

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

\*AMENDED\*

TRANSFER NO. 5068  
WATER RIGHT NO(S). 35-02603/35-04127/35-12670

RECEIVED  
JUN 19 1998  
Department of Water Resources  
Eastern Region  
\*AMENDED\*

This is to certify that: LAMB WESTON INC  
PO BOX 489  
AMERICAN FALLS ID 83211

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| Right No. 35-02603 :  |                      |                       |                      |
| INDUSTRIAL            | 01/01 to 12/31       | 3.34 CFS              | 2418.1 AF            |
| Priority: 07/07/1960  |                      |                       |                      |
| Right No. 35-04127 :  |                      |                       |                      |
| INDUSTRIAL            | 01/01 to 12/31       | 4.68 CFS              | 3388.2 AF            |
| FIRE PROTECTION       | 01/01 to 12/31       | 4.68 CFS              |                      |
| Priority: 08/12/1961  |                      |                       |                      |
|                       |                      | 4.68 CFS              | 3388.2 AF            |
| Right No. 35-12670 :  |                      |                       |                      |
| INDUSTRIAL            | 01/01 to 12/31       | 2.01 CFS              | 1455.2 AF            |
| Priority: 08/24/1962  |                      |                       |                      |
|                       | TOTAL:               | * 10.03 CFS           | * 4408.0 AF          |

SOURCE  
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 35, Township 07S, Range 30E  
SWSE , Sec. 35, Township 07S, Range 30E  
POWER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

07S 30E 35

NENW  
SENW  
SWSW  
SWSE

NWNW  
NESW  
SESW

SWNW  
NWSW  
NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED

AUG 25 2005

TRANSFER NO. 5068  
WATER RIGHT NO(S). 35-02603/35-04127/35-12670

CONDITIONS OF APPROVAL AND REMARKS

3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. 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.
- \* 5. The total instantaneous diversion of water from all points of diversion under Transfer 5068 shall not exceed 10.03 cfs, nor a total combined annual volume of 4408.0 af.
- \* 6. Rights 35-02603, 35-04127 and 35-12670 when combined shall not exceed a total annual diversion volume of 4408.0 af.
7. Approval of Transfer 5068 does not confirm claimed Rights 35-04127 and 35-12670.
8. The water used for industrial use under this transfer approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used for industrial use as authorized by these water rights.
9. Industrial use includes a potato processing plant located in the W1/2SE, S35, T07S, R30E.
10. Two points of diversion are located within NWSE, S35, T07S, R30E.

Dated this 15<sup>th</sup> day of June, 1998.

  
Chief, Water Allocation Bureau

PROFILE

SCANNED  
AUG 25 2005

## MEMORANDUM

**TO:** Files 35-02603, 35-04127 & 35-12670

**FROM:** Pam Skaggs<sup>28</sup>/State Office

**SUBJECT:** Transfer 5068

**DATE:** May 26, 1998

---

Transfer 5068 adds points of diversion and changes the place of use under Rights 35-02603, 35-04127 and 35-12670. The applicant is identifying the place of use for the land application area needed to comply with water quality requirements and the use of the three wells and rights as a single combined system.

The priority of A3512670, fire protection use on 35-04127, diversion rates under 35-04127 and 35-12670, and diversion volume were adjusted according to SRBA recommendations, the transfer application and current standards. The additional place of use described for land application is not considered an enlargement of the use of these rights when water is first used for industrial use in the potato processing plant.

Recommended conditions include multiple points of diversion limits, measuring & reporting, land application limits and standard transfer conditions.

SRBA CLAIMS  
NOT DECIDED  
AS OF 6-1-99  
*[Signature]*

MICROFILMED

JUN 02 1998

PROPOSED

SCANNED  
AUG 25 2005

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5068  
WATER RIGHT NO(S). 35-02603/35-04127/35-12670

RECEIVED

JUN 05 1998

Department of Water Resources  
Eastern Region

This is to certify that: LAMB WESTON INC  
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| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| Right No. 35-02603 :  |                      |                       |                      |
| INDUSTRIAL            | 01/01 to 12/31       | 3.34 CFS              | 2418.1 AF            |
| Priority: 07/07/1960  |                      |                       |                      |
| Right No. 35-04127 :  |                      |                       |                      |
| INDUSTRIAL            | 01/01 to 12/31       | 4.68 CFS              | 3388.2 AF            |
| FIRE PROTECTION       | 01/01 to 12/31       | 4.68 CFS              |                      |
| Priority: 08/12/1961  |                      |                       |                      |
|                       |                      | 4.68 CFS              | 3388.2 AF            |
| Right No. 35-12670 :  |                      |                       |                      |
| INDUSTRIAL            | 01/01 to 12/31       | 2.01 CFS              | 1455.2 AF            |
| Priority: 08/24/1962  |                      |                       |                      |
|                       | TOTAL:               | * 10.03 CFS           | * 4408.0 AF          |

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 35, Township 07S, Range 30E  
SWSE , Sec. 35, Township 07S, Range 30E  
POWER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

07S 30E 35

NENW

NWNW

SWNW

SENE

NESW

NWSW

SWSW

SESW

NWSE

SWSE

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED

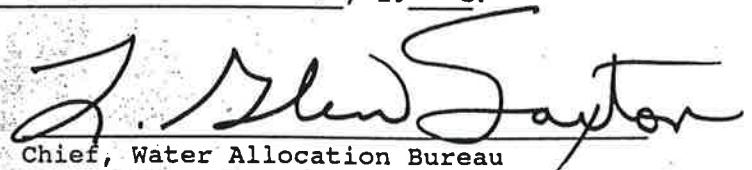
AUG 25 2005

TRANSFER NO. 5068  
WATER RIGHT NO(S). 35-02603/35-04127/35-12670

CONDITIONS OF APPROVAL AND REMARKS

3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. 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.
- \* 5. The total instantaneous diversion of water from all points of diversion under Transfer 5068 shall not exceed 10.03 cfs, nor a total combined annual volume of 4408.0 af.
- \* 6. Rights 35-02603, 35-04127 and 35-12670 when combined shall not exceed a total annual diversion volume of 4408.0 af.
7. Approval of Transfer 5068 does not confirm claimed Rights 35-04127 and 35-12670.
8. The water used for industrial use under this transfer approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used for industrial use as authorized by these water rights.
9. Industrial use is for a potato processing plant located in the W1/2, S35, T07S, R30E.
10. Two points of diversion are located within NWSE, S35, T07S, R30E.

Dated this 1<sup>st</sup> day of June, 1998

  
Chief, Water Allocation Bureau

SCANNED

AUG 25 2005

PROFILE

## MEMORANDUM

TO: Files 35-02603, 35-04127 & 35-12670

FROM: Pam Skaggs<sup>28</sup>/State Office

SUBJECT: Transfer 5068

DATE: May 26, 1998

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Transfer 5068 adds points of diversion and changes the place of use under Rights 35-02603, 35-04127 and 35-12670. The applicant is identifying the place of use for the land application area needed to comply with water quality requirements and the use of the three wells and rights as a single combined system.

The priority of A3<sup>5</sup>12670, fire protection use on 35-04127, diversion rates under 35-04127 and 35-12670, and diversion volume were adjusted according to SRBA recommendations, the transfer application and current standards. The additional place of use described for land application is not considered an enlargement of the use of these rights when water is first used for industrial use in the potato processing plant.

Recommended conditions include multiple points of diversion limits, measuring & reporting, land application limits and standard transfer conditions.

SRBA CLAIMS  
NOT DECREED  
AS OF 6-1-99  
*[Signature]*

PROFIT

SCANNED

AUG 25 2005

50 7-14-9

Page 1 of 6STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 5068APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1Name of applicant Lamb-Weston, Inc. Phone (208) 226-2301  
Post Office address P. O. Box 489, American Falls, ID 83211 (2975 Lamb Weston Road)

## 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 Add land application area to comply with  
DEQ water quality requirements. Show  
existing Wells #1, #2 and #3 as points of diversion  
on all Lamb-Weston water rights.

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

- | 1. Right Number  | Priority       | Amount<br>(cfs/ac-ft) | Nature<br>of Use          | Period of Use                |
|------------------|----------------|-----------------------|---------------------------|------------------------------|
| <u>X35-02603</u> | <u>7/7/60</u>  | <u>3.34</u>           | <u>Industrial</u>         | <u>01/01</u> to <u>12/31</u> |
| <u>A35-12670</u> | <u>8/24/62</u> | <u>2.01</u>           | <u>Industrial</u>         | <u>01/01</u> to <u>12/31</u> |
| <u>X35-04127</u> | <u>8/12/61</u> | <u>4.68</u>           | <u>Indus/Fire Protct.</u> | <u>01/01</u> to <u>12/31</u> |
| <u>35-08669</u>  | <u>4/21/88</u> | <u>1.00</u>           | <u>Irrigation (.03)</u>   | <u>04/01</u> to <u>10/31</u> |
|                  |                |                       | <u>Industrial (.97)</u>   | <u>01/01</u> to <u>12/31</u> |
2. Total amount of water being transferred 10.03 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.
3. Source of water ground water tributary to \_\_\_\_\_
4. Point(s) of Diversion:

| Lot | ¼ | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|----|----|------|------|------|--------|--------------------------|
|     |   | SW | SE | 35   | 7S   | 30E  | Power  | Well No. 1               |
|     |   | NW | SE | 35   | 7S   | 30E  | Power  | Well No. 2               |
|     |   | NW | SE | 35   | 7S   | 30E  | Power  | Well No. 3               |
|     |   |    |    |      |      |      |        |                          |

## 5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 7S   | 30E  | 35   |      |      |      |      | I    | I    | I    | I    | I    | I    | I    | I    |      | I    | I    |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

SCANNED

AUG 25 2005

PROPOSED

**PART 1****6. General Information:**

a. Description of diversion system Existing wells, pumps and pipeline system with treatment ponds and land application system (see maps).

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. See attached Power County tax records, dated 3/14/97.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

Land application area in NW $\frac{1}{4}$  and SW $\frac{1}{4}$  of Section 35, T7S, R30E, requested per application processing memorandum no. 61.

**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 \_\_\_\_\_, 19 \_\_\_\_\_

PROFILED

SCANNED  
AUG 25 2005

## PART 2

## A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-04127

STAGE: STATUTORY CLAIM

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> |
|-----------------------|----------------------|-----------------------|
| FIRE PROTECTION       | 01/01 to 12/31       | 6.00 CFS              |

SOURCE

GROUNDWATER

Priority: 08/12/1961

LOCATION OF POINT(S) OF DIVERSION:NWSE , Sec. 35, Township 07S, Range 30E  
POWER CountyPLACE OF USE: FIRE PROTECTIONTWN RGE SEC

07S 30E 35 NWSE

CONDITIONS/REMARKS:

PROFILED

SCANNED  
AUG 25 2005

**PART 2**

**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 35-02603

STAGE: LICENSE

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> |
|-----------------------|----------------------|-----------------------|
| INDUSTRIAL            | to                   | 3.34 CFS              |

SOURCE

GROUNDWATER

Priority: 07/07/1960

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 35, Township 07S, Range 30E  
POWER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

07S 30E 35 NWSE

SWSE

CONDITIONS/REMARKS:

PROFILED

SCANNED  
AUG 25 2005

## PART 2

## A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. A35-12670

STAGE: BENEFICIAL USE

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> |
|-----------------------|----------------------|-----------------------|
| INDUSTRIAL            | 01/01 to 12/31       | 6.69 CFS              |

SOURCE

GROUNDWATER

Priority: 08/01/1960

LOCATION OF POINT(S) OF DIVERSION:NWSE , Sec. 35, Township 07S, Range 30E  
POWER CountyPLACE OF USE: INDUSTRIALTWN RGE SEC

07S 30E 35 NWSE

CONDITIONS/REMARKS:

1. WELL PUMPS ~3000 GPM.
2. A35-04127 USED AS BACKUP WELL FOR INDUSTRIAL USE AND ALSO FOR FIRE PROTECTION.

PROFILED

SCANNED  
AUG 25 2005

## PART 3

## B. CHANGES IN NATURE OF USE

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use |
|---|-------------------|-----------------------|-----------------|---------------|
|   |                   |                       |                 | to            |
|   |                   |                       |                 | to            |

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

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

I hereby assert 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 G. Bloom  
(Signature of Applicant)

Subscribed and sworn to before me this 25<sup>th</sup> day of March, 19 97.

E. Laird Cluff  
(Notary Public)

My commission expires 02/19/98

## FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and          attachments

Received by HWT Date 3-27-97 Protest filed by         

Prelim. check by          Fee \$100.00

Receipted by HWT #EO23063 Date 3-27-97

Published in Lower County Press Copies of protest forwarded by         

Pub. dates May 1 and 8, 1997 Hearing held by          Date         

Watermaster recommendation requested on          Recommended for ☒ approval ☐ denial

         rec'd.          by RD

Copy of transfer sent to lien holder         

PROFILED

SCANNED  
AUG 25 2005

# Lamb Weston

June 25, 1991

RECEIVED

JUN 27 1991

Department of Water Resources  
Eastern District Office

Eric Verner  
Department of Water Resources  
150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83401

Dear Sir:

I am enclosing a copy of the well drilling log and information on Evidence of Priority #A35-04127.

I, Wally Buffi, have been employed at the Lamb Weston facility since July 1, 1962, and I have observed the Facility using water from the Number 1 Well (Priority No. A35-04127) for the past 29 years.

*Wally Buffi*

Wally Buffi  
Plant Engineer

WB/jv

PROFILE

SCANNED

AUG 25 2005

MICROFILMED

DEC 10 1992

17-Jun-1991

DAVID MEARES  
LAMB WESTON INC  
PO BOX 489  
AMERICAN FALLS ID 83211

RE: **Evidence of Priority**  
NO. A35-04127

Dear Claimant:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by JULY 15, 1991, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

PROFILED

SCANNED  
AUG 25 2005

MICROFILMED  
DEC 10 1992

DAVID MEARES  
LAMB WESTON INC  
A35-04127

page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner  
Senior Water Agent

EV:rb

Enc. Brochure on "Evidence of Priority"  
Proof Report

PROFILED

SCANNED  
AUG 25 2005

MICROFILMED  
DEC 10 1992

RECEIVED

JUN 27 1991

Department of Water Resources  
Eastern District Office

September 1, 1961

Lamb-Weston, Inc.  
American Falls, Idaho

Attention: Mr. A. R. Davidson

Gentlemen:

Enclosed is copy of Well Driller's log of the well drilled for you last summer at your American Falls plant. Our report on the test has been delayed because we were unable to get the log until a few days ago.

The well was tested by pumping on August 30, 1960. During the first 15 minutes of pumping the water was dark color from the lava cinders. After that time the water remained clear. Discharge was measured by an 8" orifice at the end of 10" discharge pipe.

The static water level was <sup>74'</sup>2.4 feet below ground surface. At discharge of 1500 gpm draw-down was 3 feet.

At 2150 gpm draw-down was 6 feet.

This rate of discharge was maintained for 6 hours with draw-down remaining steady.

The discharge was then increased to 2700 gpm with draw-down of 10 feet. This rate of pumping was continued two hours with draw-down remaining steady at 10 feet.

Very truly yours,

HAMILTON AND VOELLER

R. F. Hamilton

RJH/ua  
Enc.

DEC 10 1962

# WELL DRILLING

GEORGE VOLLMER

ROUTE 1

AMERICAN FALLS, IDAHO

Owner :-

Lamb Weston, Inc.

Well No. 1

Size of hole

16" O. D.

Depth of hole

220'

Static water

74'

Water temp.

54 degrees

Pump test

3000 G. P. M. 10' drawdown

1500 G. P. M. 3' drawdown

Casing in well

16" O. D. x .250 from 0 - 202'

14" O. D. x .250 from 193 - 208'

14" pipe cemented into 16" pipe  
and rock to seal out surface water  
and sand.

Well started 7-7-60

Completed 8-13-60

Well log

|         |                            |
|---------|----------------------------|
| 0-5     | Sand                       |
| 5-55    | Clay                       |
| 55-75   | Sandy clay (Gray)          |
| 75-97   | Sandy clay (Tan)           |
| 97-130  | Sandy clay (Gray)          |
| 130-145 | Clay (Gray)                |
| 145-202 | Sand & clay streaks (Gray) |
| 202-220 | Lava                       |
| 210-220 | Water bearing formation    |

DEC 10 1962

RECEIVED  
MAR 10 1997

Department of Water Resources

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: A35-04127  
Date Received: 1/30/1990  
Receipt No: S011085  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LAMB WESTON INC  
Address: 2975 LAMB WESTON RD  
PO BOX 489  
AMERICAN FALLS ID

208-226-2301

83211

2. Date of Priority: AUG 14, 1961

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 07S      | 30E   | 35      | NW     | NW     | SE     |     | POWER  |
|          |       |         | SW     | NW     | SE     |     | POWER  |

5. Description of diverting works:  
2 WELLS AND PUMPS

6. Water is used for the following purposes:

| Purpose         | From  | To    | C.F.S. | (or) | A.F.A. |
|-----------------|-------|-------|--------|------|--------|
| INDUSTRIAL      | 01/01 | 12/31 | 4.680  |      |        |
| FIRE PROTECTION | 01/01 | 12/31 | 4.680  |      |        |

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

POTATO PRODUCTS MANUFACTURING

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use    | Acres |
|----------|-------|---------|--------|--------|-----|--------|-------|
| 07S      | 30E   | 35      | NW     | SE     |     | INDUST |       |

A35-04127

Page

1

AUG 25 2005  
Date: 02/21/97

A3504127



10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use  | Acres |
|----------|-------|---------|------------|-----|------|-------|
| 07S      | 30E   | 35      | NW SE      |     | FIRE |       |

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

A35-02603, A35-12670, PERMIT 35-08669

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Organizations:**

I do solemnly swear or affirm that I am Operations Manager of  
Title

Lamb-Weston, Inc., American Falls, that I have signed the foregoing  
Organization

document in the space below as Operations Manager of  
Title

Lamb-Weston, Inc., American Falls and that the statements contained in the  
Organization

foregoing document are true and correct.

Bob Schutte  
Signature of Authorized Agent

Operations Manager, Lamb-Weston, Inc.  
Title and Organization

March 7, 1997

Date

State of Idaho )  
 ) SS.  
County of Power )

Subscribed and sworn (or affirmed) before me this 7th day  
of March 19 97

Robert G. Hobbs  
Notary Public

Seal

Residing at Chubbuck, Idaho

My Commission Expires 04/17/98

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 \_\_\_\_\_

PROFILED

SCANNED  
Date: 02/21/97  
AUG 25 2005

1650

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

RECEIVED

JAN 30 1990

Ident. Number: A35-04127  
Date Received: 1/23/1990  
Receipt No: 5011085  
Received By: lw

Department of Water Resources  
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LAMB WESTON INC.  
Address: C/O DAVID MEARES  
BOX 489  
AMERICAN FALLS, ID

83211

208-226-2301

RECEIVED  
FEB 03 1990

2. Date of Priority: AUG 12, 1961

3. Source: GROUNDWATER

Trib. to:

Department of Water Resources  
Eastern District Office

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 07S      | 30E   | 35      | NW     | SE     |     |     | POWER  |

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 | 6.000  |      |        |
| FIRE PROTECTION | 01/01 | 12/31 | 6.000  |      |        |

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
I/POTATOE PRODUCTS MANUFACTURING

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use  | Acres |
|----------|-------|---------|--------|-----|-----|------|-------|
| 07S      | 30E   | 35      |        |     |     | FIRE |       |

A35-04127

Page

1

Date: 01/23/90

A3504127



PROTECTED

SCANNED  
AUG 25 2005

MICROFILMED

DEC 10 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 07S      | 30E   | 35      | NW SE      |     | INDUST |       |

11. Place of use in counties: POWER

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

13. Other Water Rights Used:  
A35-12670, PERMIT 35-08669

14. Remarks:  
WELL PUMPS ~3000 GPM.  
STATUTORY CLAIM FOR FIRE PROTECTION COMBINED WITH BENEFICIAL USE  
FOR INDUSTRIAL...USED AS BACKUP WELL FOR POTATOE PROCESSING  
PLANT.

15. Basis of Claim: BENEFICIAL USE

PROFILED

SCANNED  
AUG 25 2005

MICROFILMED  
DEC 10 1992

16. Signature(s)

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

Number of attachments: 0

**For Organizations:**

I do solemnly swear or affirm that I am QUALITY/TECHNICAL SERVICES MANAGER of  
Organization  
LAMB-WESTON INC., AMERICAN FALLS, that I have signed the foregoing  
document in the space below as QUALITY/TECHNICAL SERVICES MANAGER of  
Organization  
LAMB-WESTON INC., AMERICAN FALLS and that the statements contained in the  
foregoing document are true and correct.

Signature of Authorized Agent

QUALITY/TECHNICAL SERVICES MANAGER  
Title and Organization  
LAMB-WESTON, INC.

29 JAN-90  
Date

State of Idaho )  
County of Power ) SS.

Subscribed and sworn (or affirmed) before me this 29<sup>th</sup> day  
of January 19 90

Notary Public

Seal

Residing at 657 Burnett Ave Falls, Idaho  
My Commission Expires 7-21-92

PROFILED

SCA  
AUG 25 2005

MICROFILMED  
DEC 10 1992