

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7391

NAME AND ADDRESS: BASIC AMERICAN FOODS
AMERICAN POTATO CO
40 E 7TH N
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.640 CFS
463.300 AFY

Right Nos. 22-2204 and 22-7391 are limited to a total combined annual diversion volume of 2389.1 AF.

PRIORITY DATE: 02/23/1982

POINT OF DIVERSION:

T06N R40E S19 NWNENE Within MADISON County

T06N R40E S19 NWNENE Within MADISON County

T06N R40E S19 NENWNE Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

INDUSTRIAL

01/01 12/31

0.640 CFS
463.30 AFY

Industrial use is for potato processing. The water diverted under this right for industrial purposes must first be used in association with potato processing and includes the treatment of process water with fresh water. After water is used for these industrial purposes it may be applied to land to satisfy federal or state water quality requirements. Water diverted shall not be used for land application unless the water is applied to land that has an appurtenant water right that is capable of providing a full supply of water for irrigation.

PLACE OF USE: INDUSTRIAL in MADISON County

T06N R40E S19

NENE

T06N R40E S19

NWNE

Place of use may also include other lands upon which the process water may be applied for land application purposes to satisfy federal or state water quality requirements. Water diverted shall not be used for land application unless the water is applied to land that has an appurtenant water right that is capable of providing a full supply of water for irrigation. Water diverted shall not be used for land application unless the water is first used in potato processing and treatment of process water as authorized by the water right. The industrial use of water under this right includes treatment of process water with fresh water.

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.

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

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



2678244 E
1406698 N

01/13/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-7391

BASIC AMERICAN FOODS
AMERICAN POTATO CO
40 E 7TH N
REXBURG ID 83440
Telephone Number: (208)356-3631

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity
Priority Date
Point of Diversion
Purpose and period of use

2. Describe the changes you wish to make in the proposed recommendation:

Basic American Foods realizes that it may need to amend SRBA claims 22-2204, 22-7391, and 22-10008 AND/OR file new SRBA claims as a result of the listed changes:

QUANTITY: .86 cfs - only licensed for 0.64 cfs

QUANTITY: USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2577.4 AF. COMBINED RIGHT NOS.: 22-2204, 22-10008

PRIORITY DATE: October/November 1961 licensed w/ Feb 1982, not changing.

POINT OF DIVERSION: T06N R40E S19 NWNENE Within MADISON County (2 WELLS)

PURPOSE AND PERIOD OF USE: THE WATER DIVERTED UNDER THIS RIGHT FOR INDUSTRIAL PURPOSES MUST FIRST BE USED IN ASSOCIATION WITH THE POTATO PROCESSING PLANT LOCATED IN T__S, R__E, S__, ____ AND _____. AFTER WATER IS USED FOR INDUSTRIAL PURPOSES IN ASSOCIATION WITH THE POTATO PROCESSING PLANT, IT MAY BE APPLIED TO AND USED FOR THE IRRIGATION OF THE LAND DESCRIBED IN THE PLACE OF USE FOR INDUSTRIAL PURPOSES IN T__S, R__E, S__, _____. TO SATISFY WATER QUALITY REQUIREMENTS. THE INDUSTRIAL USE OF WATER UNDER THIS RIGHT INCLUDES THE TREATMENT OF WASTE WATER WITH FRESH WATER.

3. Give a brief explanation as to why you disagree with these portions:

The original license file for 22-2204 shows that 3.56 cfs was diverted and in use from October/November 1961.

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: January 13, 2006

SIGNATURE:

Please print your name:

Josephine P. Beeman
Attorney for Basic American Foods, Inc.
Beeman & Associates, P.C.
409 W. Jefferson Street
Boise, ID 83702
(208) 331-0950

RECEIVED

JAN 17 2006

Department of Water Resources
Eastern Region

SCANNED

JUL 18 2006

Not combining w/ 22-2204.
recommending as licensed.

Claim No 22-7391

Document Checklist

☐ Copy License/Decree

☐ Copy Transfer

☐ Copy Licensing Field Exam

☒ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

*Per Courthouse 10/29/04 Basic American Fields
06N 40 E 19 0010, 0020 See A22-10008*

*See notes in 22-7704 for more details on wells owned
by BAF.*

PROFILED

SCANNED

JUL 18 2006

Claim no. A22-7391

Claimant Contact Log

Date _____

Remarks

Agent initials

30 May 05

See A22-02204 contract log
See e-mail in A22-10008

Bac

Claim Number: A22-7391 **Contacts Data Entry Form**

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

Please see discussion in A22-02204. This POB
is actually in 6N 40 E 19 NW NENE. BAC 30 May 05

Reviewer: _____ Date: _____

Priority Date Data Entry Form

Claim Number: A22-7391

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Copy of license shows 23 Feb 1982 Bac

Reviewer: _____

Date: _____

Water Right No(s). A22-7391

tag E0006988
on motor conduit.
No motor information
but controls on main
power board are
labeled " #518 boiler
well pump 25 hp
well pump."
30 May 05 BAC

GPS DATA:

Tag # _____ Location _____

Diversion Data:

Source: _____ Trib t _____

MOTOR

Make: _____ Model: _____

SN: _____

PUMP

Make: _____ Model: _____ Disch: _____

SN: _____

NOTES:

Field Exam Date: _____ Agent: _____



Point of Diversion and Source Data Entry Form

Claim Number: A22-7391Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

See map in A22-02204. Well appears to actually
 be in 6N 40E 19 NW NE NE. GPS Waypoint
 19, 2678295E 1406686 N IDTM 83. COP3
 See e-mail in A22-10008 BAC 30 May 05.

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: A22-7391Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

Field inspection 27 May 05. Primary use of this well is in the boiler in 6N 40E 19 NENE but well can also serve the plant which has use in both 6N 40E 19 NENE and NW NE. Doc 30 May 05
see e-mail in A22-10008.

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: A22-7391Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<u>Industrial</u>				

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

License shows 0.64 cfs, 463.8 afa, 1/1 - 12/31.
 Note that 463.8 gfa = 24 hrs per day x 365 days per year.
 BAC 30 May 05

⇒ Recommended

Reviewer: _____

Date: _____

Ruberry, Allen

From: Bryce Contor [bcontor@if.uidaho.edu]
Sent: Tuesday, May 31, 2005 8:20 AM
To: jo.beeman@beemanlaw.com
Cc: kekeller@baf.com; bwright@baf.com; aruberry@idwr.state.id.us
Subject: Basic American Foods Water Rights - Rexburg

Dear Ms. Beeman -

On Friday Keith Keller and Eric Eastin showed me the wells and facilities associated with the Basic American Foods water rights in Rexburg. I told Mr. Keller I'd send you a summary of what we found, with a copy to him.

1) A22-02204. This is for the main water supply for the plant. The original license is for one well in 6N 40E 19 NWNE. The original well is actually in NENE, the large well known as "Well A." There is a second well, "Well C," in the NWNE. Mr. Keller and Mr. Eastin had supposed that this well was the well claimed under A22-10008, but inspection of the claim and documentation suggest that A22-10008 is a well across the road to the north at a maintenance shop.

Basic American Foods may wish to consider amending claim A22-02204 to show the correct location of the original well and to add Well C as an accomplished second point of diversion. It may also be well to amend the place of use to include both the NWNE and the NENE, as the plant actually overlaps the line between these two quarter-quarters. These differences in location appear to arise from better aerial photography that was not available to the licensing examiner, not to any change that has been made by Basic American Foods.

The license does not specify an annual volume. I forgot to double-check my assumption (based on license 22-7391) that the plant operates 24 hours/day, 365 days/year. If Mr. Keller, Mr. Wright or Mr. Eastin could call Al Ruberry at 525-7161, or me at 681-9100, to confirm this, that would aid in making a correct recommendation.

2) A22-04063. This is for the well at the former Meyers Brothers feedlot. About a year ago the well was capped and buried, in anticipation of moving it to a new location to allow for changing the irrigation system. Mr. Keller and Mr. Eastin are working on getting affidavits to establish priority and the capacity of diversion works. The water right is based on the original beneficial use for the feedlot. Since the feedlot is no longer in use, I expect Basic American Foods will want to transfer the water right to a different use, or resume using it for some other commercial purpose at the same location.

The claim lists only the SESW of 7N 40E 28 as the place of use, but the aerial photos clearly show that use also occurred in the NESW, the NWSE and the SWSE. Since this water right will likely be transferred to a different use in the future, it may not matter, but your clients might want to consider an amendment to include all four quarter-quarters. I did not discuss with Mr. Keller and Mr. Eastin that a future transfer will need to occur before the water right is forfeited for non-use.

3) A22-07391. This is for the boiler well, "Well B" at the main plant. The license and the physical connections allow it to be used within any part of the plant. As with A22-02204, the place of use and point of diversion are both listed as 6N 40E 19 NWNE. The well is actually in NENE and the place of use is in both NWNE and NENE. Basic American Foods may wish to consider an amended claim.

4) A22-10008. This is a beneficial use claim for the well known as the "Anderson Well," which serves a small maintenance shop across the road to

Don't need amended claim. Recommend as found in field exam and license. There have been no changes, so everything should be original.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

22-2204

22-7391

22-10008

22-4063

22-11443

BASIC AMERICAN FOODS
AMERICAN POTATO CO
245 W 1000 N
REXBURG ID 83440

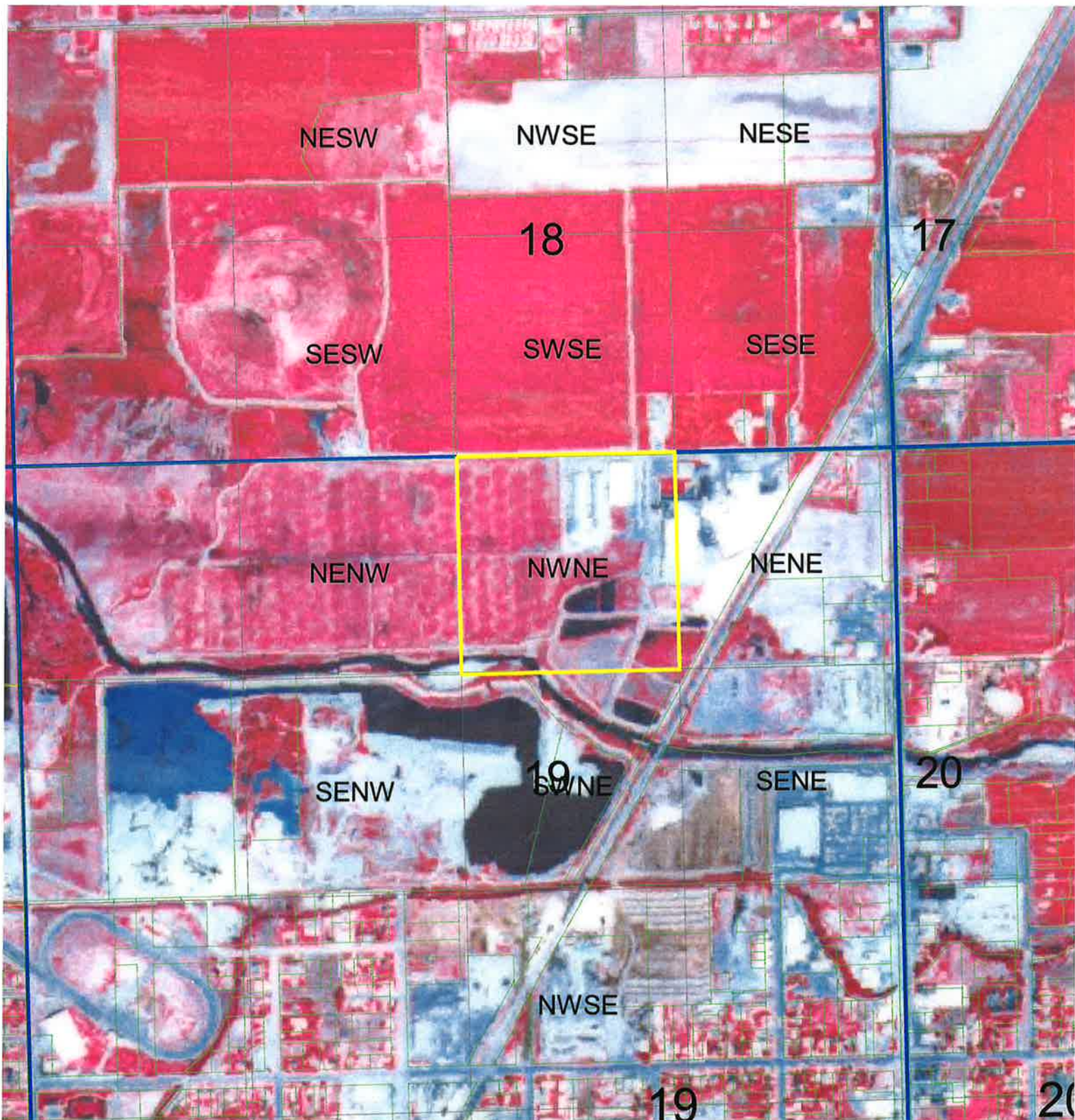


BAS1245* 834402005 1303 05 03/05/04
RETURN TO SENDER
:BASIC AMERICAN FOODS
40 E 7TH N
REXBURG ID 83440-3584
RETURN TO SENDER

834402204/1700



22-7391



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7391 Priority February 23, 1982 Amount 0.64 cfs

THIS IS TO CERTIFY, that American Potato Company
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-7391 issued pursuant to Application for Permit dated February 23, 1982,
and has submitted proof to the Department of Water Resources on July 21, 1982,
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 0.64 cfs of water from a groundwater source,
tributary to _____, 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
<u>Industrial</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.64</u> cfs and	<u>463.3</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 0.64 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
463.3 acre feet per year, said waters to be diverted within the NW 1/4 Section 19,
Twp 6N, Rge 40E in the County of Madison

Description and location of place of use:

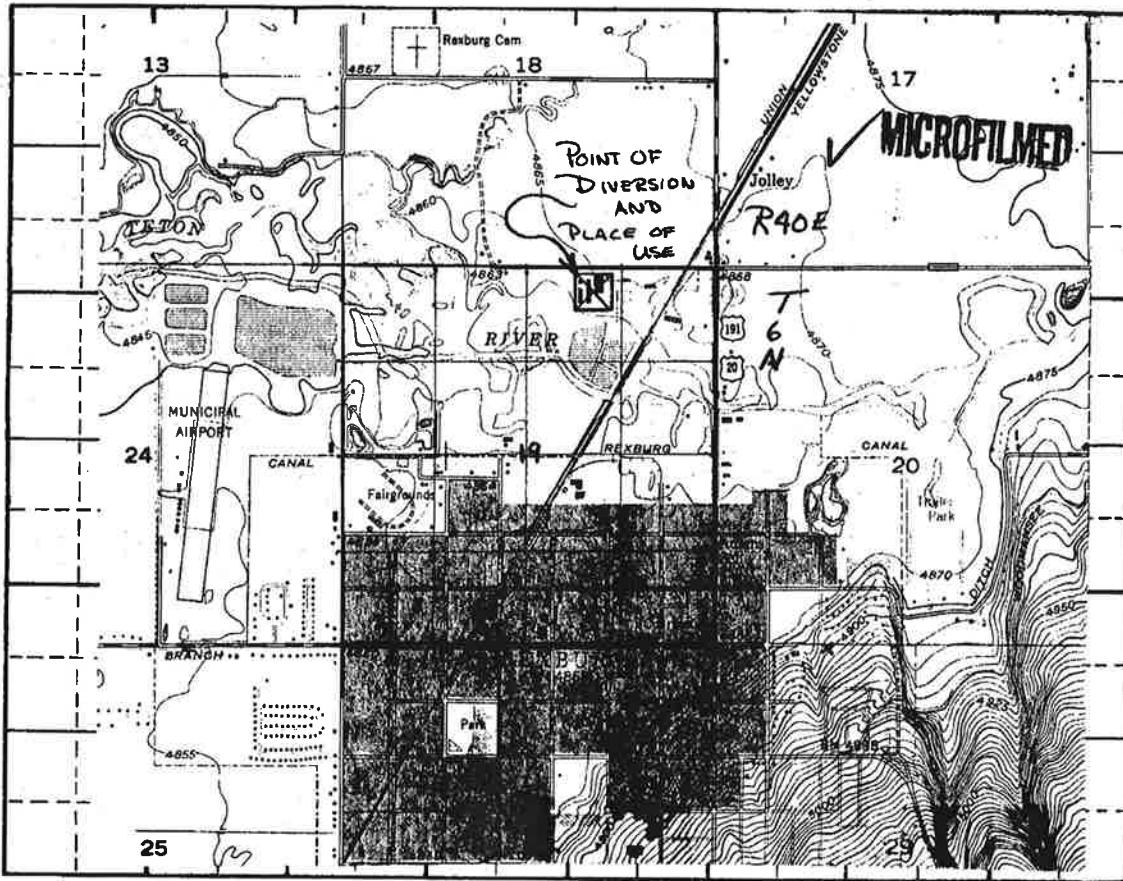
Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	40E	19	X																

Total number of acres irrigated _____

MICROFILMED

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

N/A

Point(s) of diversion: NW 1/4 NE 1/4 SEC 19 T6N R40E

Place(s) of Use ✓

TWP.	RGE.	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	
6N	40E	19	I																

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature

Keith C. Wilson

Date *9 April 1984*

Checked by

John Jones

Date *5-9-84*

Approved by

Ray Walker

Date *5-12-86*

WATER RIGHT LICENSE

Printed February 23, 1982 Amount \$2,631.42

at Rexburg, Idaho

has complied with the terms and conditions of Permit issued pursuant to Application for Permit dated February 23, 1962

and has submitted proof to the Department of Water Resources on July 21, 1982

capacity for the diversion of 0.64 cfs of water from a groundwater source

and that the permit holder has applied for beneficial use and

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
Industrial	from January 1	to December 31	at 0.64	463.3 acre feet
	from	to	at	acre feet
	from	to	at	acre feet
	both inclusive		at	acre feet

Subject, however, to the condition that no more than 0.64 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 463.3 acre feet per year, said waters to be diverted within the NW1/4 Section 19, Twp 6N, Rge 40E

Flowage: _____
 Description and location of place of use: _____

[illegible]Let $\alpha_1, \alpha_2, \dots, \alpha_n$ be all the eigenvalues of A .

OCT 29 1992

DECEMBER

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

CIVIL CASE NUMBER: 39576

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

Ident. Number **A22-07391**

Date Received _____

Receipt Number _____

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

Please type or print clearly

1. Name of Claimant **Basic American Foods** Phone **(208) 356-3631**
Mailing Address **245 West 1000 North**
Rexburg, ID 83440
2. Date of Priority: **February 23, 1982**
3. Source of water supply: **Ground water**
4. Location of point of diversion: **Township 06N Range 40E Section 19 NWNE County of Madison (kipper well)**
Additional points of diversion: **Township 06N Range 40E Section 19 NWNE County of Madison (main well)**
Township 06N Range 40E Section 19 NWNE County of Madison (lawn well)
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 wells and pumps to plant.**

6. Water is claimed for the following purposes:

For **Industrial** purposes from **01/01** to **12/31** amount **0.640 cfs**
(both dates are inclusive)

7. Total quantity claimed: **0.640 cfs**

8. Total consumptive use claimed is **463.3 acre feet per annum**.

9. Non-irrigation uses; describe fully. (Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) **I/potato processing plant**

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 ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	
06N	40E	19		I															

Total number of acres irrigated _____

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
A22-2204

14. Remarks: **A22-02204 is a separate well.**

15. Basis of Claim: **License**

If applicable provide IDWR Water Right Number 22-07391

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature

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

Number of Attachments _____

I, **Bruce Wright**, do solemnly swear or affirm that I am the **Senior Project Manager – Environmental of Basic American Foods**, that I have signed the foregoing **Amended Notice of Claim to a Water Right** as the **Senior Project Manager – Environmental of Basic American Foods** and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization Senior Project Manager – Environmental
Basic American Foods

Date: July _____, 2007

State of _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of July 2007.

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, Josephine P. Beeman, 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 _____

Josephine P. Beeman
Beeman & Associates, P.C.
409 W. Jefferson Street
Boise, ID 83702
(208) 331-0950
(208) 331-0954 (fax)

Date: July _____, 2007

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

RIGHT NUMBER: 22-7391

NAME AND ADDRESS:

BASIC AMERICAN FOODS
AMERICAN POTATO CO
40 E 7TH N
REXBURG ID 83440

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

0.640 CFS

463.300 AFY

PRIORITY DATE:

02/23/1982

POINT OF DIVERSION:

T06N R40E S19 NWNENE
Within MADISON County

T06N R40E S19 NWNENE
Within MADISON County

T06N R40E S19 NENWNE
Within MADISON County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

INDUSTRIAL

01/01 12/31

0.640 CFS

463.30 AFY

Industrial use is for a potato processing plant.

PLACE OF USE:

INDUSTRIAL

within MADISON County

T06N R40E S19 NENE

T06N R40E S19 NWNE

ACRES TOTAL

The place of industrial use includes land upon which wastewater may be applied for land application purposes to satisfy water quality requirements. Water diverted shall not be used for land application unless the water is first used in potato processing as authorized by this water right.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

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

Right No. 22-2204 is a separate well which also serves the place of use described above.

02/24/2006

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

RIGHT NUMBER: 22-7391

NAME AND ADDRESS: BASIC AMERICAN FOODS
AMERICAN POTATO CO
40 E 7TH N
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.640 CFS
463.300 AFY

PRIORITY DATE: 02/23/1982

POINT OF DIVERSION:

T06N R40E S19 NWNENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
INDUSTRIAL

PERIOD OF USE
01/01 12/31

QUANTITY
0.640 CFS
463.30 AFY

PLACE OF USE:

INDUSTRIAL Within MADISON County

T06N R40E S19

NENE

T06N R40E S19

NWNE

The place of industrial use includes land upon which wastewater may be applied for land application purposes to satisfy water quality requirements. Water diverted shall not be used for land application unless the water is first used in potato processing as authorized by this water right.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 22-2204 is a separate well which also serves the place of use described above.

Industrial use is for a potato processing plant.

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: A22-07391
Date Received: 5/20/1988 8-25
Receipt No: E00 2724

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BASIC AMERICAN FOODS
Address: AMERICAN POTATO DIVISION
245 WEST 1000 NORTH
REXBURG, ID 83440

208-356-3631

2. Date of Priority: FEB 23, 1982

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Department of Water Resources
Eastern District Office

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	40E	19	NW	NE			MADISON

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.640		

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

A.F.A.

8. Total consumptive use is 463.3 Acre Feet Per Annum.

9. Non-irrigation uses:
I/POTATO PROCESSING PLANT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	19	NW	NE		INDUST	

11. Place of use in counties: MADISON

A22-07391

Page 1

Date: 05/20/88

MICROFILMED

OCT 29 1992

RECEIVED

AUG 20 1988

A2207391



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

13. Other Water Rights Used:
A22-02204.

14. Remarks:
RIGHT NO. A22-02204 IS A SEPARATE WELL.

15. Basis of Claim: LICENSE
Water Right Number:

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: 0

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): Lavor Squire Date: aug 24, 88

Date: _____

State of Idaho)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of August 19 88

Shane Beezy
Notary Public

Seal

Residing at Rexburg ID
My Commission Expires 6-24-91

For Organizations:

I do solemnly swear or affirm that I am Plant Manager
Title
of Basic American Foods, that I have signed
Organization
the foregoing document in the space below as Plant mgr
Title
of Rexburg Plant and that the statements contained in
Organization

the foregoing document are true and correct.

Signature of Authorized Agent Laver Squier

Title and Organization Plant mgr

Date Aug 24, 88

State of Idaho or _____)

County of Madison) ss.

Subscribed and sworn (or affirmed) before me this 24th day of

August, 1988.

Notary Public [Signature]

Residing at Rexburg, ID

My Commission Expires 6-24-91

MICROFILMED

OCT 29 1992