

05/15/2006

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

RIGHT NUMBER: 22-7423

NAME AND ADDRESS: ARLENCO INC
C/O GLEN OR LANE ARNOLD
2965 S 2000 W
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.010 CFS
1.40 AFY

PRIORITY DATE: 02/24/1983

POINT OF DIVERSION: T05N R39E S14 NWSWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	09/15 04/15	0.010 CFS 1.40 AFY
Comercial use is for potato storage humidifiers.		

PLACE OF USE: COMMERCIAL Within MADISON County
T05N R39E S14 SWSW

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

RECEIVED

JAN 18 2005

Department of Water Resources
Eastern Region

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number (s): A22-7423

*changed
address
JC
1/18/05*

[] Old Mailing Address: c/o Glen or Lane Arnold
3047 S 2000 W
Rexburg ID 83440

[] New Mailing Address: Lane Arnold
2965 S. 2000 W.
Rexburg, ID. 83440

New Telephone Number: (208) 356-6677

[] Signature of Claimant: Lane Arnold

Date: 1-4-05

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:

*Please fill out where highlighted
and mail to*

IDWR

900 N Skyline Ste A

Idaho Falls ID 83402

Thanks, Beyer

Claim no.

Claimant Contact Log

Date _____

Remarks

Agent initials

5 Jan 05 356-6416 13:35 - try calling 356-6677 (office)
356-6677 13:36 msg on machine.

6 Jan 05 Mr. Arnold called - OK to suggest he will
be out of town. new address 2965 S 2200 W Rexburg 83440
Δ Address form mailed. BAC

Contacts Data Entry Form

Claim Number: A22-7423

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.

Well is currently unused - no pump motor or controls.
However W/R is based on a post-1987 license. Cbac 7 Jan 05

Reviewer: _____ Date: _____

Priority Date Data Entry FormClaim Number: A22-7423

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

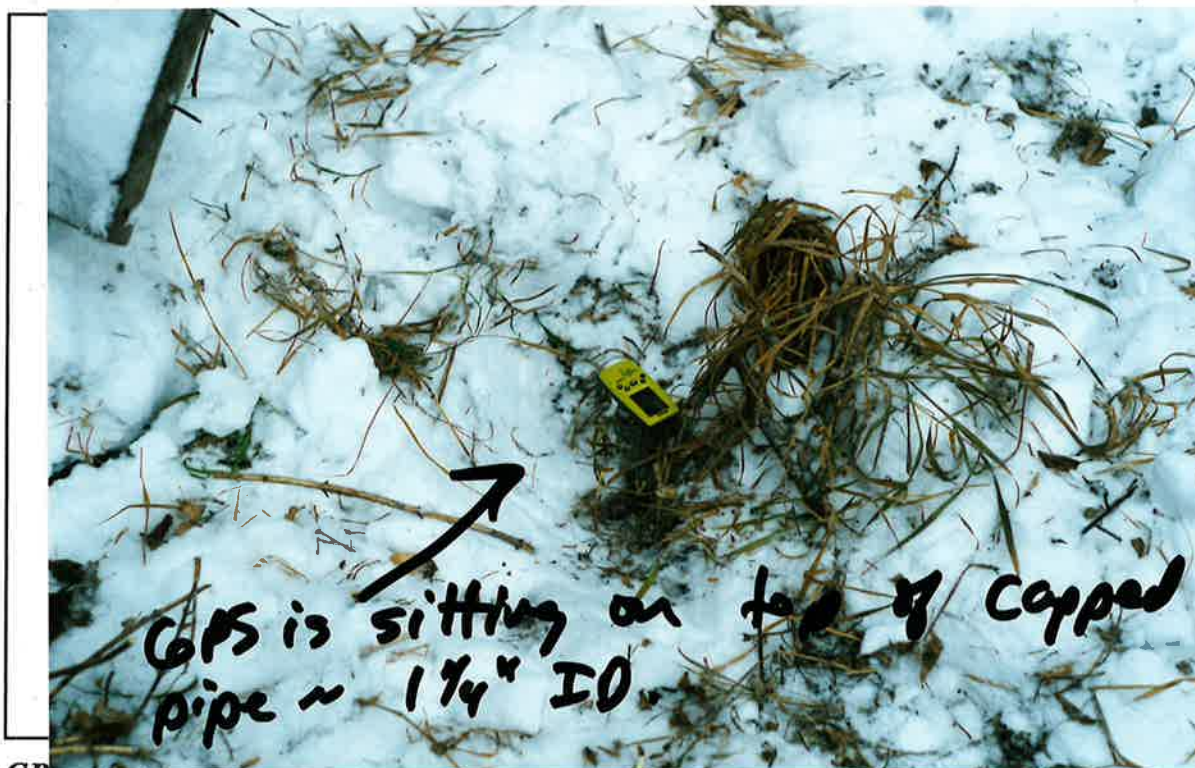
Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Feb 24 1983 per copy of post-1987 license. Bac

Reviewer: _____

Date: _____

Water Right No(s). A22-7423



GPS DATA:

Tag # A0013628 Location: on building above well

Diversion Data:

Source: GW Trib to: _____

MOTOR not currently installed. Pressure tank also removed.

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

GPS Waypoint 3 2673579E 1397649 N IDTM83

Field Exam Date: 7 Jan 05 Agent: Bac

Point of Diversion and Source Data Entry FormClaim Number: A22-7423Water 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:

5 N 39 E 14 SWSW per license.
COPS location waypoint 3, 2673579 E 1397649 N IDTM83
BAC 7 Jan 05

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: A22-7423

Claimed 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:

GPS Waypoint #1 is SE corner of building
2673657 E 1397644 N IDTM83 BACWaypoint #2 is SW corner 2673564 E 1397655 N IDTM83 BACLicense: 5N39E 14 SWSW

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water 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
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

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

Post-1987 license 0.01 cfs commercial 9/15 - 4/15 1.4 cfs.
BAC 7 Jan 04
7 Jan 05

Reviewer: _____

Date: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
22 JUL 1989
Department of Water Resources

A. GENERAL INFORMATION

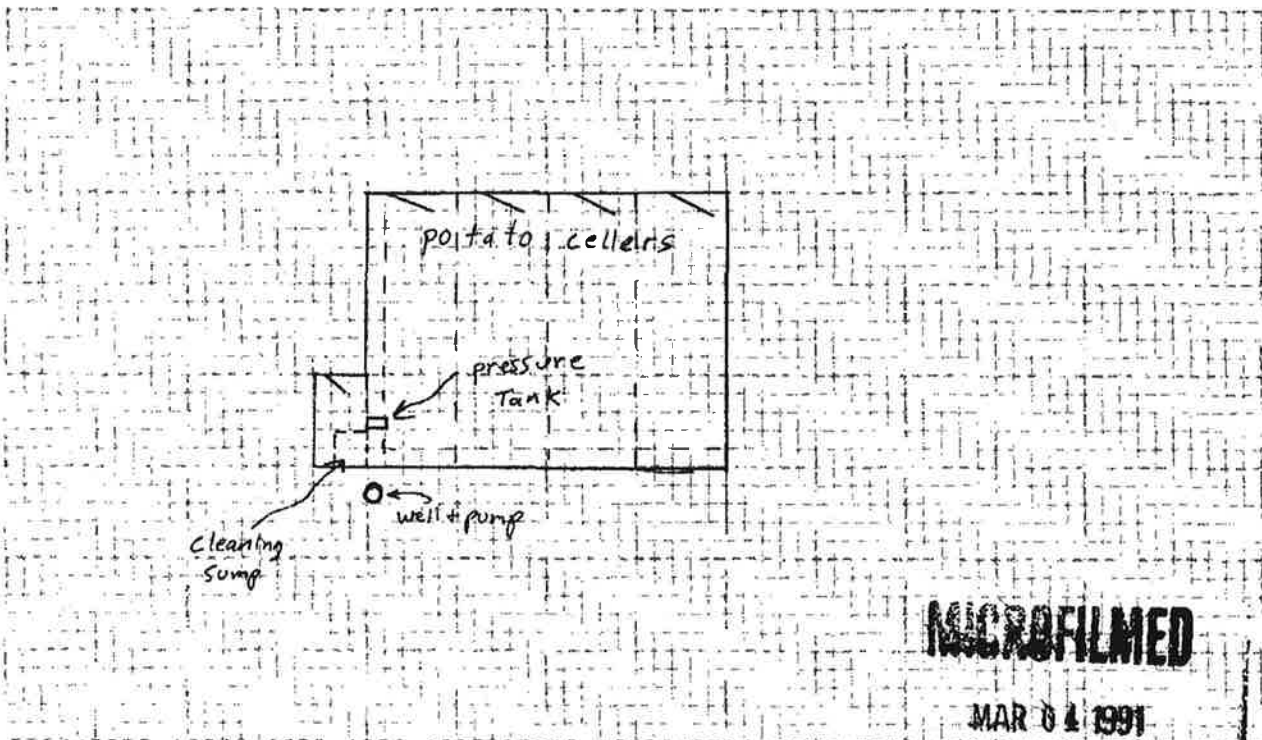
1. Owner: Arlenco Inc. Permit No. 22 JUL 1989
Current Address: 3047 S. 2000 W Rexburg Id. Phone No. 356-6416
2. Accompanied by: Glen Arnold EXAM. DATE: 6-23-89
Address: 3047 S. 2000 W. Rexburg, Id. Phone No. 356-6416
Relationship to Permit Holder: Secretary
3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well & pump to pressure tank to cleaning area. Building is not being used at this time for potato storage, and with new owners building may be used for another purpose, but still will be used for commercial use.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	N/A	1	N/A	N/A	N/A

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SW	14	5N	39E	Madison	maps / on site inspection

6. Place(s) of Use:

Indicate Method of Determination

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	
5N	39E	14											C						

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Do not use this space

MAR 2 1981

PERMIT NO.



Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Theoretical
 (using 40 psi and 14' static water level
 from well logs in the area)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$Q_{Theor.} = \frac{hp(8.814)(eff)}{11ft + (psi \times 2.308)} = \frac{(1)(8.814)(.8)}{14 + (40 \times 2.308)} = 0.066 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

$V_{com} = 0.6 \text{ afy}$

$(0.01 \text{ cfs}) (1.9835) (30) = 0.5952 \text{ afy} \approx 0.6 \text{ afy}$

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MAR 04 1991

H. REMARKS AND OVERLAP REVIEW ANALYSIS

limited by permit

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Commercial</u>	<u>1/1</u>	<u>12/31</u>	<u>0.01</u>	<u>0.3</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.01 cfs</u>	<u>0.3 afg</u>

2. 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

J. AUTHENTICATION

Field Examiner's Name Larry Waters

Signature Larry L. Waters

Certification Date _____

Field Report Preparation Date 7-26-89

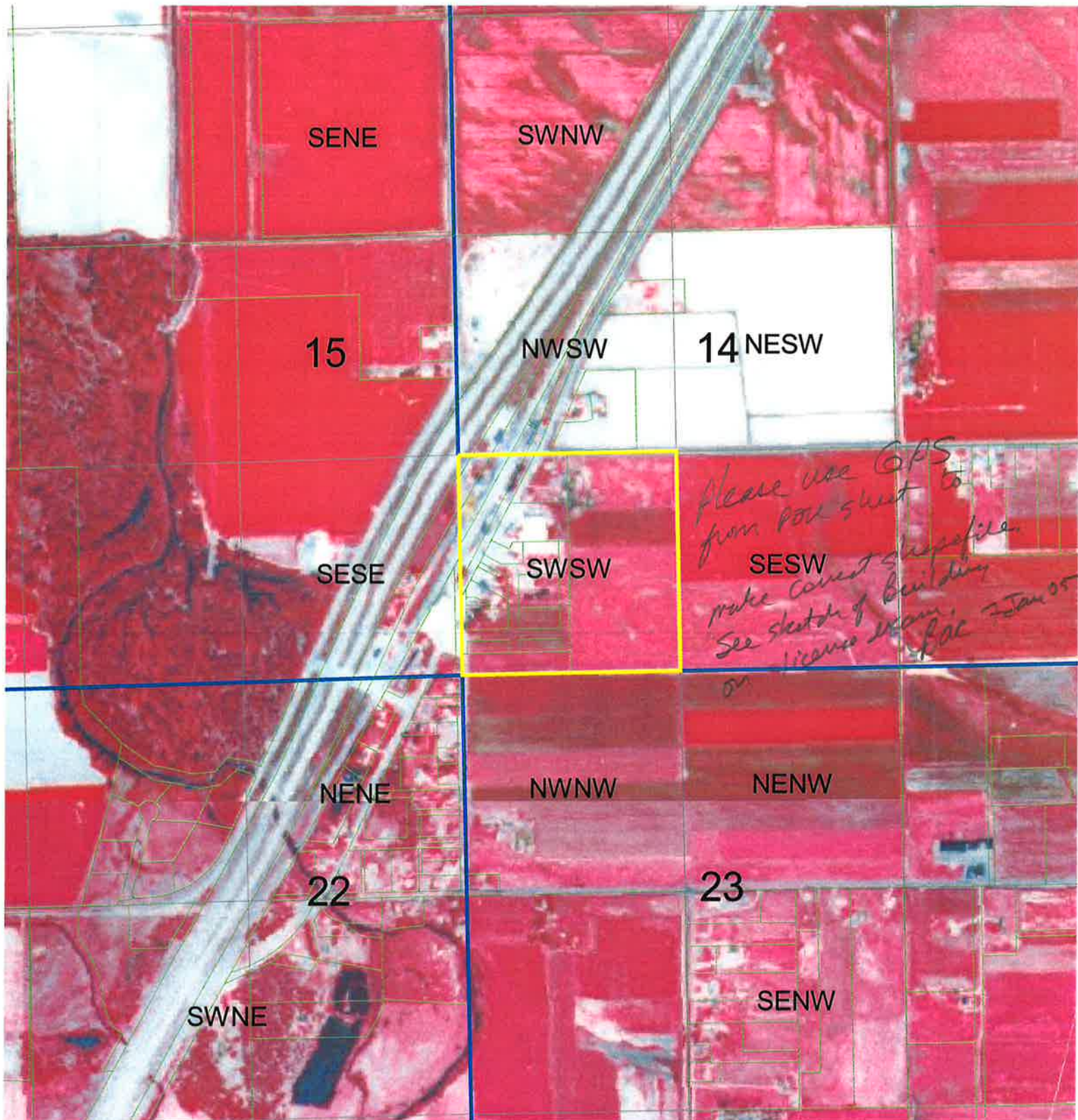
CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

MAR 04 1991

22-7423





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

DECEMBER 19, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ARLENCO INC
C/O GLEN OR LANE ARNOLD
3047 S 2000 W
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR A22-07423

Dear Mr. Arnold:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

DEC 19 1996

1. Water Right Number(s) 22-07423

Adjudication Claim Number(s) A22-07423 - No R.

Department of Water Resources
Eastern Region

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) J.R. Simplot Co
P.O. Box 27
Boise, Id 83707

4. New Owner/Claimant(s) ARLENCO, INC. % Glen or Lane Arnold

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

New Mailing Address 3047 S 2000W

City, State and ZIP Code REXBURG, Idaho 83440

New Telephone Number (208) 356-6416

5. Date you acquired the property OCT 3 1988

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) ARLENCO, INC Date 12-17-96

By Glen Arnold (Sec) Date 12-17-96

(Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



J. R. SIMPLOT COMPANY



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

E.O.

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 20, 1994

HOLLY PEPE
LEGAL DEPARTMENT
J R SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707-0027

RECEIVED
MAY 24 1994

RE: Snake River Basin Adjudication (SRBA)
Co-counsel for J. R. Simplot Company

Department of Water Resources
Eastern District Office

Dear Ms. Pepe:

Our records were modified May 19, 1994, to reflect Terry Uhling and Gray Young as co-counsel for J. R. Simplot Company. Bruce Belzer was removed from the water right claim records on which he appeared as counsel.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:regions

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NOV 6 1995

CORPORATE HEADQUARTERS

April 12, 1994

RECEIVED

APR 14 1994

Department of Water Resources

Donald V. Shaff
Manager, Adjudication Section
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

*Records modified 05-19-94
by Don Shaff. Sel. file
copy attached. -Jal*

RE: Snake River Basin Adjudication
Case No. 39576 and Subcase Nos. 36-13320 & 57-02203A

Dear Mr. Shaff:

In response to your letter of March 24, 1994, please modify your records to reflect that Terry T. Uhling and Gray Young are co-counsel of record in the above referenced matter. Mr. Uhling and Mr. Young are in-house counsel for J. R. Simplot Company, and, therefore, would be apprised of all matters relating to the claims of Simplot and its related company subsidiaries and affiliates as a matter of course. The attached Exhibit A does represent all water rights we are aware of at this time to which the Notice applies.

For your information, I have also enclosed a copy of a letter and attached Notice of Withdrawal from Diana Delaney, Chief Deputy Clerk of the Snake River Basin Adjudication Clerk's Office, which indicates that Bruce Belzer never was recorded as being counsel for J. R. Simplot Company.

If you have any questions, feel free to call me at 389-7201.

Sincerely,



Holly Pepe
Legal Department

/hp
Enclosures
5517v

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NOV 06 1996

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



RECEIVED
APR 14 1994
Department of Water Resources

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

April 6, 1994

Gray Young
Terry Uhling
J. R. Simplot Company
P.O. Box 27
Boise, ID 83707

*Records modified 05-19-94
by Don Shaff. Sel. file
copy attached. - Sel*

RE: Appearance of J. R. Simplot in Subcase Nos. 36-13320 and 57-02203A

Dear Mr. Young and Mr. Uhling:

Enclosed I am returning your *Notice of Withdrawal of Counsel* which was received by the court on April 5, 1994, and which stated that Bruce L. Belzer was withdrawing as counsel for J. R. Simplot Company in the above-referenced subcases.

After a search of the files for the above subcase, I am unable to locate any appearance by Bruce L. Belzer. However, on January 28, 1994, a *Notice and Entry of Appearance* was filed on behalf of J. R. Simplot in these subcases. That notice listed Gray Young and Terry Uhling as counsel for J. R. Simplot.

Sincerely,

Diana R. Delaney
Chief Deputy Clerk

DRD

Enclosure

cc: Chief, Natural Resources Division
U.S. Department of Justice

MICROFILMED
NOV 06 1996

1 GRAY YOUNG, Assistant General Counsel
2 TERRY T. UHLING, Assistant General Counsel
3 Environmental & Regulatory Affairs
4 J. R. SIMPLOT COMPANY
5 P.O. Box 27
6 999 Main Street, Suite 1300
Boise, Idaho 83707
Telephone: (208) 389-7318
Fax: (208) 389-7515

7 Attorneys for J. R. Simplot Company

1994 APR - 5 PM 2:52
DISTRICT COURT - SRB
TWIN FALLS CO., IDAHO
FILED

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

12 In Re the General Adjudication)
13 of Rights to the Use of Water)
14 from the Snake River Basin)
Water System.)

Civil Case No. 39576

15 _____)
16 The State of Idaho, ex rel.)
17 R. Keith Higginson in his)
18 official capacity as director)
of the Idaho Department of)
Water Resources,)

19 Petitioner,)

20 v.)

NOTICE OF WITHDRAWAL
OF COUNSEL

21 _____)
22 The United States; the State of)
23 Idaho; and all claimants to the)
use of water from the Snake)
River Basin Water System,)

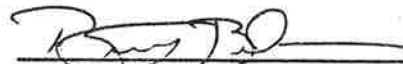
24 Defendants.)
25 _____)

26
27 MICROFILMED
28 NOV 6 1996

1 **PLEASE TAKE NOTICE** that Bruce L. Belzer hereby withdraws as
2 counsel of record for J. R. Simplot Company in the above entitled matter
3 and the following listed subcases:
4

5 36-13320
6 57-02203A

7 DATED this 4th day of April, 1994.

8 

9 Bruce L. Belzer
10 Assistant General Counsel for
11 J. R. Simplot Company
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NOV 6 1996

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of April, 1994, I caused to be served a true and correct copy of the foregoing by United States mail, postage prepaid, addressed to the following:

James Annest
Law Office of James Annest
1742 Overland Avenue
Burley, Idaho 83318

Richard F. Smith
P.O. Box 70
Rexburg, Idaho 83440

Josephine P. Beeman
MOFFATT, THOMAS, BARRETT,
ROCK & FIELDS
First Security Bank Building
911 West Idaho
P.O. Box 829
Boise, Idaho 83701

Brad A. Flinders
STUNZ, FONDA, NICHOLS, KIYUNA,
OKAI, HORTON & FLINDERS
P.O. Box 1565
Nyssa, Oregon 97913

Cliff S. Bentz
YTURRI, ROSE, BURNHAM,
BENTZ & HELFRICH
P.O. Box 450
Fruitland, Idaho 83619

Kent W. Foster
HOLDEN, KIDWELL, HAHN & CRAPO
330 Shoup Avenue
P.O. Box 50130
Idaho Falls, Idaho 83405

Randall C. Budge
RACINE, OLSON, NYE,
COOPER & BUDGE, CHARTERED
201 East Center, Suite 2A
P.O. Box 1391
Pocatello, Idaho 83204-1391

Randall C. Fredricks
COSHO, HUMPHREY, GREENER &
WELSH, P.A.
Carnegie Building
815 West Washington Street
Boise, Idaho 83702

Rebecca Craven
Deputy Counsel
Robert T. Anderson
Staff Attorney
Nez Perce Tribal Executive
Committee
Office of Legal Counsel
P.O. Box 305
Lapwai, Idaho 83540-0305

Raymond D. Givens
Jeffrey C. Fereday
Michael C. Creamer
Christopher H. Meyer
Roy L. Eiguren
GIVENS, PURSLEY, & HUNTLEY
277 North Sixth Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701

MICROFILMED
NOV 16 1996

1 Richard A. Cummings
2 MEULEMAN, MILLER, STROTHER &
3 CUMMINGS
4 960 Broadway, Suite 400
P.O. Box 955
Boise, Idaho 83701

5 John D. Hansen
6 HANSEN, BEARD, ST. CLAIR,
7 PETERSON & SULLIVAN,
8 CHARTERED
9 683 North Capital Avenue
P.O. Box 51718
Idaho Falls, Idaho 83402-1718

10 HEPWORTH, NUNGESTER &
11 LEZAMIZ, CHARTERED
12 133 Shoshone Street North
P.O. Box 389
Twin Falls, Idaho 83303-0389

13 Cecil D. Hobdey
14 HOBDEY & HOBDEY
15 Attorneys at Law
16 125 Fifth Avenue West
P.O. Box 176
17 Gooding, Idaho 83330

18 Dana L. Hofstetter
19 Murray D. Feldman
20 HOLLAND & HART
21 West One Plaza, Suite 1400
22 101 South Capitol Boulevard
P.O. Box 2527
Boise, Idaho 83701

23 William R. Hollifield
24 HOLLIFIELD AND TOLMAN
25 249 Third Avenue East
P.O. Box 66
26 Twin Falls, Idaho 83303-0066

Blair J. Grover
Grover Law office, Chartered
102 North Clark
P.O. Box 36
Rigby, Idaho 83442-0036

Roger D. Ling
LING, NIELSEN & ROBINSON
615 H Street
P.O. Box 396
Rupert, Idaho 83350

J. Dee May
MAY & MAY LAW OFFICES
516 Second Street East
P.O. Box 1846
Twin Falls, Idaho 83303

Don A. Olowinski
Albert P. Barker
Richard B. Burleigh
HAWLEY, TROXELL, ENNIS & HAWLEY
877 West Main Street
P.O. Box 1617
Boise, Idaho 83701

Bert L. Osborn
26 South Ninth Street
P.O. Box 158
Payette, Idaho 83661

David B. Lincoln
Scott L. Campbell
ELAM & BURKE
Key Financial Center, 10th Floor
702 West Idaho Street
P.O. Box 1539
Boise, Idaho 83701

MICROFILMED
NOV 6 1996

1 William A. Parsons
2 Kent Fletcher
3 PARSONS, SMITH, STONE &
4 FLETCHER
5 137 West 13th Street
6 P.O. Box 910
7 Burley, Idaho 83318

8 William F. Ringert
9 Daniel V. Steenson
10 RINGERT, CLARK, CHARTERED
11 455 South Third Street
12 P.O. Box 2773
13 Boise, Idaho 83701-2773

14 James P. Speck
15 HOGUE, SPECK & AANESTAD, P.A.
16 120 East Avenue
17 P.O. Box 987
18 Ketchum, Idaho 83340

19 Douglas R. Whipple
20 WHIPPLE'S LAW OFFICE, CHTD.
21 111 West 15th Street
22 P.O. Box 249
23 Burley, Idaho 83318

24 Craig R. Zaiss
25 CRAIG R. ZAISS, P.A.
26 Attorney at Law
27 305 Grover Street
28 P.O. Box 628
Parma, Idaho 83660

Jerry R. Rigby
Ray W. Rigby
RIGBY, THATCHER, ANDRUS,
RIGBY & KAM, CHARTERED
25 North Second East
P.O. Box 250
Rexburg, Idaho 83440

John A. Rosholt
James C. Tucker
ROSHOLT, ROBERTSON & TUCKER
142 Third Avenue North
P.O. Box 1906
Twin Falls, Idaho 83303-1906

Larry Sullivan
SCHROEDER, HUTCHENS & SULLIVAN
P.O. Box 220
Vale, Oregon 97918

Jeanette Wolfley
Candy L. Jackson
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, Idaho 83203

Addresses Under A.O.1., Section 7.d(2)

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

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NOV 6 1996

1 United States Department of Justice
2 Environment & Natural Resources Division
3 550 West Forth Street, Box 33
4 Boise, Idaho 83724

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 22-07423

Priority: February 24, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.01 CFS
1.4 AF

This is to certify, that J.R. SIMPLOT CO.

P.O. BOX 27

BOISE, ID 83707

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 24, 1983; and has submitted Proof of Beneficial Use on October 9, 1985. An examination indicates that the works have a diversion capacity of .010 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	09/15 to 04/15	0.01 CFS	1.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 14, Township 05N, Range 39E
MADISON County

PLACE OF USE: COMMERCIAL
TWN RGE SEC

05N 39E 14

SWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Commercial use is for potato storage humidifiers.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 22nd day of FEBRUARY, 1981.

Acting for

R. Keith Higginson, Director

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: **A22-07423**
Date Received: 9/29/1988
Receipt No: E002775
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ARLENCO INC
Address: C/O GLEN OR LANE ARNOLD
3047 S 2000 W
REXBURG ID

208-356-6416

83440

2. Date of Priority: FEB 24, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	14	NW	SW	SW		MADISON

5. Description of diverting works:
WELL, PUMP AND PRESSURE TANK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	09/15	04/15	0.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POTATO STORAGE HUMIDIFICATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	14	SW	SW		COMMER	

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
NONE

14. Remarks:
CHANGED OWNERSHIP 12/19/96/JT

15. Basis of Claim: PERMIT

Save envelope for P.M.

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: A22-07423 ✓

Date Received: 8/09/1988

Receipt No: E002775

Received By: _____

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

1. Name: J.R. SIMPLOT COMPANY
Address: P.O. BOX 27
BOISE, ID

208-336-2110

83707

RECEIVED

AUG 29 1988

Department of Water Resources
Eastern District Office

2. Date of Priority: FEB 24, 1983

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	14	NW	SW	SW		MADISON

5. Description of diverting works:
WELL, PUMP AND PRESSURE TANK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	09/15	04/15	0.010		

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

A.F.A.

8. Total consumptive use is .35 Acre Feet Per Annum.

9. Non-irrigation uses:
POTATO STORAGE HUMIDIFICATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	14	SW	SW		COMMER	

11. Place of use in counties: MADISON

A2207423



A22-07423

Page 1

Date: 08/09/88

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

13. Other Water Rights Used:
NONE

14. Remarks: Map Submitted

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Secretary of
Title

J. R. Simplot Company, that I have signed the foregoing
Organization
document in the space below as Secretary of
Title

J. R. Simplot Company and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

J. R. Simplot Company - Secretary
Title and Organization

August 23, 1988

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of August 19 88

Vicki A. Lower
Notary Public

Seal

Residing at Meridian, Idaho

A22-07423

Page

My Commission Expires 11-06-91
2 Date: 08/09/88

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OCT 29 1992

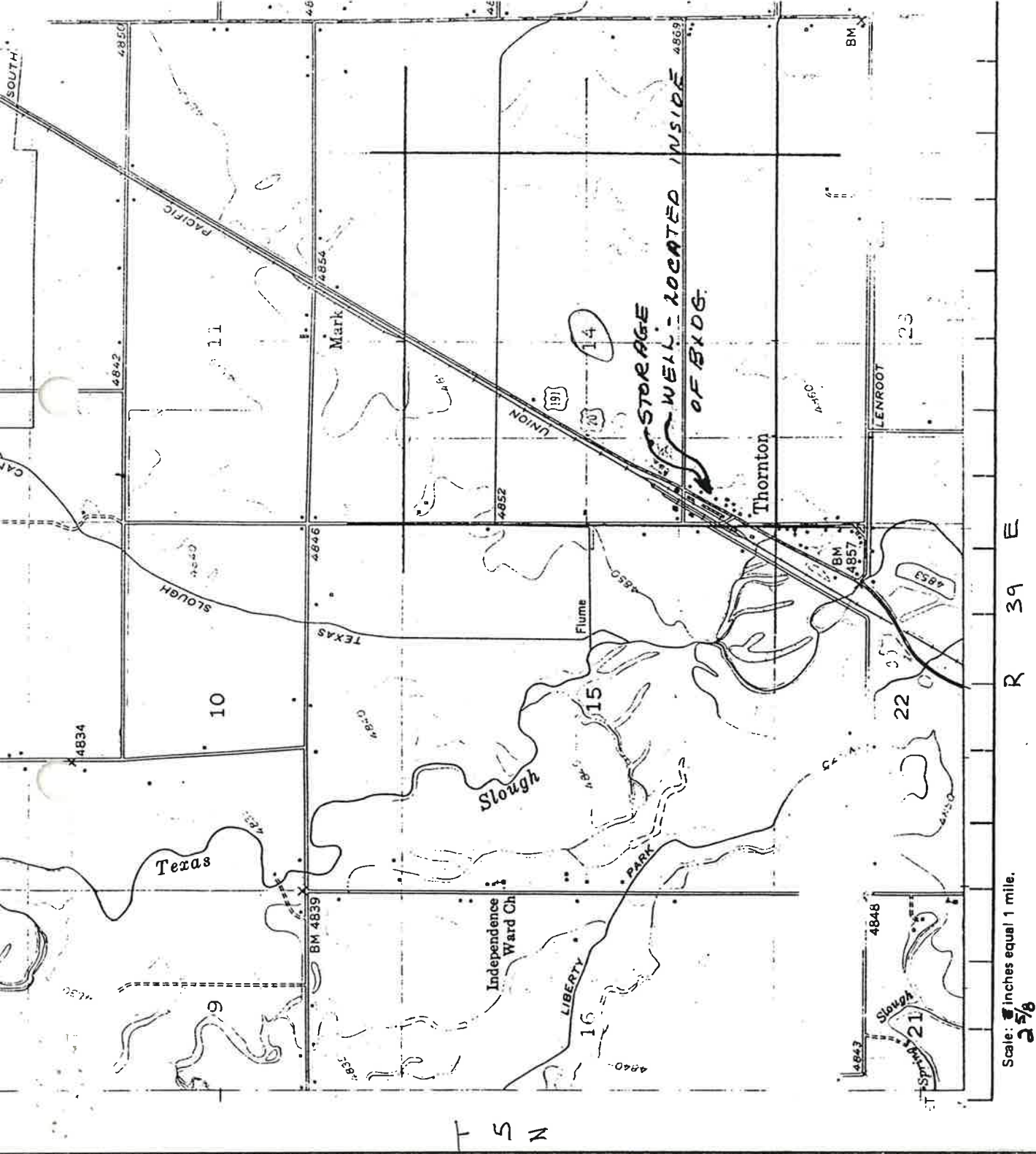
17. Notice of Appearance:

17. Notice of Appearance:
Notice is hereby given that I, _____ will be
 Print Name
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 _____



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

SIMPLOT INDUSTRIES, INC.

Ramona Shaw
(Applicant) Secretary

J.R. SIMPLOT COMPANY

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OCT 29 1937