

T#5257 NONPAREIL PROCESSING

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED
OCT 05 1998

TRANSFER NO. 5257
CLAIM NO(S). A35-12062/A35-12853

Department of Water Resources
Eastern Region

This is to certify that: **NONPAREIL PROCESSING CORP**
40 N 400 WEST
BLACKFOOT ID 83221

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>
Claim No. A35-12062 :			
COMMERCIAL	01/01 to 12/31	1.00 CFS	491.0 AF
Priority: 12/31/1957			
Claim No. A35-12853 :			
COMMERCIAL	01/01 to 12/31	1.52 CFS	491.0 AF
Priority: 12/31/1948			
	TOTAL:	2.52 CFS	982.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SWSE), Sec. 28, Township 02S, Range 35E
NESE , Sec. 32, Township 02S, Range 35E
Lot 3(NWSW), Sec. 33, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02S 35E 27	Lot 11(SWNW)	Lot 10(SENW)	Lot 12(NESW)
	Lot 12(NWSW)	Lot 15(SWSW)	
28	Lot 4(NESE)	Lot 5(SWSE)	Lot 6(SESE)
32	NESE		
33	NENE	Lot 6(NWNE)	Lot 8(SWNE)
	Lot 9(SENE)	NENW	Lot 2(SENW)
	Lot 7(SENW)	Lot 13(NESW)	Lot 3(NWSW)
	Lot 14(NWSW)	Lot 12(NWSE)	

TRANSFER NO. 5257
CLAIM NO(S). A35-12062/A35-12853

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
6. The water used for commercial 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 in the potato processing facility as authorized by these rights.
7. Commercial use is for a potato processing and dehydration facility.
8. Approval of Transfer 5257 does not confirm SRBA Claims A35-12062 and A35-12853.
9. Two points of diversion are located in Lot 3 (NWSW), S33, T02S, R35E.

Dated this 28th day of September, 1998

J. Glen Saxton
Chief, Water Allocation Bureau

MEMORANDUM

TO: Files A35-12062 & A35-12853

FROM: Pam Skaggs^{CS}/State Office

SUBJECT: Transfer 5257

DATE: September 16, 1998 *ns*

Transfer 5257 adds points of diversion and changes the place of use to identify where land application of wastewater occurs. The application identifies the rates of diversion verified by SRBA investigation and diversion volume under each right was from the same information.

A new well will be added to the combined right system, identifying a total of 4 wells to serve this system. The application was prepared by region staff and adjustments to the place of use were made to reflect the map. Region staff confirmed that the map was correct and the application was meant to fully describe the place of use as shown.

Recommended conditions include drilling permit requirements, measuring & annual reporting, non-confirmation of claims, land application limits, and standard transfer conditions.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Nonpareil Processing Corp. Phone 208 785 5880Post Office address 40 North 400 West, Blackfoot Idaho

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 Clarify Place of use (wastewater application)
2. Describe the reason for the proposed changes The pipeline carrying the wastewater to the land application site is over one half a mile long. Adding a pd near the middle or end of the system will allow easier cleaning of the system and operations.

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
A	35-12853	12-31-1948	1.52	Commercial/Dom	1 Jan to 31 Dec
A	35-12062	12-31-1957	1.00	Commercial	1 Jan to 31 Dec
					to
					to

2. Total amount of water being transferred 2.52 cubic feet per second and/or _____ 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
		SW	SE	28	2S	35E	Bingham	New well — *
		NW	SW	33	2S	35E	Bingham	35-08910 & 35-12853 #1 & 2
		NE	SE	32	2S	35E	Bingham	35-12062 #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	
2S	35E	28																	
		27																	
		32																	
		33																	

Total acres _____

PART 1

6. General Information:

- a. Description of diversion system Processing water from two Nampa/Idaho potato processing plants is comingled in a wastewater treatment facility. The water is land applied after treatment to remove the solids, by a sprinkler system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes / No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The place of use will not change.

d. Remarks:

This well will be used to clean the irrigation lines when the plant is not operating. The location of this well will allow higher pressures in the system and higher velocities than can currently be achieved during cleaning of the system.

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 _____

PART 2

TRANS NO. 5257

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. A35-12062

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
COMMERCIAL	01/01 to 12/31	1.50 CFS

SOURCE

GROUNDWATER

Priority: 12/31/1957

LOCATION OF POINT(S) OF DIVERSION:

NENESE , Sec. 32, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02S 35E 32 NESE

CONDITIONS/REMARKS:

1. POTATO PROCESSING WATER IS TREATED WITH A LAND TREATMENT SYSTEM LOCATED NEAR THE FACTORIES.

PART 2

TRANS NO. 5257

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **A35-12853**

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
COMMERCIAL	01/01 to 12/31	2.30 CFS

SOURCE

GROUNDWATER

Priority: 12/31/1948

LOCATION OF POINT(S) OF DIVERSION:

SWNWSW , Sec. 33, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

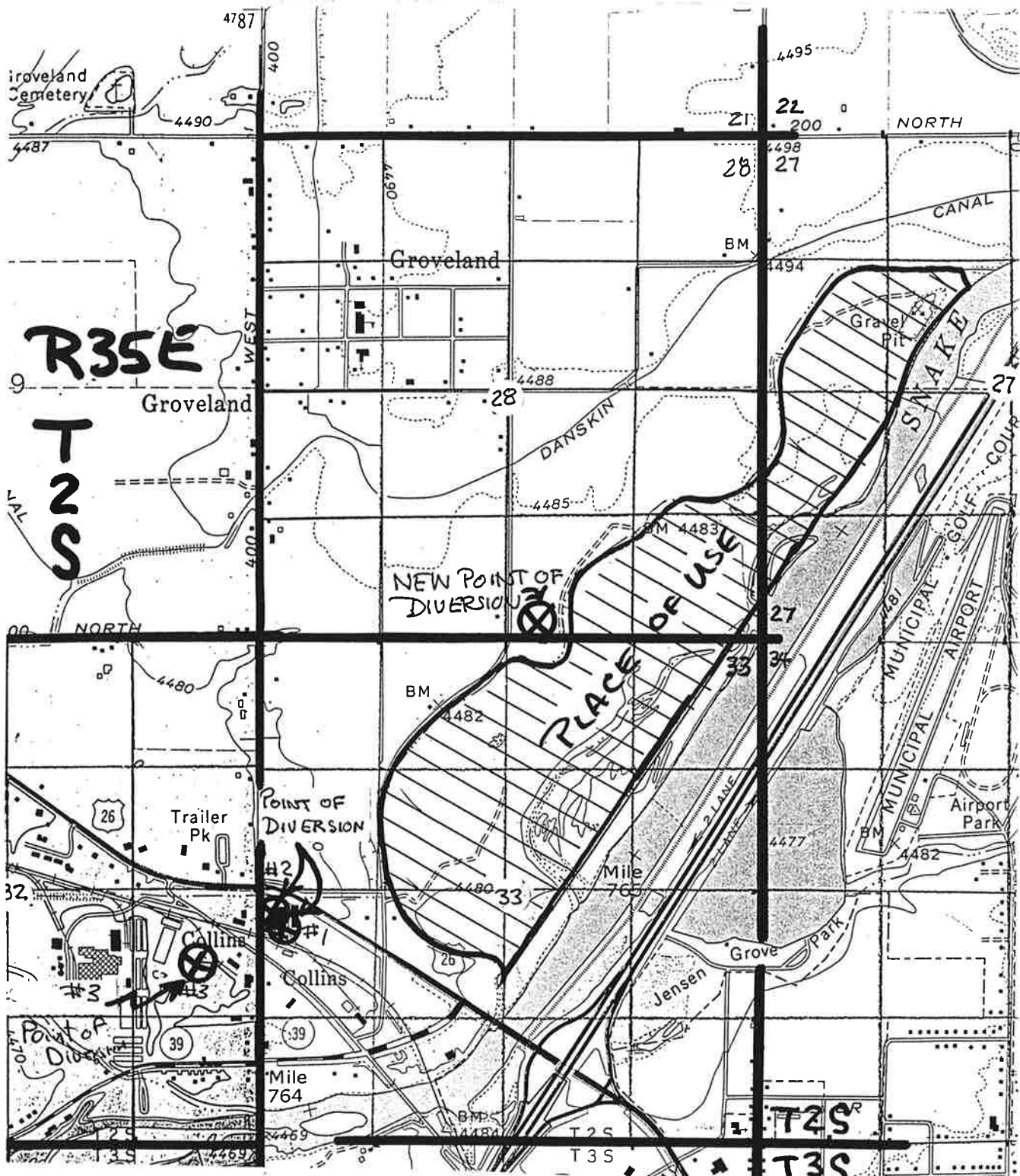
02S 35E 33 NWSW

CONDITIONS/REMARKS:

1. THIS NOTICE WAS ORIGINALLY NUMBER A27-11174.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (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.

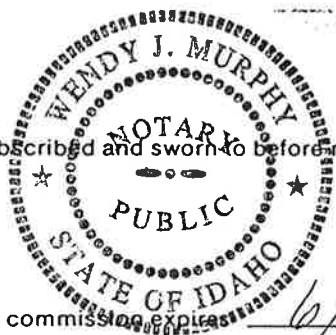
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 6th day of February, 19 98.

Walter A. Bagg
(Signature of Applicant)

Wendy J. Murphy
(Notary Public)

My commission expires 6/23/2002



E024002 \$100.00

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by Dennis Dunn Date 27 March 1998 Protest filed by _____Prelim. check by KW Fee 100⁰⁰ E024002Received by Dennis Dunn Date 27 March 1998Published in Morning News Copies of protest forwarded by _____Pub. dates May 7 & 14, 1998 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____