. EAGLE, ID
83616 of County of ADA , State of Idaho,
grantor, hereby CONVEYS or GRANTS and WARRANTS TO DENNIS M. BAKER AND JEAN S. BAKER,
HUSBAND AND WIFE,

of 1523 E. BOISE AVENUE, BOISE, ID 83706
TEN DOLLARS AND NO/100 (and other valuable consideration)

grantee
for the sum of

DOLLARS,

the following described tract(s) of land in ADA County, State of Idaho:
SEE LEGAL DESCRIPTION EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subj

SUBJECT TO EASEMENTS, RIGHTS OF WAY OR ENCROACHMENTS OF RECORD.

Location of above described property 725 EAGLE RD.

House No.

Street

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 24 day of August, A.D. 19 93

BOISE VALLEY PACKING COMPANY, INC.

(CORPORATE NAME)

By

David B. Ellis
Doreen Ellis - Vice President

PRESIDENT

Attest:

Lorraine Ellis

SECRETARY

STATE OF IDAHO, County of ADA, ss.

On this 24 day of August, in the year of 1993, before me JANET L. BLOSCHE

, a notary public, personally appeared DAVID B. ELLIS, DOREEN ELLIS AND LORRAINE ELLIS
known or identified to me to be the person s who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public

Residing at: BOISE, IDAHO

My Commission Expires: 3/17/99

→ 2,310,289.27
→ 1,390,577.15

See attached
1987 NAPP &
associated
shape -

EXHIBIT "A"

BEGINNING AT A POINT ON THE SECTION LINE BETWEEN SECTIONS 16 AND 17, TOWNSHIP 4 NORTH, RANGE 1 EAST, OF THE BOISE MERIDIAN, IN ADA COUNTY, IDAHO, FROM WHICH THE CORNER OF SECTIONS 8, 9, 16 AND 17 BEARS NORTH 0 DEGREE 05' WEST A 8.73 CHAINS DISTANCE; 576.18 THENCE NORTH 75° DEGREES 50' WEST 1.25 CHAINS; 82.5 THENCE SOUTH 67 DEGREES 00' WEST 2.90 CHAINS; 196.4 THENCE NORTH 82 DEGREES 45' WEST 6.00 CHAINS; 396. THENCE NORTH 85 DEGREES 30' WEST 5.00 CHAINS; 336 THENCE SOUTH 57 DEGREES 15' WEST 3.25 CHAINS; 214.50 THENCE SOUTH 43 DEGREES 55' EAST 25.35 CHAINS TO A POINT ON THE SECTION LINE BETWEEN SECTION 16 AND 17; 1073.10 THENCE NORTH 0 DEGREE 05' WEST 20.00 CHAINS TO THE PLACE OF 1320.00 BEGINNING, BEING A PART OF LOT 1 OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST OF BOISE MERIDIAN, IN ADA COUNTY, IDAHO

EXCEPT THAT PORTION THEREOF CONDEMNED BY SECOND JUDGEMENT AND DECREE OF CONDEMNATION RECORDED UNDER INSTRUMENT NO., 7959338.

(document requested & enclosed in file)

→ Meot Packing Plant?

100° 50' 50"

1 chain = 66 ft

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: A63-02553
Date Received: 8/14/1989
Receipt No: W004412
Received By: LC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOISE VALLEY PACKING CO., INC. 208-939-6411
Address: C/O DOREN ELLIS
BOX 67
EAGLE, ID 83616

2. Date of Priority: JUL 17, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	17	NE	NE		1	ADA
			SE	NE		1	ADA

5. Description of diverting works:
ARTESIAN WELL, 2 W/PUMPS-5 HP & 1 HP, TROUGHS, DITCHES, PIPES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.360		
STOCKWATER	01/01	12/31	0.090		
COMMERCIAL	01/01	12/31	0.760		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/PACKING PLANT, SEWAGE TREATMENT, S/400 HD CATTLE, D/4 RESTROOMS

A63-02553

Page 1

Date: 08/14/89

MICROFILMED

AUG 18 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01E	17	NE		NE		IRR	12.0
			NE		NE		STOCK	
			SE		NE		IRR	6.0
			SE		NE		COMMER	
			SE		NE		STOCK	
			SE		NE		DOMEST	
Section Acres								18.0
Total Acres								18.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

THERE IS ALSO A SEWAGE TREATMENT PLANT ON THIS LOT. THE WATER FOR THE PLANT IS OVERFLOW AND IS USED IN CONJUNCTION WITH PLANT OPERATIONS. Four artesian wells: 1 in the NE 1/4, NE 1/4 and 3 in the SE 1/4, NE 1/4 - all in section 17.

15. Basis of Claim: LICENSE
Water Right Number: 19016

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 Organizations:

I do solemnly swear or affirm that I am Vice Pres - Noren Ellis Title Boise Valley Packing Co. Inc. Organization that I have signed the foregoing document in the space below as Vice Pres Title of Boise Valley Packing Co. Inc. Organization and that the statements contained in the foregoing document are true and correct.

Noren Ellis
Signature of Authorized Agent

Vice Pres
Title and Organization

8-14-89
Date

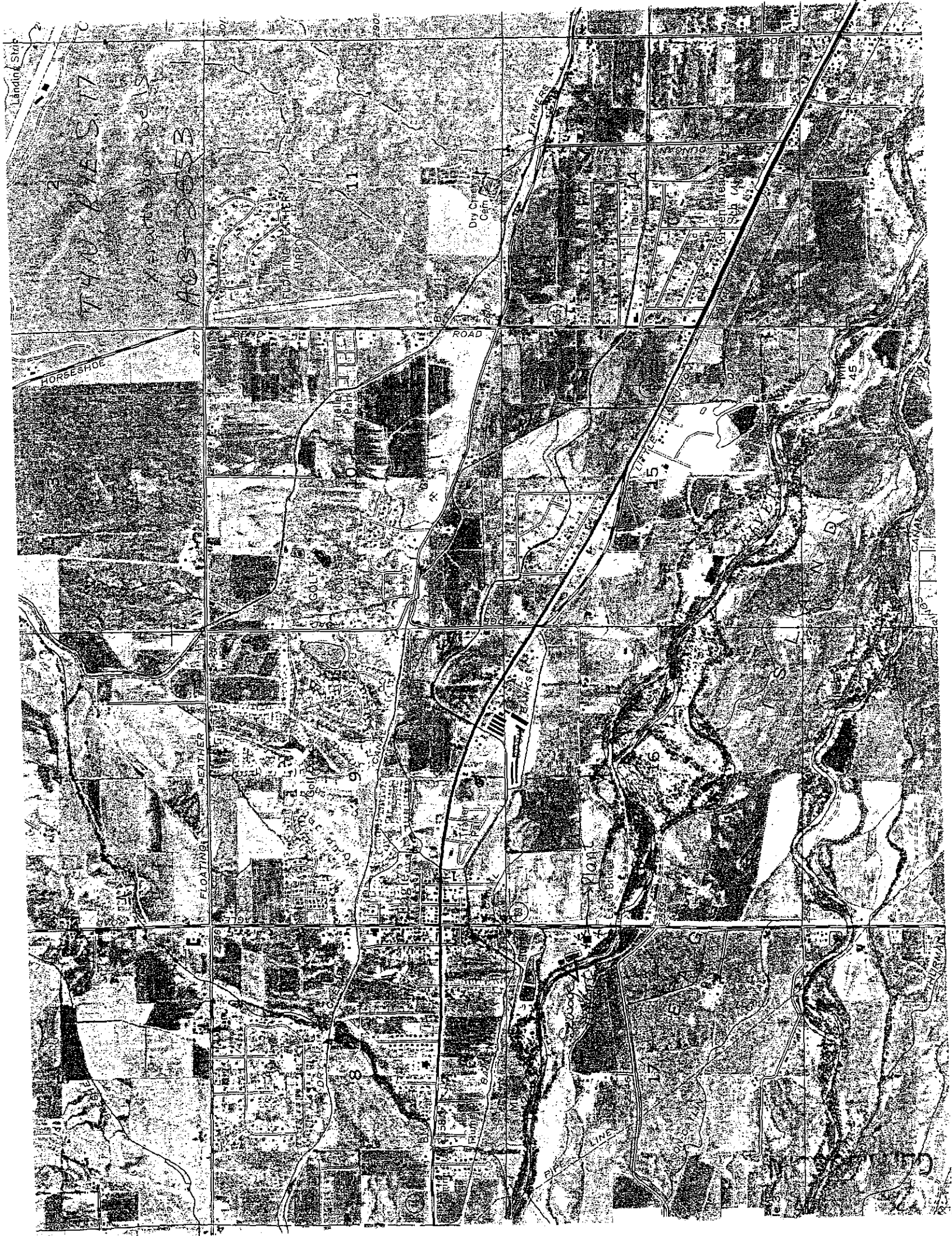
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of August 19 89

Linda Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994



03/20/2007

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

RIGHT NUMBER: 63-2553

NAME AND ADDRESS: B B ONE INC
250 S BEECHWOOD STE 120
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.250 CFS
398.500 AFY

PRIORITY DATE: 07/17/1940

POINT OF DIVERSION:

T04N R01E S17 NENE Lot 1 Within ADA County
T04N R01E S17 SENE Lot 1 Within ADA County
T04N R01E S17 SENE Lot 1 Within ADA County
T04N R01E S17 SENE Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.760 CFS 391.90 AFY
STOCKWATER	01/01 12/31	0.090 CFS 5.40 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	03/01 11/15	0.360 CFS 81.00 AFY

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION in ADA County

T04N R01E S17 Lot 1 NENE 12.00 T04N R01E S17 Lot 1 SENE 6.00

STOCKWATER in ADA County

T04N R01E S17 Lot 1 NENE T04N R01E S17 Lot 1 SENE

COMMERCIAL in ADA County

T04N R01E S17 Lot 1 NENE T04N R01E S17 Lot 1 SENE

DOMESTIC in ADA County

T04N R01E S17 Lot 1 SENE

18 ACRES TOTAL

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

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 - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Stockwater use is for 400 cattle.

Commercial use is in a packing plant.



Idaho Department of Water Resources

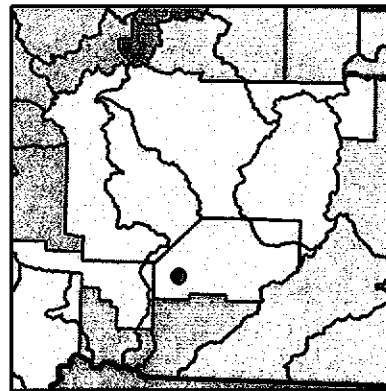
SRBA Recommendation:

63-2553

(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Ada County
IDWR Basin 63

Prepared by K. Walker
On Tuesday, March 20, 2007
1987/88 Aerial Photography



0 0.1 0.2 Miles

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

In Re SRBA

Case No. 39576

Subcase No. 63-2553

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

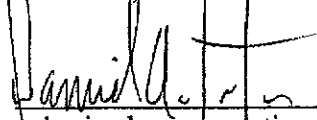
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

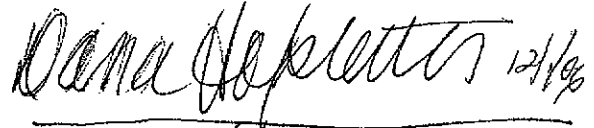
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)/OBJECTOR(s):

B.B. ONE, INC.


authorized representative
FOR DENNIS M. BAKER
mgr B.B. ONE

Dec 1, 2006
Date


Attorney for B.B. One

IDWR Concurrence:

Kimberly Brown 12-1-06
Kimberly Brown Date
Water Resource Agent

W. J. Spencer 12-1-06
For Susan Hamlin Nygard Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on 12-1, 2006, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

Hand-delivered

2. Copies to:

B.B. One, Inc.
250 S. Beechwood, Suite 120
Boise, ID 83709

Hand-delivered

IDWR Repository
P.O. Box 83720
Boise, ID 83720

Becky Hawley
Signature of person mailing the form

SF5
Right No. 63-2553

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

RIGHT NUMBER: 63-2553

NAME AND ADDRESS: B.B. ONE, INC
250 S BEECHWOOD STE 120
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.250 CFS
398.500 AFY

PRIORITY DATE: 07/17/1940

POINT OF DIVERSION:

T04N R01E S17 NENE Lot 1 Within ADA County
T04N R01E S17 SENE Lot 1 Within ADA County
T04N R01E S17 SENE Lot 1 Within ADA County
T04N R01E S17 SENE Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.760 CFS 391.90 AFY
STOCKWATER	01/01 12/31	0.090 CFS 5.40 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
<u>IRRIGATION</u>	<u>03/01 11/15</u>	<u>0.36 CFS</u> <u>81 AFY</u>

Domestic use is for 1 home.

PLACE OF USE:

STOCKWATER in ADA County

T04N R01E S17 Lot 1 NENE

T04N R01E S17 Lot 1 SENE

COMMERCIAL in ADA County

T04N R01E S17 Lot 1 NENE

T04N R01E S17 Lot 1 SENE

DOMESTIC in ADA County

T04N R01E S17 Lot 1 SENE

IRRIGATION in ADA County

T04N R01E S17 Lot 1 NENE 12.0

T04N R01E S17 Lot 1 SENE 6.0

18 ACRES TOTAL

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

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.

SF5
Right No. 63-2553

NBS
KUB
12/1/06
DAT
for AB. Omen
12/1/06

SF5
Right No. 63-2553

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
Commercial use is in a packing plant.
Stockwater use is for 400 cattle.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code

KLIS
NBS
TAT
for BB only
12/1/06

KLIS
12/1/06

SF5
Right No. 63-2553

RECEIVED

APR 24 2006

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case 39576

A. Subcase 63-2553

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: B. B. One Inc.

Address: 250 S. Beechwood, suite 120

Boise, ID 83709

Daytime Phone: (208) 375-6666

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: B.B One, Inc.

Address: 250 S. Beechwood, Ste 120

Boise, ID 83709

SCANNED
OCT 03 2006

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)):

1. ☐ **Name and Address**

Should be:

2. ☒ **Source**

Should be: Ground water

3. ☒ **Quantity**

Should be: 1.25 cfs

4. ☒ **Priority Date**

Should be: 7/17/1940

5. ☒ **Point of Diversion**

Should be: NENE and 3 in SENE Sec 17 T4N, R1E, Ada County

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☒ **Purpose(s) of Use**

Should be: Irrigation, stockwater, commercial, domestic

8. ☒ **Period of Year**

Should be: 1/01 to 12/31

9. ☒ **Place of Use**

Should be: NENE and SENE section 17, T4N, R1E

10. **I object because:**

☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

This water right was licensed with irrigation, commercial, stockwater, and domestic. The recommendation did not include irrigation. We believe it should.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Dennis M. Baker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Dennis M. Baker
Signature of person filing objection

Attorney signing in representative capacity

Subscribed and sworn to before me on: April 21, 2006



Ashley Merritt
Notary Public for Idaho
Residing at: Meridian
My Commission expires: 08/2010

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 21, 2006 I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: B B One Inc.
Address: 250 Beechwood Ste 120
Boise, ID 83709

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MCS 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

10/20/2005

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

RIGHT NUMBER: 63-2553

NAME AND ADDRESS: B.B. ONE, INC
250 S. BEECHWOOD, SUITE 120
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.250 CFS
398.500 AFY

PRIORITY DATE: 07/17/1940

POINT OF DIVERSION:

T04N R01E S17 NENE Lot 1 Within ADA County
T04N R01E S17 SENE Lot 1 Within ADA County
T04N R01E S17 SENE Lot 1 Within ADA County
T04N R01E S17 SENE Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.760 CFS 391.90 AFY
STOCKWATER	01/01 12/31	0.090 CFS 5.40 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

Domestic use is for 1 home.

PLACE OF USE: STOCKWATER Within ADA County

T04N R01E S17 Lot 1 NENE

T04N R01E S17 Lot 1 SENE

COMMERCIAL Within ADA County

T04N R01E S17 Lot 1 NENE

T04N R01E S17 Lot 1 SENE

DOMESTIC Within ADA County

T04N R01E S17 Lot 1 SENE

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

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 -

Commercial use is in a packing plant.

Stockwater use is for 400 cattle.

Idaho Department of Water Resources

T04N, R01E,
S17

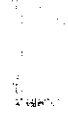
Claim No: 63-2553
Prepared By: Kimberly Brown
Date: October 20, 2005



Place of Use



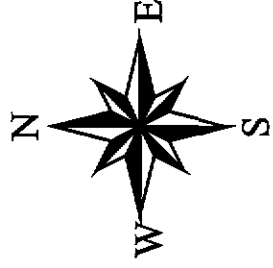
Section Lines



1/4 1/4



Point of Diversion



1987 NAPP

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-2553
Objection**

April 21, 2006

I received a message from Steve Hannula (#373-7983) regarding my recommendation for Claim No. 63-2553. I called the return number and was told that Mr. Hannula was not available, so I left a message on his voice mail. When Mr. Hannula returned my call at 2:13 p.m., he said, "I noticed that the recommendation has no irrigation. Was this an oversight?" In response, I briefly explained that the irrigation component was not recommended because, even though the 1939 aerial photo shows irrigation, the 1986 and especially the 1987 aerial do not show any irrigation. I also mentioned that neither do the 1994 and 1995 NAPP images show any irrigation. I also pointed out that B.B. One, Inc. obviously received the *Notice of Error* packet in the mail because I made sure that Dan Torfin fill out a *Change in Water Right Ownership* form in order to get the claim into the current owner's name with the correct address. However, I did not receive a *Notice of Error* return from B.B. One, Inc.

I also informed Mr. Hannula that I personally spoke with the previous owners, Loraine and Doren Ellis (the owners of the meat packing plant), regarding the plant's water use. They stated that the domestic use was for an apartment with a "very small yard." The Ellis' also said that the water was used for cooling units, refrigeration units, and tanks; for the wash down and clean-up of those units, for settling ponds for sewage treatment, and for 400 head of cattle; but they did not mention any water use for irrigation purposes.

Kimberly Brown
Senior Water Resource Agent
Western Region

FX-1940
License-1941

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2553

WATER RIGHT NUMBER: 63-2553

Owner Type

Current Owner

Name and Address

BOISE VALLEY PACKING CO INC
C/O DOREN ELLIS
BOX 67
EAGLE, ID 83616
(208)939-6411

Priority Date: 07/17/1940 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

Tributary

Plant no longer exists '93 bought property '96-97 began developing this area

Beneficial Use

IRRIGATION ✓

COMMERCIAL ✓

STOCKWATER ✓

DOMESTIC ✓

From To

3/01 to 11/15

1/01 to 12/31

1/01 to 12/31

1/01 to 12/31

Diversion Rate

0.360 CFS

0.760 CFS

0.090 CFS

0.040 CFS

Annual Volume

81.0 AF

391.9

5.4

1.2

Total Diversion:

1.250 CFS ✓

398.5 → 479.5 AFA

Location of Point(s) of Diversion

GROUND WATER

ADA County

L1 (NE1/4NE1/4) (1)

Sec. 17, Twp 04N, Rge 01E, B.M. ✓

GROUND WATER

ADA County

L1 (SE1/4NE1/4) (3)

Sec. 17, Twp 04N, Rge 01E, B.M.

L1 SENE

"

"

L1 SENE

"

"

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01E	17	12.0			6.0													18.0
			L1			L1													

Total Acres: 18

COMMERCIAL

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01E	17	X			X													
			L1			L1													

STOCKWATER

ADD 804 - Season of use is 3/1

ADD C05 - Poll. Acc. Trans.

ADD - Commercial use is for a packing plant & sewage treatment.

ADD X02 - Stockwater use is for 400 range cattle.

ADD X01 - Domestic use is for 1 home.

0.8988

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-2553

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01E	17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X			X													
			L1			L1													

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01E	17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
						X													
						L1													

Conditions of Approval:Remarks:

1. General THERE IS ALSO A SEWAGE TREATMENT PLANT ON THIS LOT. THE WATER FOR THE PLANT IS OVERFLOW AND IS USED IN CONJUNCTION WITH PLANT OPERATIONS. THERE ARE 4 ARTESIAN WELLS, 1 IS LOCATED IN THE NE1/4, NE1/4 AND THE OTHER 3 ARE LOCATED IN THE SE1/4, NE1/4 ALL IN SECTION 17.

Comments:

Well #1 - feed lot

#2 - _____ condensers & boiler _____

#3 - H₂O supply in plant, private homes, irr., fire pump

#4 - hog & beef lots.

(in office review)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$144.⁰⁰
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant N/A

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-2553Owner: Boise Valley Packing Co. Phone No. (208) 939-6411Current Address: Box 67, Eagle 83616

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER B. B. One, Inc.
- ☐ No change Address
- ☒ NEW ADDRESS 250 S. Beechwood, Ste. 120 Boise 83709
- ☐ How long owned property? _____

Accompanied by: N/A**PRIORITY DATE**

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

4 artesian wells

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
	L1		SE	NE	17	4N	1E		ADD to ECVR
	L1		SE	NE	17	4N	1E		

4 wells
(3 are in
SENE)

Description of diverting works

See Report of Engineer.

OVERLAP REVIEW

Other water rights with the same point of diversion: none

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

(see POB overlap review sheet)

WATER USES

- ☐ No change
- ☐ Different Uses

Use Commercial From _____ To _____ Amount _____ CFS 391.9 AFA the 1994
 Use Stockwater From _____ To _____ Amount _____ CFS 5.4 AFA # 1995
 Use Domestic From _____ To _____ Amount _____ CFS 1.2 AFA NAPP

Remove Irrigation use - the 1939 NAPP shows irrigation, but the 1986 (+ especially) 1987 NAPP do not show any irrigation. Neither do the 1994

POTENTIAL COMM. VOL. - $0.76 \text{ cfs} \times 1.9835 \times 260 \text{ days} = 391.9 \text{ af/annum}$

TOTAL VOLUME - Groundwater only

- ☒ Incomplete on claim, the total is, Amount _____ CFS 398.5 AFA
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

images, either.
(Field Exam was conducted in 1940 & license issued in 1941.)

NON-IRRIGATION USES:

- ☒ No change
- ☐ Changes Exam found: Domestic # of homes 1 Stock # 400
 Types _____ Additional comments: Commercial use is for a packing plant.

PLACE OF USE:

- ☐ No Change
- ☒ Changes shown below:

Govt. lot 1 is applicable to both the NENE & SENE, S19.

Place of Use			NE			NW				SW				SE				Totals
TWP	RGE	SEC	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	19	(L1)		(L1)													

Overlap with other water rights: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
(see POU overlap review sheet)

Delivery System Narrative: See Report of Engineer.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

~~Season of use is 3/1 to 11/15.~~

Commercial use is for a packing plant.

Stock water use is for 400 cattle.

Domestic use is for 1 home.

AFTER EXAM THE FILE SHOULD CONTAIN:

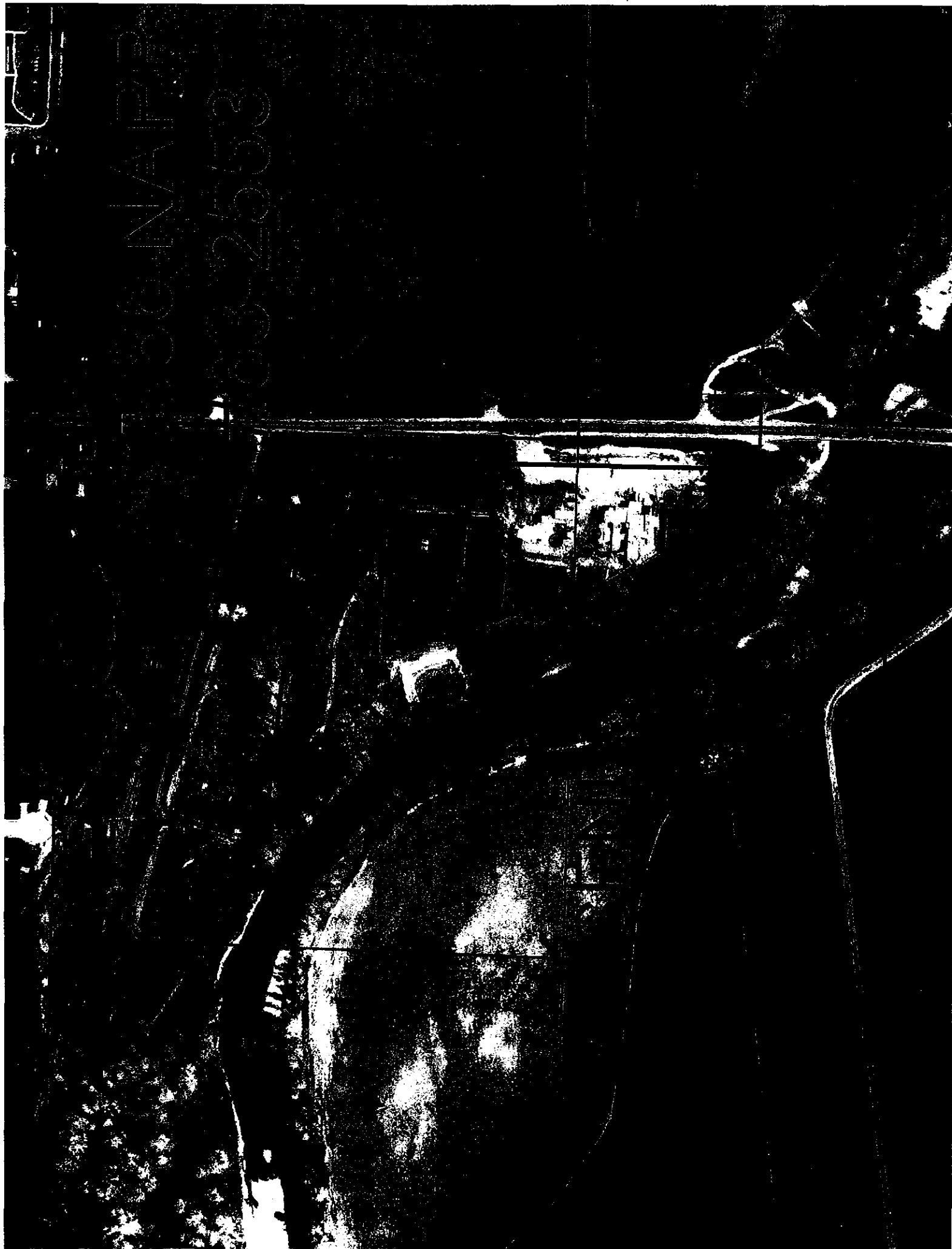
- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 10.18.05

(in office review)

FIELD EXAMINER: Kimberly Brown

30-NAF-
88-2553



overlap review -

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2553**

10/20/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-7008	Claim	04N	01E	17	NE	NE		GROUND WATER	SUSAN J CULLEN
63-9331	Claim	04N	01E	17	NE	NE		GROUND WATER	CITY OF EAGLE
~~63-2553~~	~~Claim~~	~~04N~~	~~01E~~	~~17~~	~~NE~~	~~NE~~	~~1~~	~~GROUND WATER~~	~~B.B. ONE, INC~~
63-194	Claim	04N	01E	17	SE	NE	1	BOISE RIVER SNAKE RIVER	B W INC
~~63-2553~~	~~Claim~~	~~04N~~	~~01E~~	~~17~~	~~SE~~	~~NE~~	~~1~~	~~GROUND WATER~~	~~B.B. ONE, INC~~
63-253	Claim	04N	01E	17	SE	NE	8	BOISE RIVER SNAKE RIVER	VERLAN A MACE
63-3055	Water Right	04N	01E	17	NE	NE	8	GROUND WATER	STILLWELL
63-7008	Water Right	04N	01E	17	NE	NE	8	GROUND WATER	
63-9331	Water Right	04N	01E	17	NE	NE	8	GROUND WATER	CITY OF EAGLE
~~63-2553~~	~~Water Right~~	~~04N~~	~~01E~~	~~17~~	~~NE~~	~~NE~~	~~1~~	~~GROUND WATER~~	~~BOISE VALLEY PACKING CO INC~~
63-12137	Water Right	04N	01E	17	NE	NE	1	UNNAMED DRAIN BOISE RIVER	STATE OF IDAHO
63-216A	Water Right	04N	01E	17	SE	NE	1	BOISE RIVER SNAKE RIVER	LEONARD C MACE
~~63-2553~~	~~Water Right~~	~~04N~~	~~01E~~	~~17~~	~~SE~~	~~NE~~	~~1~~	~~GROUND WATER~~	~~BOISE VALLEY PACKING CO INC~~

no overlap -
separate POBs.

overlap review

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2553

10/20/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
125K	Claim	04N	01E	17	NE	NE		IRRIGATION	9/2964	~~NEW DRY CREEK DITCH CO~~
126G	Claim	04N	01E	17	NE	NE		IRRIGATION	9/2964	~~NEW DRY CREEK DITCH CO~~
161L	Claim	04N	01E	17	NE	NE		IRRIGATION	9/2964	~~NEW DRY CREEK DITCH CO~~
-182	Claim	04N	01E	17	NE	NE		IRRIGATION	7/132	LEONARD C MACE
-205	Claim	04N	01E	17	NE	NE		IRRIGATION	9/2964	~~NEW DRY CREEK DITCH CO~~
-206	Claim	04N	01E	17	NE	NE		IRRIGATION	9/2964	~~NEW DRY CREEK DITCH CO~~
258B	Claim	04N	01E	17	NE	NE		IRRIGATION	9/2964	~~NEW DRY CREEK DITCH CO~~
-263	Claim	04N	01E	17	NE	NE		IRRIGATION	9/2964	~~NEW DRY CREEK DITCH CO~~
-286	Claim	04N	01E	17	NE	NE		IRRIGATION	9/2964	~~NEW DRY CREEK DITCH CO~~
288B	Claim	04N	01E	17	NE	NE		IRRIGATION	9/2964	~~NEW DRY CREEK DITCH CO~~
2406	Claim	04N	01E	17	NE	NE		IRRIGATION	35/29248	~~DRAINAGE DIST NO 2~~
2553	Claim	04N	01E	17	NE	NE		IRRIGATION	12/18	~~B.B. ONE, INC~~
7008	Claim	04N	01E	17	NE	NE		IRRIGATION	2/2	SUSAN J CULLEN
17468	Claim	04N	01E	17	NE	NE		IRRIGATION	9/2964	~~NEW DRY CREEK DITCH CO~~
28977	Claim	04N	01E	17	NE	NE		IRRIGATION	9/2964	~~NEW DRY CREEK DITCH CO~~
31778	Claim	04N	01E	17	NE	NE		IRRIGATION	9/14	~~NEW DRY CREEK DITCH CO~~
31806	Claim	04N	01E	17	NE	NE		IRRIGATION	9/2964	~~NEW DRY CREEK DITCH CO~~
-261	Water Right	04N	01E	17	NE	NE		IRRIGATION		C W MC CLERG
2406	Water Right	04N	01E	17	NE	NE		IRRIGATION	35/29248	~~DRAINAGE DIST NO 2~~
2553	Water Right	04N	01E	17	NE	NE		IRRIGATION	18/18	~~BOISE VALLEY PACKING CO INC~~
7008	Water Right	04N	01E	17	NE	NE		IRRIGATION	2/2	
2553	Claim	04N	01E	17	NE	NE		STOCKWATER		~~B.B. ONE, INC~~
8124	Claim	04N	01E	17	NE	NE		DOMESTIC		EAGLE WEST SUBDIVISION
3055	Water Right	04N	01E	17	NE	NE		DOMESTIC		STILLWELL
12137	Water Right	04N	01E	17	NE	NE	1	WILDLIFE STORAGE		~~STATE OF IDAHO~~
2576	Claim	04N	01E	17	NE	NE	1	MUNICIPAL		~~UNITED WATER IDAHO INC~~
2605	Claim	04N	01E	17	NE	NE	1	MUNICIPAL		~~UNITED WATER IDAHO INC~~
2874	Claim	04N	01E	17	NE	NE	1	MUNICIPAL		~~UNITED WATER IDAHO INC~~

no overlap -
separate POUs.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2553

10/20/2005

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2954	Claim	04N	01E	17	NE	NE	1	MUNICIPAL		~~UNITED WATER IDAHO INC~~
2956	Claim	04N	01E	17	NE	NE	1	MUNICIPAL		~~UNITED WATER IDAHO INC~~
2989	Claim	04N	01E	17	NE	NE	1	MUNICIPAL		~~UNITED WATER IDAHO INC~~
3164	Claim	04N	01E	17	NE	NE	1	MUNICIPAL		~~UNITED WATER IDAHO INC~~
7067	Claim	04N	01E	17	NE	NE	1	MUNICIPAL		~~UNITED WATER IDAHO INC~~
7577	Claim	04N	01E	17	NE	NE	1	MUNICIPAL		~~UNITED WATER IDAHO INC~~
7998	Claim	04N	01E	17	NE	NE	1	MUNICIPAL		~~UNITED WATER IDAHO INC~~
19456	Claim	04N	01E	17	NE	NE	1	MUNICIPAL		~~UNITED WATER IDAHO INC~~
8124	Water Right	04N	01E	17	NE	NE	1	DOMESTIC		~~VAN HESS BUILDERS INC~~
-182	Claim	04N	01E	17	SE	NE		IRRIGATION	15/132	LEONARD C MACE
-194	Claim	04N	01E	17	SE	NE		IRRIGATION	16/238	B W INC
2553	Claim	04N	01E	17	SE	NE		IRRIGATION	6/18	~~B.B. ONE, INC~~
2553	Claim	04N	01E	17	SE	NE		STOCKWATER		~~B.B. ONE, INC~~
2553	Claim	04N	01E	17	SE	NE		COMMERCIAL		~~B.B. ONE, INC~~
2553	Claim	04N	01E	17	SE	NE		DOMESTIC		~~B.B. ONE, INC~~

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-2553
Commercial Use Volume**

Two of the Proof of Application of Water to Beneficial Use in the file imply that commercial use included "gravity flow through ice machine condensers, boiler use, and water supply in plant" (see Question #7).

September 29, 2004

I called Dan Torfin (#375-6666)(cell #941-7702) in order to track down the current owner. Mr. Torfin said that B.B. One (owned by Dennis Baker) is the current owner of this property (Mailing Address: 250 S. Beechwood, Suite 120, Boise, 83709). Mr. Torfin said that Dennis Baker bought the property in 1993-94 and began developing it in 1996-97. Mr. Torfin also informed me that one well has been capped, but that two of the other wells are still being used (of which the "Lions well" is one of those).

October 1, 2004

In an attempt to calculate the commercial use volume, I sent a Commercial Use Volume questionnaire to Dan Torfin of B.B. One.

December 8, 2004

Since I have not received anything from B.B. One, I called Dan Torfin (#375-6666). He said that he gave the information I sent on 10/1/04 to Dave Cells, who works in their office, but they "have been too busy." Mr. Torfin said that he would get everything to me over the next week; possibly within two weeks (by Dec. 22nd at the latest).

Feb. 16, 2005 - I received Change in Ownership, but not the Commercial Use Volume Questionnaire from B.B. One.
February 17, 2005

Since I have not received and information on commercial use of the meat packing plant from B.B. One, I called the previous owners, Loraine and Doren Ellis (listed in the phone book as #939-0457). Loraine Ellis, who spoke to me on the phone but often conveyed my questions to Doren who was sitting in the same room, said that the plant closed in 1989.

They verified that 4 artesian wells were being used – a 6", 8" (both used outside of plant), 12", and a 16". The Ellis' also stated that:

- Domestic use was for an apartment with "a very small yard."
- The plant used all water through cooling units, refrigeration units, and tanks; and then the overflow went into stock tanks in the feed yard.
- Water was also used for the wash down and clean-up of the units.
- They had two settling ponds (1 small & 1 big) for sewage treatment.
- They were unsure of the number of cattle in 1987. When I stated that 400 head of cattle were what they claimed, they said that was "O.K."
- The plant did not operate on the weekends.
- They were unsure of how many hours per day the facility was open.

When I asked if they had an estimate of how many gallons/day they used in 1987, they replied that they "had no idea of how many gallons per day they used since they were artesian (wells)."

Mrs. Ellis also informed me that the Eagle Lion's Park was "on the other side of the slough" and was not included in the 18 acres.

Kimberly Brown
Senior Water Resource Agent
Western Region

Receipt Details for ID W004412

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/14/1989 2:26:43 PM	8/14/1989	Western	\$144.00	Check
Payer		ELLIS, DOREN		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
26753			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$144.00	ADJUDICATION FEE	410162	9337	00		6490

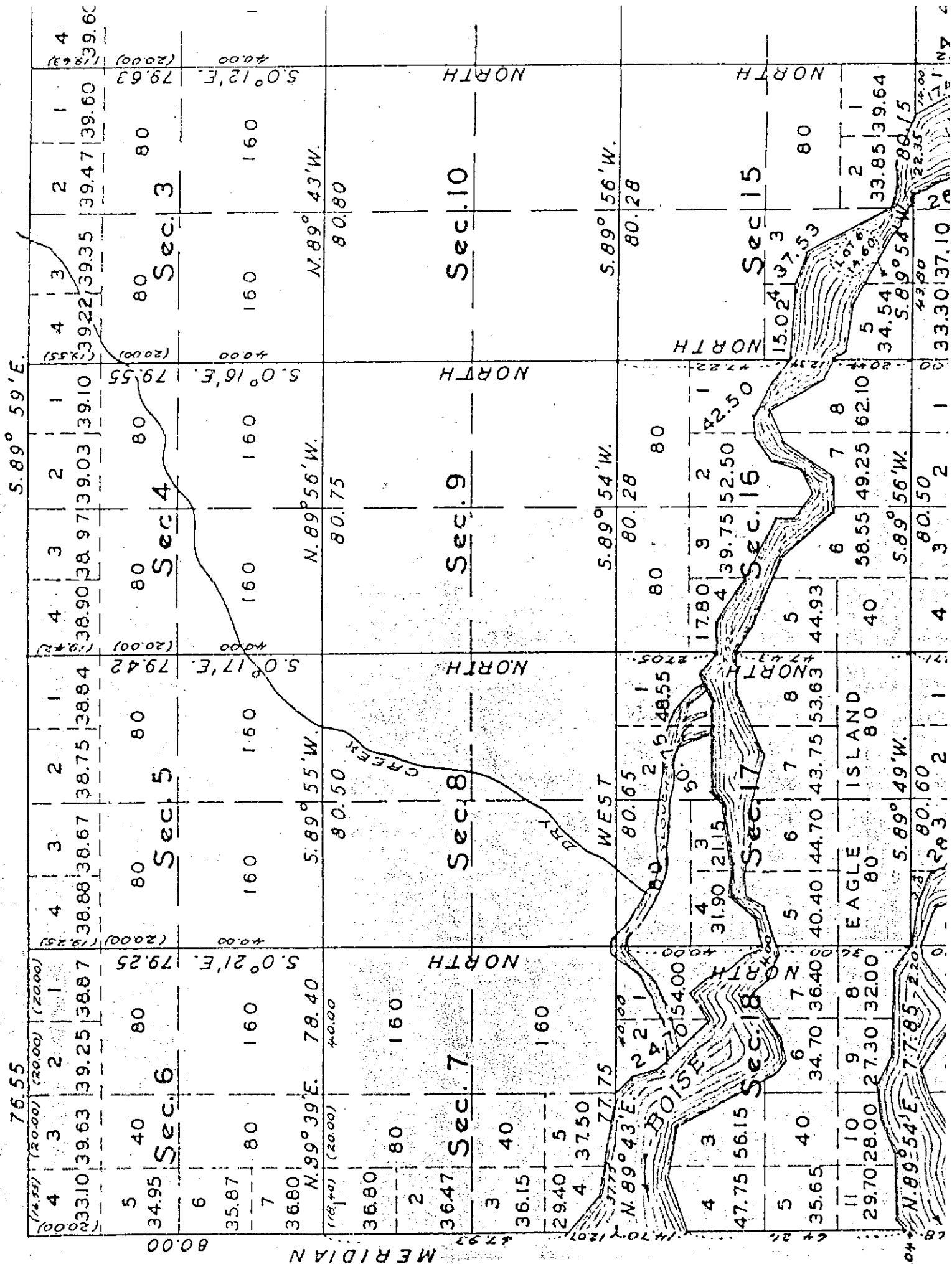
Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	2553		\$144.00	Claim

[Print Report](#)



for packing plant &
sewage treatment

(*) This information obtained from
Lorraine & Doren Ellis

2.17.05

@ #939-0457

COMMERCIAL USE VOLUME

* Please keep in mind that these questions pertain only to the use of the water listed on
the enclosed **Adjudication Claim Report**. #63-2553

(*) plant
closed
in 1989

Type of Establishment: (example - camp, church, country club, bar/lounge,
boardinghouse, factory, motel, highway rest area, hospital, laundry, office, park,
restaurant, school, service station, theater)

Boise Valley Packing Company - which
operated until 1989.

for wash down of units, clean up

Type of Facilities: (example: kitchen facility/cafeteria, lavatory facilities, shower(s),
bath(s), sink(s), trailers, flush toilets)

used all water through cooling units,
tanks, and refrigeration units

* then overflow fed into stock tanks in feed yard

(+) had 2 settling ponds (1 small 1 big) for sewage treatment

Number of Fixtures: (example: number of flush toilets, number of bathtubs, number of
bathroom/kitchen sinks, number of showers, etc.)

How many employees (and/or public individuals) per day use each of the facilities
your commercial use is based upon?

N/A

?

400 range cattle

How many hours per day is the facility open for this specific use? Ellis' didn't remember

How many days per week is the facility open for this use?

5 - Plant not open on weekends.

- didn't operate on weekends

lion's
Pond
was
on other
side of
slough.
(not 18 acres)

Is this facility open year round? ___ Yes ☒ No

If not, please indicate the length of time the facility is open during the year.

Plant was not open on weekends.

** Most businesses have a good idea of how many gallons of water per day they use. If this is true in your case, please indicate how many **total gallons of water you use** for the commercial purposes explained above:

Doren Ellis has no idea how many gallons/day they used, since they were artesian.

Additional information you feel may be pertinent:

Agent Kimberly Brown speaking
Your name with Doren & Lorraine
Ellis on the telephone -
2.17.05.

Business telephone number

Home phone # 939-0457

Please return to:

ATTN: Kimberly Brown
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082



IDAHO SECRETARY OF STATE Search Results

Ben Ysursa, Secretary of State

Search Result Summary

[[New Search](#)]

Search Results 1 through 1

(BOISE VALLEY PACKING COMPANY, INC. ... BOISE VALLEY PACKING COMPANY, INC.)

BOISE VALLEY PACKING COMPANY, INC. [\[View Details\]](#)

Organizational ID / Filing number: C25175

P. O. BOX 67

EAGLE, ID 83616

Filed 30 Aug 1950

CORPORATION

ADMIN DISSOLVED

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]

BOISE VALLEY PACKING COMPANY, INC.

P. O. BOX 67
EAGLE, ID 83616

Type of Business: CORPORATION, GENERAL BUSINESS

Status: ADMIN DISSOLVED, ADMIN DISSLV 06 Feb 1998

State of Origin: IDAHO

Date of 30 Aug 1950

Origination/Authorization:

Current Registered Agent: DAVID B. ELLIS
EAGLE RD, 1/4 MI. S. OF STATE
EAGLE, ID 83616

Organizational ID / Filing Number: C25175

Number of Authorized Stock 1 Shares:

Date of Last Annual Report: 08 Oct 1996

Amendments:

Amendment filed 30 Aug 1950 INCORPORATION

Annual Reports:

Report for year 1996 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1995 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1994 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1993 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1992 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1991 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1990 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1989 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1988 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1987 ANNUAL REPORT

[View Document Online](#)

No. 025175	Idaho Corporation Annual Report Form		2. Registered Agent and Office		
Return To Secretary of State Room 203, Statehouse Boise, ID 83720 RECEIVED SEC. OF STATE 89 OCT 31 AM 11 23	Due No Later Than November 1, 1988		DAVID B. ELLIS EAGLE RD, 1/4 MI. S. EAGLE, ID 83616		
	1. Mailing Address -- Please Correct 025175				
	BOISE VALLEY PACKING COMPANY, INC. DOREN ELLIS P. O. BOX 67 EAGLE, IDAHO 83616		3. Incorporated Under The Laws of STATE OF IDAHO		
4. Names and Addresses of Officers and Directors					
	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
President:	David B. Ellis	P.O. Box 247	Eagle	Id	8361
Secretary:	Lorraine Ellis	Rt. #3	Eagle	Id	8361
Directors:	Doren E. Ellis V.P.	Rt. #3	Eagle	Id	8361
	Joyce P. Ellis	5901 Ellen Ferry Way #103	Boise	Id	8371
5. Nature of Business		6. I certify that this Annual Report has been examined by me and is to the best of my knowledge true, correct and complete.			
		Signature <i>Lorraine Ellis</i> Name (Typed or Printed) Lorraine Ellis	Date 10-28-88 Title Secretary		

No. C 25175		Annual Report Form Due No Later Than November 30, 1995		2. Registered Agent and Office NOT A P.O. BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FEE REQUIRED		1. Mailing Address: Please Correct if Not Correct BOISE VALLEY PACKING COMPANY DOREY ELLIS P. O. BOX 67		DAVID B. ELLIS EAGLE RD, 1/4 MI. S. OF EAGLE ID 83616	
* FIRST NOTICE *		EAGLE ID 83616		3. Organized Under the Laws of: ID C 25175	
4. Corporations: Enter Names and Addresses of President, Secretary and Directors Limited Liability Companies: Enter Names and Addresses of ☐ Managers or ☐ Members (check one)					
Office held	Name	Street or P.O. Address	City	State	Zip
President/Mr.	David B. Ellis	1380 W. Quah Rd	Eagle	Id.	83616
Secretary/Mrs.	Lorraine Ellis	2765 W. Floating Feather	Eagle	Id.	83616
Director/Vice Pres	Dorey E. Ellis	2765 W. Floating Feather	Eagle	Id.	83616
5. NATURE OF BUSINESS MEAT PACKING CO		6. I certify that this Annual Report has been examined by me and is to the best of my knowledge true, correct and complete. Signature <u>Lorraine Ellis</u> Date <u>10-1-96</u> Name (Typed or Printed) <u>LORRAINE ELLIS</u> Title <u>Secy.</u>			
ISSUED: 07-06-1995		12761			



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 23, 2005

B.B. One, Inc.
250 S. Beechwood, Suite 120
Boise, ID 83709

Re: Notice of Claim to a Water Right No. 63-2553

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon". The signature is fluid and extends to the right.

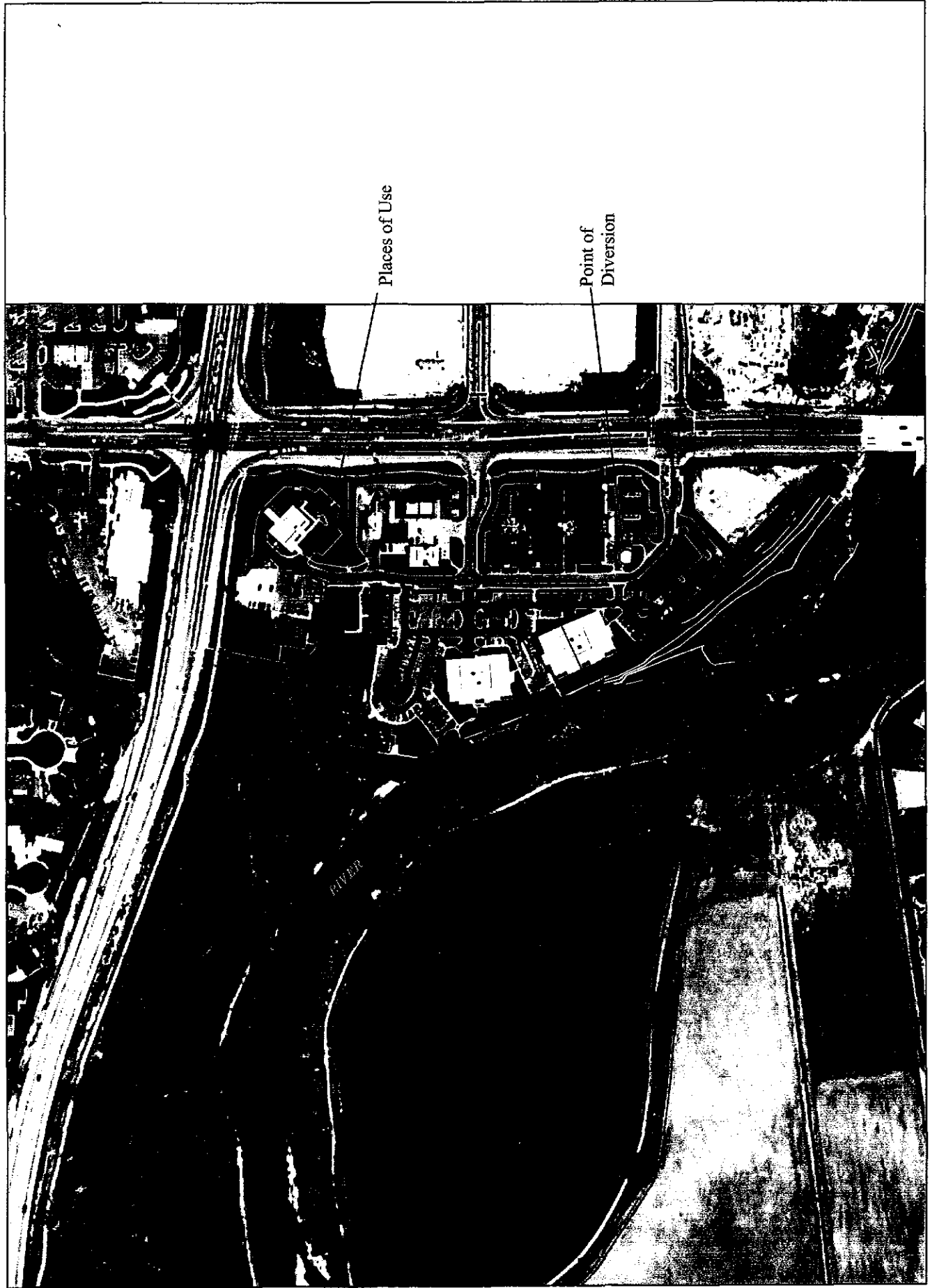
Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

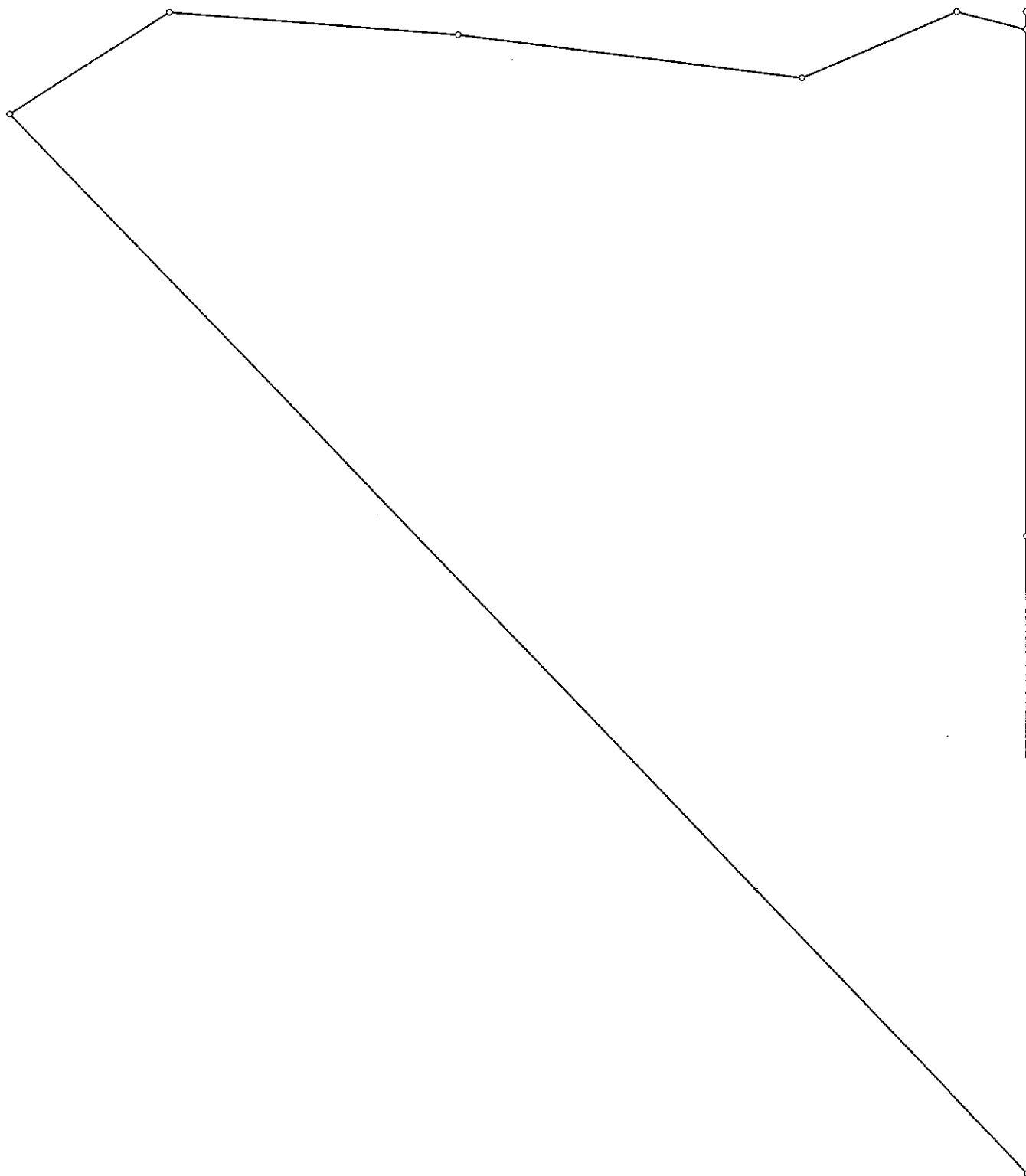
Enclosure



* DEPICTS 18 AC POU C



Water Right Number 63-2553, Current (2003 Photo) Place of Use and Point of Diversion, B.B. One, Inc.



Title:		Date: 02-23-2005
Scale: 1 inch = 167 feet	File: 63-02553.des	

Data and Deed Call Listing of File: 63-02553.des

Tract 1: 9.2884 Hectares: 92884.2 Sq M.: Closure = s00.0352e 181.72 M.: Precision =1/ 8: Perimeter = 1458 M.

001=N+1390577.15M E+2310289.27M

002=ROTATE +0.0000

003=~~N~~0.0500W 576.18 *s 0.6500 E 576.18*

004=N75.5000W 82.50

005=S67.0000W 191.40

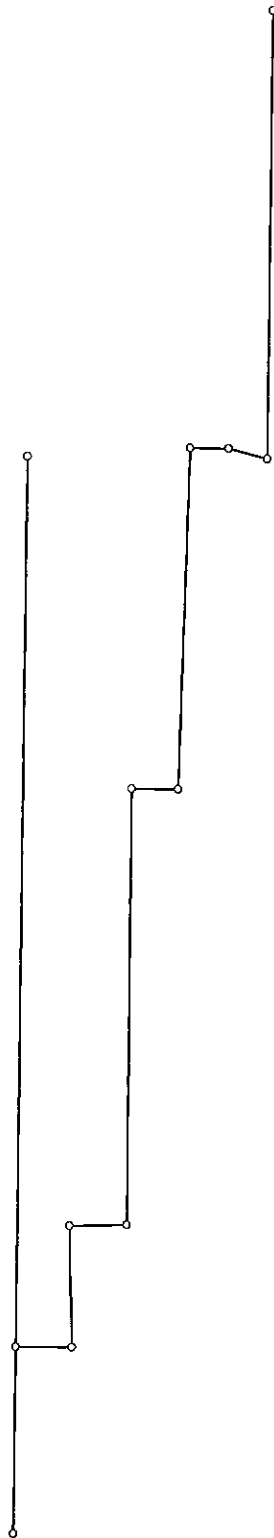
006=N82.4500W 396.00

007=N85.3000W 330.00

008=S57.1500W 214.50

009=S43.5500E 1673.10

010=N0.0500W 1320.00



Title:		Date: 08-23-2005
Scale: 1 inch = 247 feet	File: BOISE VAL PACK.des	

Data and Deed Call Listing of File: BOISE VAL PACK.des

Tract 1: 0.3595 Hectares: 3595.4 Sq M.: Closure = n29.1853e 199.70 M.: Precision =1/ 6: Perimeter = 1117 M.

001=N+1390577.15M E2310289.27M

002=ROTATE +0.0000

003=S00.5838W 576.18

004=N74.4622W 51.59

005=N89.0122W 50.00

006=S02.1655W 439.27

007=N89.0122W 60.0

008=S00.5838W 560.57

009=S89.1513W 74.24

010=S00.5117E 156.15

011=N89.0935W 71.78

012=S00.5838W 240.00

013=N00.5838E 1385.00

Ada County Recorder
200 W. Front Street
Boise, ID 83702
208/287-6840
FAX 208/287-6849

Fax

To: Liberty From: Kathie
Fax: 334-2348 Pages: 5
Phone: _____ Date: 23 Feb 05
Re: # 7959338 CC: _____

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

SEP 28 1979
7352038
ROBERT L. TRABERT
Chief Legal Counsel
PATRICK FANNING
Attorney
Idaho Transportation Department
P.O. Box 7129
Boise, Idaho 83707
Telephone: (208) 384-2560

NO. _____
P. 30 FIELD

479 1217 OCT. 2 1979

JOHN EASTMAN, CLERK
DEPUTY
John Eastman

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

THE STATE OF IDAHO, ex rel
CARL C. MOORE, LLOYD F.
BARRON and ROY L. STROSCHEIN,
IDAHO TRANSPORTATION BOARD,

Case No. 61764

Plaintiff,

SECOND JUDGMENT
AND DECREE OF CONDEMNATION

-vs-

BOISE VALLEY PACKING COMPANY,
an Idaho corporation,

Defendant.

THIS COURT on the 14th day of February, entered a judgment
adjudging that the defendant have and recover from the State of
Idaho the sum of \$48,108.50, and the Plaintiff having fully
satisfied said judgment;

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the use to which the property condemned herein
and hereinafter described, will be put, to-wit, a public highway,
is a public use and authorized by law.

2. That the taking of the property and property rights
condemned herein, and hereinafter described, is necessary to
and for the construction of that certain public highway known
as State Highway 69, Project No. HS-3790(1).

3. That the hereinafter described property and property
rights be, and the same are condemned and taken by and for the
use of the State of Idaho.

4. That the property condemned and taken herein is situate
in Ada County, State of Idaho, and is more particularly described
as follows:

See Exhibit "A" attached hereto and made a part hereof.

479 1216

5. That the fee simple estate to the easements described Parcel No. 8 be, and the same is vested in the State of Idaho.

6. That a permanent easement to Parcel 8-1-1 be, and the same is vested in the State of Idaho for the uses and purposes set forth in Plaintiff's Complaint.

7. That the easement designated as Parcel No. 8-1-2 be, and the same is vested in the State of Idaho on a temporary basis.

8. That such rights of access, if any there be, to the said Highway Project No. RS-3790(4) from the remaining property of the Defendant be extinguished and prohibited except for a 40 foot unrestricted approach on the left (westerly) side of Highway Station 252+50.

Dated this 18 day of October, 1979.

J. J. [Signature]
District Judge

STATE OF IDAHO
COUNTY OF ADA
SS
JOHN BASTIDA, CLERK OF THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THIS 22 DAY OF OCTOBER, 1979.
JOHN BASTIDA, Clerk of the District Court
BY *[Signature]* DEPUTY.

STATE OF IDAHO, COUNTY OF ADA, ss.
Filed for record at the request of Idaho Transportation Dept
50 Min. recd 9 o'clock A. M. this 29 day of OCT., 1979.
JOHN BASTIDA, Recorder
By *[Signature]* Deputy
170 fee. 2 attached pages.

Parcel No. 8

Land situated in Ada County.

A parcel of land being on the westerly side of the centerline of State Highway No. 69 Project No. RS-3790(1) Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, Division of Highways, and being a portion of Government Lot 1 of Section 17, Township 4 North, Range 1 East, Boise Meridian and the riparian land adjacent thereto, described as follows, to-wit:

Commencing at the Northeast corner of Section 17, Township 4 North, Range 1 East, Boise Meridian;

thence South $0^{\circ}58'38''$ West (shown of record to be South $0^{\circ}05'$ East) along the East line of said Section 17 a distance of 576.18 feet to the Northeast corner of the tract of land as described in that certain Warranty Deed dated September 7, 1950 recorded September 29, 1950 as Instrument No. 308456 records of Ada County, Idaho and being the REAL PLACE OF BEGINNING;

thence North $74^{\circ}46'22''$ West (shown of record to be North $75^{\circ}50'$ West) along the Northeastly line of said tract of land 51.59 feet to a point that bears North $89^{\circ}01'22''$ West 50.0 feet from Station 250+54.11 of said State Highway No. 69, Project No. RS-3790(1) Highway Survey;

thence South $2^{\circ}16'55''$ West 439.27 feet to a point that bears North $89^{\circ}01'22''$ West 60.0 feet from Station 254+15.50 Back equals Station 254+15.07 Ahead of said Highway Survey;

thence South $0^{\circ}58'38''$ West 560.57 feet to a point that bears South $89^{\circ}15'13''$ West 74.24 feet from Station 248+57.46 of said Highway Survey;

thence South $0^{\circ}51'17''$ East 156.15 feet to a point that bears North $89^{\circ}09'35''$ West 71.78 feet from Station 246+98.79 of said Highway Survey;

thence South $0^{\circ}58'38''$ West 240.0 feet more or less, to a point in the Northerly Natural High Water line of the North Channel of the Boise River;

thence Easterly along said High Water line 55.0 feet more or less, to a point in the East line of said Section 17;

thence North $0^{\circ}58'38''$ East (shown of record to be North $0^{\circ}05'$ West) along said East line 1,385.0 feet, more or less, to the REAL PLACE OF BEGINNING.

Together with any water or water rights appurtenant to the hereinabove described land.

Highway Station Reference: 244+55 to 259+41.41.

The area above described contains approximately 1.76 acres, 1.0 acres of which is acknowledged to be a portion of a public road.

See attached

1986 NAPP &

Shape 8/24/05

2,310,289.27 →
1,390,577.15 ↑

473 1220

The bearings as shown in the above land description, unless otherwise noted, are from the Idaho Plane Coordinate System. Based on the transverse meridian projection for the West Zone of Idaho. To convert to geodetic bearings, a correction of 0° 24' 59" must be subtracted from all Northeast and Southwest bearings and added to all Northwest and Southeast bearings.

Parcel No. 8-E-1

A permanent easement to go upon, occupy and use a strip of land 20.0 feet wide in a portion of Government Lot 1 of Section 17, Township 4 North, Range 1 East, Boise Meridian, adjacent and contiguous to and on the Westerly side of the above described parcel of land (Parcel No. 8) lying between Station 254+15.50 Back equals Station 254+15.07 Ahead and the Existing Eagle Drain Ditch at approximate Station 258+25 of said Highway Survey and containing approximately 0.18 acres for the purpose of constructing and thereafter maintaining thereon a drainage ditch together with the right and privilege of ingress and egress to and from said property for said purpose.

Parcel No. 8-E-2

A temporary easement to go upon, occupy and use a strip of land in a portion of Government Lot 1 of Section 17, Township 4 North, Range 1 East, Boise Meridian, adjacent and contiguous to and on the Westerly side of the above described parcel of land (Parcel No. 8) being 120.0 feet wide between Station 250+25 and 251+05 of said Highway Survey, 80.0 feet wide between Stations 251+05 and 252+90 of said Highway Survey and 20.0 feet wide between 252+90 and 254+15.40 Back equals Station 254+15.07 Ahead of said Highway Survey and containing approximately 0.62 acres for the purpose of constructing thereon an approach and drain ditch together with the right and privilege of ingress and egress to and from said property for said purpose.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 17, 2005

DOREN & LORRAINE ELLIS
2765 FLOATING FEATHER RD
EAGLE ID 83616

RE: Commercial use for Snake River Basin Adjudication Claim No. 63-02553

Dear Mrs. and Mr. Ellis,

The Idaho Department of Water Resources is currently reviewing the claim to a water right you filed during claims taking in the Snake River Basin Adjudication (SRBA). During the initial review of this claim, we found that you claimed a commercial use that requires a volume amount be included in our recommendation to the SRBA Court (please refer to the enclosed copy of your adjudication claim report: under Annual Volume). In order for us to calculate your annual volume, it is necessary that we ask for additional information not gathered when you, or the original claimant, filed this water right.

Please refer to the Commercial Use Volume sheet (enclosed), answer the appropriate questions as specifically as possible, and return it to this office by February 28, 2005 so that we are able to calculate the annual volume associated with your water right; as required by the SRBA Court.

Please feel free to contact me at 334-2190 if you have any questions.

Respectfully submitted,

Kimberly Brown
Water Resource Agent

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 1, 2004

B.B. ONE
ATTN: DAN TORFIN
250 S BEECHWOOD, SUITE 120
BOISE, ID 83709

RE: Notice of Change in Address Form for Snake River Basin Adjudication (SRBA)
claims A63-7008 & A63-2553

Dear Mr. Torfin,

Please complete the enclosed *Change in Water Right Ownership* forms and return them to this office addressed to my **attention, Kimberly Brown**. I have attached a 1987 and a 2000 aerial photograph to each form and ask that you draw the places of use and the point(s) of diversion on each. Since I am required to recommend the use of the water in 1987 (when the adjudication began), it would be extremely helpful to know what was being used at that time.

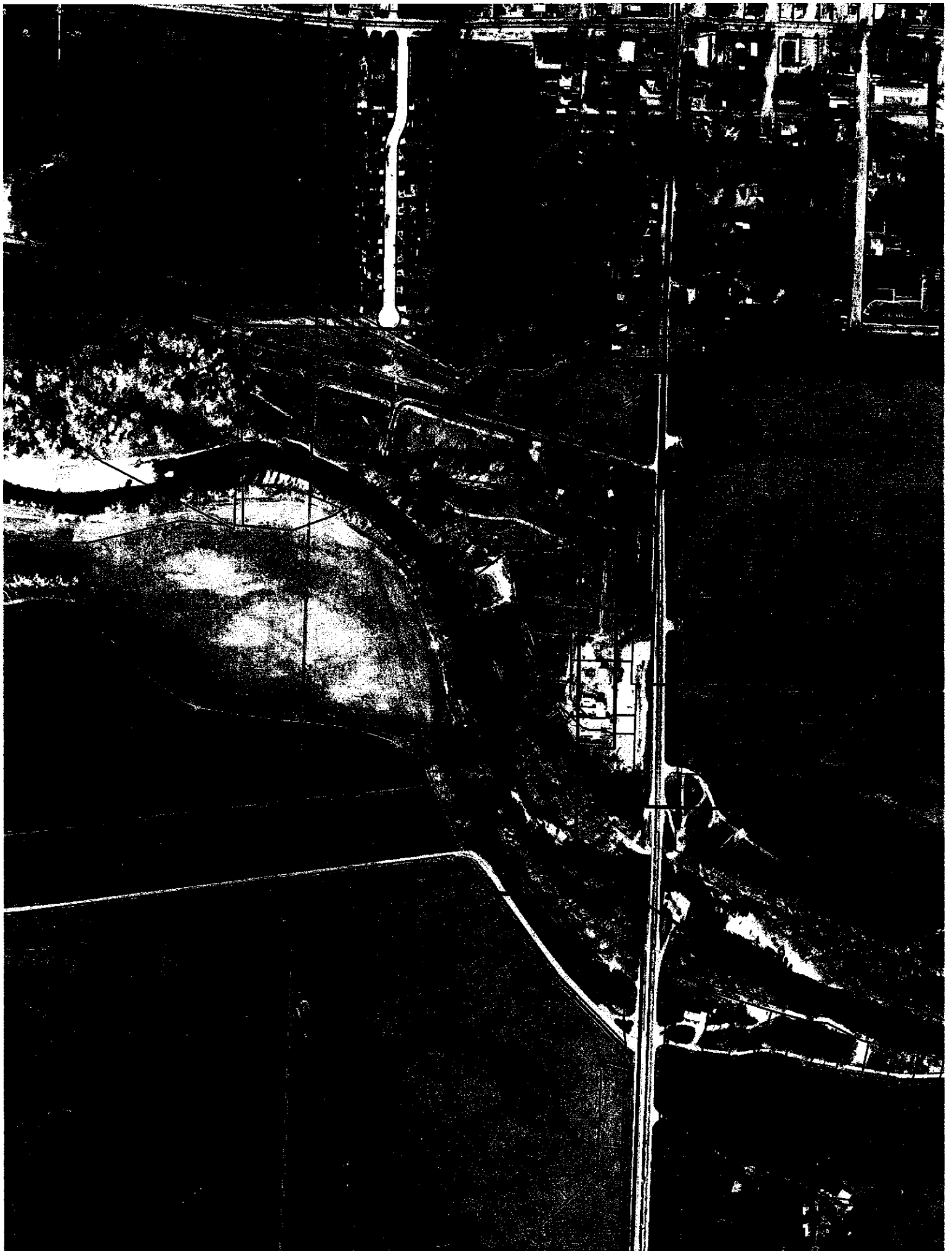
Please feel free to contact me at 334-2190 if you have any questions.

Respectfully submitted,

Kimberly Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

*I also sent a
Commercial Use Volume
questionnaire. -KB*



1986 NAPP

NENE

1987 NAPP

RIVER

Point
Diver

NO. 7008-7008

Water Right Number 63-2553, Estimated 1987 Places of Use and Points of Diversion, B.B. One, Inc.

I will abandoned near the southern yellow

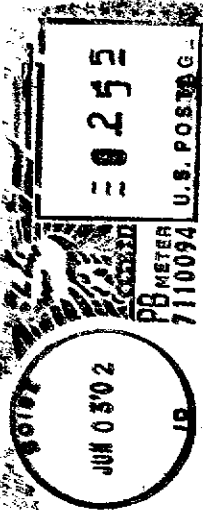
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

63-2553

2765 W. Floating Feather Rd.
Eagle 83616

Sent Again 6-14-02



RESORTED
FIRST CLASS
RETURNED TO SENDER
UNDELIVERABLE AS ADDRESSED
NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES
BOISE VALLEY PACKING CO
C/O DOREN ELLIS
BOX 67
EAGLE ID

RECEIVED
JUN 07 2002
WATER RESOURCES
WESTERN REGION

Handwritten signature or initials.

License and Certificate of Water Right

Water District No. _____

Priority... July 17, 1949

THIS IS TO CERTIFY that **BOISE VALLEY PACKING COMPANY,**
of **Eagle, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **July 17, 1940**, 19 **40**; that Permit No. **18016**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.25 second feet, was issued thereunder on **August 6, 1940**, 19 **40**, showing that said works
were completed on the **3rd** day of **August**, 19 **40**; and that on the **14th**
day of **September**, 19 **40**.

BOISE VALLEY PACKING COMPANY

of Eagle, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Subterranean, a tributary of, for the purposes of irrigation, domestic, stock watering, and plant operation, under Use Permit No. 19016 of the Commissioner of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 4049, on the 8th day of February, 1941;

The right hereby confirmed dates from July 17, 1940. , 19

The Point of Diversion is located in Lot 1 of Section 17, Twp. 4 N., Rge. 1 E., B. M.
in the $\frac{1}{4}$ $\frac{1}{4}$, Sec. , Tp. , R. , B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.25 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N	1 E	17	NE $\frac{1}{4}$ NE $\frac{1}{4}$	16.00	18.00

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 8th day of February, 1941.

Commissioner of Reclamation

68 2554

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19016

This proof is for

In Water District No.

1. Name of applicant Boise Valley Packing Company, Eagle, Idaho

2. Source of water supply: Four (4) artesian wells

3. Location of point of diversion: Is in the Lot 1 of Section 17

T. 4 N. R. 1 E. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: Drilled wells numbered 1, 2, 3, & 4; Wells 1 and 2 are combined, No 1 is of 4" diameter & 180 feet deep, cased full depth; Well #2 is an extension of #1 to a depth of 315 ft. and cased its full depth with 8" pipe inside the 4" casing. Well #3 is 300 ft. deep, cased its entire depth with 8 and 6 inch pipe. Well #4 is of 2" diameter and cased to its total depth with 2" casing.

5. Water is used for: Irrigation, domestic, stock watering and plant operation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

18 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, Twp. 4 N., Range 1 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Unknown

Remarks

This examination was made on the 27th day of September, 1910

(Signed)

Edw. J. Dolman

STATE OF IDAHO

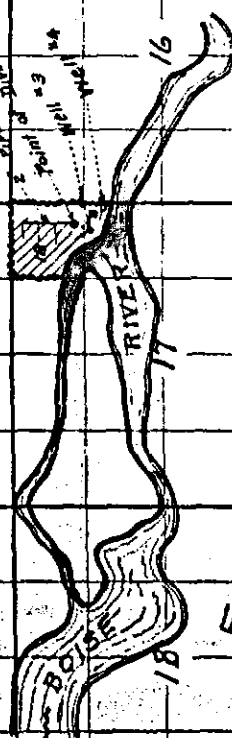
DEPARTMENT OF RECLAMATION

BOISE

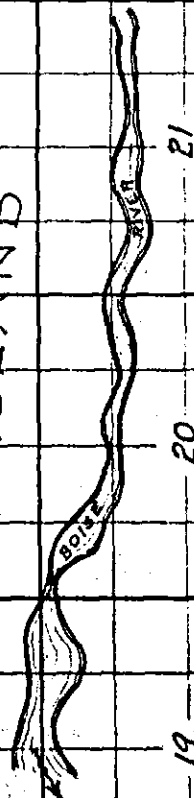
REPORT OF ENGINEER

2nd class water conservator

1911



EAGLE ISLAND



00000000

○

100

2102

2 point = 3 = 4
diversion
well

A hand-drawn map on a grid showing the Boise River and its confluence with the Snake River. The Boise River is labeled 'BOISE RIVER' and the Snake River is labeled 'SNAKE RIVER'. The confluence is marked with a large 'X'. A shaded area on the left is labeled 'Point of view' and 'Well'. The map is numbered 16, 17, and 18.

W A ① E L E I S L A Z D

19

20

12

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19016

Proof of Application of Water to Beneficial Use
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Alta DeCrambeau, 32 years, Bookkeeper, Eagle, Idaho.

Boise Valley Packing Co.

Ques. 2. Are you acquainted with E. A. Edwards, the holder of Permit No. 19016? How long have you known him and where does he reside?

Ans. 6 years. Eagle, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19016, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Subterranean
Ans. 4 artesian wells, ditches and pipe line.

Place of diversion is Lot 1 of Sec. 17, T 4 N1, R 1 E.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 1.25 cu. ft. 1 sec.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each sub-division.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Irrigation, domestic, stock watering, fire protection and plant operation. At Lot 1 of Sec. 17, T 4 N., R 1 E. 18 acres cultivated land.

RECEIVED

SEP 16 1940

Department of Reclamation

19016

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19016

Proof of Application of Water to Beneficial Use
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. W. B. Petersen, 2510 Madison Street, Boise, Idaho.

37 years old, Salesman.

Ques. 2. Are you acquainted with Boise Valley Packing Co.

Ans. F. A. Edwards, the holder of Permit No. 19016. How long have you known him and where does he reside?

Ans. 20 years and he resides at Eagle, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19016, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Subterranean 4 artesian wells, ditches and pipe line.

Place of diversion is Lot 1 of Sec. 17, T 4 N1, R 1 E.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 1.25 cu. ft. 1 sec.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Irrigation, domestic, stock watering, fire protection and plant operation. At Lot 1 of Sec. 17, T 4 N., R 1 E. 18 acres cultivated land.

RECEIVED

SEP 18 1940

Department of Reclamation

19016

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. Feed lot use. Gravity flow through ice machine condensers, boiler use, water supply in plant, domestic use and fire pump. 0.36 cu. ft. 1 Sec. used for irrigation with the balance used for above purposes.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. 0.36 cu. ft. 1 Sec. 18 acres cultivated land.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. none.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Last five years consistently to full extent.

(Signed)

W. Petersen

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

State of Idaho, on this day of

Boise
Sept. 14

County of *Ada*
A. D. 19*42*

R. D. Barber

Notary Public.

My commission expires

July 9, 1942

19016

RECEIVED

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. Head lot use, Gravity flow through ice machine condensers, boiler use, water supply in plant, domestic use and fire pump, 0.36 cu. ft. 1 Sec. used for irrigation with the balance used for above purposes.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. 0.36 cu. ft. 1 Sec. 18 acres cultivated land.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what what extent?

Ans. none

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Last five years consistently to full extent

(Signed) Alta DeChamblau

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this day of Sept. 14, A. D. 1940.

R. D. Barker

Notary Public.

My commission expires July 9, 1942

19016

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19016

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Boise Valley Packing Co., Eagle, Idaho

Meat packing. Residence - Eagle, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Not a corporation

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 19016., August 6, 1940. Priority Date: July 17, 1940

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Subterranean. Lot 1 of Sec. 17, T. 4 N., R. 1 E.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. 4 artesian wells, ditches and pipe line. 1,25 cu. ft. 1 sec.

Ditch: 1 foot wide at bottom; 2 ft. wide at water line; Depth of

water is $\frac{1}{2}$ foot. Diameter of pipe line is 6 to 12 inches.

Length of conduit is 1 mile. Average grade per mile is 5 feet.

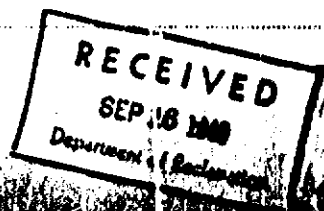
Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Well No. 1: For feed lot and irrigation purposes. Well No. 2: Gravity flow through ice machine condensers and boiler use. Well No. 3: Water supply in plant, private home use, fire pump and irrigation purposes. Well No. 4: Water supply for hog and beef lots. 18 acres cultivated land.

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Refer to No. 6

19016



Ques. 7. What is the minimum amount of water required for the purpose specified above?
Ans. 1.5 cfs. for 1 sec.

Ques. 8. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.
Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Wells No. 1 and 2 used for 20 years for stock watering, plant operation and irrigation. Well No. 3 used for 3 years for water supply in plant. Well No. 4 used for stock watering and irrigation for 25 years.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. none

Sign *Bone Valley Packing Co.*
By H. D. Edwards

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in *Boise Ada*, County of *Ada*,

State of Idaho on the *14* day of *Sept.*, A. D. 19*40*.

R. D. Barkner

My commission expires *July 9, 1942*

Permit No. 19016

STATE OF IDAHO
Department of Reclamation

AUG 5 1940

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

Boise Valley Packing Co., being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 19016, and that his postoffice address is Eagle State of Idaho

Second: That the name of the stream from which said water is to be directed is

Subterranean

Third: That the point of diversion of said water is Lot 1 of Section 17, T. 4 N., R. 1 E

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by January 22, 1941

Fifth: That the use for which said water is intended is Irrigation, Domestic, Stock watering and plant operation, & fire protection.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: 4 well, ditches and pipe lines.

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit ditch width at bottom 1 feet, width at water line 2 feet, depth of water 1 feet; diameter of pipe 6 to 12 inches, average grade

(State whether ditch, flume or pipe.)

per mile is 5 feet. Length of conduit is 1 miles.

Seventh: That said works are capable of conducting to the place of intended use 2.25 second feet of water.

Eighth: That water appropriated under said permit is available for 18 acres of land described as follows: Lot 1 of Sec. 17, Twp. 4 N. Range 1 E

Ninth: Remarks: That

Subscribed and sworn to before me this 3rd day of Aug 1940

My commission expires July 9, 1942

Boise Valley Packing Co.
(Sign here) H. L. Edwards (Partner)
R. D. Babson
Notary Public.

19016

62-2553

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 26439
Permit No. 19016
District No.

1. Name of Applicant: **BOISE VALLEY PACKING COMPANY**
Postoffice address: **Eagle** County: **Ada** 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:
 - (b) Treasury stock:
 - (c) Bonds to be issued:
 - (d) Other resources:
2. Quantity of water claimed: **1.25** cubic feet per second. (See Remarks)
3. Source of water supply: **Subterranean** which is a tributary of
4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is the in Lot 1
of Section 17 , T. 4 N. , R. 1 E. , B. M., County of **Ada**
5. Water is to be used for: **Irrigation, domestic, stock watering and plant operation**
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 Lot 1 of Section 17 , T. 4 N. , R. 1 E. , B. M.
 - (b) Amount of power generated: **None** H. P., under feet head.
 - (c) Water is to be returned to **Boise River** at a point feet
distant from the corner of Section , T. , R. , B. M., in the
Lot 1 of Section 17 , T. 4 N. , R. 1 E. , B. M.
7. Estimated cost of works: \$ **Works complete**
8. Kind of works: **4 wells, ditches and pipe line**
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 **1** feet; width at water line **2** feet; depth of water **1/2**
feet; dimensions of flume:
Diameter of pipe **6 to 1 1/2** inches; length of conduit **1** miles.
Average grade per mile **5** feet.
12. The time required for the completion of such work is **One-half** years.
13. The time required for the complete application of the water to the proposed use is **No** additional years.
14. The land to be irrigated is described in the following tabulation: **See remarks.**

15. (a) Is reservoir to be used? 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 waters of the State of Idaho as herein set forth.

BOISE VALLEY PACKING COMPANY

Applicant.

By

H. A. Edwards

Agent.

Date of first receipt at Department of Reclamation: 2:30 P. M. July 17, 1940

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 19016

Recorded in Book 69 Page 19016 Approved July 22, 1940

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 September 20, 1940 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 October 22, 1940

The whole of said work to be completed on or before January 22, 1941

Beneficial use of water appropriated in accordance herewith, to be made on or before January 22, 1941

Witness my hand this 22nd day of July, 1940

JAMES SPOFFORD

Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We C. A. BOTTOLFSEN Governor of the State of Idaho, and GEO. H. CURTIS Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and have caused the Great Seal of the State of Idaho to be hereunto affixed, this 22nd day of July 1940

Countersigned:

STATE OF IDAHO

(SEAL

By

GEO. H. CURTIS

Secretary of State.

By

C. A. BOTTOLFSEN

Governor.

Remarks: 4 artesian wells are located on Lot 1 of Section 17, Twp. 4 N., Range 1 E.
 Well No. 1 discharges 0.20 cu. ft./sec. Well No. 2 discharges 0.20 cu. ft./sec.
 14. Well No. 3 " 0.80 " " Well No. 4 " 0.05 " "

(See below)

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4 N.	1 E.	17	18																18
																			18

Total Number of Acres to be Irrigated - - -

REMARKS (Continued) 0.36 cu. ft./sec. is used for irrigation, with the balance used for domestic, feed lot, and plant operation.

PERMIT NO. 19016
 Certificate of Completion of Works .

TO ALL WHOM IT MAY CONCERN:

This is to certify that BOISE VALLEY PACKING COMPANY, of Eagle, County of Ada, and State of Idaho, the holder of Permit No. 19016, issued upon Application No. 28439, bearing date of priority of July 17, 1940, authorizing the diversion of 1.25 second feet of the waters of 4 wells (subterranean), County of Ada, State of Idaho, for irrigation, domestic, stock watering and plant operation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.25 second feet of the waters of said wells; that the point of diversion of said waters is in Lot 1, Section 17, Township 4 North, Range 1 East, B. M.; and that the lands proposed to be irrigated by the use of said waters are described as follows: Lot 1, Section 17, Township 4 North, Range 1 East, B. M.

Witness my hand this 6th day of August, 1940.

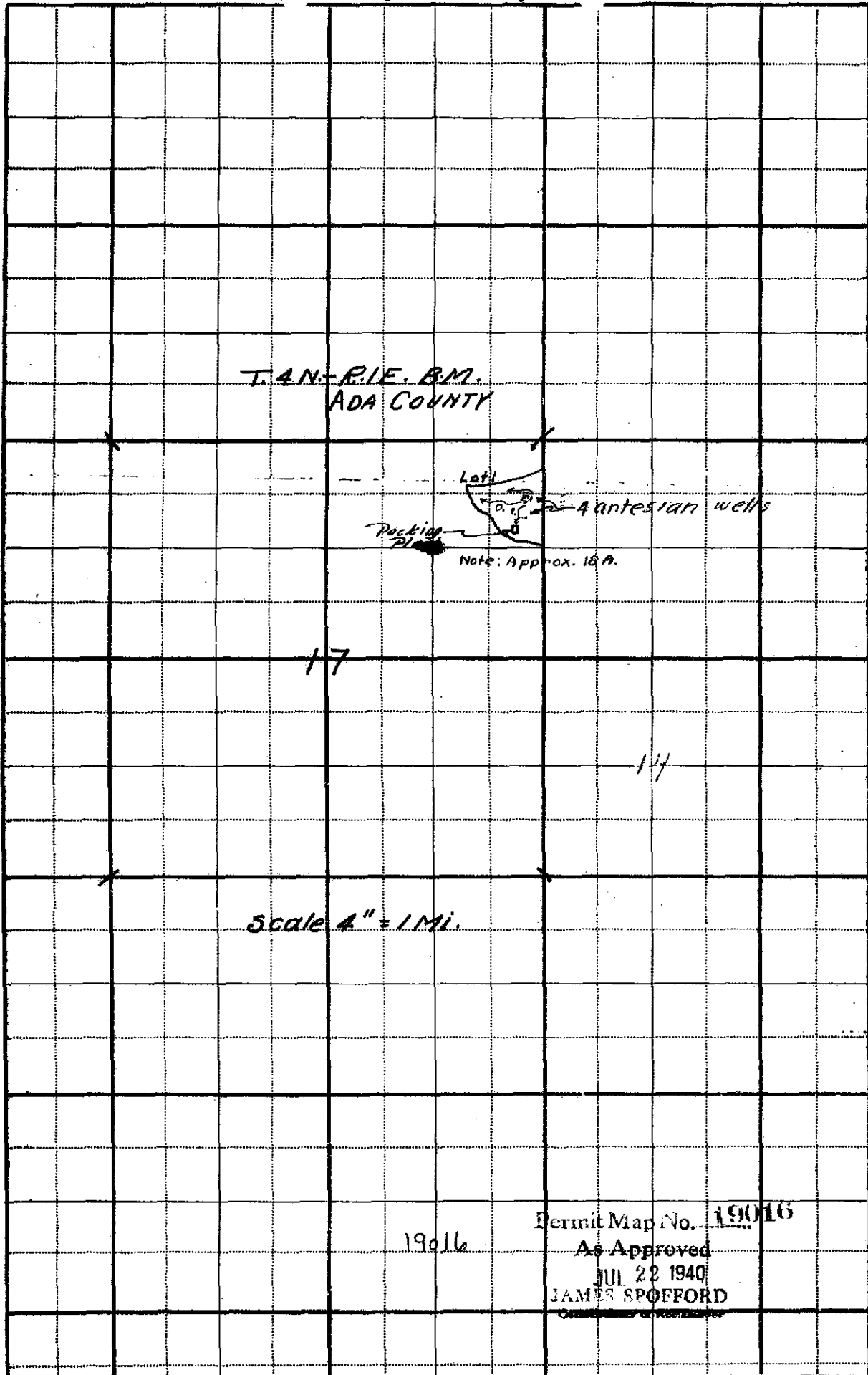
Proof of completion of works made August 3, 1940
 Certificate of Completion of Works issued August 6, 1940.

JAMES SPOFFORD
 Commissioner of Reclamation

1.25 SEC. FT.
 Page 4049

NAME OF APPLICANT Bolsr Valley Packing Co.

FORM No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.