

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

SEP 18 1989

Ident. Number: A36-02250

Date Received: 8/31/1989

Receipt No: 5009207

Received By: SC - 10

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAGIC VALLEY FOODS-FARM 208-436-3126
Address: P.O. BOX 475
RUPERT, ID 83350

2. Date of Priority: MAR 05, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	23E	18		NW	NE	1	MINIDOKA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.320		

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

8. Total consumptive use is 711.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	23E	7	NE	SE		IRR	37.0
			NW	SE		IRR	36.0
			SW	SE		IRR	40.0
			SE	SE		IRR	36.0

Section Acres 149.0

A36-02250

Page 1

Date: 08/31/89

MICROFILMED

JAN 26 1989

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	23E	18	NE		NE		IRR	37.0
			NW		NE		IRR	18.0
			SW		NE		IRR	21.0
			SE		NE		IRR	12.0
							Section Acres	88.0
							Total Acres	237.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 24762

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 VICE President of
Title
Magic Valley Foods - Farm, that I have signed the foregoing
Organization
document in the space below as VICE President of
Title
Magic Valley Foods - Farm and that the statements contained in the
Organization
foregoing document are true and correct.

Wm. Schow
Signature of Authorized Agent

VICE President Magic Valley Foods - Farm
Title and Organization

Sept. 14, 1989
Date

State of Idaho)
County of Minidoka) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of September 19 89

Leann Kamperman
Notary Public

Seal

Residing at Cassia County
My Commission Expires 2-4-90



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Sept. 19, 1989

Re: A36-11803

A36-02483

A36-02067

A36-02250

A36-11867

- MAGIC VALLEY FOODS-FARM
- P O BOX 475
- RUPERT ID 83350

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

JAN 26 1993

COPY

200 NOV 17 PM 1:14

T-573A
TWIN FALLS, IDAHO

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

In Re SRBA

Case No. 39576

SUBCASE NO. 36-02250, 36-02250A,
36-02250B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership

☒ Point of Diversion

☒ Period of Use

☒ Split of Water Right

☒ Place of Use

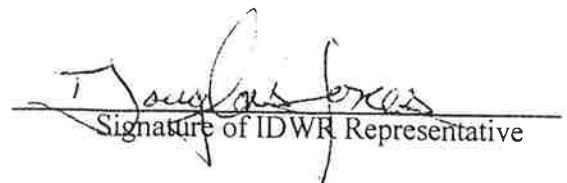
☒ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

11/14/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/17, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Magic Valley Foods Inc
PO Box 475
Rupert ID 83350
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

11/06/2000

RIGHT NUMBER: 36-02250

SPLIT RIGHT: SEE RIGHT NOS. 36-02250A AND 36-02250B.

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

11/06/2000

RIGHT NUMBER: 36-2250A

NAME AND ADDRESS: MAGIC VALLEY FOODS INC
PO BOX 475
RUPERT, ID 83350

SOURCE: GROUND WATER

QUANTITY: 4.06 CFS
1130.4 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-15552 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF
1130.4 AFY.

PRIORITY DATE: 03/05/1954

POINT OF DIVERSION: T08S R23E S18 LOT 1 SENWNE Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	4.06 CFS 1,130.4 AFY

PLACE OF USE:

IRRIGATION Within MINIDOKA County

T08S R23E S18	NENE	37	T08S R23E S18	SENE	29.7
T08S R23E S18	NWNE	43	T08S R23E S18	SWNE	35
T08S R23E S7	NESE	29.6	T08S R23E S7	SESE	36
T08S R23E S7	NWSE	31.3	T08S R23E S7	SWSE	41

282.6 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-15552 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 282.6 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 222.5 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE
DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS
MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 36-15552 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Water Right 36-2250A

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

11/06/2000

RIGHT NUMBER: 36-2250B

NAME AND ADDRESS: MAGIC VALLEY FOODS INC
PO BOX 475
RUPERT, ID 83350

SOURCE: GROUND WATER

QUANTITY: 0.26 CFS
43.5 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-15553 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.26 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 55.2 AF.

PRIORITY DATE: 03/05/1954

POINT OF DIVERSION: T09S R24E S29 SESWSW Within MINIDOKA County
2 POINTS OF DIVERSION LOCATED IN T09S, R24E, S29, SESWSW.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01-01 12-31	0.26 CFS 43.5 AFY

PLACE OF USE:

COMMERCIAL Within MINIDOKA County
T09S R24E S29 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

RIGHT NO. 36-15553 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

November 17, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MAGIC VALLEY FOODS INC
PO BOX 475
RUPERT ID 83350

RE: SRBA Claim(s) 36-02250, 36-11867

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Southern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5496
WATER RIGHT NO(S). 36-02250B/36-11867B

RECEIVED
JUN 23 2000
Department of Water Resources
Southern Region

This is to certify that: **MAGIC VALLEY FOODS INC**
PO BOX 475
RUPERT ID 83350

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. 36-02250B : COMMERCIAL Priority: 03/05/1954	01/01 to 12/31	0.26 CFS	43.5 AF
Right No. 36-11867B : COMMERCIAL Priority: 03/15/1974	01/01 to 12/31	0.06 CFS	11.7 AF
TOTAL:		* 0.26 CFS	55.2 AF *

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESWSW , Sec. 29, Township 09S, Range 24E
MINIDOKA County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

09S 24E 29 SWSW

CONDITIONS OF APPROVAL AND REMARKS

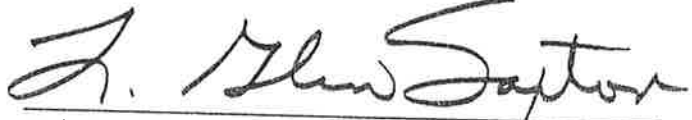
1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
 2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
 3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- A-00

TRANSFER NO. 5496
WATER RIGHT NO(S). 36-02250B/36-11867B

CONDITIONS OF APPROVAL AND REMARKS

4. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 6. The total instantaneous diversion of water from all points of diversion under Transfer 5496 shall not exceed 0.26 cfs, nor a total combined annual volume of 55.2 af.
7. Right 36-11867B is an enlargement of Right 36-02250B.
8. Right 36-11867B is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
9. The commercial use authorized under this approval shall comply with applicable city, county, state and federal requirements.
10. Commercial use is for a potato processing plant and a co-generation power plant.
11. Two (2) points of diversion are located within SESWSW, S29, T09S, R24E.

Dated this 19th day of June, 2000.


Chief, Water Allocation Bureau

COPY

1999 NOV 19 PM 12: 41

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

In Re SRBA

Case No. 39576

Water Rights: 36-02250, 36-11867

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer 5496

☒ point of diversion ☒ place of use

☒ period of use ☒ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than:

October 6, 2000.

Dated 11/5/99



Signature of IDWR Representative

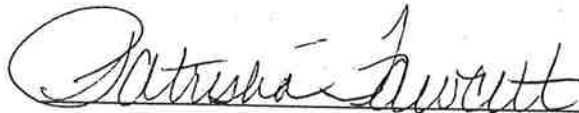
INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on 11/19, 1999, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Magic Valley Foods Inc
PO Box 475
Rupert ID 83350
3. One copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record:


Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

November 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MAGIC VALLEY FOODS INC
PO BOX 475
RUPERT ID 83350

RE: SRBA Claim(s) 36-02250, 36-11867

Dear Claimant:

Please find the enclosed copy of the Notice of Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant MAGIC VALLEY FOODS INC Phone 208/436-3126
Post Office address PO BOX 475 RUPERT ID 83350

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 split rights
2. Describe the reason for the proposed changes SUPPLY WATER TO POTATO PROCESSING PLANT AND CO-GEN FACILITY

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>36-02250 R</u> | <u>03/05/1954</u> | <u>0.26/43.5</u> | <u>COMMERCIAL</u> | <u>01/01</u> to <u>12/31</u> |
| <u>36-11867 R</u> | <u>03/15/1974</u> | <u>0.06/11.7</u> | <u>COMMERCIAL</u> | <u>01/01</u> to <u>12/31</u> |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 0.26 cubic feet per second and/or 55.3 acre-feet per annum.
3. Source of water GROUNDWATER tributary to
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	SW	29	09S	24E	MINIDOKA	2 WELLS

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	
09S	24E	29											C						

Total acres

NO. OF CLAIMS IN POLYGON _____

CLAIM NUMBERS 36-02250 11867DATE 7-16-97AGENT KKCTRANSFER NUMBER eff overlap

OBJECTION FILED _____

TOTAL ACRES FROM RECOMMENDATION 301GEOGRAPHIC INFO SYSTEM 310.8

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	8S	23E	7													37	36	41	36
GIS																34.5	38.4	43.3	39.4
RECOM	8S	23E	18	37	43	35	36												
GIS				39.6	42.7	35.4	37.3												
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF 7-16ATTRIBUTES OF B36-POU.SHP (189) 7-16B36-DBPOD.DBF 7-16ATTRIBUTES OF B36-POD.SHP (281) 7-16

Polygon unioned on 604 KKC

overall Place of use within 5%, some Q's slightly
 > or < 5%

GIS P/D matches Recommendation

Ready for Decree based upon P/D & P/U.
 hold to resolve eff question
 maybe amended eff claim?

P/U CONFLICT yes (X) no ()

P/D CONFLICT yes () no ()

SENT FOR DECREE yes () no ()

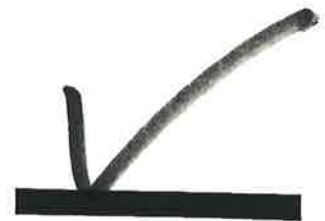
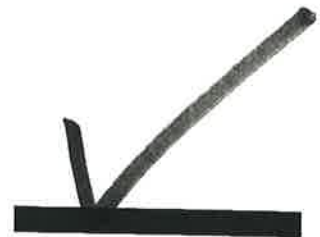
R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED

IAN 2 6 1992

Water Right Number - R36-02250

Prefix Translation:

RESEARCH

Old (D) Number - 24762

VERIFIED ADJ

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

*** C - CURRENT OWNER ***
MAGIC VALLEY FOODS-FARM

1 - P.O. BOX 475

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-3126

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/05/1954 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

08S 23E 18 SE NW NE 1 (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 4.320+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.320 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 23E 7 NE SE 37.0 01 IRRIGATION (67) MINIDOKA
08S 23E 7 NW SE 3 36.0 01 IRRIGATION (67) MINIDOKA
08S 23E 7 SW SE 4 41.0 01 IRRIGATION (67) MINIDOKA
08S 23E 7 SE SE 36.0 01 IRRIGATION (67) MINIDOKA
08S 23E 18 NE NE 37.0 01 IRRIGATION (67) MINIDOKA
08S 23E 18 NW NE 1 43.0 01 IRRIGATION (67) MINIDOKA
08S 23E 18 SW NE 2 35.0 01 IRRIGATION (67) MINIDOKA
08S 23E 18 SE NE 36.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 301.0

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-11867

+ - - - - Remarks - - - - - +
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 237 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.MICROFILMED
JAN 26 1993

Water right number - R36-02250

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

RIGHT NO. 36-11867 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
IDAHO CODE 42-1416(2).
RIGHT NO. 36-11867 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
USE OF THIS RIGHT WITH RIGHT NO. 36-11867 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.32 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1204 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 903 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 301 ACRES IN A SINGLE IRRIGATION SEASON.

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

No Old Water Right Numbers Found

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

C05 - RIGHT INCLUDES CHANGE IN PLACE OF USE.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

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

Date: 03/11/1991 User Id: BEDKE Subject: SCC-STAFF REVIEW

Date: 08/27/1991 User Id: MERRITT Subject: COPIED FROM REMARKS

EXPANSION CLAIM #A36-11867 FILED FOR AN ADDITIONAL 64 ACRES ADDED IN 1974 WHEN SPRINKLERS WERE INSTALLED.

+ - - Audit Fields - - +

08/27/91 MERRITT

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 08/27/1991	Old Judicial District	-
Claim Received Date	- 09/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009207	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

RECORDED

JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:25:50
08/17/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02250

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N		Scu/RJW	DB	
POINT OF DIV	Y			(Y) 10AC.	1,5	8-12-91		
SOURCE				N				
PLACE OF USE	Y			(Y) add Lots #	1,4,5,6			
DIV. AMOUNT CFS/VOLUME				N (Y)			Y	
CONSUMPTIVE USE	-			N (Y)				
PURPOSES				N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM				N				
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:25:50
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02250

LAST: MAGIC VALLEY FOODS-FARM
ADDRESS: P.O. BOX 475
CITY: RUPERT
PHONE NUMBER: 208-436-3126

FIRST:
STATE: ID ZIP: 83350

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: EXPANSION CLAIM #A36-11867 FILED FOR AN ADDITIONAL 64 ACRES ADDED
IN 1974 WHEN SPRINKLERS WERE INSTALLED.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____ *N/A*

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A36-02250 PRIORITY DATE: 03-05-1954 STAGE: L
B. WR RECORD: # 36-02250 PRIORITY DATE: 03-05-1954 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
03-05-1954

REVIEWED BY

DATE

SCC 38-91

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02250	08S	23E	18		NW	NE	1	MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-11867 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02250	08S	23E	18		NW	NE	1	MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

A36-11867 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

2
2

REMARKS:

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JAN 26 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>Sumner</u>			<u>SE</u>	<u>NW</u>	<u>NE</u>	<u>1</u>	

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: see

DATE: 3-8-91

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A. ROOT WATER RIGHT NUMBERS: A36-02250

B. POU LISTING

POU LISTING						AJ	WR	LANDSAT	FIELD	RECOMM.	EXP.		
TWP	RNG	SEC	1/4	1/4	LOT	NAME	#/ACRES	#/ACRES	DATA	EXAM.	ACRES	CLAIM	
08S	23E	18	NE	NE		MAGIC VALLEY FOODS-FARM	A36-02250 /37.0	36-02250 /37.0	39.0	37	39	37	
						MAGIC VALLEY FOODS-FARM	A36-11867 / 6.3	- /				25	
08S	23E	18	NW	NE	1	MAGIC VALLEY FOODS-FARM	A36-02250 /18.0	36-02250 /18.0		43	43	18	
						MAGIC VALLEY FOODS-FARM	A36-11867 /25.4	- /				25	
08S	23E	18	SW	NE	2	MAGIC VALLEY FOODS-FARM	A36-02250 /21.0	36-02250 /21.0		35	35	21	
						MAGIC VALLEY FOODS-FARM	A36-11867 /12.0	- /				14	
08S	23E	18	SE	NE		MAGIC VALLEY FOODS-FARM	A36-02250 /12.0	36-02250 /12.0	40.0	36	36	12	
						MAGIC VALLEY FOODS-FARM	A36-11867 /20.5	- /				24	
08S	23E	7	NE	SE		MAGIC VALLEY FOODS-FARM	A36-02250 /37.0	36-02250 /37.0	40.0	37	35	37	
08S	23E	7	NW	SE	3	MAGIC VALLEY FOODS-FARM	A36-02250 /36.0	36-02250 /36.0		36	38	36	
08S	23E	7	SW	SE	4	MAGIC VALLEY FOODS-FARM	A36-02250 /40.0	36-02250 /40.0		41	43	40	
08S	23E	7	SE	SE		MAGIC VALLEY FOODS-FARM	A36-02250 /36.0	36-02250 /36.0	37.0	36	38	36	
TOTAL ACRES							A36-02250	237.00	237.00	156.00	301	307	237

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
X

field exam found 307 acres
- licensed rights for 237 acres
- Expansion claim for 64 acres

this discrepancy → 6 acres
is within the tolerances.

* Rev. as
PPU
on 301
acres

PRESUMPTION FLAG:

REMARKS:

confirmed by NAPP, license file, & OPQ.

RECOMMENDATIONS:

TOTAL ACRES:

237

301

REVIEWED BY:

see

5a

DATE:

8-12-41

3-8-91

(see also expansion claim A36-11867.)

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02250 IRRIGATION	FROM 03-15 TO 11-15	4.320 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.320 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02250 IRRIGATION	FROM TO	4.320 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.320 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(~~X~~) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(~~X~~) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(X) N()

AJ TOTAL CLAIMED DIVERSION RATE: 4.320 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.320 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y N

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(N) N(X) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: ~~A36-11867~~ NONE

Delete/change 36-11867

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02250	GROUNDWATER	MAGIC VALLEY FOODS-FARM	4.320	0.018		
A36-11867	GROUNDWATER	MAGIC VALLEY FOODS-FARM	1.280	0.019		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 237 x 0.02 CFS/ACRE = 4.74 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 711.0 AF/A

ACRES 237 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 711 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 237 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 948 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

1b. CALCULATIONS

$$\frac{4.23}{30\cancel{x}} = 0.0143522 \text{ cfs/Ac}$$
$$\times 64 = 0.92 \text{ cfs}$$

$$30\cancel{x} \ 3 = 903$$
$$\times 4 = 1204$$

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE 4.320 EXAMINER <u> </u>	DATABASE <u> </u> EXAMINER <u>998</u>	DATABASE 711.0 EXAMINER <u> </u>
TOTAL FOR THIS RIGHT		4.320		711.0

REVIEWED BY:

Scu

DATE:

3-8-91

Scu 8-12-91

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JAN 26 1993

(add: reference to A36-11867)

PPU.

COS

K06

K01

F05

E01

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02250

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 4.320	EXAMINER _____	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02250	4.320	-		36-02250	4.320
TOTAL CFS		4.320				4.320

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
Y	

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

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JAN 26 1993

BB28

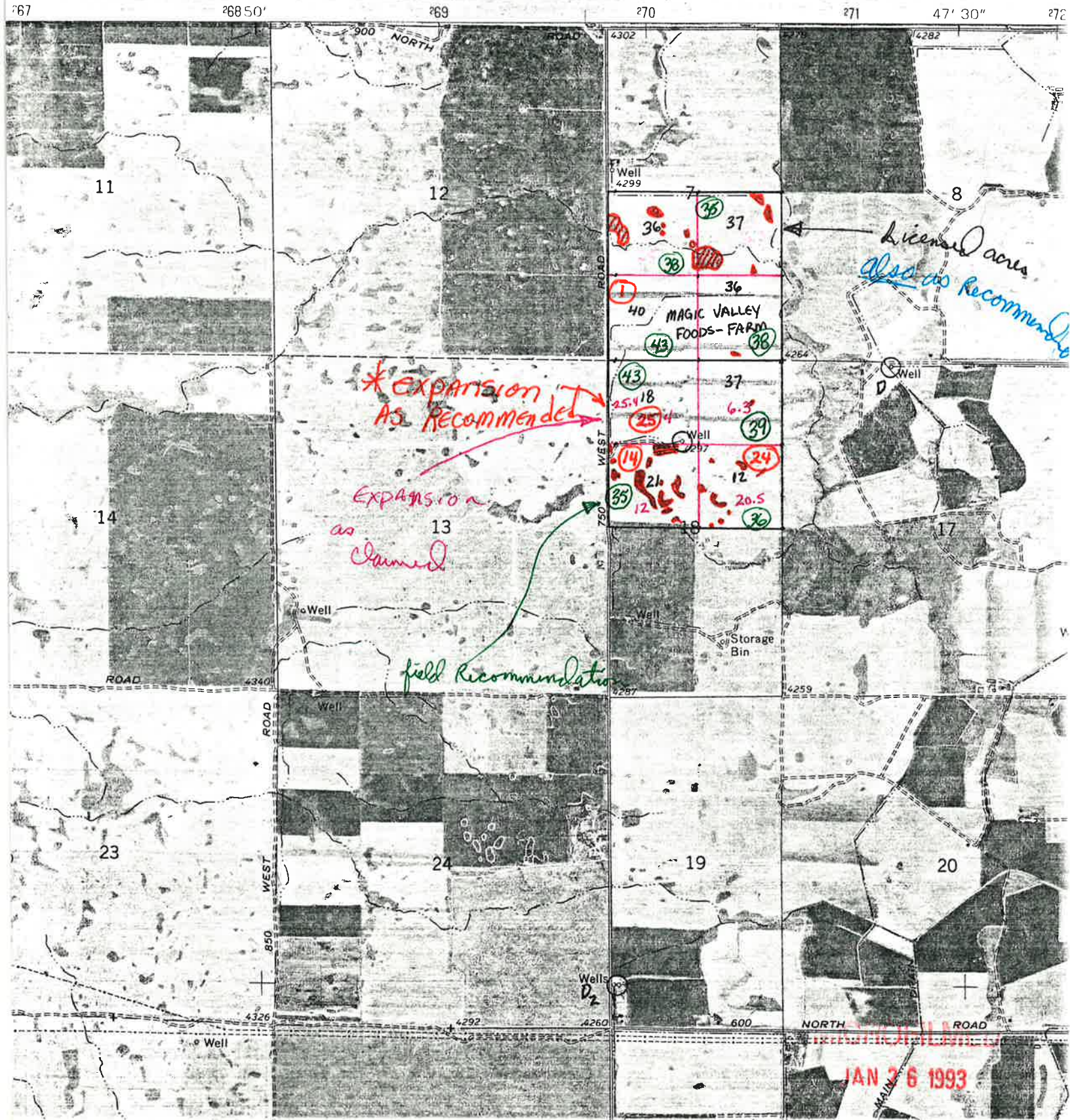
A36-02250

A36-11867

MAGIC VALLEY

FOODS - FARM

R22E R23E



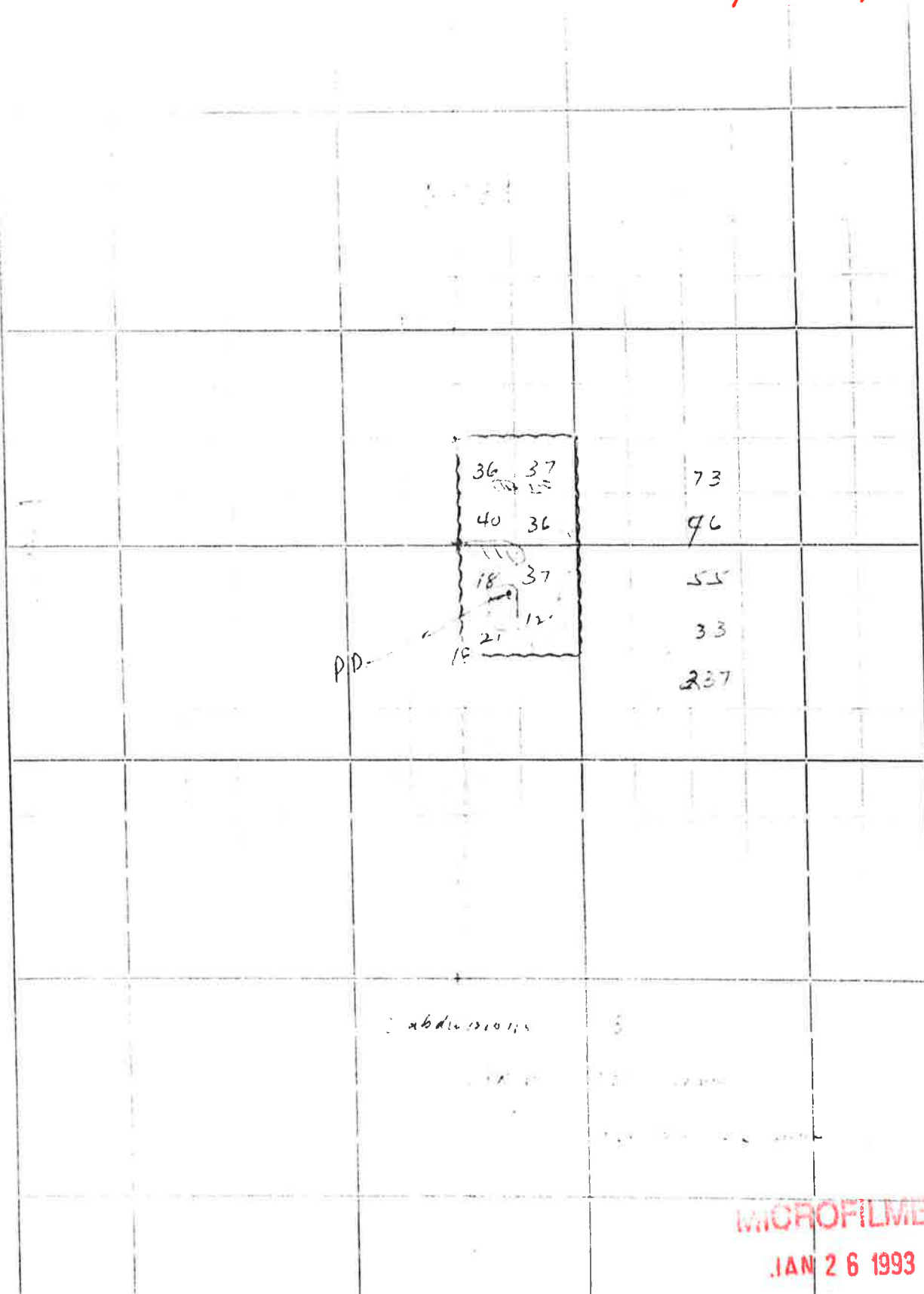
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gov't hate

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A36-02250

licensed field map



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