

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: **A63-28369**
Date Received: 2/13/1990
Receipt No: W008754
Received By: _____

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

1. Name: CROP PRODUCTION SERVICES 208-459-4601
Address: PO BOX 430
CALDWELL ID 83606-0430

2. Date of Priority: JUN 1, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02W	25	NE	NE			CANYON

5. Description of diverting works:
WELL, 12" CASING, 300' DEEP, 7-1/2 HP, SUBM. PUMP, 2" PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.120		
COOLING	01/01	12/31	0.720		
DOMESTIC	01/01	12/31	0.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC/INDUSTRIAL/COOLING, MANUFACTURE OF LIQUID FERTILIZER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	25	NE	NE		INDUST	
			NE	NE		COOL	

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	25	NE	NE		DOMEST	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

63-07587

14. Remarks:

WE HAVE USED WATER FOR BENEFICIAL USE AT THIS LOCATION SINCE 1959. ITEM #2, DATE OF PRIORITY I PUT DOWN THE DATE OUR NEW WELL WAS DRILLED.

*CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 8/6/93.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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: _____

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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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUN 1 1993

DATE OF CLOSING: 2-18-93

LEGAL DESCRIPTION OF PROPERTY: Township 4N Range 2W Department of Water Resources
Section 25, NE 1/4 of NE 1/4 of 1/4 Govt. Lot 1, BM. Western Regional Office
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) 63-7587 / 39576 / 39576
Assigned by IDWR: _____

☐ Name and Address of Former Owner/Claimant(s)(Seller): Pure Gro Company
P.O. Box 430

☐ New Owner/Claimant (Purchaser): Caldwell, Idaho 83606-0430
Crop Production Services

☐ New Mailing Address: P.O. Box 430
Caldwell, Idaho 83606-0430

☐ New Telephone Number: (208) 459-4601

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Asset Purchase & Sale Agreement between Pure Gro Company and Crop Production Services, Inc. dated as of Feb. 18, 1993

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) *Leslye Clavum* Date 5/27/93

Date

☐ Signature of Former Owner/Claimant(s): _____ Date _____

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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Ident. Number: **A63-28369**
Date Received: 2/13/1990
Receipt No: W008754
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: PUREGRO COMPANY 208-459-4601
Address: PO BOX 430
CALDWELL ID 83606-0430

2. Date of Priority: JUN 1, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02W	25	NE	NE			CANYON

5. Description of diverting works:
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6. Water is used for the following purposes:

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INDUSTRIAL	01/01	12/31	0.120		
COOLING	01/01	12/31	0.720		
DOMESTIC	01/01	12/31	0.080		

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1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC/INDUSTRIAL/COOLING, MANUFACTURE OF LIQUID FERTILIZER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	25	NE	NE		INDUST	
			NE	NE		COOL	

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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11. Place of use in counties: CANYON

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

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63-07587

14. Remarks:

WE HAVE USED WATER FOR BENEFICIAL USE AT THIS LOCATION SINCE 1959. ITEM #2, DATE OF PRIORITY I PUT DOWN THE DATE OUR NEW WELL WAS DRILLED.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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AUG 02 1994

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

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Ident. Number: A63-28369
Date Received: 2/12/1990
Receipt No: W008754
Received By: _____

RECEIVED
JUN 1 1993

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PUREGRO COMPANY 208-459-4601
Address: PO BOX 430
CALDWELL ID 83606-0430

2. Date of Priority: ~~DEC 31, 1984~~ June 1, 1959 Y/C.

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02W	25		NE	NE		CANYON

5. Description of diverting works:
WELL, 12" CASING, 300' DEEP, 7-1/2 HP, SUBM. PUMP, 2" PIPE

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DOMESTIC/INDUSTRIAL/COOLING, MANUFACTURE OF LIQUID FERTILIZER

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Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	25	NE	NE		INDUST	
			NE	NE		COOL	

A63-28369

Page 1

Date: 02/18/93

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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15. Basis of Claim: BENEFICIAL USE

16. Signature(s) *Leroy F. Clauer*

(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 xx 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 Manager of Crop Production Services, that I have signed the foregoing Organization document in the space below as Manager of Crop Production Services and that the statements contained in the foregoing document are true and correct.

Leroy F. Clauer
Signature of Authorized Agent

Manager Crop Production Services
Title and Organization

5/27/93
Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 27th day

of May 19 93

Jane R. Cook
Notary Public

Seal

Residing at Nampa, Id.

My Commission Expires 6-10-99

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Ident. Number: A63-28369
Date Received: 2/12/1990
Receipt No: W008754
Received By: _____

RECEIVED
FEB 22 1993
Department of Water Resources
Western Regional Office

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: PUREGRO COMPANY
Address: PO BOX 430
CALDWELL ID 83606-0430 208-459-4601

2. Date of Priority: DEC 31, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02W	25	NE	NE			CANYON

5. Description of diverting works:
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INDUSTRIAL	01/01	12/31	0.120		
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8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC/INDUSTRIAL/COOLING, MANUFACTURE OF LIQUID FERTILIZER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	25	NE	NE		INDUST	
			NE	NE		COOL	

A63-28369

Page 1

Date: 02/18/93

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AUG 02 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	25	NE	NE		DOMEST	

11. Place of use in counties: CANYON

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

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63-07587

14. Remarks:
WE HAVE USED WATER FOR BENEFICIAL USE AT THIS LOCATION SINCE
1959. ITEM #2, DATE OF PRIORITY I PUT DOWN THE DATE OUR NEW WELL
WAS DRILLED.

15. Basis of Claim: BENEFICIAL USE

**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 A 63-28369Date Received 2/12/90Receipt Number W008754

RECEIVED

WELL #1 FEB 12 1990

Department of Water Resources
Western Regional Office

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

APPROVED W. MalleryCODE 860-05-5700DATE 2-8-90CHECK 281191**Please type or print clearly**

1. Name of Claimant (s) PureGro Company Phone (208) 459-4601
Mailing Address P.O.Box 430 Caldwell, Idaho Zip 83606-0430

2. Date of Priority (Only one (1) per claim) New Well December 1984

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

4. a. Location of existing point of diversion is: Township 4N Range 2W Section 25,
NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Canyon

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well 12" Casing 300' Deep 7½ Horse
Submersible Pump 2" Pipe To Water System

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Industrial Cooling purposes from Jan. 1 to Dec. 31 amount 0.72 or _____

For Industrial Processing purposes from Jan. 1 to Dec. 31 amount 0.12 or _____

For Domestic purposes from Jan. 1 to Dec. 31 amount 0.08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic, Industrial Cooling & Processing of Water For Manufacture of Liquid Fertilizer

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	2W	25	L																
4N	2W	25	I																
4N	2W	25	D																

Total number of acres irrigated _____

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
63-7587 or None ()

14. Remarks: We have used water for beneficial use at this location since 1959.
Item #2 Date of Priority I put down the date our new well was drilled.

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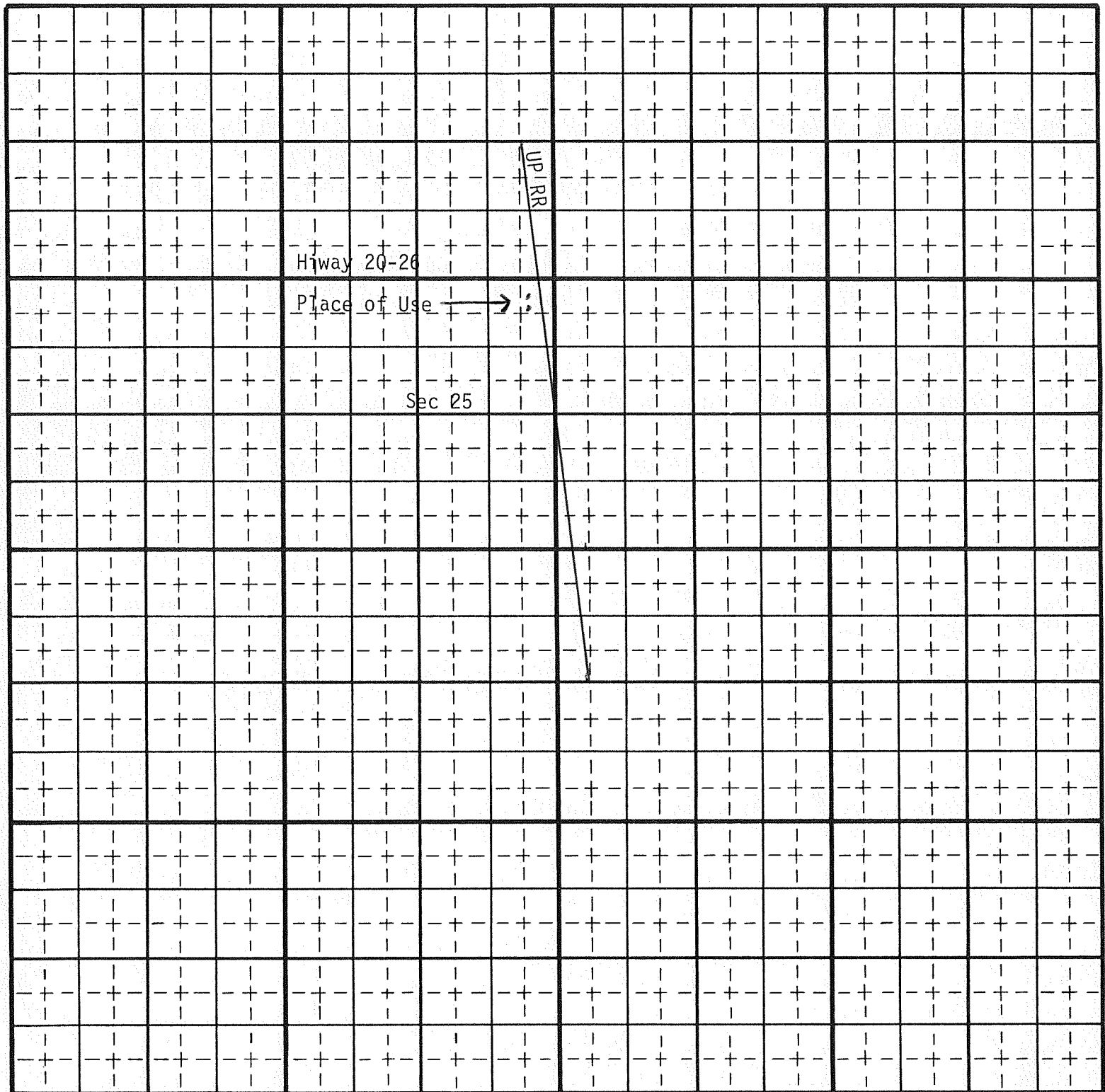
AUG 02 1994

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



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Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ General Manager
Title
of _____ PureGro Company - Caldwell _____, that I have signed the foregoing
Organization
document in the space below as _____ General Manager _____ of _____ PureGro Company - Caldwell
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Warren L. Mallory
Title and Organization Manager, Puregro Co. Date Feb. 6, 1990

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

Subscribed and sworn (or affirmed) before me this 6th day of February 19 90

SEAL

Notary Public Laqueelyn S. Betty

Residing at Caldwell Idaho

My Commission Expires 6-24-91

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

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AUG 02 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

Puregro

CLAIM IDENT. NO.

A63-28369

DATE RECEIVED 2/2/90 RECEIPT # W008754 FEE PAID \$268 FEE REQ'D \$139

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.			
	☒	☒	* see back
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	N/A
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	N/A
Is the consumptive use correct?	☒	☐	N/A
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	see back
If multiple domestic, is single ownership indicated?	☒	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	N/A
15. Is the basis of the claim indicated?	☒	☒	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed?	☒	☐	N/A
If yes, compare claim w/existing right and attach proof report noting any differences in comments.	☒	☐	
If no, was water right no. found?	☐	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim?	☒	☐	N/A
(If yes, attach a proof report & complete number change)	☒	☐	
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid?	☒	☐	N/A
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time? (Check ML3 for date mailed-not all were mailed on the planned date)	☒	☐	*
If no, was an extension of time filed & approved?	☒	☐	*
22. Is the fee enclosed correct?	☒	☐	*

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AUG 02 1994

	YES	NO
23. Is this claim being rejected and returned to claimant?	—	—
24. Can this claim be data entered?	✓	—
25. Was claim modified?	—	—
If yes, do modifications require notification to claimant?		
Note: Modifications made must be explained in comments stating where the information for any changes was found.		

Claim reviewed by: HHT Date 2/18/93
 Claim data entered by: HHT Date 2/18/93

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: No variable fee for domestic use - assume for bathrooms.

Letter sent to claimant discussing the priority date. Claimed 1984 (conflict w/ statute), but Remarks state use since 1959 - appears they claimed date of replacement well - Letter sent to give them opportunity to modify claim

08/07/2006

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

RIGHT NUMBER: 63-28369

NAME AND ADDRESS: WESTERN FARM SERVICE
10257 HWY 20-26
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1959

POINT OF DIVERSION:

T04N R02W S29 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.080 CFS

Domestic use is for restroom facilities.

PLACE OF USE: DOMESTIC Within CANYON County

T04N R02W S29 NENE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO: R3429400000.

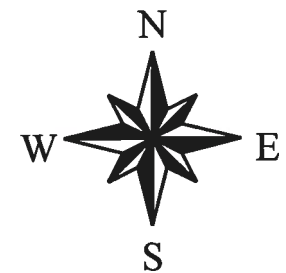
Idaho Department of Water Resources

**T04N, R0W,
SEC 29**

Claim No: 63-28369
Prepared By: Kimberly Brown
Date: August 7, 2006



-  Place of Use
-  Section Lines
-  1/4 1/4
-  Point of Diversion



0 0.03 Miles


1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-28369

WATER RIGHT NUMBER: 63-28369

Owner Type Name and Address
Original Owner PUREGRO CO
 PO BOX 430
 CALDWELL, ID 83606-0430
 (208)459-4601
Current Owner ~~CROP PRODUCTION SERVICES~~
 ~~PO BOX 430~~
 ~~CALDWELL, ID 83606-0430~~
 ~~(208)459-4601~~ (KEEP)

Priority Date: 06/01/1959
Basis: Beneficial Use
Status: Active

Source Tributary
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Annual Volume
DOMESTIC	1/01	to 12/31	0.080 CFS	
COOLING	1/01	to 12/31	0.720 CFS	
INDUSTRIAL	1/01	to 12/31	0.120 CFS	
Total Diversion:			1.000 CFS	
			0.08	

Location of Point(s) of Diversion
GROUND WATER NE1/4NE1/4 Sec. 25, Twp 04N, Rge 02W, B.M.
CANYON County

Place of Use
DOMESTIC

Twp Rge Sec	NE	NW	SW	SE	Totals
04N 02W 25	X				

~~COOLING~~

Twp Rge Sec	NE	NW	SW	SE	Totals
04N 02W 25	X				

~~INDUSTRIAL~~

ADD X01 - Domestic use is for restrooms facilities.

ADD N11 & N13 -

Panel No. R34294000m (6.1 AC)

Current Owner -
Crop Production Service
P.O. Box 1168
Fresno, CA 93715

* NEW NAME & ADDRESS:
WESTERN FARM SERVICE
10257 HWY. 20-26
CALDWELL 83605

Current Address:

10257 Hwy. 20-26,
Caldwell

FX -
how does
this differ
from
#63-7587

Well # 1?

* See Change in
Address Form →

REMOVE
REMOVE

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-28369

Tw	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	25	X																

Conditions of Approval:

1. WE HAVE USED WATER FOR BENEFICIAL USE AT THIS LOCATION SINCE 1959. ITEM #2, DATE OF PRIORITY I PUT DOWN THE DATE OUR NEW WELL WAS DRILLED.
*CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 8/6/93.

Remarks:

Comments:

Water Supply Bank:

Field Exam Date 8-07-06

(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 \$134.00
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None in Section 29
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-28369

Owner: Crop Production Services Phone No. _____

Current Address: P.O. Box 430, Caldwell 83606-0430

- Change in Address form: Northern Farm Serv. 10257 Hwy. 20-26 Caldwell 83605
- ☐ No change NAME IS THE SAME According to 2005 Canyon Co. tax lot data:
 - ☒ NEW OWNER Crop Production Services
 - ☐ No change Address
 - ☒ NEW ADDRESS P.O. Box 1168, Fresno CA 93715
 - ☐ 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: 06/01/1959

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

A request for evidence of priority and industrial use volume, etc. was sent on 3/2/06 with a due date of 3/27/06. After several conversations with Chuck Aggen, I received only a Change in Address form and a completed Industrial use volume questionnaire. No evidence of priority has been received.

Source: _____ Tributary to _____

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

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: the POD is located in Sec. 29, not Sec. 25
- ☐ If different, when did POD change? _____

claimed diversion works for this claim (see file). Since I have not received any evidence substantiating the claimed priority date, I am only able to recommend the domestic use.

I found a 1967 Well Driller's Report for Feed Service, Inc.; but it does not match the

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
	—				29				

Description of diverting works

Well, 12" casing, 300' deep, 7½ HP sub. pump, 2" pipe

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

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

WATER USES☐ No change☐ Different Uses

Use Domestic From _____ To _____ Amount 0.08 CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☒ Changes found, the new total is, Amount 0.08 CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☐ No change☒ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: Industrial and cooling uses not recommended due to lack of evidence of priority.

PLACE OF USE:☐ No Change☒ Changes shown below:

POU is located in Sec. 29, not Sec. 25 —

Parcel No: R34 29 400 000.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		29																	

Overlap with other water rights: 63-7587

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: 2" pipe

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

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

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: 8-07-06 (in-office review)

FIELD EXAMINER: Kimberly Brown

#63-28369
2003 NAPP

Union Pacific Railroad

Highway 20-26

NENW

NWNE

NENE

NWNW

SENW

SWNE

SENE

SWNW

29

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-28369

03/01/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
1789B	Claim	04N	02W	25	NE	NE		IRRIGATION	36/36	MARTHA EARNEST
8789	Water Right	04N	02W	25	NE	NE		IRRIGATION	36/73	BLAINE E BROWN
20993	Water Right	04N	02W	25	NE	NE		STOCKWATER		NANCY F BROWN
7587	Claim	04N	02W	25	NE	NE		INDUSTRIAL		CROP PRODUCTION SERVICES
28369	Claim	04N	02W	25	NE	NE		INDUSTRIAL		CROP PRODUCTION SERVICES
7587	Water Right	04N	02W	25	NE	NE		INDUSTRIAL		FEED SERVICE INC
7587	Claim	04N	02W	25	NE	NE		COOLING		CROP PRODUCTION SERVICES
28369	Claim	04N	02W	25	NE	NE		COOLING		CROP PRODUCTION SERVICES
7587	Claim	04N	02W	25	NE	NE		DOMESTIC		CROP PRODUCTION SERVICES
28369	Claim	04N	02W	25	NE	NE		DOMESTIC		CROP PRODUCTION SERVICES
20993	Water Right	04N	02W	25	NE	NE		DOMESTIC		NANCY F BROWN
20994	Water Right	04N	02W	25	NE	NE		DOMESTIC		NANCY F BROWN
28304	Water Right	04N	02W	25	NE	NE		DOMESTIC		MASAYO UJIIYE

wrong Section - should be Sec. 22

Receipt Details for ID W008754

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/13/1990 9:57:24 AM	2/13/1990	Western	\$268.00	Check
Payer		PUREGRO COMPANY		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
281191			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$268.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	7587		\$134.00	Claim
63	28369		\$134.00	Claim

Print Report

REAL PROPERTY INQUIRY

```

+++++
01 6R34294-000- -0 054-00 SCH139+ 13 142,500 5.70
+++++
CROP PRODUCTION SERVICES INC +
+
+
+
+
+
PO BOX 1168 +
FRESNO CA 93715 +
+++++
29-4N-2W NE + TOTAL 782,900 5.70
TX 2 IN N1/2NE +
+ SURVEY INST 9303400
+ DRAIN DR VALUE APPR TLH
+ CLASS CM REAP 02 MAN 02 UNIT 0
+ PARCEL 6R04N02W290150 H/O N C/B N
+ PRIOR ACCOUNT 5R34294-000- -0
+ 02 MH on Property NO
MODE:F ACTION: TRAITS INQUIRY TRQK318

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ACCOUNT NUMBER UNIT TOTAL UNITS
SITE SEC/TWN/RNG
ASSESSED VALUE ACREAGE
SUB/PARK NAME YEAR/MAKE
CLASS SPACE LOT BLOCK
+++++
YR BUILT AIR COND CARPORT
STORY HEATING CARPORT SQ FT
FIRST SQ FT EXTERIOR DECK/PATIO?
SECOND SQ FT ROOF POOL?
BEDS BSMT SQ FT SPA?
BATHS % BSMT FIN LOT SIZE
FRPLC GARAGE NEIGHBORHOOD
GARAGE SQ FT
+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

```

MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK203
+++++
+ PERSONAL PROPERTY INQUIRY +
+++++
+ 01 5P61035-500- -0 054-00 FIRE- FLOOD- REAP 05 APPR CAM +
+++++
+ NAMES + WAS PUREGRO +
+ CROP PRODUCTION SERVICES INC +
+
+
+ VALUES +
+ 59 2,523 +
+ 68 11,350 +
+ MAILING ADDRESS 72 5,440 +
+
+ PO BOX 1168 +
+ FRESNO CA 93715 +
+
+ 29-4N-2W NE 5R34294-000- -0 +
+ 10257 HWY 20-26 CA + TOTAL 19,313 +
+++++

```

July 18, 2006

Brown, Kimberly

To: caggen@westernfarmsservice.net
Subject: Evidence of the Priority Date for Water Right No. 63-28369

Mr. Aggen,

After speaking with you on June 28, 2006, I still have not received any evidence of the claimed priority date for 63-28369. I received the faxed *Change in Address* form and the completed *Industrial Use Volume* questionnaire on June 28th, but I still need to receive evidence of the claimed 1959 priority date.

I am not able to review your claim to this water right until I receive this evidence of priority. Therefore, since this claim will require a field exam after I receive the evidence of priority, I am giving you until **July 28th, 2006** to submit this information to me.

Sincerely,

Kimberly Brown
Senior Water Resource Agent
Western Region

REPORT OF WELL DRILLER
State of IdahoRECEIVED
MAR 2 1967

State law requires that this report shall be filed with the Department of Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name FEED SERVICE, INCAddress Caldwell, Idaho

Owner's Permit No. _____

NATURE OF WORK (check): Replacement well ☐New well ☒ Deepened ☐ Abandoned ☐Water is to be used for: DomesticMETHOD OF CONSTRUCTION: Rotary ☒ Cable ☐
Dug ☐ Other _____

(explain)

CASING SCHEDULE: Threaded _____ Welded ☒

6-5/8 "Diam. from 0 ft. to 239 ft.

"Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

Thickness of casing: .131 Material:Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☒ No ☐ Type of
perforator used: MachineSize of perforations: 1/8 " by 3 "

1920 perforations from 199 ft. to 239 ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☒No. ☐ size of gravel 5/16 Gravel

placed from 190 ft. to _____ Surface seal

provided? Yes ☐ No ☐ To what depth?

ft. Material used in seal: _____

Did any strata contain unusable water? Yes ☐No. ☐ Type of water: _____

Depth of strata _____ ft. Method of sealing

strata off: _____

Surface casing used? Yes ☐ No. ☐Cemented in place? Yes ☐ No ☐

Locate well in section

Sec. _____

LOCATION OF WELL: County CanyonN $\frac{1}{2}$ $\times$ NE $\frac{1}{4}$ Sec. 29 T. 4 N/R. 2 $\frac{1}{2}$ WBM

Use other side for additional remarks

Size of drilled hole: 12 1/4 " Total
depth of well: 239 ' Standing water
level below ground: 12 ' Temp. _____
Fahr. _____ ° Test delivery: _____ gpm
or _____ cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test: _____

Length of time of test: _____ Hrs. _____ Min.

Drawdown: _____ ft. Artesian pressure: ft.

above land surface _____ Give flow _____ cfs

or _____ gpm. Shutoff pressure: _____

Controlled by: Valve ☐ Cap ☐ Plug ☐No control ☐ Does well leak around casing?Yes ☐ No ☐DEPTH MATERIAL 32050 WATER

FROM TO YES OR NO

FEET FEET

0 3 Soil - Clay no

3 10 Clay no

10 35 Gravel - boulders yes

35 50 Gravel - boulders yes

50 57 Clay - light grey

57 60 Gravel - multi-colored

60 66 Clay - light

66 68 Sand - coarse

68 85 Clay - light

85 90 Sand - fine

90 104 Clay - light

104 135 Sand - med to fine

135 156 Clay - light yellow

156 162 Sand - fine

162 168 Clay

168 195 Clay

195 200 Gravel

200 208 Clay - grey

208 210 Sand - white med

210 212 Clay

212 215 Gravel

215 219 Clay - yellow

219 221 Sand - white

221 235 Clay - white

235 242 Sand - gravel

242 255 Clay

Work started: Feb. 7, 1967Work finished: Feb. 24, 1967Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.Name: Levi JorgensenAddress: Parma, IdahoSigned by: [Signature]License No. 339 Date: 2/24/67

USGS

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

*Received
6-20-72
D. H.*

1. WELL OWNER

Name Feed Service
Address Caldwell Idaho
Owner's Permit No. _____

7. WATER LEVEL

Static water level 10 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☐ New well ☐ Deepened ☒ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Other
Discharge G.P.M. 600 Draw Down _____ Hours Pumped 2

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test
☐ Municipal ☒ Industrial ☐ Stock

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 12 inches Total depth 306 feet
Casing schedule: ☒ Steel ☐ Concrete
Thickness _____ Diameter _____ From _____ To _____
250 inches 12 inches +1.5 feet 180.5 feet
250 inches 8 inches +2 feet 304 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☒ Factory ☐ Knife ☐ Torch
Size of perforation 3/16 inches by 3 inches
Number _____ From _____ To _____
3840 perforations 173 feet 299 feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☒ Yes ☐ No Size of gravel 3/8 minus
Placed from surface feet to 299 feet
Surface seal? ☒ Yes ☐ No To what depth 20 feet
Material used in seal ☐ Cement grout ☒ Pudding clay

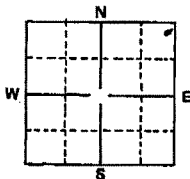
9. LITHOLOGIC LOG

32042

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
16	0	1	fill gravel		X
16	1	8	top soil & hard pan		X
16	8	25	gravel		X
12	25	35	"	X	
12	35	40	silt		X
12	40	95	muddy sand	X	
12	95	105	sandy clay		X
12	105	115	muddy clay		X
12	105	115	muddy sand	X	
12	115	135	sandy clay		X
12	135	150	stringy sand & clay	X	
12	150	160	muddy sand	X	
12	160	185	sandy clay		X
12	185	215	sand	X	
12	215	225	sandy clay		X
12	225	255	sandy clay & silt	X	
12	255	270	sand	X	
12	270	296	silt	X	
12	296	299	sand	X	
12	299	306	sandy clay		X

6. LOCATION OF WELL

Sketch map location must agree with written location.



County Canyon
NE 1/4 NE 1/4 Sec. 29, T. 4 N. R. 2 E/W

10. Work started 2-23-72 finished 4-11-72

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Bill Doty Well Drilling & Development 46
Driller's or Firm's Name _____ Number _____
Route 7 Caldwell, Idaho 83605
Address _____
Bill Doty 6-17-72
Signed By _____ Date _____

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD

AND PINK COPIES TO THE DEPARTMENT

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right Nos. A63-7587 & -28369 Notice of Error Reply

June 19, 2006

Since I have not received any evidence, I called #459-4601 and asked for the manager. The person who answered the telephone informed me that the manager was out of the office, but was due back next week. Since I had sent the evidence of priority request to: P.O. Box 430, I asked if this address was correct. The secretary replied that their new address is: 10257 Hwy. 20-26 and that they merged with the Parma office. I asked for their FAX number and the manager's name so that I could fax the required information: Tom McIntyre (Manager) Fax #208-459-6642.

June 26, 2006

Chuck Aggen (#722-5100) called and informed me that they are now called "Western Farm Service." After I answered all of his questions and explained all of the information that I had faxed, I asked that Mr. Aggen fill everything out and get back to me by Wed., the 28th, or Thurs., the 29th. Mr. Aggen said that he would do so.

June 28, 2006

After receiving Mr. Aggen's faxed documents, I called #722-5100 and spoke with him regarding some questions I had. The Change in Address form also refers to #63-7587. The 4,000 gallons listed in the Volume questionnaire is "per day" and covers all of the uses – industrial, cooling, and domestic. The cooling component of this right does not pertain to cooling a building, the water is used to "cool down product" (they manufacture fertilizer). Therefore, the Commercial Space Cooling Requirement form I sent is not appropriate, so I informed Mr. Aggen that we would address the cooling use during the field exam. I asked Mr. Aggen why I had not receive any evidence of the priority date. Mr. Aggen replied that he has three guys that have worked with him for a long time, and that only one of them can go back 25 years. I then found a: Warren Malloy (signed the

Notice of Claim) listed in the telephone book and gave him the number. Mr. Aggen said that he would call the number and speak to Mr. Malloy.

Not long after I spoke with Mr. Aggen, he called back and said that he called the number I gave him and spoke with Mr. Malloy. Mr. Aggen informed me that Mr. Malloy is unable to go back to 1959, much less pre-1963. I suggested that he call the Assessor's Office. I also looked up Well Driller's Reports in our database, but was only able to find two for Feed Service, Inc. – one dated 1967 and the other dated 1972. I informed Mr. Aggen that neither were applicable.

July 18, 2006

I called #722-5100 and, since Mr. Aggen was not available, I asked the secretary for his email address: caggen@westernfarmsservice.net. I then sent a message informing Mr. Aggen that he had until July 28th, 2006 to submit evidence of the claimed priority date.

Kimberly Brown
Senior Water Resource Agent
Western Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORN

Governor

KARL J. BREHER

Director

March 2, 2006

4/7/06

CROP PRODUCTION SERVICES
PO BOX 430
CALDWELL ID 83606-0430

Resent to:

Crop Production Services, Inc.
P.O. Box 1168
Fresno CA 93715

RE: Commercial use for Snake River Basin Adjudication claim 63-28369

To Whom It May Concern,

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 an industrial and cooling 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 Industrial Use Volume and Commercial Space Heating/Cooling Requirements For Cold or Geothermal Sources sheets (enclosed), answer the appropriate questions as specifically as possible, and return it to this office by March 27, 2006 so that we are able to calculate the annual volume associated with your water right; as required by the SRBA Court.

This review of your claim, in addition to the submittal of our recommendation to the SRBA Court, will result in a decreed right for your property. This water right then remains with the land as long as it is being used. We will give you the opportunity to review our recommendation and provide feedback, if necessary, prior to its submittal to the SRBA Court.

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

Respectfully submitted,

Kimberly Brown
Kimberly Brown
Water Resource Agent

Enclosures

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIMWater Right Number(s): 63-28369 + 63-7587Previous Mailing Address: CROP PRODUCTION SERVICESP.O. Box 430CALDWELL, ID 83606-0430New Mailing Address: WESTERN FARM SERVICE10257 Hwy 20-26CALDWELL, ID 83605Telephone Number: (208) 459-4601Signature of all Claimant(s): Charles Aggen

Please print your name below your signature.

CHARLES AGGENPlease mail or FAX this completed form to the office nearest you:Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701SS
ADDRESS FM.doc
Revised 12/3/04IDWR Use Only:
Data Entry: KBDate: 6/28/06

INDUSTRIAL USE VOLUME

* Please keep in mind that these questions pertain only to the use of the water listed on the enclosed Adjudication Claim Report #63-28369.

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)

Fertilizer and Feed mix Plant

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

2" load valves showers sinks
toilets

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

5 2" load valves 3 showers 2 sinks
2 flush toilets

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

5

How many hours per day is the facility open for this specific use?

8

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

5

Is this facility open year round? ☒ Yes ☐ No

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

** 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 industrial purposes explained above:

4000 gal

4,000 gal/day

covers

EVERYTHING!

(not just Industrial
also includes Boiling too)

ation you feel may be pertinent:

Charles Aggen
Your name

208-722-5100
Business telephone number

Please return to:

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

#63-88363

COMMERCIAL SPACE HEATING/COOLING REQUIREMENTS FOR COLD OR GEOTHERMAL SOURCES

Data entered by: _____
Date: 6-28-06
File No.: _____
Computations for: _____

REQUIRED DATA:

Area of floor space, ft² (A) _____
2 story? (N=1, Y=2) _____
Building efficiency factor (e) * _____
Inside design temperature (Ti) _____
Average outside temperature (To) ** _____
Source temperature, degrees F (S) _____
Heating/cooling days per season (D) _____
Hours/day system operates (H) _____

Additional information you feel may be pertinent:

WE DO NOT USE THIS WATER FOR HEATING OR COOLING OF BUILDINGS ITS USE IS
FOR PRODUCTION

Signature Chuck Aggen Date 6/28/06 Work Phone Number 208-722-5100

* Building use is follows:

3.2X	Per energy efficiency - no insulation, vaulted and
4-4.5	weather-stripped, w/3 min windows seal doors
5-5.5	Energy efficient - standard insulation, vaulted and
6-6.5	weather-stripped, w/3 min windows seal doors
7-7.5	Average residential - standard insulation, no weather-stripping
8-8.5	Insulation - standard insulation, no weather-stripping
9-9.5	Insulation - standard insulation, no weather-stripping
10-10.5	Insulation - standard insulation, no weather-stripping
11-11.5	Insulation - standard insulation, no weather-stripping
12-12.5	Insulation - standard insulation, no weather-stripping
13-13.5	Insulation - standard insulation, no weather-stripping
14-14.5	Insulation - standard insulation, no weather-stripping
15-15.5	Insulation - standard insulation, no weather-stripping
16-16.5	Insulation - standard insulation, no weather-stripping
17-17.5	Insulation - standard insulation, no weather-stripping
18-18.5	Insulation - standard insulation, no weather-stripping
19-19.5	Insulation - standard insulation, no weather-stripping
20-20.5	Insulation - standard insulation, no weather-stripping
21-21.5	Insulation - standard insulation, no weather-stripping
22-22.5	Insulation - standard insulation, no weather-stripping
23-23.5	Insulation - standard insulation, no weather-stripping
24-24.5	Insulation - standard insulation, no weather-stripping
25-25.5	Insulation - standard insulation, no weather-stripping
26-26.5	Insulation - standard insulation, no weather-stripping
27-27.5	Insulation - standard insulation, no weather-stripping
28-28.5	Insulation - standard insulation, no weather-stripping
29-29.5	Insulation - standard insulation, no weather-stripping
30-30.5	Insulation - standard insulation, no weather-stripping
31-31.5	Insulation - standard insulation, no weather-stripping
32-32.5	Insulation - standard insulation, no weather-stripping
33-33.5	Insulation - standard insulation, no weather-stripping
34-34.5	Insulation - standard insulation, no weather-stripping
35-35.5	Insulation - standard insulation, no weather-stripping
36-36.5	Insulation - standard insulation, no weather-stripping
37-37.5	Insulation - standard insulation, no weather-stripping
38-38.5	Insulation - standard insulation, no weather-stripping
39-39.5	Insulation - standard insulation, no weather-stripping
40-40.5	Insulation - standard insulation, no weather-stripping
41-41.5	Insulation - standard insulation, no weather-stripping
42-42.5	Insulation - standard insulation, no weather-stripping
43-43.5	Insulation - standard insulation, no weather-stripping
44-44.5	Insulation - standard insulation, no weather-stripping
45-45.5	Insulation - standard insulation, no weather-stripping
46-46.5	Insulation - standard insulation, no weather-stripping
47-47.5	Insulation - standard insulation, no weather-stripping
48-48.5	Insulation - standard insulation, no weather-stripping
49-49.5	Insulation - standard insulation, no weather-stripping
50-50.5	Insulation - standard insulation, no weather-stripping
51-51.5	Insulation - standard insulation, no weather-stripping
52-52.5	Insulation - standard insulation, no weather-stripping
53-53.5	Insulation - standard insulation, no weather-stripping
54-54.5	Insulation - standard insulation, no weather-stripping
55-55.5	Insulation - standard insulation, no weather-stripping
56-56.5	Insulation - standard insulation, no weather-stripping
57-57.5	Insulation - standard insulation, no weather-stripping
58-58.5	Insulation - standard insulation, no weather-stripping
59-59.5	Insulation - standard insulation, no weather-stripping
60-60.5	Insulation - standard insulation, no weather-stripping
61-61.5	Insulation - standard insulation, no weather-stripping
62-62.5	Insulation - standard insulation, no weather-stripping
63-63.5	Insulation - standard insulation, no weather-stripping
64-64.5	Insulation - standard insulation, no weather-stripping
65-65.5	Insulation - standard insulation, no weather-stripping
66-66.5	Insulation - standard insulation, no weather-stripping
67-67.5	Insulation - standard insulation, no weather-stripping
68-68.5	Insulation - standard insulation, no weather-stripping
69-69.5	Insulation - standard insulation, no weather-stripping
70-70.5	Insulation - standard insulation, no weather-stripping
71-71.5	Insulation - standard insulation, no weather-stripping
72-72.5	Insulation - standard insulation, no weather-stripping
73-73.5	Insulation - standard insulation, no weather-stripping
74-74.5	Insulation - standard insulation, no weather-stripping
75-75.5	Insulation - standard insulation, no weather-stripping
76-76.5	Insulation - standard insulation, no weather-stripping
77-77.5	Insulation - standard insulation, no weather-stripping
78-78.5	Insulation - standard insulation, no weather-stripping
79-79.5	Insulation - standard insulation, no weather-stripping
80-80.5	Insulation - standard insulation, no weather-stripping
81-81.5	Insulation - standard insulation, no weather-stripping
82-82.5	Insulation - standard insulation, no weather-stripping
83-83.5	Insulation - standard insulation, no weather-stripping
84-84.5	Insulation - standard insulation, no weather-stripping
85-85.5	Insulation - standard insulation, no weather-stripping
86-86.5	Insulation - standard insulation, no weather-stripping
87-87.5	Insulation - standard insulation, no weather-stripping
88-88.5	Insulation - standard insulation, no weather-stripping
89-89.5	Insulation - standard insulation, no weather-stripping
90-90.5	Insulation - standard insulation, no weather-stripping
91-91.5	Insulation - standard insulation, no weather-stripping
92-92.5	Insulation - standard insulation, no weather-stripping
93-93.5	Insulation - standard insulation, no weather-stripping
94-94.5	Insulation - standard insulation, no weather-stripping
95-95.5	Insulation - standard insulation, no weather-stripping
96-96.5	Insulation - standard insulation, no weather-stripping
97-97.5	Insulation - standard insulation, no weather-stripping
98-98.5	Insulation - standard insulation, no weather-stripping
99-99.5	Insulation - standard insulation, no weather-stripping
100-100.5	Insulation - standard insulation, no weather-stripping

** Suggested average outside temperatures:

WINTER	SUMMER
4 deg F	80 deg F
6 deg F	90 deg F
8 deg F	95 deg F
10 deg F	100 deg F
12 deg F	105 deg F
14 deg F	110 deg F
16 deg F	115 deg F
18 deg F	120 deg F
20 deg F	125 deg F
22 deg F	130 deg F
24 deg F	135 deg F
26 deg F	140 deg F
28 deg F	145 deg F
30 deg F	150 deg F
32 deg F	155 deg F
34 deg F	160 deg F
36 deg F	165 deg F
38 deg F	170 deg F
40 deg F	175 deg F
42 deg F	180 deg F
44 deg F	185 deg F
46 deg F	190 deg F
48 deg F	195 deg F
50 deg F	200 deg F
52 deg F	205 deg F
54 deg F	210 deg F
56 deg F	215 deg F
58 deg F	220 deg F
60 deg F	225 deg F
62 deg F	230 deg F
64 deg F	235 deg F
66 deg F	240 deg F
68 deg F	245 deg F
70 deg F	250 deg F
72 deg F	255 deg F
74 deg F	260 deg F
76 deg F	265 deg F
78 deg F	270 deg F
80 deg F	275 deg F
82 deg F	280 deg F
84 deg F	285 deg F
86 deg F	290 deg F
88 deg F	295 deg F
90 deg F	300 deg F
92 deg F	305 deg F
94 deg F	310 deg F
96 deg F	315 deg F
98 deg F	320 deg F
100 deg F	325 deg F

(A)	Area of floor space
(Ti)	Inside design temperature
(To)	Average outside temperature
(S)	Source temperature
(D)	Heating/cooling days per season
(H)	Hours per day system operates
(e)	Building efficiency factor



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

FAX COVER SHEET

FROM Kimberly Brown DATE 6-19-06
TO Tom McIntyre FAX # 459-6642
RE I spoke with one of your employees and
he said you would be back on Monday.
Please call me at #334-2190 as soon as possible.
- Kimberly Brown

TOTAL PAGES SENT 9 + COVER SHEET

IDWR INFORMATION & THE INTERNET

You can search for IDWR records on the Internet at www.idwr.idaho.gov

See **main menus** in the upper left corner. Click on any of those main menus for a more specific homepage with more information. Most IDWR records are organized by township, range and section. Township, range and section information is usually available from county offices. For best results, try a **broad search first** and **narrow the search as needed** to avoid overlooking the information you seek.

Water Right &/or Adjudication information: click main menu **on-line data** for that homepage, then click **water right & adjudication search**. For type of query, select **all srba & water rights** then click the **where** tab and enter township, range, section (and maybe $\frac{1}{4}$ or $\frac{1}{4}$ $\frac{1}{4}$ of section). Be sure to choose "Point of Diversion" or "Place of Use" depending on the information you need ("both" means diversion and use within identical search parameters, not that either are within the parameters).

Well Log information: **on-line data**, then **well construction search**. Enter the township, range and section. Results will list information about $\frac{1}{4}$ $\frac{1}{4}$ location in a section. Many well logs have been scanned and are available on the Internet.

Forms, Rules and Statutes: click that main menu item to find this homepage.

If you cannot find any information or have trouble interpreting the information, contact the IDWR staff person on duty each day. This person is called the "office day" person and is available to provide general assistance. Call the office day person at 208-334-2190 between the hours of 8 and 5 Monday through Friday.

Your cooperation in using the Internet is appreciated. Your help in asking for the "office day" person for general help instead of a particular IDWR staff member helps us improve our efficiency and provide better, more cost effective service to the public. Thank you.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-28369

WATER RIGHT NUMBER: 63-28369

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PUREGRO CO PO BOX 430 CALDWELL, ID 83606-0430 (208)459-4601
Current Owner	CROP PRODUCTION SERVICES PO BOX 430 CALDWELL, ID 83606-0430 (208)459-4601

incorrect address -

*need to fill out Change
In Address form

Priority Date: 06/01/1959
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.080 CFS	
COOLING	1/01 to 12/31	0.720 CFS	
INDUSTRIAL	1/01 to 12/31	0.120 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 25, Twp 04N, Rge 02W, B.M.
CANYON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	25	X																

COOLING

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	25	X																

INDUSTRIAL

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-28369

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04N	02W	25	X																

Conditions of Approval:

1.
- WE HAVE USED WATER FOR BENEFICIAL USE AT THIS LOCATION SINCE 1959. ITEM #2, DATE OF PRIORITY I PUT DOWN THE DATE OUR NEW WELL WAS DRILLED.
*CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 8/6/93.

Remarks:

Comments:

Water Supply Bank:

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): _____

Previous Mailing Address: _____

New Mailing Address: _____

Telephone Number: () _____

Signature of all Claimant(s): _____

Please print your name below your signature.

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 2, 2006

CROP PRODUCTION SERVICES
PO BOX 430
CALDWELL ID 83606-0430

4/7/06
Present to:
Crop Production Services
P.O. Box 1168
Fresno, CA 93715

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-28369

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled. **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by March 27, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents



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

to verify claims in this area. In the near future, you will be receiving a call from us in order to set-up an appointment for a field exam.

Respectfully Submitted,

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-28369

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 2, 2006

4/7/06

CROP PRODUCTION SERVICES
PO BOX 430
CALDWELL ID 83606-0430

Resent to:

Crop Production Services, Inc.
P.O. Box 1168

Fresno CA 93715

RE: Commercial use for Snake River Basin Adjudication claim 63-28369

To Whom It May Concern,

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 an industrial and cooling 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 Industrial Use Volume and Commercial Space Heating/Cooling Requirements For Cold or Geothermal Sources sheets (enclosed), answer the appropriate questions as specifically as possible, and return it to this office by March 27, 2006 so that we are able to calculate the annual volume associated with your water right; as required by the SRBA Court.

This review of your claim, in addition to the submittal of our recommendation to the SRBA Court, will result in a decreed right for your property. This water right then remains with the land as long as it is being used. We will give you the opportunity to review our recommendation and provide feedback, if necessary, prior to its submittal to the SRBA Court.

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

Respectfully submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent

Enclosures

INDUSTRIAL USE VOLUME

* Please keep in mind that these questions pertain only to the use of the water listed on the enclosed **Adjudication Claim Report #63-28369**.

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)

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

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 industrial use is based upon?

How many hours per day is the facility open for this specific use?

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

Is this facility open year round? ____Yes ____No

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

****** 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 industrial purposes explained above:

Additional information you feel may be pertinent:

Your name

Business telephone number

Please return to:

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

#63-28369

COMMERCIAL SPACE HEATING/COOLING REQUIREMENTS FOR COLD OR GEOTHERMAL SOURCES

Data entered by: _____

Date: _____

File No.: _____

Computations for: _____

REQUIRED DATA:

Area of floor space, ft² (A) _____

2 story? (N=1, Y=2) _____

Building efficiency factor (e) * _____

Inside design temperature (Ti) _____

Average outside temperature (To) ** _____

Source temperature, degrees F (S) _____

Heating/cooling days per season (D) _____

Hours/day system operates (H) _____

Additional information you feel may be pertinent: _____

**PLEASE SUBMIT A DIAGRAM
OF YOUR SYSTEM
OR SYSTEM BLUE PRINT**

Please return to:

ATTN:

Idaho Department of Water Resources

2735 Airport Way

Boise, ID 83705-5082

Signature _____ Date _____ Work Phone Number _____

* e values are as follows:

0.28	Best energy efficiency - extra insulation, caulked and weather-stripped, with storm windows and doors
0.44	Better energy efficiency - standard insulation, caulked and weather-stripped, with storm windows and/or doors
0.67	Average residence - standard insulation, no weatherproofing but with storm windows or double panes
1.11	Poor energy efficiency - minimal insulation, no weatherproofing or storm windows (older homes, shops or greenhouses)

** Suggested average outside temperatures:

WINTER		SUMMER	
4 deg F	Boise	80 deg F	Boise
6 deg F	Grand View	90 deg F	Grand View
-8 deg F	Cascade	70 deg F	Cascade

(A)	Area of floor space
(Ti)	Inside design temperature
(To)	Average outside temperature
(S)	Source temperature
(D)	Heating/cooling days per season
(H)	Hours per day system operates
(e)	Building efficiency factor



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

March 2, 2006

4/7/06

CROP PRODUCTION SERVICES
PO BOX 430
CALDWELL ID 83606-0430

Resent to:

Crop Production Services, Inc.
P.O. Box 1168

Fresno CA 93715

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

Respectfully submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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FAX (208) 334-2348

March 2, 2006

CROP PRODUCTION SERVICES
PO BOX 430
CALDWELL ID 83606-0430

4/7/06
Present to:
Crop Production Services
P.O. Box 1168
Fresno, CA 93715

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-28369

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

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Water Resource Agent
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Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-28369

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



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

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED



WPK

63-28369



CROP PRODUCTION
PO BOX 48
CAMDEN, ID 836060430

RECEIVED
NOV 19 2001
WATER RESOURCES
WESTERN REGION

Ø

ALMS 83606



CONVERSATION MEMORANDUM

DATE 6-29-93FILE AG3-7587AG3-28369

NAME OF PARTY

EMPLOYEE

C.P.S.
Alv Clauson
Linda WarnerRE: Chg. in Ownership

Information received has no legal description.
They're sending a copy of warranty deed.

8-6-93- Chg. of ownership completed.
File no. AG3-28369 contains 2 copies of
2 claims which are notarized but haven't
been receipted. I think AG3-28369 was
filed in place of these. No fees were
received for anything other than the above
claims & 2 B.U. proofs. However, we
should double check this during B 63
review.

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State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

Date August 6, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[CROP PRODUCTION SERVICES]
PO BOX 430
[CALDWELL ID 83606]

Notice of Claim No.(s) A63-07587, A63-28369

Dear Claimant:

Enclosed is **your** copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

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AUG 04 1993

UNIT 860 - Caldwell, ID
Page 1 of 2

Department of Water Resources
Western Regional Office

Richard L. Gearheard
Crop Production Services, Inc.
2532 East 71st Street
Tulsa, OK 74136

QUITCLAIM DEED

For Value Received UNION OIL COMPANY OF CALIFORNIA, a California corporation, which took title in the name of Collier Carbon and Chemical Corporation, a California corporation, does hereby convey, release, remise and forever quitclaim unto CROP PRODUCTION SERVICES, INC., a Delaware corporation, whose current address is 2532 East 71st Street, Tulsa, OK 74136, the following described premises to wit:

That part of the North One-Half of the Northeast Quarter Section 29, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of the Northeast Quarter of Section 29, Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho; thence

South 108.5 feet along the West line of said Quarter to the intersection of said West line with the Southwesterly Right-of-Way line of the Oregon Short Line Railway Company, THE TRUE POINT OF BEGINNING; thence

South 19°17' East 1262 feet along the Right-of-Way of said Railway; thence West 417 feet parallel to the North line of the North One-Half of the Northeast Quarter of Section 29, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho to a point in the West line of the Northeast Quarter of the Northeast Quarter of said Section 29; thence

North 1040 feet along said West line to a point 260.5 feet South of the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 29; thence

North 19°17' West 276 feet parallel and 50 feet from the Southwesterly Right-of-Way line of aforesaid Railway, to a point on the North line of the North One-Half of the Northeast Quarter of said Section 29; thence

North 89°54' East 53 feet along the said North line to the intersection of said North line with the Southwesterly Right-of-Way line of the aforesaid Railway, a point 37.8 feet West of the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 29; thence

South 19°17' East along the said Right-of-Way line 114.9 feet to the TRUE POINT OF BEGINNING.

together with their appurtenances,

EXCEPTING AND RESERVING unto Grantor herein, and its successors and assigns, all the coal, lignite, coal oil, petroleum, naphtha, asphalt, maltha, brea, natural gas and all kindred or similar substances which now exist or at any time hereafter may exist upon, in or under the above described lands, with the full, free, exclusive and perpetual right below five hundred feet from the surface contours of the above described lands to explore, dig, mine, and bore for and otherwise to extract said substances from the above described lands and to sever and remove the same therefrom, as well as the right to dispose of, inject

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and/or below said five hundred foot level store any substance or substances for the enjoyment of these rights and any other business activities of the Grantor and its successors and assigns. Also excepting and reserving all rights of location in and under the above described lands for mines, tunnels, shafts, wells, pumps and all other machinery, equipment and/or structures deemed necessary by Grantor or its successors and assigns to enjoy the rights excepted and reserved hereby. Also excepting and reserving the right to take and use and develop for use any and all subterranean waters under the above described lands as all such waters may now or hereafter exist in, on or under the above described land so far as any of the said waters may be necessary or convenient for the carrying on of any or all of the above mentioned works and the full enjoyment of the rights set forth above. Notwithstanding anything in the foregoing to the contrary, Grantor and its successors and assigns shall have no right of entry within five hundred feet of the surface contours of the above described lands as such contours exist on the date of this Deed except within such areas, if any, over which Grantor or its successors and assigns may obtain an easement from Grantee or its successors and assigns by separate recorded document, upon the terms of such document.

SUBJECT to all liens, encumbrances, covenants, conditions, restrictions, easements, current taxes not yet delinquent and all other matters of record whatsoever.

Dated: FEBRUARY 17, 1993

UNION OIL COMPANY OF CALIFORNIA,
a California Corporation

By: Gay W. Anderson

Title: SR. Vice - PRESIDENT

Attest
By: Jane A. Neal

Title: ASSISTANT SECRETARY

Notarial Acknowledgment

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JUN 1 1993

Department of Water Resources
Western Regional Office

ASSET PURCHASE AND SALE AGREEMENT

between

PUREGRO COMPANY

and

CROP PRODUCTION SERVICES, INC.

dated as of

February 18, 1993

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THIS "AGREEMENT", dated as of February 18, 1993, is made by and between PUREGRO COMPANY, a California corporation ("PureGro"), AND CROP PRODUCTION SERVICES, INC., a Delaware corporation ("CPS").

WHEREAS, PureGro's assets include certain retail agricultural chemical outlets in Arizona, California, Idaho, Oregon, Utah and Washington, wholesale agricultural chemical operations, foliar fertilizer blending operations and trucking operations, and other assets, inventories, accounts receivable, prepayments, rebates, materials and supplies, and various contracts and permits related to the operation of the foregoing (the "PureGro Business"); and

WHEREAS, CPS desires to purchase certain of such assets from PureGro and PureGro desires to sell such assets to CPS, upon the terms and subject to the conditions set forth in this Agreement;

NOW, THEREFORE, in consideration of the premises and the representations, warranties and agreements herein contained, the parties agree as follows:

ARTICLE 1 DEFINITIONS

Initial capitalized words and phrases used in this Agreement have the meanings as defined in this Agreement as follows:

"Accounts Receivable" - Section 2.1(h).

"Accrued Vacation Pay" - Section 2.3(e).

"Active Ingredient" - Section 2.7(c).

"Adjusted Purchase Price" - Section 3.3.

"Agreement" - Section 17.6.

"Assets" - Section 2.1.

"Assumed Liabilities" - Section 2.3.

"Bailed Property" - Section 2.1(e).

"Chemical Substance" - Section 2.5(d).

"Chicago" - Section 6.1.

"Closing" - Section 4.1.

"Closing Date" - Section 4.1.

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"Title Report" - Section 6.2.
"Trademarks" - Section 2.1(f).
"Transferred Employees" - Section 7.6.
"Unit" or "Unit No." - Schedule 2.1(a).
"Unocal" - Section 4.2(1).
"Warranty Claims" - Section 15.2(a).
"Work" - Schedule 2.7(j).

ARTICLE 2
SALE OF ASSETS AND ASSUMPTION OF LIABILITIES

- 2.1 Assets of the PureGro Business to be Purchased and Sold. PureGro shall sell and/or cause to be assigned, transferred, conveyed and delivered to CPS and CPS shall purchase from PureGro the following:
- (a) the fee ownership of the real property identified as owned property in Schedule 2.1(a) attached to this Agreement ("Owned Real Property") and PureGro's leasehold interests in the real property identified as leased property in Schedule 2.1(a) ("Leased Real Property"), provided, that, no sale, assignment or transfer shall be made of any lease if an attempted assignment or transfer thereof would constitute a breach thereof or render any assigned rights unenforceable. Included is a schedule of "Property Leases By Unit - CPS Sale" dated 01/28/93 as a part of Schedule 2.1(a). Owned Real Property and Leased Real Property are hereinafter collectively referred to as "Real Property";
 - (b) all raw materials, work in process, finished products, and spare parts for resale, except for products PureGro has for sale in Hawaii, as further defined in Section 3.3(a) ("Inventory");
 - (c) all items of tangible personal property owned by PureGro, other than Inventory, and identified in the computer report dated February 5, 1993, entitled "PureGro Company Fixed Assets - CPS", Report No. FXA 401, which is hereby incorporated by reference ("Owned Personal Property");
 - (d) all items of personal property leased by PureGro and identified in Schedule 2.1(d) ("Leased Personal Property");

- (e) all of PureGro's right, title and interest in contracts for the purchase of goods and/or services, sales of goods, storage of goods and bailment as bailee, the major items of which are identified in Schedule 2.1(e) ("Bailed Property");
- (f) all rights, titles and interests in the trademark registrations and re-registrations and non-registered marks identified in Schedule 2.1(f), together with all other non-registered marks now owned by PureGro and used in connection with the PureGro Business ("Trademarks");
- (g) consent to use the name "PureGro" for five years for the sale of fertilizer, fungicides, herbicides and pesticides, store signs and identification of vehicles;
- (h) accounts receivable of PureGro customers listed in Schedule 2.1(h) plus any others that PureGro and CPS mutually agree to add ("Accounts Receivable") and the credit records for such customers save and except Dunn and Bradstreet Reports;
- (i) governmental licenses, permits and registrations listed in Schedule 2.1(i) that are assignable ("Permits");
- (j) prepaid assets related to and otherwise arising out of the PureGro Business, but not including any taxes which shall be prorated in accordance with Section 5.3 ("Prepaid Assets");
- (k) spare parts, miscellaneous assets, office supplies, and books and records located on the Real Property, except for credit information, relating to the PureGro Business ("Miscellaneous Assets");
- (l) gasoline and diesel fuel;
- (m) Promis II software used at the Units and the IBM System 38 CPU and all related peripherals equipment and accessories and software located at PureGro's headquarters in West Sacramento, California, as listed in Schedule 2.1(m);
- (n) the office furniture and equipment listed in Schedule 2.1(n) ("Other Purchased Office Furniture and Equipment");
- (o) the distributor agreements listed in Schedule 2.1(o) to the extent that they are assignable to CPS;
- (p) the goodwill of the PureGro Business;

- (q) ten percent of any rebates from chemical suppliers as described in Section 2.2(c);
- (r) any rebates from fertilizer suppliers listed in Schedule 2.1(r); and
- (s) membership in the Tenkoz buying group to the extent that it can be transferred by PureGro.

All of the above, save and except for Excluded Assets, are hereinafter collectively referred to as the "Assets".

2.2 Excluded Assets. CPS shall not purchase, and PureGro shall not be deemed to sell, the following assets (the "Excluded Assets"):

- (a) cash of PureGro on hand at Closing;
- (b) proprietary information described in Schedule 2.2(b);
- (c) rebates from chemical suppliers that are based on purchases or sales made by PureGro prior to the Closing Date that are paid after the Closing Date less any amounts described in Section 2.1 (q);
- (d) any rebate from a fertilizer supplier not listed in Schedule 2.1(r);
- (e) credit records of all PureGro customers not listed in Schedule 2.1(h); and
- (f) any underground storage tank system (as defined under 40 C.F.R. Part 280) located on or under Real Property except as disclosed in Schedule 8.17.

2.3 Assumed Liabilities. As of the Closing Date, CPS shall assume and discharge the following liabilities (the "Assumed Liabilities"):

- (a) the following obligations:
 - (i) each contract or lease in which the remaining balance of consideration payable by PureGro is more than \$10,000 and/or which is not terminable by PureGro without penalty upon less than one hundred and eighty days notice ("Material Contracts") listed on Schedule 2.3(a)(i), together with each other Material Contract not required to be listed on Schedule 2.3(a)(i) (i.e., any agreement listed on Schedule 2.1(a) or 2.1(d), or any agreement for the rental, lease, purchase or service of any

telephone system, postal machine, photocopier, security system, facsimile machine, propane tank, uniforms, or radio repeater site used in the regular conduct of the PureGro Business);

- (ii) each contract or lease entered into by PureGro in the ordinary course of business and which is related to the regular conduct of the PureGro Business but is not a Material Contract;
- (b) prepayments collected by PureGro from those customers listed on Schedule 2.3(b) and the attendant obligations on behalf of PureGro for product to be delivered at a date after Closing ("Prepayments");
- (c) except as provided in Section 2.7, all liabilities and obligations with respect to the operations of the PureGro Business utilizing any Asset whether alone or in conjunction with any other asset or other Assets to the extent arising out of or related to acts, omissions, conditions or circumstances occurring solely after the Closing Date;
- (d) all taxes on or measured by income or gross receipts, or franchise, real and personal property, employment, excise, sales and use or other taxes of any kind of CPS properly attributable to periods beginning on or after the Closing Date; and
- (e) the aggregate amount of each Transferred Employee's earned but not taken vacation pay with PureGro since each Transferred Employee's respective 1992 employment anniversary date ("Accrued Vacation Pay").

CPS shall, to the extent required by the obligations of each Assumed Liability, fully perform each such obligation on or prior to the due date for timely performance.

2.4 Retained Liabilities. PureGro shall retain, discharge, and pay for any and all liabilities of the PureGro Business whether known, unknown, accrued, absolute, contingent or otherwise, that arose, existed or were incurred at or before the Closing, regardless of when payable, except for those liabilities expressly assumed by CPS elsewhere in this Agreement (the "Retained Liabilities"), including without limitation:

- (a) accounts payable;
- (b) liabilities and obligations of PureGro under any Material Contract which should have been listed but was not

included in Schedule 2.3(a)(i) at the time of Closing.

- (c) except as specifically provided in Article 7, liabilities and obligations of PureGro for salaries, wages, benefits, supplies or overhead for any PureGro employee, and any claim by any PureGro employee, including without limitation: (i) any claim arising out of alleged employment discrimination or any asserted employment claim, whether in contract or in tort, or for violation of any statute, regulation or ordinance regarding any PureGro employee which is based on actions of PureGro occurring on or prior to the Closing, (ii) any claim arising under any employee benefit plan or policy maintained by PureGro, (iii) any claim for failure by PureGro to fulfill its responsibilities under Article 7, and (iv) any obligation arising out of applicable workers compensation laws in respect of occurrences during employment by PureGro;
- (d) all taxes on or measured by income or gross receipts or, subject to the provisions of Section 5.3 hereof, franchise, real and personal property, employment, excise, sales and use or other taxes of any kind of PureGro or its parent companies' properly attributable to periods prior to the Closing;
- (e) refunds due to other parties under any executory contracts to which PureGro is a party as a result of matters arising prior to the Closing;
- (f) except as otherwise may be provided in this Agreement, liabilities and obligations of PureGro to any of its affiliates; and
- (g) except as provided in Section 2.7, all liabilities and obligations with respect to the operations of the PureGro Business utilizing any Asset whether alone or in conjunction with any other asset or other Assets to the extent arising out of or related to acts, omissions, conditions or circumstances occurring solely prior to the Closing Date.

2.5 Environmental Definitions.

- (a) "Environmental Claim" shall mean any claim for personal injury, property damage, damage to natural resources, cleanup, remediation, abatement, containment, or removal made, asserted or prosecuted by or on behalf of any party (whether based on negligent acts or omissions, statutory liability, strict liability or otherwise) including, without limitation, any governmental entity, employee,

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17.19 Cooperation. The parties shall reasonably cooperate with each other to carry out the intent of this Agreement in a timely manner.

IN WITNESS WHEREOF, the parties have executed this Agreement, all as of the date first written above.

PUREGRO COMPANY

By _____

Its Attorney-in-Fact

CROP PRODUCTION SERVICES, INC.

By _____

Its _____

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 _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUN 11 1993

Department of Water Resources
Western Regional Office

WELL #1

Please type or print clearly

1. Name of Claimant (s) PureGro Company Phone (208) 459-4601
Mailing Address P.O.Box 430 Caldwell, Idaho Zip 83606-0430
2. Date of Priority (Only one (1) per claim) New Well December 1984
3. Source of water supply (a) Groundwater
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 4N Range 2W Section 25,
NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Canyon
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well 12" Casing 300' Deep 7 1/2 Horse
Submersible Pump 2" Pipe To Water System

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Industrial Cooling purposes from Jan. 1 to Dec. 31 amount 0.72 or _____

For Industrial Processing purposes from Jan. 1 to Dec. 31 amount 0.12 or _____

For Domestic purposes from Jan. 1 to Dec. 31 amount 0.08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic, Industrial Cooling & Processing of Water For Manufacture of Liquid Fertilizer

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	2W	25	L																
4N	2W	25	I																
4N	2W	25	D																

Total number of acres irrigated _____

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.

62-7567

or None ()

14. Remarks:

We have used water for beneficial use at this location since 1950.

Item #2 Date of Priority I put down the date our new well was drilled.

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

UP/RR

Hiway 20-26

Place of Use →

Sec 25

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AUG 02 1994

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____

Date _____

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ General Manager
Title _____

of _____ PureGro Company - Caldwell _____, that I have signed the foregoing
Organization _____

document in the space below as _____ General Manager _____ of _____ PureGro Company - Caldwell
Title _____ Organization _____

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

Signature of Authorized Agent _____

Title and Organization _____

Date Feb. 6, 1990

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

Subscribed and sworn (or affirmed) before me this 1st day of February 19 90

Notary Public _____

Residing at _____

My Commission Expires 6-24-91

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

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AUG 02 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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 _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED
JUN 1 1993

ACQUIRED UNDER STATE LAW Department of Water Resources
Western Regional Office

WELL #2

Please type or print clearly

1. Name of Claimant (s) PureGro Company Phone (208) 459-4601
Mailing Address P.O. Box 430 Caldwell, Idaho Zip 83606-0430
2. Date of Priority (Only one (1) per claim) April 17, 1972
3. Source of water supply (a) Groundwater
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 4N Range 2W Section 25,
NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____ Canyon
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well 12" Casing, 300' Deep 20HP Submersible
Pump, 4" Pipe To Cooler and Water System

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Industrial Cooling purposes from Jan. 1 to Dec. 31 amount 0.72 or _____

For Industrial Processing purposes from Jan. 1 to Dec. 31 amount 0.12 or _____

For Domestic purposes from Jan. 1 to Dec. 31 amount 0.08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic, Industrial Cooling & Processing Water For Manufacture of Liquid Fertilizer

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	2W	25	I																
4N	2W	25	I																
4N	2W	25	D																

Total number of acres irrigated _____

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
63-7537 or None ()

14. Remarks: This well is used mainly for cooling but is also a backup for the rest of our water system that normally comes from our other well #1

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AUG 02 1994

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

~~MICROFILMED~~

AUG 02 1994

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-7537
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

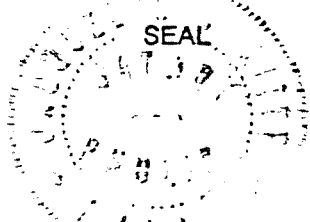
Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ General Manager _____
of _____ PureGro Company - Caldwell _____ Title _____
Organization _____, that I have signed the foregoing
document in the space below as _____ General Manager _____ of _____ PureGro Company - Caldwell _____
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Warren L. Malloy
Title and Organization Manager - PureGro Co. Date Feb. 6, 1990

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

Subscribed and sworn (or affirmed) before me this 1st day of February 19 90



Notary Public Reginald J. Petty

Residing at Caldwell, Idaho

My Commission Expires 6-24-91

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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AUG 02 1994

Copies White-State, Yellow-Claimant



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

February 19, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Mr. Warren L. Mallory, Manager
Puregro Company
PO Box 430
Caldwell, ID 83606-0430

RE: Snake River Basin Adjudication
Notice of Claim A63-28369

Dear Mr. Mallory:

We have processed your Notices of Claim to a Water Right A63-07687 and A63-28369 filed in the Snake River Basin Adjudication. Copies are enclosed for your files.

Regarding A63-28369, you claimed a date of Priority in Item #2 of 12/3/1984. That date is in conflict with the statutes governing the allocation of groundwater; since 1963, a permit has been required in order to develop groundwater rights for the purposes you claimed. However, in Remarks (Item #14), you mention that the use has existed since 1959.

If the well you describe is a replacement for an earlier well with a priority date of 1959, you may claim a priority of 1959 (inserting a month and day). The water right is for the use of the water, not the specific well. If this is the case, you may amend the claim by writing in a new date at Item #2, initialing it, and signing the claim at Item #16, having your signature notarized, and returning the claim to the Western Region Office, 2735 Airport Way, Boise, ID 83705.

If you have any questions or would like to discuss these claims, please feel free to call me at 327-7935.

Sincerely,

Helen Harrington-Thornton
Helen Harrington-Thornton
Water Resource Agent

Encl:

Claim A63-07587
Claim A63-28369
Water Rights Brochure

MICROFILMED

AUG 02 1994