

Meeting w. Conrad
2-03-09

02/03/2009

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

RIGHT NUMBER: 2-7206

NAME AND ADDRESS: J R SIMPLOT SELF DECLARATION REVOCABLE TRUST
PO BOX 27
BOISE ID 83707-0027

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.760 CFS
190.00 AFY

Right Nos. 02-07206 and 02-10187 are limited to a total combined diversion rate of 12.18 cfs.

Strike
Okay

PRIORITY DATE: 10/30/1975

POINT OF
DIVERSION:

T05S R04E S34 SWSESW Lot 9 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.760 CFS
190.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date

a

partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T06S R03E S11

SENW

38.00

38 ACRES TOTAL

Right Nos. 02-07206 and 02-10187 are limited to the irrigation of a combined total of 608 acres in a single irrigation season.

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

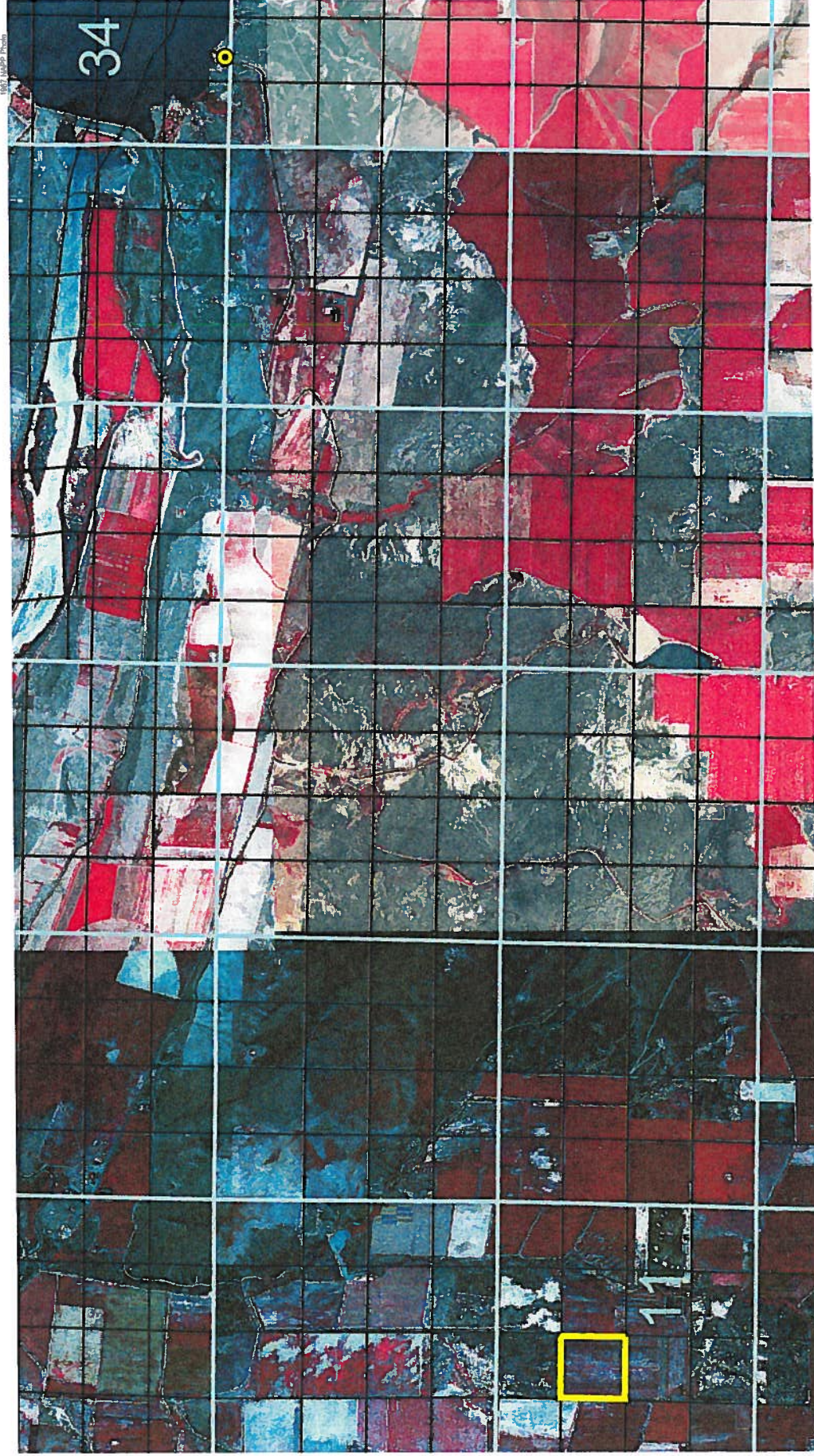
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are also diverted through point of diversion described above: 02-02153, 02-02154, 02-02308, 02-02423, 02-02424, 02-07206.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.

Idaho Department of Water Resources

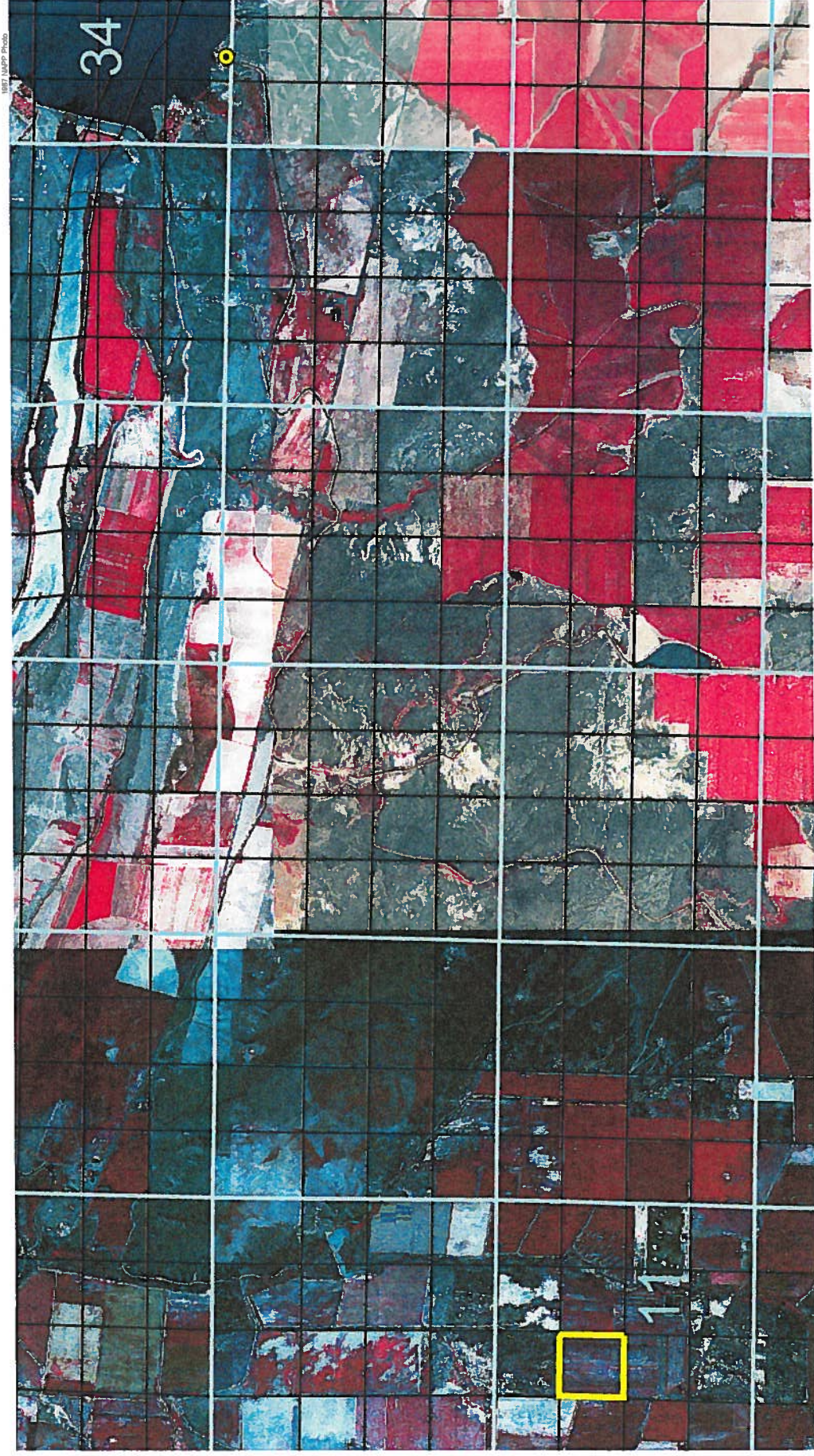


Claim Number: 02-07206
Legal: T05S, R04E, S34 &
T06S, R03E, S11
Reviewed By: JLD 6/16/05

- Place of Use
- Point of Diversion
- Section Lines
- Quarter Quarter Lines



Idaho Department of Water Resources



- Place of Use
- Point of Diversion
- Section Lines
- Quarter Quarter Lines

Claim Number: 02-07206
Legal: T05S, R04E, S34 &
T06S, R03E, S11
Reviewed By: JLD 6/16/05

06/16/2005

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

RIGHT NUMBER: 2-7206

NAME AND ADDRESS: TRIANGLE DAIRY INC
PO BOX 7526
BOISE ID 83707

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.760 CFS
190.000 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.

Right Nos. 02-07206 and 02-10187 are limited to a total combined diversion rate of 12.16 cfs.

PRIORITY DATE: 10/30/1975

POINT OF DIVERSION:

T05S R04E S34 SWSESW Lot 9 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.760 CFS 190.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within OWYHEE County

T06S R03E S11 SENW 38.0

38 ACRES TOTAL

Right Nos. 02-07206 and 02-10187 are limited to the irrigation of a combined total of 608 acres in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

The following rights are also diverted through point of diversion described above: 02-02153, 02-02154, 02-02308, 02-02423, 02-02424, 02-07206.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7206 Priority October 30, 1975 Amount 0.76 cfs

THIS IS TO CERTIFY, that Triangle Dairy, Inc.
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 02-7206 issued pursuant to Application for Permit dated October 30, 1975,
and has submitted proof to the Department of Water Resources on October 3, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 38.84 cfs of water from Snake River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>0.76</u> cfs and	<u>190.0</u> acre feet
	from _____	at _____ cfs and	_____
	from _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.76 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
190.0 acre feet per year, said waters to be diverted within the Government Lot 9 (SE 1/4 SW 1/4),
Section 34, Twp. 5S, Rge. 4E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				Totals
			NE 1/4	SE 1/4	SW 1/4	NW 1/4	NE 1/4	SE 1/4	SW 1/4	NW 1/4	NE 1/4	SE 1/4	SW 1/4	NW 1/4	NE 1/4	SE 1/4	SW 1/4	NW 1/4	
6S	3E	11								38									38

Total number of acres irrigated 38
This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 5.0 afa per acre for the lands above.

MICROFILMED

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9TH day of
MAY, 19 85.

Acting for the Director

Norman C. Young
Director

POU Overlap analysis 2-2308, 2-7206, 2-10187

		2-2308	2-7206	2-10187
T6S, R3E, S11	NWNW	40		40
	SW NW	40		40
	SE NW		38	38

2-2308

23 cfs → subject to condition max div rate shall not exceed 23 cfs
6760 AFY When combined with all other prev. licenses using same POD
5 AFY/acre

Lot 9

5/20/64

→ .017 cfs/acre
1352 acres

2-2308 + 2-10187

1352 + 608 = 1880 acres

.02 (1880) = 37.6 cfs

5(1352) + 3.35(528) = 8,528.8 AFY

23 + 12.16 = 35.16

6760 + 2035.2

= 8795.2

2-7206

.76 cfs

190 AFY/acre

Lot 9

10/30/75

→ .02 cfs/acre

5 AFY/acre

38 acres

2-7206 + 2-10187

38 + 608 = 608 acres

.02 (608) = 12.16 cfs

5 (38) + 3.35 (570) = 2300 AFY

10186

56.34 cfs

14287.8 AFY

6S 11E S9 NWSW

2/25/63

3257 acres

.017 cfs/acre

4.39 AFY/acre

2-2308 + All 57

1461.5 acres + 29.23 cfs

2-2209D

12.16 cfs

2035.2 AFY

Lot 9

2/25/63

→ .02 cfs/acre

3.35 AFY/acre

608 acres

10187

12.16 cfs

2035.2 AFY

Lot 9

2/25/63

→ .02 cfs/acre

3.35 AFY/acre

608 acres

57-185, 57-187A, 57-187B, 57-2152,

57-11632, 57-11654

2-2380, 2-10187, 2-10201

Triangle Dairy POD

2-2153, 2-2154, 2-2424

Aug 27 1971

15.22 cfs

Motors

CAJ324179

100hp GE

ZYJ1216363

50hp GE

Pumps

D11818

Layne/Bowler Ultra-line

Johnston vertical pump

2-2308, 2-2423

July 17 1975

23.01 cfs

From Bybre Canal

Motors

D35033

150hp Holloschott

CAJ124187

150hp GE

VYJ314154

75hp GE

Pumps

Vert. line

Vertiline

Johnson

2-7206

Oct 1984

38.84 cfs

Motors

HR1031539

100hp US

C2YJ1216363

50hp GE

CAJ324179

100hp GE

GKJ717141

100hp GE

Pumps

035276

Vertiline

Johnson

D11818

Vertiline

V76-70355

Vertiline

3-150hp : 1-75hp @ rediversion

Other water rights w/ same pod 2-2308, 2-2152 (temp), 2-2153, 2-2423

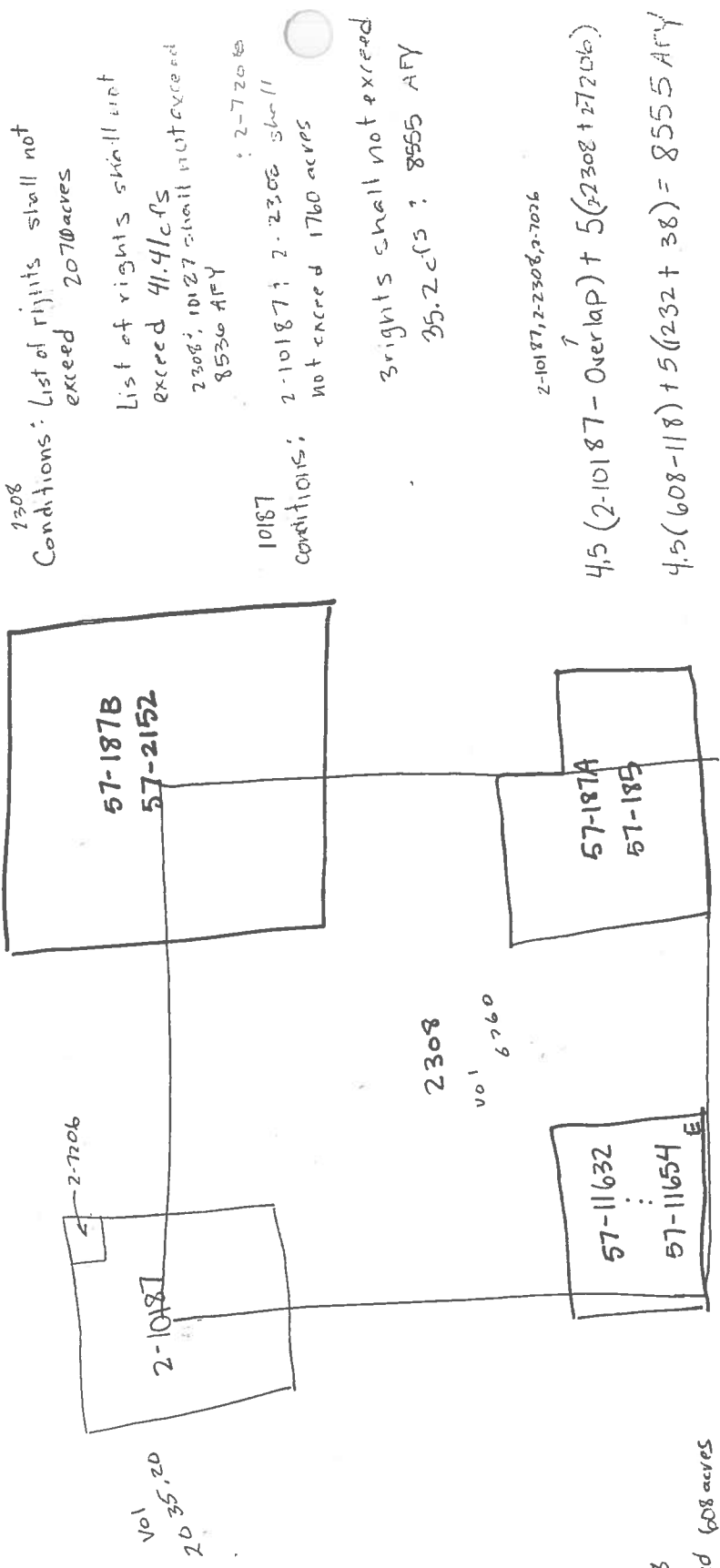
Water Right	Priority Date	Diversion Rate	Cumulative Rate	Capacity
02-02153	10/26/1959	1.55	1.55	
02-02154	10/26/1959	2.76	4.31	
02-02424	6/28/1960	4.16	8.47	15.22
02-02423	2/24/1964	1.86	10.33	
02-02308	5/20/1964	23	33.33	
02-07206	10/30/1975	0.76	34.09	38.84

Condition: The following rights are diverted through point of diversion described above:

req overlap
acres

1 NENW 6
1 SWSE 7

one w/ no volume?
licensing/decree don't add to in/acre?



additions 7206:
copy P6D from 2308
7206T 10187 not exceed 608 acres
12.16 c/s

$$4.5(608-38) + 15(38) = 2755 \text{ AFY}$$

$$2635.2 + 190 = 2225.2 \text{ AFY}$$

$$12.16(608) = 12.16 \text{ c/s}$$

$$12.16 + .76 = 12.92 \text{ c/s}$$

2308
Conditions: List of rights shall not
exceed 2070 acres

List of rights shall not
exceed 41.41 c/s
2308; 10187 shall not exceed
8536 AFY

10187
Conditions:

2-10187; 2-2308 shall
not exceed 1760 acres

3 rights shall not exceed
35.2 c/s; 8555 AFY

2-10187, 2-2308, 2-7206

$$4.5(2-10187 - \text{Overlap}) + 5(2-2308 + 2-7206)$$

$$4.5(608-118) + 5(232 + 38) = 8555 \text{ AFY}$$

(2-10187, 2-2308)

$$4.5(2-10187 - \text{Overlap}) + 5(2-2308)$$

$$4.5(608-80) + 5(1232) = 8536 \text{ AFY}$$

10187 POV Overlap

10187 - 12.16 cfs

2308 - 23 cfs

7206 - .76 cfs

35.92 cfs

Overlapping Acres = 1760

.02

x 1760

35.2 cfs

10187 - 2035.2 AFY

2308 - 6760 AFY

7206 - 190 AFY

8985.2 AFY

4.5

x 1760

7920 AFY

$4.5(2-10187-Overlap) + 5(2-2308 + 2-7206)$

$= 4.5(608-118) + 5(1232+38)$

$= 8555 AFY$

GIS

02-02153 - 75 acres

02-02154 - 148 acres

02-02423 - 86 acres

02-02153; 02-02423 - ^{159.5}~~161~~ acres

of 161 acres

02-02154; 02-02423 - 194 acres

of 234 acres

02-02153; 02-02154; 02-02423 - 266.5 acres

of 309 acres

License

45

02-02153 - 77.3 acres, 02 cfs

Volume Limit

02-02154 - 138.3 acres, 02 cfs

$$4.5 \times (77-3) + 5 \times (214) = 1403$$

02-02423 - 93 acres, 02 cfs

02-02153; 02-02423 - 3 acres overlap - 167.3 acres of 170.3

02-02154; 02-02423 - ¹⁷~~16~~ acres overlap - 214.3 acres of 231.3

02-02153; 02-02154; 02-02423 - ²⁰~~20~~ acres overlap - 288.3 acres of 308.3

Conditions

B

1 02-02153 + 02-02423 are limited to 167.3 acres and 3.34 cfs

2 02-02154 + 02-02423 are limited to 214.3 acres and 4.2 cfs

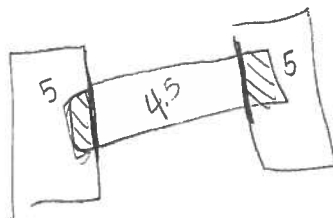
→ 02-02423 + 02-02153 + 02-02154 are limited to 288.3 acres; 5.7 cfs.
1403 AAY

Rec Cond.

02-02423 + 02-02153 + 02-02154 +

57-00187B + 57-02152

441 acres



$$288 \times 5 = 1440$$
$$1403$$



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: _____ Date: _____

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	65	3E	11								38									
GIS											40									
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: _____

Overlapping FOU Claim #'s: _____

Total GIS Acres: _____

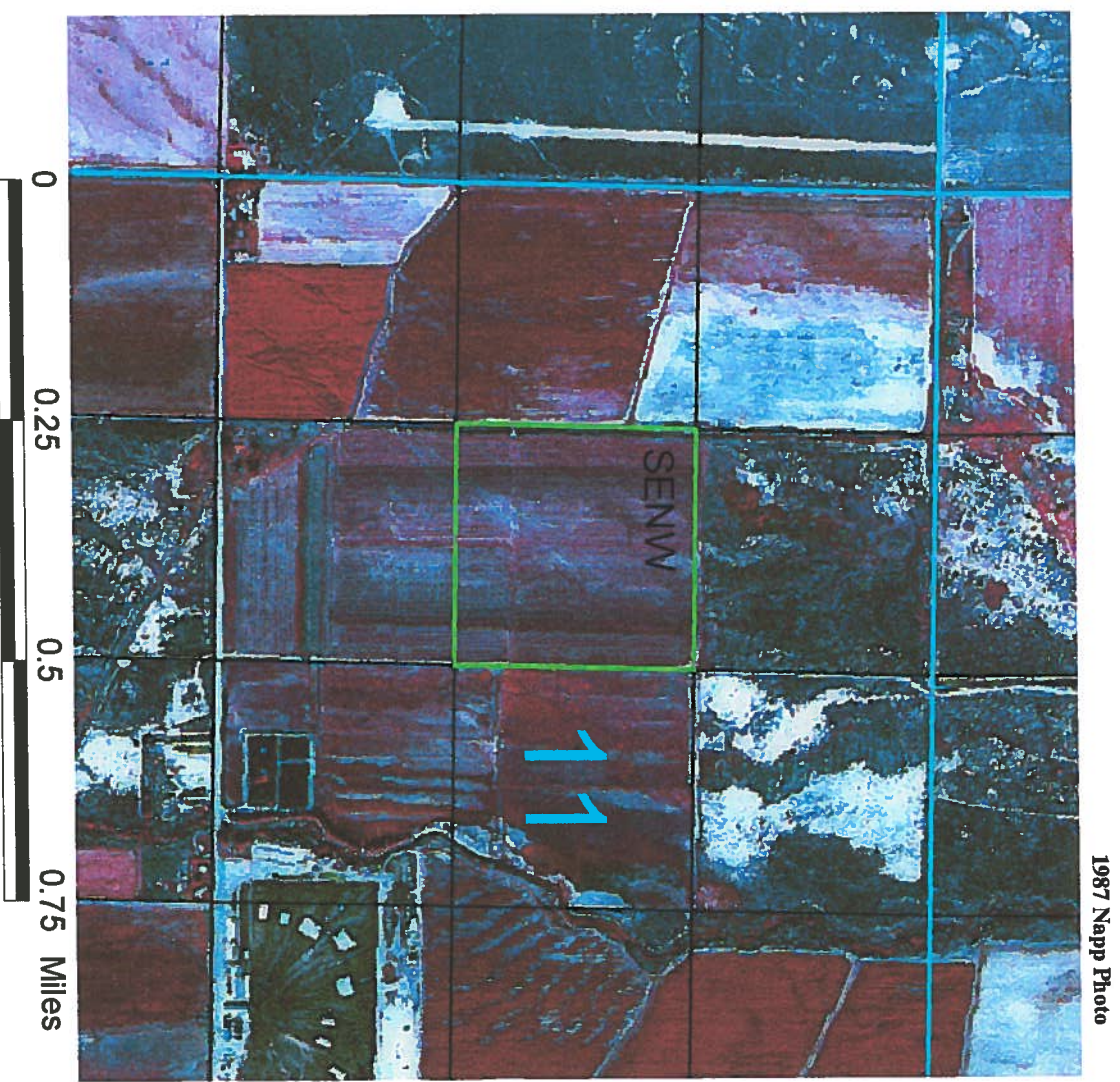
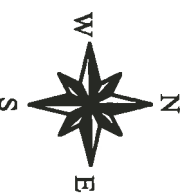
COMMENTS:

County data indicates Simplot owns land. Per claim map and overlapping claim

Idaho Department of Water Resources

Claim Number: 02-07206
Legal: T06S, R03E, S11
Reviewed By:

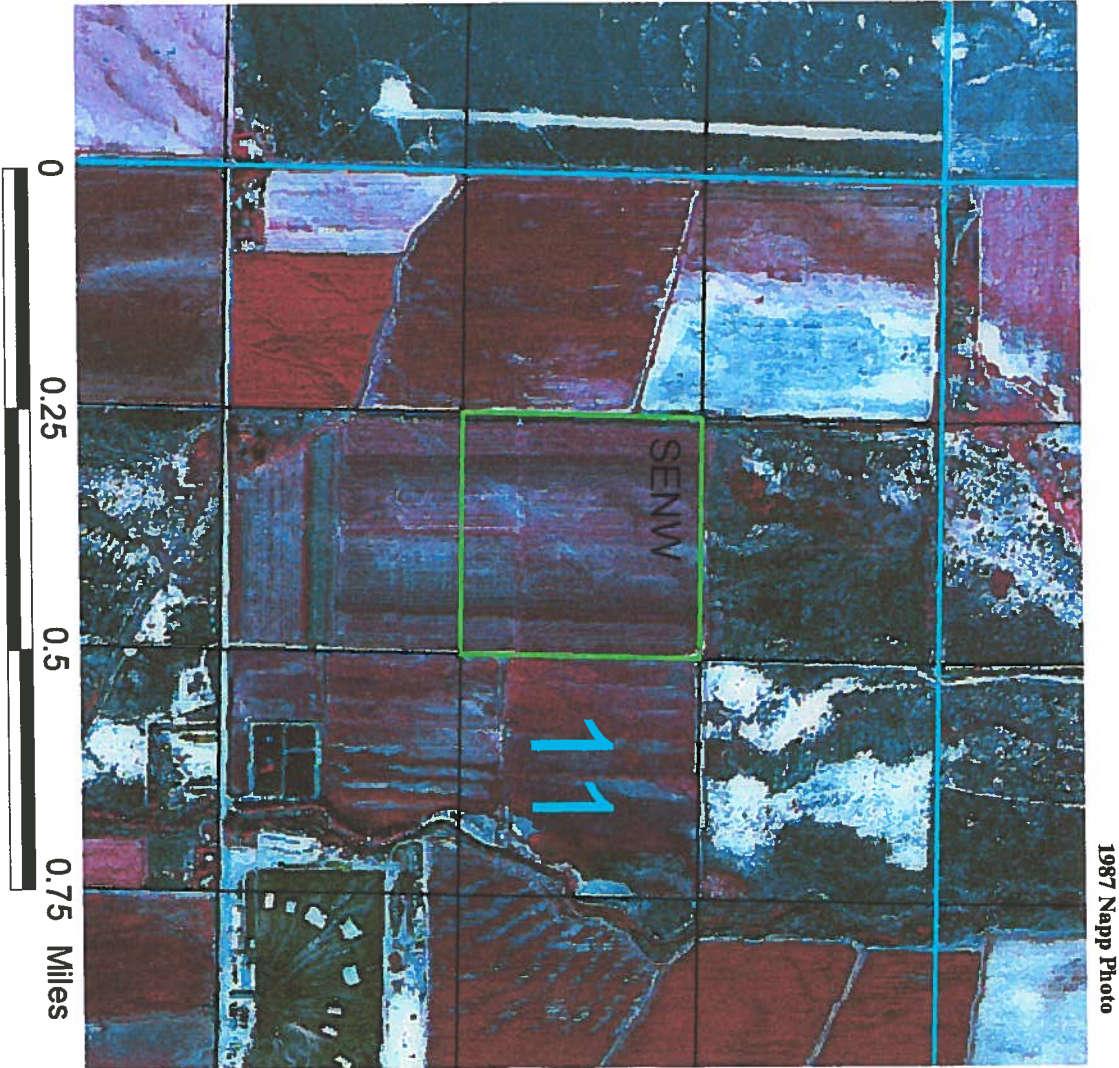
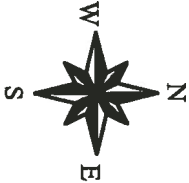
-  Point of Diversion
(located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 02-07206
Legal: T06S, R03E, S11
Reviewed By:

- Point of Diversion
(located outside view)
- Place of Use
- Section Lines
- Quarter Quarter Lines



IN THE DISTRICT COURT OF THE Fourth JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Ada

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Snake River from base of Milner
Dam to Oregon DRAINAGE BASIN.
Border.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>02-7206</u> I.D. No.	<u>19427</u> Map No.
\$ <u>10-</u> Fee Paid	<u>19427</u> Receipt No.

Notice is hereby given that Triangle Dairy, Inc. (Name of Claimant)

3310 Gekeler Lane, Boise, ID 83706 Telephone No. 342-4603
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 10-30-75

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 4.8 cfs .76 Use irrigation Period of Use From 3/1 3115 To 11/30 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 4.8 cfs .76 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 9 SW 1/4 (SE SW) 1/4
Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee County
Additional Points: SEC 14 272.0 (1) 492.5

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
pumping plant, penstocks, canals, relift pump and ditches

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	3E	2															40		40
		11		40			40							40					160
		14					40												40
		2															0		
		11		0			0			38				0					38
		14					0												

Sources outside Basin 2 in G.W 0 = not irr.

Total no. of acres 240 38

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho

Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by 9KAI

Date 10/29/84

Right No. 02-7206

Claimant Triangle Dairy Inc

Recommendation differs from claim:
(Document any differences)

☒ Yes

☐ No

☐ Disallow

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License H. Draft.

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☒ A.S.C.S. Records. Year & Photograph No. 1977 Map attached

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☒ Yes ☐ No Date 11/18/82

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7206 Priority October 30, 1975 Amount 0.76 cfs

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of Boise, Idaho, has complied with the terms and conditions of Permit
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that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 38.84 cfs of water from Snake River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

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Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>0.76</u> cfs and	<u>190.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.76 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
190.0 acre feet per year, said waters to be diverted within the Government Lot 9 (SE $\frac{1}{4}$ SW $\frac{1}{4}$),
Section 34, Twp. 5S, Rge. 4E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	3E	11								38									38

Total number of acres irrigated 38

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 5.0 afa per acre for the lands above.

POOR ORIGINAL

Δ Dairy - Reservoir site 11/18/82 JKN

30 inch Steel Penstock

Annubar 091457 29.25

Meter 0-80 091477 Reading 30

Pumps: Starting at west side

Motor

#1 100 HP U.S. Motors HR1031539

Pump Vertiline 035267

#2 GE 50 HP C2YJ1216363

Johnson Pump No serial #

#3 GE 100 HP C17J324177

Vertiline D11818

#4 GE 100 HP GKJ717141

Vertiline V76-70355

MICROFILMED

AUG 16 1994

Measured by: JKN

Date: _____

Owner: TRIANGLE DAIRY

Permit #: 02-72064 02-7135
C.J. STRIKE RESV.
PUMP SITE

Description of well &/or measuring site (give distance to restrictions upstream and downstream):

APP. 100' OF 30" STEEL PENSTOCK FROM C.J. STRIKE RESV. TO BYBEE
CANAL W/ APP 50' LIFT SUPPLIED BY 4 ELECT. MOTORS W/ PUMPS #1-100 H.P. U.S.

MOTORS #1-1031539 W/ VERTILINE PUMP #035267, #2-50 H.P. GE MOTOR #C2YJ121636
W/ JOHNSON PUMP No. #3-100 H.P. GE MOTOR #CAJ324177 W/ VERTILINE PUMP
#D11818 #4-100 H.P. GE MOTOR #GKJ717141 W/ VERTILINE PUMP #V76-70355.

Measured inside diameter of pipe in inches

28.750"

Size of Annubar used in test

29.250"

State ID# of Annubar used

#091457

Size Eagle Eye Meter used

10-80"

State ID# of Meter used

#091477

Date of Last Calibration of Meter

3/26/82

Observed inches of H2O read on Meter

30.0

Adjusted inches of H2O from Last Calibration

30.0

$F_c F = 1.0$

CALCULATION:

$$A^2 = 826.5625$$

$$\sqrt{B} = 5.477$$

$$(3.85) \times (A)^2 \times \sqrt{B}$$

448.8

$$= 38.835$$

cfs measured

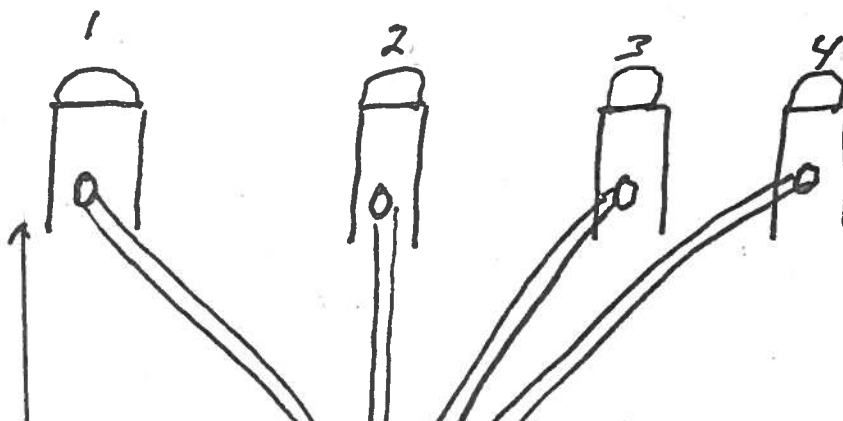
$$3.85 \times 826.5625 \times 5.477$$

448.8

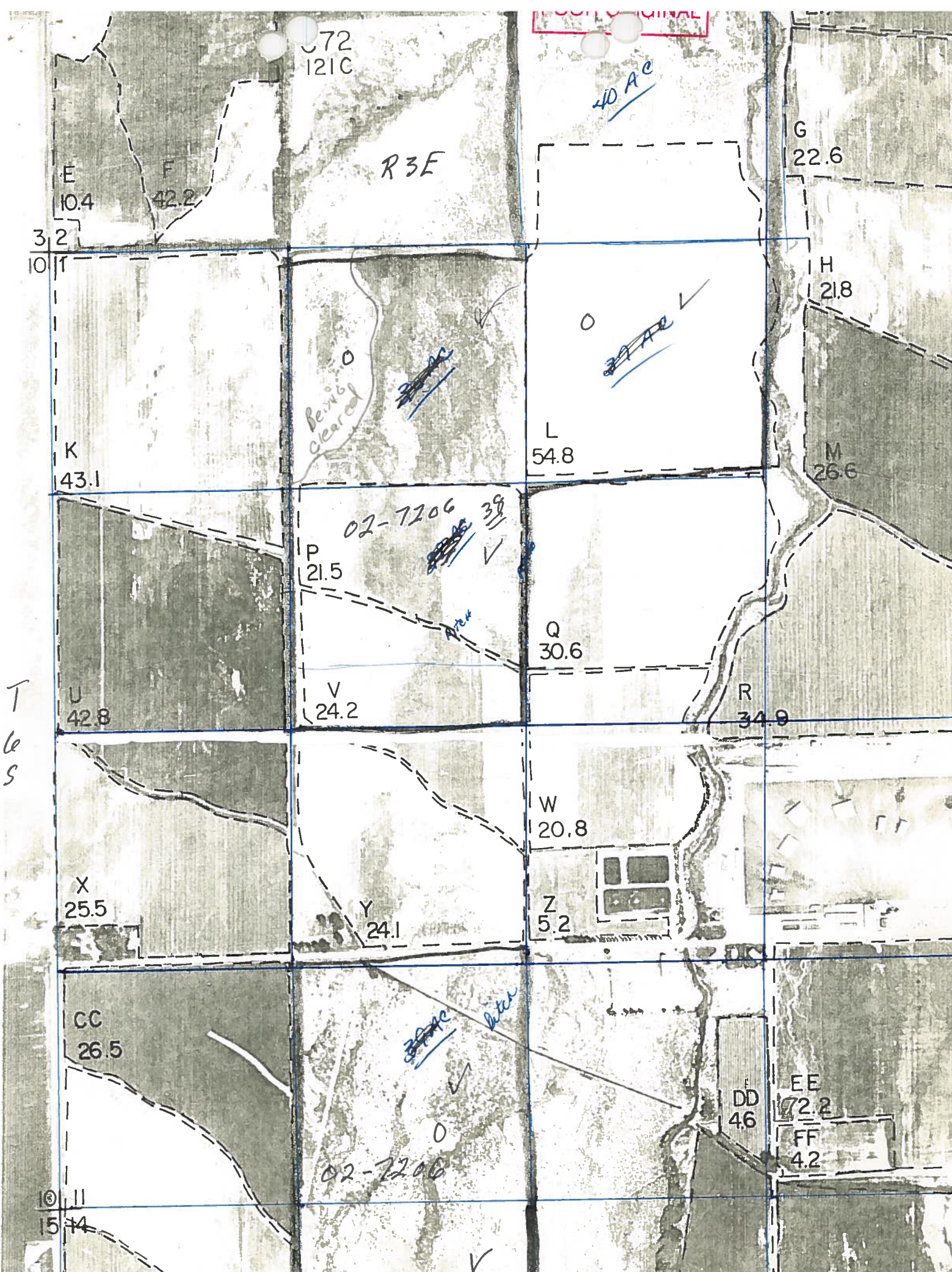
$$= 38.835$$

Where A and B are measured in inches
and 3.85 is a constant for the model
75 Annubar

SKETCH:



Several other
pumps enter
30" pipeline



Identification No. _____

Application No. 02-7206

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Triangle Dairy, Inc. Phone: 342-4601
post office address 3310 Gekeler Lane, Boise, ID 83706

2. Source of water supply Snake River which is a tributary of Columbia

3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34 Township 5S
Range 4E B.M. Owyhee County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 4.8 for irrigation purpose from March 1 to Nov. 30 (both dates inclusive)
cfs or acre-feet per annum
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
cfs or acre-feet per annum
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
cfs or acre-feet per annum

5. Total quantity to be appropriated:

a. 4.8 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump, motor, gravity canal,
pipeline

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ _____.

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	3E	2															40		40
		11		40			40		40				40						160
		14					40												40

Total number of acres to be irrigated 240

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion U.S. Public Lands - Right-of-Way I-011

b. Who owns the land to be irrigated or place of use applicant I-011

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing I-015

10. Remarks

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____
Snake River from Base of Milner
Dam to Oregon DRAINAGE BASIN.
Border.

NOTICE OF CLAIM TO A WATER RIGHT

<u>02-7206</u> I.D. No. \$ <u>10 -</u> Fee Paid	Map No. <u>19427</u> Receipt No.
--	--

Notice is hereby given that Triangle Dairy, Inc.
(Name of Claimant)

3310 Gekeler Lane, Boise, ID 83706
(Mailing Address)

Telephone No. 342-4603
(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) _____
10-30-75
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) _____
Snake River tributary to Columbia
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|---|--|--|
| Quantity <u>4.8 cfs</u>
(CFS, GPD, AF) | Use <u>irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/1</u> To <u>11/30</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 4.8 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source Top of 1/4 (SE SW) 1/4
Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee County
Additional Points: _____
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. _____
pumping plant, penstocks, canals, relift pump and ditches.
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>6S</u>	<u>3E</u>	<u>2</u>															<u>40</u>		<u>40</u>
		<u>11</u>		<u>10</u>			<u>10</u>			<u>40</u>				<u>40</u>					<u>160</u>
		<u>14</u>					<u>10</u>												<u>40</u>

Total no. of acres 240

B) If water is used for other than irrigation, fully describe that use, being as specific as possible.

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____

(9) Basis of claim (Check one)

- ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____

Department of Water Resources
Western Regional Office

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho

RECEIVED

JUN 12 1981

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: A02-07206
Date Received: 1/11/1989
Receipt No: W002037
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TRIANGLE DAIRY INC. 208-345-3130
Address: P.O. BOX 7526
BOISE, ID 83707
2. Date of Priority: OCT 30, 1975
3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 05S | 04E | 34 | SW | SE | SW | 9 | OWYHEE |
5. Description of diverting works:
3 100 HP PUMPS, 1 50 HP PUMP, 1 250 HP PUMP, CANAL & DITCHES.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.760 | | 190.00 |
7. Total Quantity Appropriated is:
0.760 C.F.S. (and/or) 190.00 A.F.A.
8. Total consumptive use is 133.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	03E	11	SE	NW		IRR	38.0
Section Acres							38.0
Total Acres							38.0

A02-07206

Page 1

Date: 04/03/89

MICROFILMED

AUG 10 1992

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
57-0185, 57-0191

14. Remarks:

WATER IS DIVERTED FROM THE SNAKE RIVER AND TRANSPORTED BY CANAL TO THE TRIANGLE DAIRIES PROPERTY. IT IS FURTHER DISTRIBUTED BY RELIFT PUMPS AND/OR LATERAL DITCHES, DEVELOPED DRAIN DITCHES AND THE NATURAL CHANNEL OF SHOOFLY CREEK.

15. Basis of Claim: LICENSE

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 _____

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 02-07206Date Received 1-11-89Receipt Number WDD2037 & WDD2478

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED
JAN 11 1989

ACQUIRED UNDER STATE LAW Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Triangle Dairy, Inc. Phone (208) 345-3130
Mailing Address P. O. Box 7526
897-Park-Bldg--Boise, Idaho Zip 83707

2. Date of Priority (Only one (1) per claim) 10/30/75

3. Source of water supply (a) Snake River
which is tributary to (b) Columbia River

4. a. Location of existing point of diversion is: Township 5S Range 4E Section 34,
SW 1/4 of SE 1/4 of SW 1/4, Govt. Lot, 9 B.M., County of Owyhee

Additional points of diversion if any: None

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

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.

Three 100 HP pumps, one 50 HP pump, one 250 HP pump, canal and lateral ditches.

MICROFILMED

AUG 10 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .76 or 190

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .76 (cfs) and/or (b) 190 (acre feet)

8. Total consumptive use claimed is 133 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

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	
6S	3E	11								38									38

Total number of acres irrigated 38

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

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.
57-0185-0191 or None ()

14. Remarks:

Water is diverted from the Snake River and transported by canal to the
Triangle Dairies property. It is further distributed by relift pumps and/or lateral
ditches, developed drain ditches and the natural channel of Shoofly Creek.

MICROFILMED

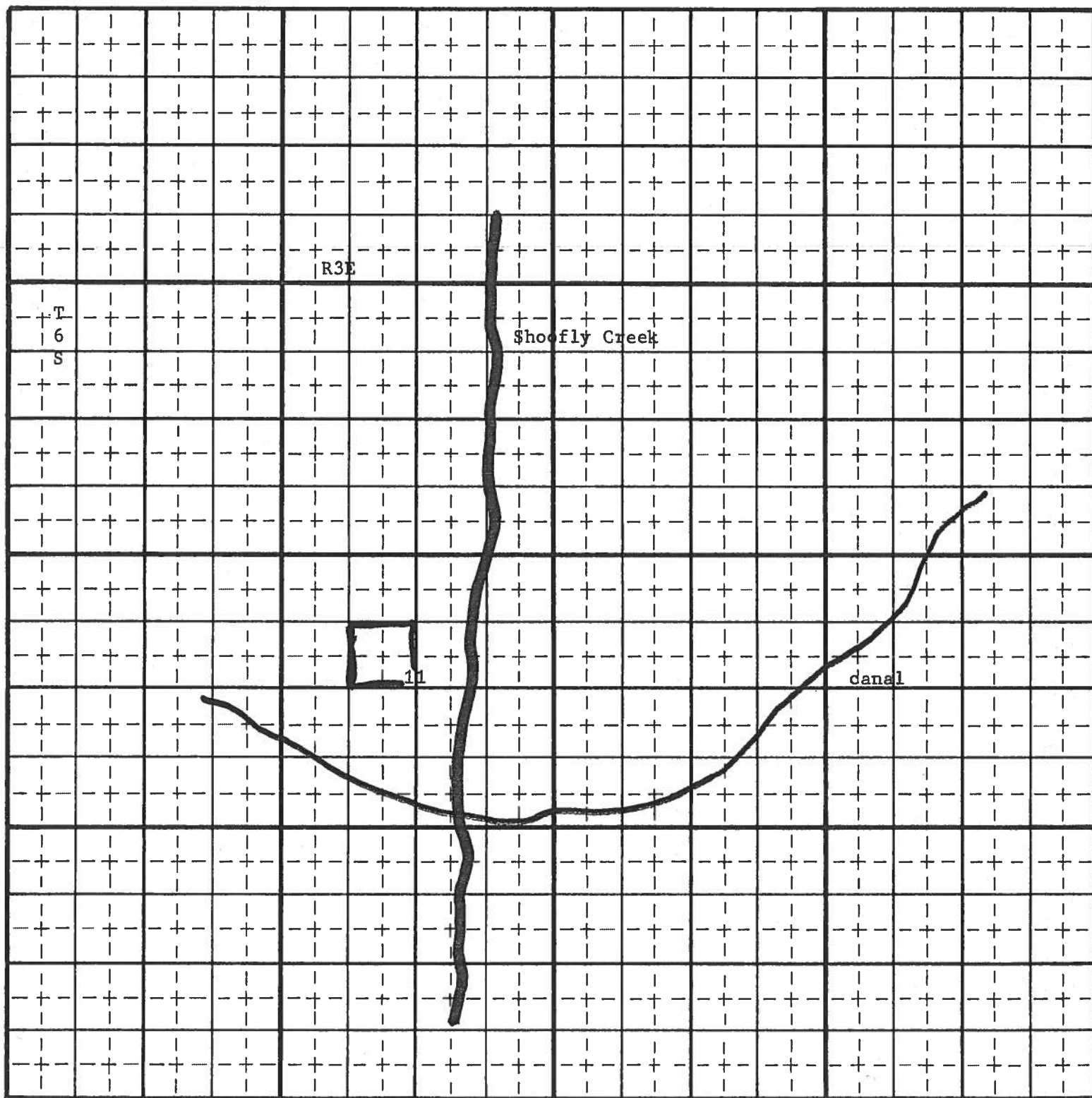
AUG 10 1992

Last Name Triangle Dairy, Inc. 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



NOTE: Attachment "A" shows PD

MICROFILMED

AUG 10 1992

Last Name Triangle Dairy, Inc. Ident No. _____

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 02-7206

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

Number of attachments 1

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 President

Title

of Triangle Dairy, Inc. _____, that I have signed the foregoing

Organization

document in the space below as President of Triangle Dairy, Inc.

Title

Organization

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

Signature of Authorized Agent

William D. Tate

Title and Organization President, Triangle Dairy, Inc. Date 1/6/89

State of Idaho/or _____)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 6 day of January 19 89

Notary Public

Sherl Chapman

Residing at 451 Willowbrook Meridian Rd

My Commission Expires 6/14/94

Please Print Name Sherl Chapman

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 _____

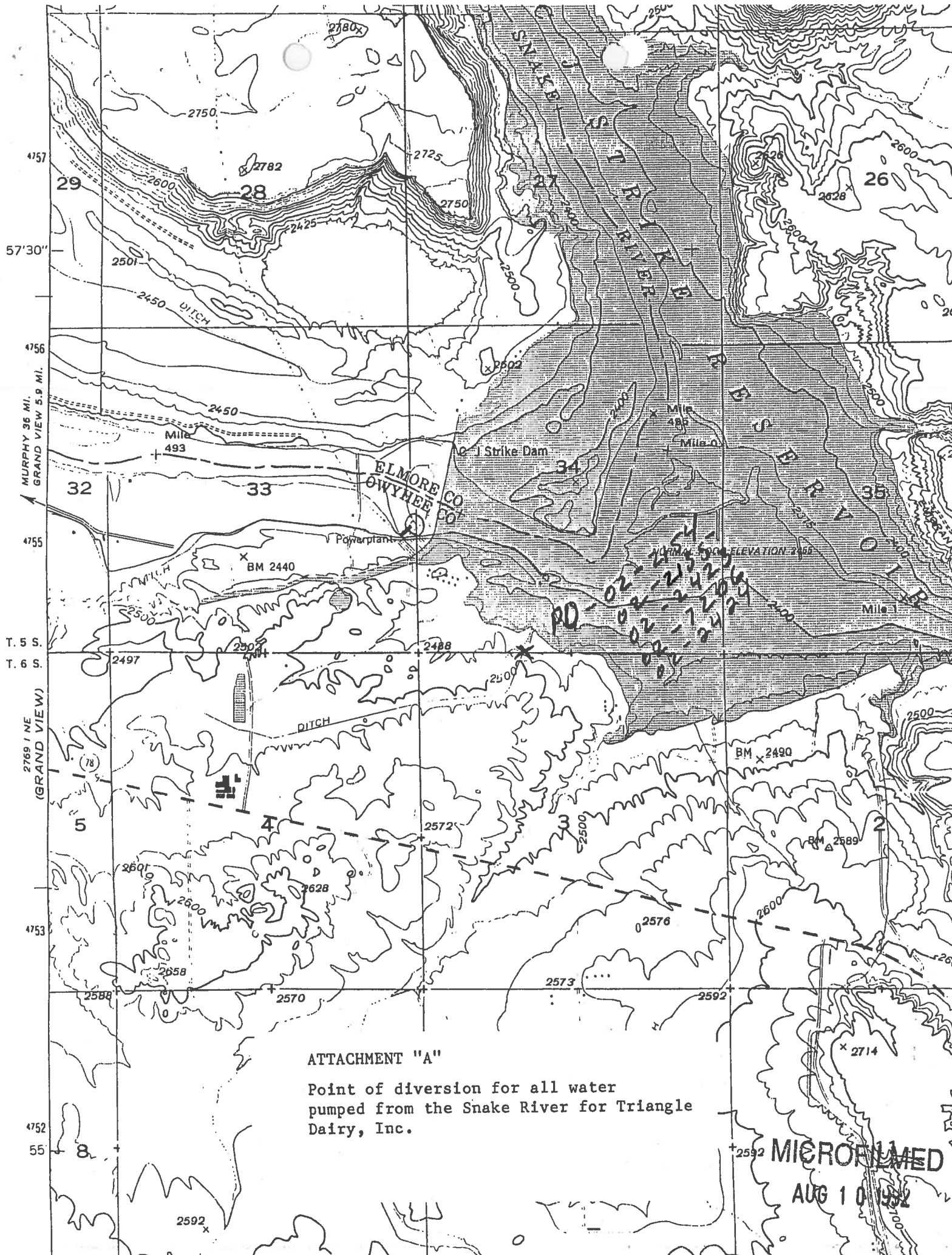
Date _____

MICROFILMED

AUG 10 1992

Last Name Triangle Dairy, Inc. Ident. Number _____

Copies White-State, Yellow-Claimant



ATTACHMENT "A"

Point of diversion for all water
pumped from the Snake River for Triangle
Dairy, Inc.

MICROFILMED
AUG 10 1982

1/23/1988

SRBA CLAIMS RECEIVING CHECK R #2

CLAIMANT'S NAME

Triangle Dairy

CLAIM IDENT. NO.

02-7206

DATE RECEIVED

1-11-89

CK #

AMOUNT \$

- | | YES | NO | Require 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. | ☒ | ☐ | |
| 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 domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| 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 properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| N/A | ☒ | ☐ | |
| 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 claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| Exempt | ☒ | ☐ | |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| N/A | ☒ | ☐ | |
| 22. Should this claim be receipted and data entered? | ☒ | ☐ | |

Claim checked by:

LW

Date:

3-22-89

Claim must be returned to claimant:

☐ (Yes) ☐ (No)

Claimant must be sent a copy of amended claim for approval:

☐ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

MICROFILMED

Comments:

AUG 10 1992