

DEC 22 1988

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: A36-04145
Date Received: 11/16/1988 12-22-88
Receipt No: 5005005
Received By: ^{ct}

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE AMALGAMATED SUGAR CO.
Address: P.O. BOX 1520
OGDEN, UT 84402

2. Date of Priority: NOV 01, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	23E	27	SW	NE	SW		MINIDOKA

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.
COMMERCIAL	09/01	04/30	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/PROCESSING SUGAR BEETS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	23E	27	SW	NW		COMMER	
			SE	NW		COMMER	
			NE	SW		COMMER	

A36-04145

Page 1

Date: 11/16/88

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FEB 01 1989

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	23E	27	NW SW		COMMER	

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:

A36-04144, 02237, 02238, 02271, 02272

14. Remarks:

MINI-CASSIA PLANT WELL # 4 ADDITIONAL WATER.

15. Basis of Claim: STATUTORY CLAIM

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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 CORPORATE ENVIRONMENTAL ENGINEER of
Title
THE AMALGAMATED SUGAR COMPANY, that I have signed the foregoing
Organization
document in the space below as CORPORATE ENVIRONMENTAL ENGINEER of
Title
THE AMALGAMATED SUGAR COMPANY and that the statements contained in the
Organization
foregoing document are true and correct.

Basil Zuppy
Signature of Authorized Agent
CORPORATE ENVIRONMENTAL ENGINEER
THE AMALGAMATED SUGAR COMPANY
Title and Organization

16 November 1988
Date

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 16 day
of November 19 88

Rose M. Hansen
Notary Public

Seal

Residing at Burley, Idaho

My Commission Expires 3 August 1993

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FEB 01 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 3, 1990

A36-04145
THE AMALGAMATED SUGAR CO.
C/O BASIL TURPIE
P.O. BOX 1520
BOISE

UT 84402

Dear Claimant(s):

In the past you submitted the claim(s) identified with the number(s) shown above your name and address at the top of this letter. You indicated on the claim(s) that the basis for establishing the water right(s) was Beneficial Use, meaning the water right was not previously confirmed by a decree, water right license or permit before you filed the claim(s).

The purpose of this letter is to request evidence supporting the priority date(s) you have claimed. The enclosed pamphlet describes what this means. While I encourage you to read all of the pamphlet, I direct your attention to the right-hand half of the pamphlet after you open it. There you will find two sections: What Kind of Evidence is Required, and Some Examples of Documents which May Be Evidence of the Priority Date. These sections tell you what must be submitted. The other sections tell you why the evidence is necessary and what the consequences of not submitting the evidence could be.

Please submit the requested evidence by November 1, 1990. When returning to the Department please reference all documents with the claim(s) identification number(s) listed above.

If you have questions not addressed by the pamphlet or need other technical assistance, please feel free to contact this office. For advice on your water right(s), please contact your attorney.

Sincerely,



Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

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FEB 01 1993



THE AMALGAMATED SUGAR COMPANY

P.O. BOX 250 • NAMPA, IDAHO 83653 • PHONE (208) 466-3541

November 13, 1990

RECEIVED

NOV 14 1990

Department of Water Resources
Southern Region Office

Mr. Alan Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Dear Mr. Merritt:

The following discussion and attached documentation supports priority dates for permits A36-04144, A36-04145, A36-04254, and A36-04255. Note priority dates are changed to reflect the attached documentation.

- i. Permit A36-04144
Paul Plant Well No. 1
New priority date: October 24, 1941
(Old priority date: March 1, 1953)
Well log prepared by A. J. Scoonover (attached) indicates well was completed and final payment requested October 24, 1941.
- ii. Permit A36-04145
Paul Plant, Well No. 4 (additional)
New priority date: November 15, 1954
(Old priority date: November 1, 1954)
Mini-Cassia factory (Paul, ID)
Official as-built drawing L-1455 (attached) indicates well was completed May 14, 1954. A completed State of Idaho "Proof for Completion of Works and Beneficial Use" form (attached) indicates the well is capable of 2000 gpm @ 126 ft head. Well No. 4 output, 2000 gpm, is permitted in Permits No. A36-02271 and A36-04145. Priority date of permit A36-04145 is changed to agree with permit No. A36-02271.
- iii. Permit No. A36-04254
Hynes Beet Receiving Station, Well
New priority date: March 20, 1961
(old priority date: June 1, 1950)
An unrecorded well log (attached) by Harry Bolton reports a well was completed on March 20, 1961, on property described in permit No. A36-04254.
- iv. Permit No. A36-04255
Minidoka Beet Receiving Station Well
New priority date: November 15, 1956
(Old priority date: June 1, 1950)
Well log prepared by Ray Commons (attached) reports well completion on November 15, 1956.

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FEB 01 1993

Mr. Alan Merritt
November 13, 1990
Page 2

Please call if you need additional supportive evidence or if you find any item unclear.



Basil Tupy, P. E.
Corporate Environmental Engineer

BT:ce

Attachments (¹~~2~~)

cc: Alan Swenson
Delyle Bennett
George Hobbs
John Lemke

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FEB 01 1993

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

ref. permit #
A-36-02271
and A36-04145

Permit No. 25283

This proof is for Completion of Works and Beneficial Use In Water District No. _____

1. Name of applicant: THE AMALGAMATED SUGAR COMPANY, Box 131, Ordan, Utah
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the 133 SW 1 of Section 27
T. 9 R. 23 E. County of Mineral
4. Describe works as they exist, giving dimensions and capacities of same: _____
75 hp. G. E. Motor No. 602002. Peerless Pump 2 stage by
4" bowls. Serial No. 13342. Discharge is to the North into a
14" line. 2000 ft. at 136' head. Well. Lift is 95'.
Tight fitting metal covering. No well house no curbing.
5. Water is used for: Processing sugar beets
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): _____

Place of Use: SW 1/4 Section 27, Township 9 South, Range 23 E., N.W.

See the map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

This examination was made on the 2nd day of March, 1936.

(Signed) E. W. Humphrey Examiner.

MICROFILMED
FEB 11 1983

ref permit #
A36-02271 and
A36-04145

State of Idaho

License and Certificate of Water Right

Water License No. 25283

Amount 3.77 c.f.s

Water District No.

Priority November 15, 1954

THIS IS TO CERTIFY that THE AMALGAMATED SUGAR COMPANY (for Rupert factory) of Ogden, Utah, made application for a permit to appropriate the public waters of the State of Idaho, dated November 15, 1954; that Permit No. 25283 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.77 second feet, was issued thereunder on May 9, 1957, showing that said works were completed on the 25th day of March, 1957; and that on the 25th day of March, 1957, Sylvester M. Heiner, Chf. Engr. Amalgamated Sugar Company

of Ogden, 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 subterranean, ~~xxx~~ flow, for the purpose of processing sugar beets, under Use Permit No. 25283 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 5984, on the 9th day of May, 1957; The right hereby confirmed dates from November 15, 1954; The Point of Diversion is located

In the NE 1/4 SW 1/4, Sec. 27, Tp. 9 S., R. 23 E., B. M. County Minidoka

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 3.77 cubic feet per second.

Description and location of use:

No. of Acres			No. of Acres		
Described in Permit			Actually Irrigated		
PROCESSING SUGAR BEETS					

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

9th day of May, 1957

/s/ Mark R. Kulp

State Reclamation Engineer.

(SEAL)



THE AMALGAMATED SUGAR COMPANY

P.O. BOX 250 • NAMPA, IDAHO 83653 • PHONE (208) 466-3541

November 13, 1990

RECEIVED

NOV 14 1990

Department of Water Resources
Southern Region Office

Mr. Alan Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Dear Mr. Merritt:

The following discussion and attached documentation supports priority dates for permits A36-04144, A36-04145, A36-04254, and A36-04255. Note priority dates are changed to reflect the attached documentation.

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(Old priority date: March 1, 1953)
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- ii. Permit A36-04145
Paul Plant, Well No. 4 (additional)
New priority date: November 15, 1954
(Old priority date: November 1, 1954)
Mini-Cassia factory (Paul, ID)
Official as-built drawing L-1455 (attached) indicates well was completed May 14, 1954. A completed State of Idaho "Proof for Completion of Works and Beneficial Use" form (attached) indicates the well is capable of 2000 gpm @ 126 ft head. Well No. 4 output, 2000 gpm, is permitted in Permits No. A36-02271 and A36-04145. Priority date of permit A36-04145 is changed to agree with permit No. A36-02271.
- iii. Permit No. A36-04254
Hynes Beet Receiving Station, Well
New priority date: March 20, 1961
(old priority date: June 1, 1950)
An unrecorded well log (attached) by Harry Bolton reports a well was completed on March 20, 1961, on property described in permit No. A36-04254.
- iv. Permit No. A36-04255
Minidoka Beet Receiving Station Well
New priority date: November 15, 1956
(Old priority date: June 1, 1950)
Well log prepared by Ray Commons (attached) reports well completion on November 15, 1956.

MICROFILMED
FEB 01 1993

Mr. Alan Merritt
November 13, 1990
Page 2

Please call if you need additional supportive evidence or if you find any item unclear.



Basil Tupy, P. E.
Corporate Environmental Engineer

BT:ce

Attachments (¹~~2~~)

cc: Alan Swenson
Delyle Bennett
George Hobbs
John Lemke

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FEB 01 1993

From Licensing file

A36-02271

4/3/91

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 25283

REPORT ON PROOF OF Completion of Works and Beneficial Use

THE AMALGAMATED SUGAR COMPANY, Box 431, Ogden, Utah
(Otis Orchard, Rupert Factory)

3.17 @fs
21.12.85

app. 4 of 4
For processing Sugar

MICROFILMED
FEB 11 1993

R-23 E.B.M.

T

9

28

Factory.
27

P.D. = Well #4.

Start Highway East

See Map in File 24568.

3.77 c/s.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 25283

This proof is for Completion of Works and Beneficial Use In Water District No. _____

1. Name of applicant THE AMALGAMATED SUGAR COMPANY, Box 431, Ogden, Utah

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27

T. 9 S. R. 23 E. County of Minidoka (Well No. 1)

4. Describe works as they exist, giving dimensions and capacities of same: _____

75 hp G. E. Motor No. UKJ 602022 Peerless Pump 2 stage by

4" bowls, Serial No. 165142. Discharge is to the North into a

14" line. 2000 gpm at 126' head. H=18'. Lift is 95'.

Tight fitting metal covering. No well house no curbing.

5. Water is used for: Processing sugar beets

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):

Place of Use: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 9 South, Range 23 E., R.M.

See the map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

This examination was made on the 2nd day of March, 1956

(Signed) E. H. Humphrey Examiner.

25283

THE AMALGAMATED SUGAR CO.
(Otis Orchard, Rupert factory)

Permit No. 25283

Examination for... Completion of works and Beneficial Use

County... Minidoka

27-95-23E.

Q = 40 c.f.s.

S = Well

P.L. = NE, SW, Sec. 27, T. 27, R. 23E.

Use = Growing sugar beet.

Filed - Nov. 15, 1954

Recd - Nov. 27, 1954

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

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FEB 11 1959

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 27 1957
Department of Reclamation

From Lic. File
A36-02271
4/3/91

Permit No. D 25283

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Naugam B Bain 44 Rupert Idaho 713 5th
Asst Master Mechanic

Ques. 2. Are you acquainted with The Amalgamated Sugar Co. the holder of Permit No. D 25283? How long have you known him and where does he reside?

Ans. yes 20 years Box 431 Ogden Utah

Ques. 3. Have you read or heard read said Permit No. D 25283, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Under Ground - Deep Well Pump -
NE 1/4 of the SW 1/4 of Section 27 Twp 9S Rge 123E BM
County of Blaine

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 4 (Four)

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 2000 GPM Orifice Measurement

D 25283

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans.

Processing Sugar Beets
The Amalgamated Sugar & Refining Factory

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Processing Sugar Beets

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

none

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans.

None

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans.

Three processing season campaigns 1954
1955 1956

(Signed)

Thompson R. Burt

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Rupert Idaho, County of Minidoka, State of Idaho, on this 25 day of March, A. D. 1957.

W. O. Schauf

Notary Public.

My commission expires

10/20/60

MICROFILMED
FEB 11 1993

825283

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 27 1957
Department of Reclamation

Permit No. G25283

Proof of Application of Water to Beneficial Use
Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. A. H. Clayton - 64 - Burley Idaho
1559 Conant Ave

Ques. 2. Are you acquainted with The Amalgamated Sugar Co., the holder of Permit No. G25283? How long have you known him and where does he reside?

Ans. 37 years Ogden Utah Box 431

Ques. 3. Have you read or heard read said Permit No. G25283, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Deep Well
conducing ground pipe line
N.E. 1/4 of the S.W. 1/4 of Section 27 - Twp. 9S
Rye 23 1/2 B.M. County of Minidoka

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 4-second feet

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 1800 gal. min. Checked with Cuff

G25283

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans.

Processing Sugar Beets
at the Paul Plant of the Amalgamated
Sugar Co.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Processing Beets

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

710

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans.

710

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans.

For Fluming - Chasing and Processing
Sugar Beets in 1954 - 1955 - 1956

(Signed)

A. H. Clayton

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Rupert Idaho, County of Mundaka, State of Idaho, on this 25 day of March, A. D. 1957.

Notary Public.

My commission expires

10/20/60

MICROFILMED
FEB 11 1958

825283

ref permit #
A36-02271 and
A36-04145

State of Idaho
License and Certificate of Water Right

Water License No. 25283

Amount 3.77 c.f.s

Water District No.

Priority November 15, 1954

THIS IS TO CERTIFY that THE AMALGAMATED SUGAR COMPANY (for Rupert factory) of Ogden, Utah, made application for a permit to appropriate the public waters of the State of Idaho, dated November 15, 1954; that Permit No. 25283 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.77 second feet, was issued thereunder on May 9, 1957, showing that said works were completed on the 25th day of March, 1957; and that on the 25th day of March, 1957, Sylvester M. Heiner, Chf. Engr. Amalgamated Sugar Company

of Ogden, 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 subterranean ~~secondary~~ flow, for the purpose of processing sugar beets, under Use Permit No. 25283 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 5984, on the 9th day of May, 1957;

The right hereby confirmed dates from November 15, 1954;

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 27, Tp. 9 S., R. 23 E., B. M. County Minidoka

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 3.77 cubic feet per second.

Description and location of use:

XXXXXX			XXXXXX		XXXXXX	
XXXXXX			XXXXXX		No. Acres Described in Permit	No. Acres Actually Irrigated
PROCESSING SUGAR BEETS						

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

9th day of May, 1957.

/s/ Mark R. Kulp

State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

ref. permit #

*A-36-02271
and A36-04145*

Permit No. 25283

This proof is for Completion of Works and Beneficial Use in Water District No. _____

1. Name of applicant: THE AMALGAMATED SUGAR COMPANY, Box 131, Ordan, Utah

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the NE 1/4 SW 1/4 of Section 27

T. 9 S. R. 23 E. County of Minidoka

4. Describe works as they exist, giving dimensions and capacities of same:

75 hp G. E. Motor No. WML 602002. Peerless Pump 2 stage by

4" bowls. Serial No. 18442. Discharge is to the North into a

14" line. 2000 ft. at 1261 head. H=121. Lift is 951.

Tight fitting metal covering. No well house no curbing.

5. Water is used for: Processing sugar beets

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):

Place of Use: SW 1/4 Section 27, Township 9 South, Range 23 E., N. 4.

See the map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

This examination was made on the 2nd day of March, 1926.

(Signed) E. W. Humphrey Examiner.

Priority for

36-4445

Based on this date

*See
8-7-91*

MICROFILMED
FEB 6 1 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Amalgamated Sugar Company
(Name of Claimant)
Route 1, Box 3000, Paul, Idaho 83347 Telephone No. (208) 438-2115
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) November, 1954

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Groundwater well tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity <u>1.0 cfs</u>	Use <u>process sugar beets</u>	Period of Use From <u>Sept. 1</u>	To <u>April 30</u>	
Quantity _____	Use _____	Period of Use From _____	To _____	
Quantity _____	Use _____	Period of Use From _____	To _____	
Quantity _____	Use _____	Period of Use From _____	To _____	
Quantity _____	Use _____	Period of Use From _____	To _____	

(4) TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 27 Twp. 9 S Rge. 23 E B.M., County of Minidoka
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
75 HP Johnston 2000 gpm pump drawing from a 150 ft. deep well steel encased 115 ft.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	23E	27							X	X	X	X							

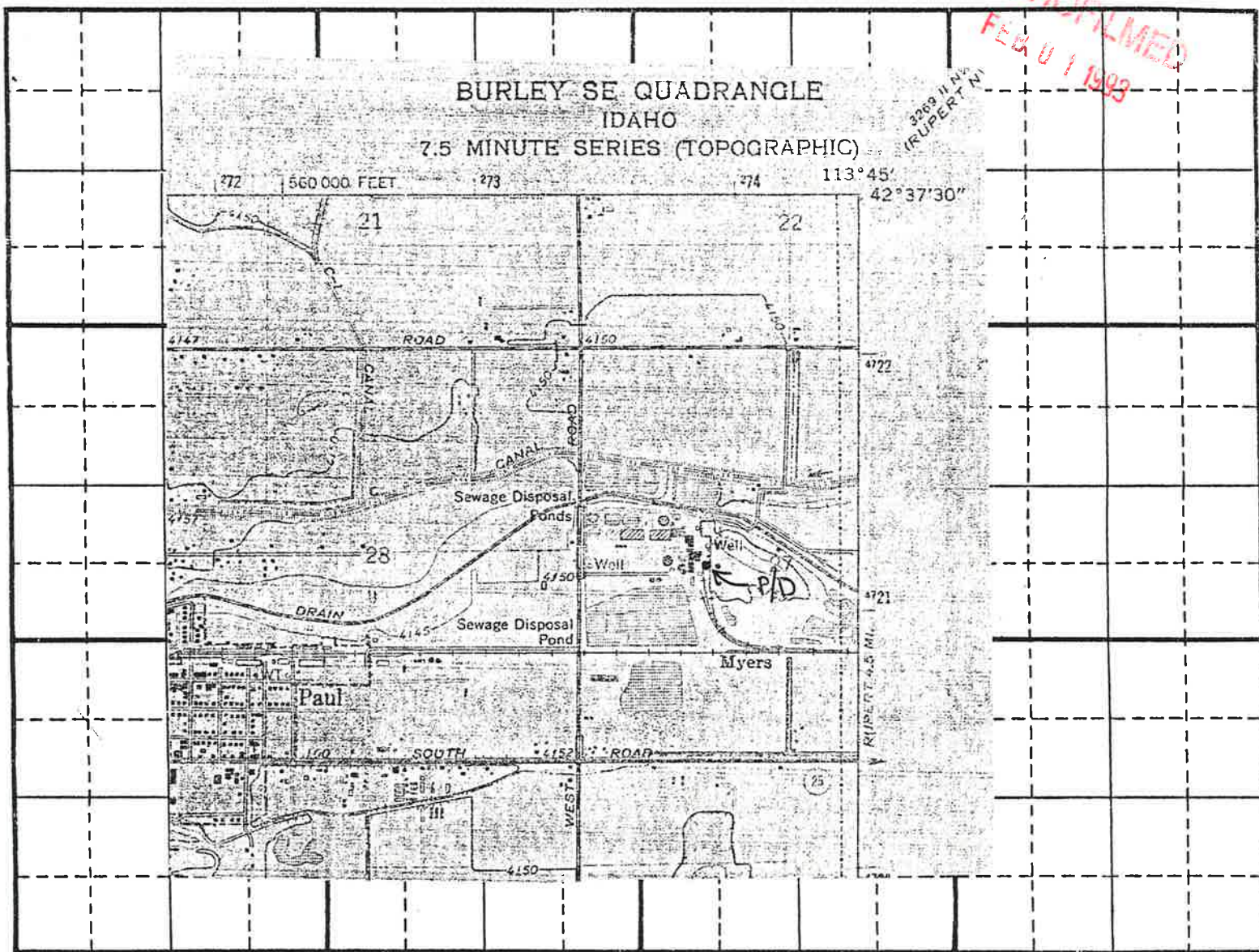
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
water is used within the factory as make-up water for washing, beet fluming, milk of lime preparation, and scrubber operation. Water is also used as a standby for fire flow.

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks this claim is in excess of the water
claimed in License 36-2271



Scale: 2 Inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 5 day of May 1982

Basil J. J. P.E.
(Claimant)
Civil Engineer, Amalgamated
Sugar Co.
Loren O. Holmes
Notary Public
Residing at Twin Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY			
Received by <u>ADM</u>	Date <u>5/5/82</u>	Exception filed by:	Forwarded to
Prelim. check by <u>ADM</u>	Date <u>5-11-82</u>		claimant by:
30 ⁰⁰ fee received by <u>ADM</u>	Date <u>5/5/82</u>	# <u>22165</u>	
Published in <u>minidoka Co. news</u>			
Dates <u>6/3 & 6/10/82</u>			

Water Right Number - 36-04145

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

AMALGAMATED SUGAR CO

THE

1 - C/O BASIL TUPYI

2 - PO BOX 1520

3 -

City- OGDEN

State- UT Zip- 84402

Phone - 208-438-2115

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
03/03/1956 17 SOUTHERN J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name

09S 23E 27 SW NE SW (67) MINIDOKA

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

10 - COMMERCIAL 08/01 03/31 0.690

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.690 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

09S	23E	27	SW NW			10	COMMERCIAL	(67) MINIDOKA
09S	23E	27	SE NW			10	COMMERCIAL	(67) MINIDOKA
09S	23E	27	NE SW			10	COMMERCIAL	(67) MINIDOKA
09S	23E	27	NW SW			10	COMMERCIAL	(67) MINIDOKA

+ - - Diversion Means - WELL #4 & 75 HP PUMP, 2000 GPM

+ - - Non-Irrigation Use - COMMERCIAL/PROCESSING SUGAR BEETS AT MINI-CASSIA PLANT

+ - - Other Rights for Same Use - 36-02237, 36-02238, 36-02271 & 36-02272

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

eff

GEN RIGHT NO. 36-02271 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

QNT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.46 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2137 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1317 AF. COMBINED RIGHT NOS.: 36-02237, 36-02238, 36-02271 & 36-02272.

updated
12-9-97
KFC

Water right number - 36-04145

Prefix Translation: WATER RIGHT

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

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

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

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

+ - - Audit Fields - 08/05/91 SOUTH1 08/07/91 CLELLAND 08/12/91 WORSTELL 07/18/92 POST-STD 08/10/92 SHAW
08/11/92 MERRITT 08/28/92 PR-PRODM 11/02/92 CPSHAW 12/05/92 ADT-SHAW 03/29/95 POST-STD

+ - - Certified Numbers & Date Mailed - 258664 08/24/92

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

Date: 08/05/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS

MINI-CASSIA PLANT WELL # 4 ADDITIONAL WATER.

ENGINEER ALLEN HEIB AGREED THAT THIS PUMP COULD NOT DIVERT MORE THAN 2000GPM (4.46CFS). CONSEQUENTLY THE DIVERSION RATE OF THIS CLAIM WAS LOWERED TO 0.69CFS SO WHEN COMBINED WITH A36-02271 THE DIVERSION RATE IS 4.46CFS.

Date: 08/12/1991 User Id: WORSTELL Subject: BACK-UP WELL

THIS RIGHT IS A BACK-UP TO #2 WELL. SEE ALSO 36-02271.

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 07/31/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 08/11/1992	Old Judicial District	-
Claim Received Date	- 12/22/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S005005	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

13-Sep-1993

JO BEEMAN
DAVIS WRIGHT TREMAINE LAW OFFICES
702 WEST IDAHO STREET, SUITE 700
BOISE ID 83702

RE: Copy of SRBA File(s): 36-02237, 36-02238, 36-02271
36-02272, 36-04145, 36-04254

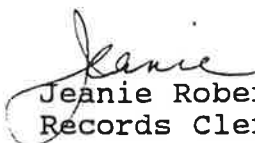
Dear Ms. Beeman:

Please find enclosed the copies of documents you recently requested contained in the above referenced SRBA file(s) as of this date. Please note that copies of orthophoto quad maps or NAPP photography or aerial slides which may have been used in the review of your claim(s) have not been included since they are not easily reproduced. These items are however available for your review at our office.

Please remit the following for the cost of the copies and postage:

\$14.42

Sincerely,


Jeanie Robertson
Records Clerk

Encl:

Beeman / Amal. Sugar
32
31
31
32
45
31
202 x 5 = 1010
post. 4.10
env. 22
14.42

MICROFILMED
OCT 19 1994

Sept 10, 1993
3:20 PM.

Jeannie,

Please make copies of these
6 files - complete

Send to:

Jo Beerman, Atty
Davis, Wright and Tremaine
702 West Idaho - Suite 700
Boise, Idaho 83702

Phone 338-8233

Send bill for copying charges
and postage charges

Thanks —

Bob W

P.S. Make up confidential file folders
as needed. BW.

Amal. Sugar

36-02237

36-02238

36-02271

36-02272

36-04145

36-04254

MICROFILMED

OCT 19 1994

R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED
FEB 01 1992

Water Right Number - R36-04145 Prefix Translation: RESEARCH Old (D) Number -

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

*** C - CURRENT OWNER ***
AMALGAMATED SUGAR CO

THE

1 - C/O BASIL TUPYI
2 - PO BOX 1520
3 -
City- OGDEN
Phone - 208-438-2115

State- UT Zip- 84402

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/03/1956 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - + + - - - - - Tributary - - - - -
GROUNDWATER+ - - - - Point of Diversion - - - - -
Twn Rng Sec Tract Lot RFlg County

09S 23E 27 SW NE SW (67) MINIDOKA

+ - - - - Water Use - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume
10 - COMMERCIAL 08/01 03/31 0.690+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.690 0.0+ - - - - Place of Use - - - - -
Twn Rng Sec Tract Lot Acres Code Description County
09S 23E 27 SW NW 10 COMMERCIAL (67) MINIDOKA
09S 23E 27 SE NW 10 COMMERCIAL (67) MINIDOKA
09S 23E 27 NE SW 10 COMMERCIAL (67) MINIDOKA
09S 23E 27 NW SW 10 COMMERCIAL (67) MINIDOKA

Total Acres:

+ - - Diversion Means - WELL #4 & 75 HP PUMP, 2000 GPM

+ - - Non-Irrigation Use - COMMERCIAL/PROCESSING SUGAR BEETS AT MINI-CASSIA PLANT

+ - - Other Rights for Same Use - 36-02237, 36-02238, 36-02271 & 36-02272

+ - - - - Remarks - - - - -

RIGHT NO. 36-02271 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.46 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 2137 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 1317 AF. COMBINED RIGHT NOS.: 36-02237, 36-02238,

Water right number - R36-04145

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +
36-02271 & 36-02272.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

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

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

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

Date: 08/05/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS

MINI-CASSIA PLANT WELL # 4 ADDITIONAL WATER.

ENGINEER ALLEN HEIB AGREED THAT THIS PUMP COULD NOT DIVERT MORE THAN 2000GPM (4.46CFS). CONSEQUENTLY THE DIVERSION RATE OF THIS CLAIM WAS LOWERED TO 0.69CFS SO WHEN COMBINED WITH A36-02271 THE DIVERSION RATE IS 4.46CFS.

Date: 08/12/1991 User Id: WORSTELL Subject: BACK-UP WELL

THIS RIGHT IS A BACK-UP TO #2 WELL. SEE ALSO 36-02271.

+ - - Audit Fields - - +

08/11/92 MERRITT

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 07/31/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 08/11/1992	Old Judicial District	-
Claim Received Date	- 12/22/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S005005	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

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FEB 01 1993

CLAIM NO. A36 - 04145

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR SMALL INDUSTRIAL AND COMMERCIAL CLAIMS IN PLACE OF A CVR

1. ☒ No Change NAME:
NEW OWNER: _____
☒ No Change ADDRESS:
NEW ADDRESS: _____
☐ DATA ENTRY STANDARDS CHECKED?
2. ☐ No Change - DATE OF PRIORITY:
(EVIDENCE OF PRIORITY REQUIRED) ☐ Proof in File
☐ Claimant Contact if Not
☒ CHANGE- Priority date, per claimant, is 3-3-1956
(if the priority date, based on your exam, seems questionable,
explain in COMMENTS.) Nov 15, 1954
License Exam was completed 3-2-1956
Cannot pre date License.
3. ☒ No Change - SOURCE:
CHANGE - Different Source found: _____
4. ☒ No Change - POINT OF DIVERSION:
Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4

Note: If the 10-acre tract is shown on the claim, then verification of the 10-acre parcel is needed. Otherwise the 10-acre tract is not required, unless the source is a spring.

5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Complete items missing, IF KNOWN.

HP of pump 75 HP Static water level 105' Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

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2000 GPM @ 127 FT

$$Q = \frac{(8.8) (\dots\dots\dots) (0.70)}{[(\dots\dots\dots) + (\dots\dots\dots \times 2.31)]}$$

4.456 ≈ 4.46 cfsLIFT FROM:

measurement ()

owner (X)

area estimate ()

well logs ()

Booster (Y) (N)

PSI FROM:

measurement ()

owner ()

estimate ()

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

75 HP

REMARKS

~~THE~~ STATIC LEVEL IS ABOUT 103 FT, BUT THERE IS
15 FT OF PIPE EXTENDING ABOVE PUMP

.....
 DESCRIPTION OF USE: (Fully describe type, time & all aspects of Use)

CALCULATE VOLUMES: (time)X(rate)= Vol.

$$242 \text{ days} \times 0.69 \times 1.98 = 331 \text{ AFA}$$

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*to conform
to field findings
as reported
in 36-2237*

CLAIM NO. A36 - 04145

6. ☒ No Change - WATER USES:
RECOMMENDED USES:

Use COMMER From 8/1 To 9/30 Amount 0.69 cfs af af
div cons
Use From To Amount cfs af af

☐ DATA ENTRY STANDARDS CHECKED FOR ITEMS 6, 7, 8 AND 9.

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4, 1/4

13. ☒ No change - OTHER RIGHTS FOR SAME USE:
CHANGE: _____

REMARKS AND CONDITIONS

14. ☐ (copy existing remarks to comments in "R")
☐ LIST STANDARD REMARKS FOR THE RECOMMENDATION: ☐ NONE

☐ LIST STANDARD CONDITIONS FOR THE RECOMMENDATION: ☐ NONE

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - J (circle one)

COMMENTS: (pertinent to field examination)

ENGINEER Allen Heib AGREED THAT THIS PUMP WOULD NOT
PUMP MORE THAN 2000 GPM OR 4.46 CFS. CONSEQUENTLY THE
DIVERSION RATE OF THIS CLAIM WAS LOWERED TO 0.69 CFS SO WHEN
COMBINED WITH A36-02271 THE DIVERSION RATE IS 4.46 CFS.

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ATTACHMENTS: Attached to Attachments are
 This Form. in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM

2

DATE EXAM CONDUCTED: 7/31/91

ACCOMPANIED BY: ENGINEER - ALLEN HEIB

FIELD EXAMINER: MIKE HARSNBARGER

SIGNATURE: _____

REVIEWED BY/DATE: SEC/RVW 8-7-91

DATA ENTRY BY/DATE: MTH 8/5/91

VERIFICATION BY/DATE: _____

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#2 P.D. = O.K.

SEC 22



#2 1575'

77'-11.5"

5'-9/10"

50' 10'

TO RUPERT

BORDS.

NW 1/4

NE 1/4

N 64° E

1" CANAL

N 82° 13' E

1143'

109'

815'

1764'

W

E

SEC 26

No. 3

No. 5

No. 8

No. 2

8500 gal
Settling Pond

#4

OSLRR N BRANCH

SE 1/4

SW 1/4

#1

1835'

STATE HIGHWAY No 25

TO PAUL

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FEB 01 1993

7th Tp. U.S. Metric & Township Princip. Survey. Renew survey.
TOWNSHIP 9S RANGE 23E BOISE MERIDIAN

3E

BURLEY SE QUADRANGLE

IDAHO

7.5 MINUTE

RIES (ORTHOPHOTOQUAD)

270

47° 30"

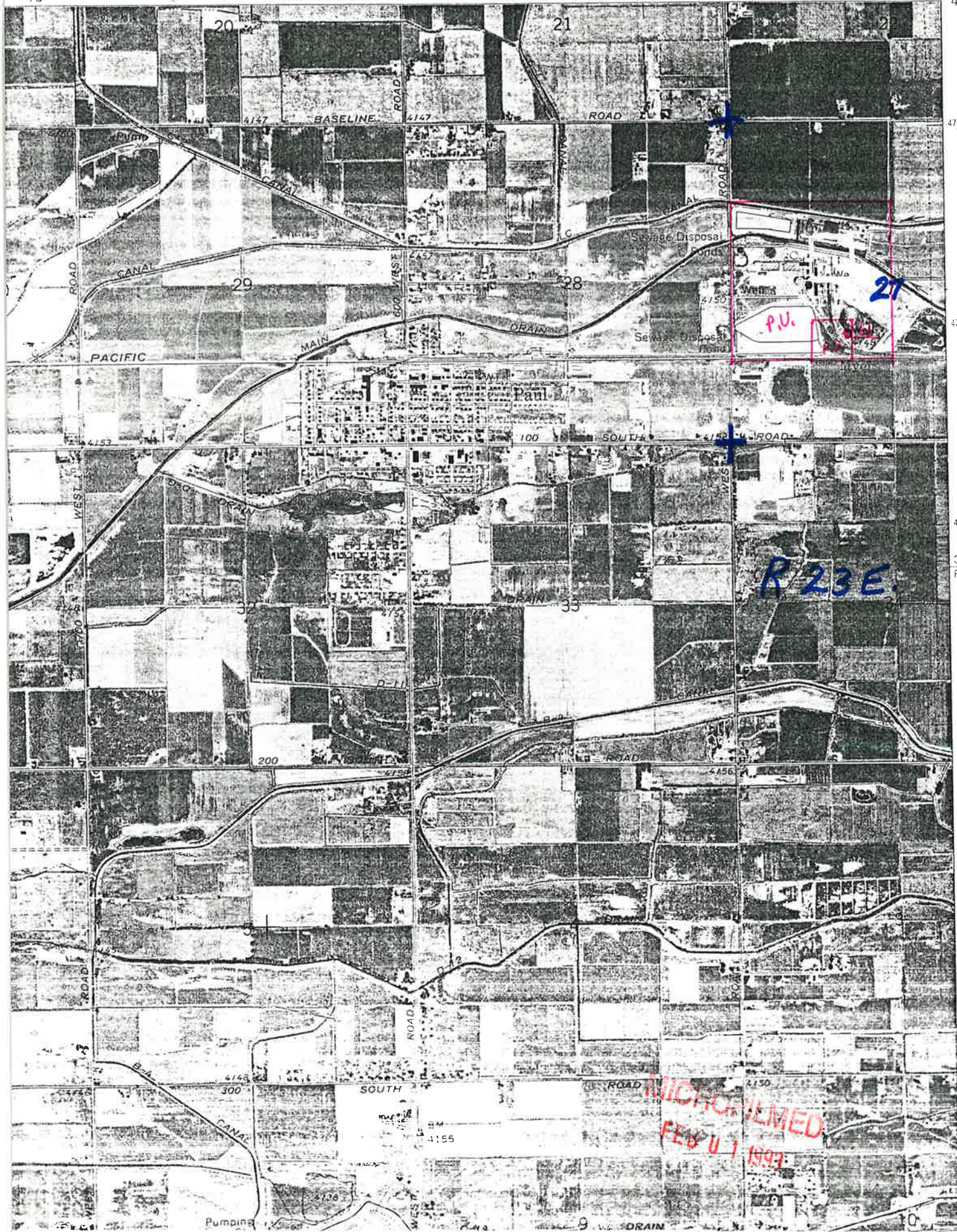
560 000 FEET

273

274

113° 45'

42° 37' 30"



4722

4721

4720

340 000 FEET

4719

35'

4717

T
9
S

R 23 E

MICROFILMED
FEB 11 1997

Adm

8/10/92 Phone Conv. with Alan Swensen

RE: Calc. of Consumptive Use for

Files: 36-02237, 36-02238, 36-04145
36-02271 & 36-02272

Review of Files indicates that well #2 (36-02237) is the main well however when it cannot supply enough water well #4 is turned on & well #2 is shut off.

Well #4 is covered under 36-02272 & 36-04145.

The other wells covered under the other rights and are generally used as backup. These rights are limited to a capacity of 4.46 (#4 well largest discharge) for a total annual div. volume of $4.46 \times 242 \times 1.98 = 2137 \text{ Afz}$. The recommendation originally prepared also recommended this same volume as consumptive.

This day I contacted White Satin Sugar to see if this assumption was correct. I talked with Mr. Swensen and he indicated that water is applied to 130 acres of cropped land and that water was also stored in 20 acres of lined lime ponds, 8 acres of effluent pond & 15 acres of mud pond. Water is not in these ponds all year long. Mr. Swensen indicated that in fact the factory makes water or frees water from the beets so water handled thru the treatment exceeds what is diverted. Since he didn't know the amount of water freed I will assume this goes to evaporation.

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The other water not consumed is calculated as follows:

The non-consumed amount would be that which is returned to groundwater thru perk into the ground. This would be associated with the 8 acres of effluent pond & 15 acres of mud ponds, and that associated with the land application of waste.

Since the unlined ponds would be silty in nature the loss rate would be low. Est. .3 ft/day.
Est. 100 days/yr.

$$\therefore .3 \times (8+15) \times 100 = 690 \text{ Af2}$$

$$\text{Perk due to land application} = (4-3) \times 130 = 130 \text{ Af2}$$

$\therefore$ Total returned to groundwater est. to be 820 Af2.

Recommend 2137 Af2 of water

Recommend $(2137 - 820) = 1317$ Af2 cons. water

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