

Domestic

12/16/2003

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

RIGHT NUMBER: 25-2119

NAME AND ADDRESS: EVANS GRAIN & ELEVATOR CO
PO BOX 3765
OGDEN UT 84409

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.560 CFS
33.000 AFY

PRIORITY DATE: 06/10/1955

POINT OF DIVERSION:

T02N R38E S10 SESESW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01/01 12/31

QUANTITY
5.560 CFS
33.00 AFY

PLACE OF USE: DOMESTIC Within BONNEVILLE County

T02N R38E S10	SWNE	T02N R38E S10	SENE
T02N R38E S10	SWNW	T02N R38E S10	SENW
T02N R38E S10	NESW	T02N R38E S10	NWSW
T02N R38E S11	NESW	T02N R38E S11	NWSW
T02N R38E S11	SWSW	T02N R38E S11	SESW
T02N R38E S13	SWNW	T02N R38E S13	SENW
T02N R38E S14	SWNE	T02N R38E S14	SENE
T02N R38E S14	NENW	T02N R38E S14	NWNW
T02N R38E S14	SWNW	T02N R38E S14	SENW
T02N R38E S14	NESW	T02N R38E S14	NWSW
T02N R38E S14	SWSW	T02N R38E S14	SESW
T02N R38E S14	NESE	T02N R38E S14	NWSE
T02N R38E S14	SWSE	T02N R38E S14	SESE
T02N R38E S15	NENE	T02N R38E S15	NWNE
T02N R38E S15	NENW	T02N R38E S15	NWNW
T02N R38E S15	NESE	T02N R38E S15	NWSE
T02N R38E S15	SWSE	T02N R38E S15	SESE
T02N R38E S16	NENE	T02N R38E S23	NENE
T02N R38E S23	SENE	T02N R38E S23	NENW
T02N R38E S23	NWNW	T02N R38E S23	SWNW
T02N R38E S23	SENW	T02N R38E S23	NESE
T02N R38E S23	NWSE		

The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.

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 right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

Approval of Transfer 68844 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

RECEIVED

SCANNED

JUL 27 2001

NOV 7 1989

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
Department of Water Resources
Eastern District Office
TWIN FALLS 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

RECEIVED

NOV 6 1989

Ident. Number: A25-02119

Date Received: 10/31/1989

Receipt No: 5010369

Received By: AD 11/10/89

Department of Water Resources
Southern Region Office
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: EVANS GRAIN & ELEVATOR CO.
Address: P.O. BOX 515
RUPERT, ID 83350

208-436-0400

2. Date of Priority: JUN 10, 1955

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	38E	10	SE	SW	SE		BONNEVILLE
			SW	SE			BONNEVILLE

5. Description of diverting works:
FIVE WELLS & PUMPS TO PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	5.560		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
I/SUGAR BEET PROCESSING PLANT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	38E	10	SE	SW		INDUST	
			SW	SE		INDUST	

A25-02119

Page 1

Date: 10/31/89

MICROFILMED
NOV 10 1992

A2502119



11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

A24-02126 & A24-04071

14. Remarks:

THE ORIGINAL INDUSTRIAL USE FOR THE SUGAR REFINERY HAS BEEN
CHANGED TO INDUSTRIAL PROCESSING & STORAGE OF GRAIN, ECT.

15. Basis of Claim: LICENSE

Water Right Number: 25743

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 Organizations:

I do solemnly swear or affirm that I am Gen mgr of

Title

Evans Grain & Elev Co.
Organization

document in the space below as Gen mgr of

Title

Evans Grain & Elevator Co
Organization

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

[Signature]
Signature of Authorized Agent

Gen mgr Evans Grain & Elev Co
Title and Organization

11-2-89

Date

State of Idaho)
County of CASSIA) SS.

Subscribed and sworn (or affirmed) before me this 3rd day

of November 19 89

Kip [Signature]
Notary Public

Seal

Residing at Burley Id.

My Commission Expires 9/92

Water Right Number - R25-02119

Prefix Translation: RESEARCH

Old (D) Number - 25743

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
EVANS GRAIN & ELEVATOR CO

1 - PO BOX 3765
2 -
3 -
City- OGDEN State- UT Zip- 84409
Phone - 801-476-0277

*** O - ORIGINAL OWNER ***
UTAH IDAHO SUGAR CO

1 -
2 -
3 -
City- SALT LAKE CITY State- UT Zip- 000000000
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/10/1955 15 EASTERN L - LICENSE

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
02N 38E 10 SE SW (19) BONNEVILLE

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
07 - INDUSTRIAL 04/01 10/31 5.560 33.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
5.560 33.00 0.0

+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 38E 10 SE SW 07 INDUSTRIAL (19) BONNEVILLE
02N 38E 10 SW SE 07 INDUSTRIAL (19) BONNEVILLE

Total Acres:

+ - - Diversion Means - WELL & PUMP TO PIPELINES

+ - - Non-Irrigation Use - I/AIR QUALITY DUST CONTROL.

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
No Remarks found.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - R25-02119

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1425.

+ - - - Decree Plaintiff - - +

+ - - - Decree Defendant - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 03/06/1996 User Id: ECARLSEN Subject: COPIED FROM REMARKS
THE ORIGINAL INDUSTRIAL USE FOR THE SUGAR REFINERY HAS BEEN

+ - - Audit Fields - - +

03/06/96 ECARLSEN

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 11/06/1989

Field Inspection Made - 12/11/1995
Field Inspection Flag - Y
Verified Date - 00/00/0000
Last Amended Date - 00/00/0000
Receipt Number - S010369
POU Ownership Flag - Y
Name Connector -

Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District -
Federal/State Indicator - S
Presumption Flag - C
Notice of Error Flag -

09:10:16
01/22/96

CLAIM NUMBER: 425-02019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

LAST: UTAH IDAHO SUGAR CO
FIRST:
STATE: UT ZIP: 000000000
PHONE NUMBER: 208-000-0000
OWNR CORR: 0

LAST: EVANS GRAIN & ELEVATOR CO
ADDRESS: PO BOX 3765
CITY: OGDEN
PHONE NUMBER: 801-476-0277
OWNR CORR: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS:

THE ORIGINAL INDUSTRIAL USE FOR THE SUGAR REFINERY HAS BEEN
CHANGED TO INDUSTRIAL PROCESSING & STORAGE OF GRAIN, ECT.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

Kim Kearsley

DATE OF FIELD EXAM: *11 DEC 95*

ACCOMPANIED BY: *Nard Jones*

RELATIONSHIP TO CLAIMANT:

Former employee

DIRECTIONS TO PROPERTY / NOTES:

*Nard and I met Kim Kearsley at the scale house located on the site once occupied
by the sugar factor.*

PHONE NUMBER: ()

TIME: () A () P ()

PHONE NUMBER: ()

SCANNED

JUL 27 2001

PAGE: 2
PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A201-02119

A. AJ CLAIM: # A25-02119 PRIORITY DATE: 06-10-1955 STAGE: L

B. WR RECORD: # 25-02119 PRIORITY DATE: 06-10-1955 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☒) N(☐)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☐) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☐) Y(☐) N(☐)

LICENSE ISSUED

N/A(☐) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOT

C. Priority verified by checking microfilm of 25-02119.

E. According to Kim Kearsley, 1979 was the last year of operation for the processing plant. From then until 1985 the plant was idled and ^{no} water was diverted. The property was purchased in 1985 by Bob Evans and that same year 3, 1/4 mile sprinkler lines were used to ^{keep} lime heap moist. This practice continued through 1987. From 1988 to 1993, for about 6 months each year, BECO diverted 30,000 gal/wk to control air pollution at its asphalt mixing plant. Because of the reduce use of water since 1979

RECOMMENDED PRIORITY DATE:

06-10-1955

22 JAN 96.

PODR must consider partial forfeiture of the rights

PAGE: 3
POINT OF DIVERSION REVIEW SHEET

CLAIM NUMBER: A25-02119

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A25-02119	02N	38E	10		SE	SW			BONNEVILLE		
A25-02119	02N	38E	10		SW	SE			BONNEVILLE	ABANDONED.	

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A25-02126 NONE
A25-04240

WR RECORDS IN SAME 40 ACRE TRACT

25-02126
25-04240

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
25-02119	02N	38E	10		SW	SE			BONNEVILLE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
A25-02126 NONE
A25-04240

25-04240

SOURCE: GROUNDWATER

TRIB:

C. ☐ THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? *EXAMINED 11 DEC 95* Y(☒) N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? *EXAMINED 11 DEC 95.* Y(☒) N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()
AJ FIELD EXAM (DATE OF FIELD EXAM 11 DEC 95) NAME OF EXAMINER Ernest Carlson, E Y() N()
OTHER (DESCRIBE IN NOTES BELOW) Harold Jones.

NOTE HAROLD & I VISIT THE WELL SITES WITH KIM KEARSLEY. THE MOTORS & PUMPS HAVE BEEN REMOVED FROM ALL THE WELLS. ONE WELL IN THE SW SE SEC 10 WAS ABANDONED IN 1995.

PRESUMPTION FLAG: C - WELL IN SE SW IS BEING ADDED AS POINT OF DIVERSION - Based on operation of both wells to provide water for the same purpose in the place of use.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
02N	38E	10		SE	SW			BONNEVILLE		
02N	38E	10		SW	SE			BONNEVILLE	-ABANDONED.	

Condition Code: CØ3.

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: Ernest Carlson DATE: 22 JAN 96

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

NO DIVERSION WORKS PRESENT.

FOOTER: 05-0215

1. $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$
 2. $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$
 3. $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$
 4. $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$
 5. $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$
 6. $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$
 7. $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$
 8. $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$
 9. $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$
 10. $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$

02N	4	10	10	1/4	1/4	LOT	NAME	A1 #/ACRS	AK #/ACRS	LANDSAT DATA	P123.0 RANK	ACRES
SE	SW	SE	SW	SE	SW	SE	EVANS GRAIN & ELEVATOR CO	425-02119	/			
SE	SW	SE	SW	SE	SW	SE	CENTRAL LINCOLN DOMESTIC WATER	425-10226	/			
SE	SW	SE	SW	SE	SW	SE	FARMERS FRIEND IRRIGATION DISTRICT	LA01-1020970	40.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA01-0006520	40.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-0011070	40.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA01-0006420	40.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA01-0006620	40.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA01-0024120	40.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA01-0400620	40.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-1338320	40.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-1338520	40.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-1338620	40.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-1338920	40.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-1339070	40.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-0408320	40.0	/		
SE	SW	SE	SW	SE	SW	SE	EVANS GRAIN & ELEVATOR CO	425-02126	/			
SE	SW	SE	SW	SE	SW	SE	COX, HOWARD		01-00241	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT		25-00060	/		
SE	SW	SE	SW	SE	SW	SE	CENTRAL LINCOLN WATER USERS ASS		25-00140	/		
SE	SW	SE	SW	SE	SW	SE			25-04114	/		
SE	SW	SE	SW	SE	SW	SE	EVANS GRAIN & ELEVATOR CO	425-02119	/			
SE	SW	SE	SW	SE	SW	SE	CENTRAL LINCOLN DOMESTIC WATER	425-10226	/			
SE	SW	SE	SW	SE	SW	SE	FARMERS FRIEND IRRIGATION DISTRICT	LA01-1020970	35.0	/		
SE	SW	SE	SW	SE	SW	SE	HYNDRON, AR	LA25-04240	4.0	25-04240	4.0	
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA01-0006520	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-0011020	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA01-0006420	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA01-0006620	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA01-0024120	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA01-0012220	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA01-0400620	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-1338320	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-1338520	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-1338620	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-1338920	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-1339070	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-0408320	35.0	/		
SE	SW	SE	SW	SE	SW	SE	PROGRESSIVE IRRIGATION DISTRICT	LA25-0408320	35.0	/		

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PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A25-02119

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	CARDINAL DATA	FIELD EXAM.	RECORD ACRES
			SW	SE		PROGRESSIVE IRRIGATION DISTRICT A01-0403820	39.0	-			
			SW	SE		EVANS GRAIN & ELEVATOR CO A25-02126	/	25-02126	/		
			SW	SE		PROGRESSIVE IRRIGATION DISTRICT		01-00241	/		
			SW	SE		CENTRAL LINCOLN WATER USERS ASS		25-04114	/		

ADDITIONAL POO FOUND

TOTAL ACRES A25-02119 63.00

POU COUNTY: BONNEVILLE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(X)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A01-0006420	SNAKE RIVER, SOUTH FORK	PROGRESSIVE IRRIGATION DISTRICT	160.000	0.006		
A01-0006520	SNAKE RIVER, SOUTH FORK	PROGRESSIVE IRRIGATION DISTRICT	340.000	0.012		
A01-0006620	SNAKE RIVER, SOUTH FORK	PROGRESSIVE IRRIGATION DISTRICT	300.000	0.011		
A01-0024120	SNAKE RIVER, SOUTH FORK	PROGRESSIVE IRRIGATION DISTRICT	300.000	0.011		
A01-0032220	SNAKE RIVER, SOUTH FORK	PROGRESSIVE IRRIGATION DISTRICT	80.000	0.003		
A01-0400620	SNAKE RIVER, SOUTH FORK	PROGRESSIVE IRRIGATION DISTRICT	200.000	0.007		
A01-0403820	SNAKE RIVER, SOUTH FORK	PROGRESSIVE IRRIGATION DISTRICT	1.200			
A01-1020920	SNAKE RIVER, SOUTH FORK	FARMERS FRIEND IRRIGATION CO L	16.900			
A25-0011020	WILLOW CREEK	PROGRESSIVE IRRIGATION DISTRICT	0.240			
A25-0408320	WILLOW CREEK	PROGRESSIVE IRRIGATION DISTRICT	1.200			
A25-04240	GROUNDWATER	HENDERSON, AK	0.280	0.070		
A25-1338320	WILLOW CREEK	PROGRESSIVE IRRIGATION DISTRICT	27.440	0.001		
A25-1338420	WILLOW CREEK	PROGRESSIVE IRRIGATION DISTRICT	86.170	0.003		
A25-1338520	WILLOW CREEK	PROGRESSIVE IRRIGATION DISTRICT	24.900			
A25-1338620	WILLOW CREEK	PROGRESSIVE IRRIGATION DISTRICT	5.540			
A25-1338820	WILLOW CREEK	PROGRESSIVE IRRIGATION DISTRICT	8.800			
A25-1338920	WILLOW CREEK	PROGRESSIVE IRRIGATION DISTRICT	4.300			
A25-1339020	WILLOW CREEK	PROGRESSIVE IRRIGATION DISTRICT	13.100			

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A25-02119	INDUSTRIAL	EVANS GRAIN & ELEVATOR CO	FROM 01-01 TO 12-31	5.560 CFS	
A25-10226	DOMESTIC	CENTRAL LINCOLN DOMESTIC WATER	FROM 01-01 TO 12-31	0.330 CFS	
A25-02126	INDUSTRIAL	EVANS GRAIN & ELEVATOR CO	FROM 01-01 TO 12-31	5.560 CFS	
A25-04240	DOMESTIC	HENDERSON, AR	FROM 01-01 TO 12-31	0.200 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

A IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A25-02126 & A25-04071

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(X) N()

A IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y(X) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? EXAMINED 11 DEC 95 Y(X) N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y(X) N()

SEE EXPLANATION ON PAGE 2.

CHECK DOCUMENTS USED TO VERIFY POB: (X) ORTHOPHOTOQUAD, TOWER NO. X 93.; () TOPOGRAPHIC QUAD, TOWER NO. _____;
() NAPP, TOWER NO. _____; () AERIAL PHOTO; () OTHER _____

NOTES:

ANALYSIS OF WATER USE ON LIME HEAP. FROM 1985 to 1987.

3, $\frac{1}{4}$ inch sprinkler lines $\times$ 150 gpm/line. = 450 gpm = 1 cfs.

$1 \text{ cfs} \times 1.9835 \frac{\text{AF}}{\text{day}} \times 214 \text{ days} = \underline{424 \text{ AFA.}}$

Period of use is based on irrigation season of April 1 to Oct 31. - This represents an accomplished charge in the period of use from Oct 1 to Dec 31 as noted on verified use field report.

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A()

REVIEWED BY: EMC

DATE: 14 Feb 96.

A. CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A25-02119 INDUSTRIAL	FROM 01-01 TO 12-31	5.560 CFS	
TOTAL DIVERSION RATE/VOLUME		5.560 CFS	

B. RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
25-02119 INDUSTRIAL	FROM TO	5.560 CFS	
TOTAL DIVERSION RATE/VOLUME		5.560 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INQUIRY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☐) N(☒)

IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

NOTES: License 25-02119 did not identify a period of use, however information on the engineer's report states the well is shut down between beef processing operations. The engineer's report for license 25-02126, for the same purpose, implies the period of use for beef processing is Oct 1 to Dec 31. Since 1979 the majority of water use has occurred essentially during the irrigation season though not for irrigation purposes. There has been an accomplished change in the season of use from Oct 1 to Dec 31 to April 1 to Oct 31.

AJ CLAIM TOTAL DIVERSION RATE: 5.560 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 5.560 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N(☒)

☒ ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y(☒) N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? *CAN NOT BE VERIFIED.* Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

☒ IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

VOLUME CALCULATIONS

FOR ORIGINAL LICENSE.

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AE/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AE/A

$$5.56 \text{ cfs} \times 92 \text{ days} \times 1.9835 \text{ AF/day/cfs} = \underline{\underline{1014.6 \text{ AFA.}}}$$

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AE/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

(SWSE - now abandoned)

NOTES: BASED on information provided by Kim Kearsley from 1985 to 1987 one of the wells was used to provide water for sprinkling a lime heap in the NWSE 1/4 Sec 10 covering 10 to 15 acres. Kim recalled the purpose was to reduce air pollution. They used the equivalent of three 1/4 mile hand lines. (1 cfs.) Then from 1988 to 1993, BECO used one well to supply water for dust abatement & other uses associated with operation of an asphalt mixing plant. Plant operated for 6 months/year and required 30,000 gal/wk during peak operation for around 3 months.

$$30,000 \text{ gal} \div 5 \text{ days/wk} \div 12 \text{ hrs/day} \div 60 \text{ min/hr} \div 4.49 \text{ ft}^3/\text{min} = 0.0185 \text{ cfs.}$$

$\therefore 0.02 \text{ cfs}$ will provide 30,000 gal/wk when diverted for 12 hours/day for 5 days/wk.

23 JAN 96 TELECON: Spoke to Doyle Beck about use of water by BECO reference above. Doyle recalled that typically the well in SESE 310 was turned on 2 to 3 times weekly to fill two unlined ponds 100' x 40' x 5'. He estimated it took about 1 hour to fill the ponds, but he didn't know the capacity of the pump. The asphalt plant operates May thru Oct. The unlined ponds have been replaced with concrete lined ponds & they now use the wells that formally provided water for homes in the community of Lincoln.

rate of fill - $(100' \times 40' \times 2.5') (2 \text{ ea}) = 20,000 \text{ ft}^3/\text{hr} = 5.55 \text{ cfs.}$

$$20,000 \text{ ft}^3 \div 43560 \text{ ac} = 0.459 \text{ AF. per fill.}$$

diversion volume - $72 \text{ fills} \times 0.459 \text{ AF} = 33 \text{ AFA.}$

MAY - 8 fills/month.

JUNE - 8

JULY - 12 } MONTHS OF PEAK
AUGUST - 12 } OPERATION. 3 fills/wk.

SEPT - 8

Oct. - 8
72 fills.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

SECRET

0.0
EXAMINER

33 AFN

0 0

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

2153

2.3.4. $\mathbb{Z}_2$ -Equivariant

3

1500

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	(X)	()
FOREFEIT/ABANDON	()	(X)
ADDITIONAL DIV. AMOUNT	(X)	()

B. ☒ PLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 25-02119

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CES
	5.560		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "K" CLAIM NUM.	"K" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A25-02119	5.560	-		25-02119	5.560
TOTAL CES		5.560				5.560

DIVERSION RATE REVIEW

DO THE SUM CES RATE OF THE SPLITS EQUAL THE ROOT RIGHT CES RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
Y	Y() N()

NOT ☒ - NO SPLIT.

AUTHENTICATION:

SIGNATURE: Ernest Carlson DATE: 14 Feb 96.

NAME OF FIELD EXAMINER: Ernest Carlson TITLE: W.R. Supervisor

PAGE: 15
LIST OF MAPS USED AND ATTACHMENTS

15
CLAIM NUMBER: ARJ-02119

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
(X) ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y(____) N(____)
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y(____) N(____)
() PP	DATE OF PHOTO _____ IDWR ID NO. _____	Y(____) N(____)
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y(____) N(____)
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(____) N(____)
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(____) N(____)
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(____) N(____)
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y(____) N(____)
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(____) N(____)
() OTHER _____	DATE _____	Y(____) N(____)
() OTHER _____	DATE _____	Y(____) N(____)
() OTHER _____	DATE _____	Y(____) N(____)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
(X) LICENSING FIELD EXAM	DATE OF FIELD EXAM <u>23 JUNE 1957</u>	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:10:16
01/22/96

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A25-02119

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N	EMC 22 JAN 96		EMC 6 MAR 96	
POINT OF DIV	Y		EMC 11 DEC 95	Y				
SOURCE				N				
PLACE OF USE	Y		EMC 11 DEC 95	N				
DIV. AMOUNT CFS/VOLUME			EMC 11 DEC 95	Y				
CONSUMPTIVE USE								
PURPOSES OF USE				N				
PER OF USE	Y		EMC 11 DEC 95	Y				
BASIS OF CLAIM				N				
REMARKS	Y			Y				

CONDITION

C#3.

BARCODE UPDATED
WHOM/DATE

CIX 89 12/11/95

CWC 55 3/6/96.

CLAIM NUMBER: A25-02119

Water Source: 8801ND04V1089

107. Amphiprion

ISSN 0172-9045

33 AFN

TOTAL OVERTS CONT: 18 21 54

~~12-01~~ ~~1-77~~
~~12-01~~ ~~10-10~~

5,56 99.5

947 96°C

NUMBER
CODE

06/10/1955 (NOJSTRAL

EVANS GRAIN & ELEVATOR CO

015 H95X NZOI

附錄

~~2:215~~

BONNEVILLE COUNTY

Place of use legal description for: INDUSTRIAL

EN

mn

MS

33

[illegible]

02N 38E 10

POB County: BONNEVILLE

Non-Irrigation Uses: ~~I/SHAW REEF PROCESSING PLANT. DUST CONTROL.~~

0470er Rights: ~~825-03126 & 825-04071~~

Remarks: THE ORIGINAL INDUSTRIAL USE FOR THE SUGAR REFINERY HAS BEEN CHANGED TO INDUSTRIAL PROCESSING & STORAGE OF GRAIN, ECT.

} comments.

Dates: EXAM Made Date: Verified Date:

Water District Number: _____

Field Inspection Flag: Presumption Flag:

3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68844

RECEIVED

NOV 30 2001

Department of Water Resources
Eastern Region

This is to certify that: EVANS GRAIN & ELEVATOR CO
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
(208)523-0620

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
25-2119	AJC/License	06/10/1955	5.56 cfs	33.0 af		N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

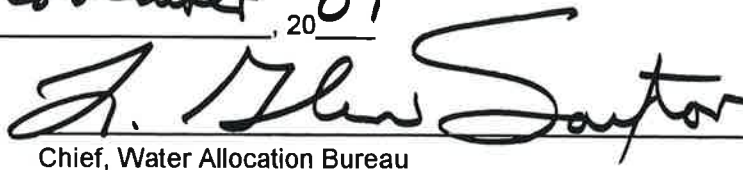
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
25-2119	NO	NO	YES	NO	YES	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
25-2119	25-2119	5.56 cfs	33.0 af	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		5.56 cfs	33.0 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of November, 2001


Chief, Water Allocation Bureau

SCANNED

SEP 01 2004

WATER RIGHT NO. 25-2119
As Modified by Transfer No. 68844

In accordance with the approval of Transfer No. 68844, Water Right No. 25-2119 is now described as follows.

Right Holder: EVANS GRAIN & ELEVATOR CO
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

Priority Date: 06/10/1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	5.56 CFS	33.0 AF
			5.56 CFS	33.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESW Sec. 10 Twp 02N Rge 38E BONNEVILLE
County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	38E	10			X	X			X	X	X	X							
02N	38E	11								X	X	X	X						
02N	38E	13						X	X										
02N	38E	14			X	X	X	X	X	X	X	X	X	X	X	X	X		
02N	38E	15	X	X			X	X						X	X	X	X		
02N	38E	16	X																
02N	38E	23	X			X	X	X	X					X	X				

CONDITIONS OF APPROVAL

- 067 1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- 070 2. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
- X57 3. Approval of Transfer 68844 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

SCANNED

SEP 01 2004

WATER RIGHT NO. 25-2119
As Modified by Transfer No. 68844

CONDITIONS OF APPROVAL

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 27th day of November, 2001


Chief, Water Allocation Bureau

SCANNED

SEP 01 2004

Form 222
1-87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

JAN 02 2001

Department of Water Resources
Eastern RegionName of Applicant Evans Grain and Elevator Co. Phone (208) 523-0620
Post Office address c/o Holden, Kidwell, Hahn & Crapo, P.O. Box 50130, Idaho Falls, ID 83405

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes A formal lease agreement for use of this water right by Falls Water Company Inc. has been entered into.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	<u>25-02119</u>	<u>06/10/1955</u>	<u>5.56</u>	<u>Domestic</u>	<u>1/1</u> to <u>12/31</u>
	_____	_____	_____	_____	_____ to _____
	_____	_____	_____	_____	_____ to _____
	_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 5.56 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water ground water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	10	2N	38E	Bonneville	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	38E	10			D	D			D	D	D	D							
		11									D	D	D	D					
		13							D	D									
		14			D	D	D	D	D	D	D	D	D	D	D	D	D	D	
		15	D	D			D	D							D	D	D	D	
		16	D																

SCANNED

SEP 01 2004

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	38E	23	D				D	D	D	D					D	D			

Total Acres _____

6. General Information:

- a. Description of diversion system Well and pump to underground water lines.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes No No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will not be irrigated.
- d. Remarks:
Water has been leased to Falls Water Company at times over the years. With the expansion of it's system and service, it was decided to prepare and execute a formal lease.

ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 2000.

SCANNED
SEP 01 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(ATTACH ONE COPY FOR EACH RIGHT)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 25-02119 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of Water ground water tributary to _____

4. Date of priority June 10, 1955

5. Water is used for the following purpose:

amount 5.56 cfs for Industrial purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 5.56 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	10	2N	38E	Bonneville	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	38E	10															I		

Total Acres _____

SCANNED

SEP 01 2004

- 9. Describe any other water rights used for the same purpose as described above _____
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? _____. If yes, describe _____ No _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

SCANNED

SEP 01 2004

B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount Hours/days/year Period of Use
(cfs/ac-ft)
Domestic 5.56 cfs 1/1 to 12/31
 to

2. Quantity and quality of return flows and location of discharge:

No change

3. Describe effects on other water uses resulting from the proposed change:

None

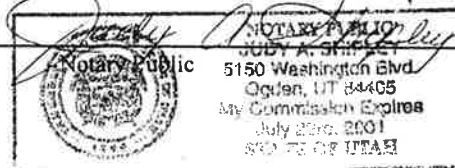
I hereby asset that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Robert Evans - President
(Signature of Applicant)

Subscribed and sworn to before me this 26th day of December, 2000.

My Commission Expires 7/23/2001

**FOR DEPARTMENT USE ONLY**

Transfer contains 5 pages and 3 attachments

Received by Huf Date 1-2-2001 Protest filed by

Prelim. check by Fee

Received by HWT #E026407 Date 1-2-2001

Published in The Post Register Copies of protest forwarded by

Pub. dates Feb 1 & 8 2001 Hearing held by Date

Watermaster recommendation requested on Recommended for ☐ approval ☐ denial

rec'd by

Copy of transfer sent to lien holder

25-2119

From WmIS:

A0008470, E0008065

P/D N 269887.70

E 663683.80

Used by Falls Water Co. (Well #8).

I measured ~ 1350 GPM on 7/25/2002.

12/16/2003

Gathered GPS coordinates for well.

A0008470

E 663787

N 269919

SCANNED

SEP 01 2004

NOVEMBER 1994
DAILY RECORD OF EVENTS

SUN
331st Day 34 L
Week 4.

- 11 Dec 95
- Kim Kearsley - "Evans"
 - 79 last operated by Sugar Factory.
Purchased in 85 - by Bob Evans.
(facility was ideal from 79 - to 85).
 - 85 86 & 87 - water used to irrigate lime
heap covered about 15 acres. well north
of stock.
 - Summer of 86 - Factory razed.
 - Added domestic line for office.
 - 88 to 93 - BECO used well for water west
in their hot plant to mix asphalt. - well
sit was just north of factory location.
 - Domestic well also used to fill system
for fire protection, until 93.
 - Well east of stock was not utilized by
Evans and was ~~closed~~ in summer of
95. (abandoned).
 - Well north of stock was used by factory
to flame heats into factory.
 - Irrigation with 4" pipe using about
3 1/4 mile lines.
 - Kim doesn't know how much water they used.
 - BECO - used about 30,000 gals/wk ~~for~~ to control
air pollution. Used water for about a
6 month period. - Needed full supply for
about 3 months.

SCANNED

SEP 01 2004

25-02119 25-02126.

1/24/96

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Ernest Carlsen

DATE

February 14, 1996 10:32am

CUSTOMER

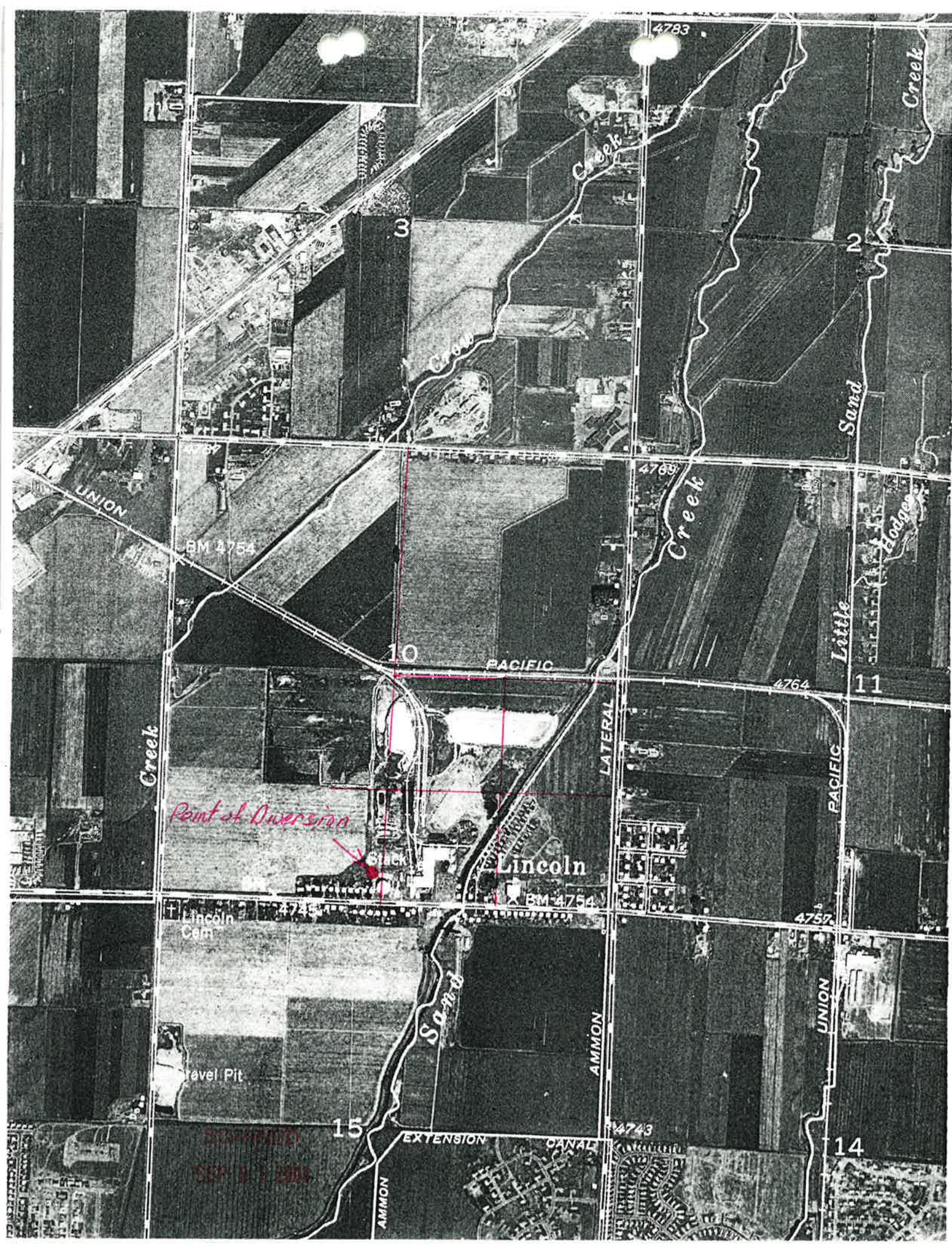
Turk McMurtrey

SUBJECT: BECO's use of water from U&I Sugar well
phone call (x.) walk-in (.)

Turk is the Operation Manager at BECO. He indicated the hot mix plant required water for the wet wash. Water is sprayed to wash the aggregate and act as a dust control for air quality compliance. The water The hot plant usually starts operation sometime between April 15 and May 1 and runs until October 30. During the peak months of operation, July and August, the ponds have to be refilled three to four times a week, when the water level has dropped between 1 and 1.5 feet. For the remainder of the season the ponds only need refilling twice a week. explained peak demand, fill ponds three times per week, August, two ponds 20x30x 3.5, Normall start april 15 to first of May run thru October 30 peak demand july and august, none peak fill two times a week. Turk McMurtrey, Operation Manager BECO Water used in wet wash for dust control part of air quality compliance.

SCANNED

SEP 01 2004



Point of Diversion

Lincoln

Lincoln Cem

Level Pit

BOUNDED
SEP 17 1981

Water Right Number - 25-02119

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 25743

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
UTAH IDAHO SUGAR CO.

1 -
2 -
3 -
City- SALT LAKE CITY State- UT Zip-
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
06/10/1955 15 L - LICENSE

+ - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
02N 38E 10 SW SE (19) BONNEVILLE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
07 - INDUSTRIAL 5.560

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
5.560 560

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
02N 38E 10 SW SE 07 INDUSTRIAL (19) BONNEVILLE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use - I/SUGAR BEET PROCESSING PLANT.

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 04/01/87 05/22/88 CONVERT 08/11/89 CURTIS

DO NOT FILM

Water right number - 25-02119

Adj. flag translation: Standard Water Right Number

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 08/01/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

DO NOT FILM

State of Idaho

License and Certificate of Water Right

Water License No. G-25743

Amount 5.56 c.f.s.

Water District No.

Priority June 10, 1955

THIS IS TO CERTIFY that UTAH-IDAHO SUGAR COMPANY

of Salt Lake City, Utah, made application for a permit to appropriate the public waters of the State of Idaho, dated June 10, 1955; that Permit No. G-25743 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 5.56 second feet, was issued thereunder on August 1, 1957, showing that said works were completed on the 13th day of May, 1957; and that on the 13th day of May, 1957, T. W. COCKAYNE, Vice President Utah-Idaho Sugar Company

of Salt Lake City, State of Utah, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean, for the purpose of Industrial use, under Use Permit No. G-25743 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 10 of Licenses at page 6061, on the 1st day of August, 1957;

The right hereby confirmed dates from June 10, 1955;

The Point of Diversion is located

in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Tp. 2 N., R. 38 E., E. M. County Bonneville

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 5.56 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	XXXXXX XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXX
2 N.	FOR: 38 E.	Industrial purposes at the sugar beet processing plant located in the 10 SW $\frac{1}{4}$ SE $\frac{1}{4}$		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

1st day of August, 1957.

/s/ Mark A. Kulp
State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 25743

This proof is for completion of the beneficial use in Water District No. 1

1. Name of applicant T. W. Docking Co., Inc. Sugar Co., Inc.

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the SE¹ of Section 22

T. 2 N. R. 33 E., 11th County of Bonneville

4. Describe works as they exist, giving dimensions and capacities of same: Drilled well 19" dia.
> 200' deep

Pump: Worthington 11 to 224, bowls sitting 200', 4 stage, column 12"

Total discharge head 271.04 ft - yield 2500 G.P.M.

Motor - U.S. # 1043403, 200 HP, 440 V., 240 Amp., 1800 R.P.M.

5. Water is used for: Industrial purposes for sugar beet processing plant.

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

Yes.

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

SE¹ of Sec. 11., Twp. 2 N., R. 33 E., 11th County.

(Attach map or attached plat, showing location and details of above description.)

8. What are streets or other means of access to the point of diversion?

Remarks: Well idle due to shut-down between beet-processing operations

This examination was made on the

23

day of June

1957

(signed) James H. Hume

Examined

25743

R-38E.

T
2
N

10

J.P.



→ To Wind Hills

Subdivisions 1

SW 1/4 Sec 10, P 38 F, T 2 N

Use is for Sugar processing

Quantity of water specified in

pump purchase contract is

2500 gpm at 57.5 ft head

Assuming 70% overall efficiency

$$2500 \text{ gpm} \times 57.5 \times \frac{2.31}{33000 \times .70}$$

gpm = 2050



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

November 30, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

LINCOLN LAND COMPANY LLC
PO BOX 1768
IDAHO FALLS ID 83403

RE: WATER RIGHT OWNERSHIP 25-2119 & 25-2126

Dear Sir or Madam:

I am returning your request to change the ownership of the above referenced water rights. We mistakenly thought your company purchased the land appurtenant to these rights. However, in 2001, Evans Grain and Elevator moved the water to different land (see enclosed photo). I apologize for our error.

Respectfully,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

Jennifer Crabtree

Technical Records Specialist

Enclosure

SCANNED

NOV 29 2007