

J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

RECEIVED

AUG 22 2003

Department of Water Resources

August 21, 2003

Pamela S. Skaggs
Sr. Water Rights Agent
State of Idaho
Department of Water Resources
1301 N. Orchard Street
Boise, ID 83706

Re: Application for Transfer No. 70506, Water Right No. 29-4088.

Dear Pam:

I am enclosing an additional stream depletion report in response to the request made in your letter dated July 21, 2003. The analysis is provided to demonstrate the direct and immediate stream depletion from using the proposed groundwater point of diversion for a small portion of the quantity of water diverted under this water right.

Sincerely,



Vic Conrad
Land and Development

Enclosure

C: J. Oborn
D. Reavis
W. Wolleson



G
consulting
scientists and
engineers

RECEIVED

AUG 22 2003

Department of Water Resources

MFG, Inc.
P. O. Box 3449
Coeur d'Alene, ID 83816
208/667-2948
Fax: 208/667-1739

August 21, 2003
MFG Project No.: 010121

Mr. Ward Wolleson
J.R. Simplot Company
999 Main Street
Boise, ID 83707

SUBJECT: 30 CLUB WELL STREAM DEPLETION LETTER REPORT

Dear Ward:

As requested, MFG, Inc. has prepared the following letter report in support of J.R. Simplot Company's (Simplot) request to the Idaho Department of Water Resources (IDWR) for transfer of a surface water right to a groundwater right near Pocatello, Idaho. Presently, the surface water right allows 2.94 cubic feet per second (cfs) to be diverted from the Portneuf River. Simplot proposes to transfer 0.14 cfs of their current surface water right from the Portneuf River to an existing irrigation well (30 Club well), which is located west and north of Simplot's Employee Park Pavilion in the employee park north of Highway 30. The purpose of the well would be to irrigate the adjacent park which is about 7 acres in size. The well is approximately 97 feet to the west of the Portneuf River and approximately 680 feet west of the current point of diversion in the Northeast ¼, Southeast ¼, Section 7, Township 6 South, Range 34 East (Figure 1).

The criteria for the transfer of the water right from surface water to groundwater as promulgated by the IDWR is that there must be at least 50 percent depletion in the original source (i.e., the Portneuf River) at the proposed point of diversion (i.e., 30 Club well) in one day. The analytical technique used in evaluating stream depletion is described in Jenkins (1968).

The stream depletion analysis assumes the following parameters based on representative conditions found in the unconfined alluvial aquifer along the Portneuf River Valley. In the vicinity of the 30 Club well, boring logs of both shallow and deep monitoring wells indicate undifferentiated coarse sands and gravels (Bechtel, 1995; MFG, 1997). Transmissivities in these gravels are reported to range from 100,000 to 342,000 gallons per day per foot (gpd/ft) (Bechtel, 1995). Specific yields of the unconfined aquifer are reported to range from 1.4×10^{-3} to 3.43×10^{-1} (Bechtel, 1995, MFG, 1997). Table 1 summarizes the representative hydraulic values.

For the purpose of this analysis, a transmissivity of 135,000 gpd/ft is used. This value is representative of the closest monitoring well (507) in which hydrogeologic parameters were available. It is located approximately 1,400 feet southeast of the 30 Club well along the west side of the Portneuf River. Because reported values of specific yield for the unconfined alluvial aquifer range by two orders of magnitude, the geometric mean of the reported specific yields for the unconfined aquifer (1.7×10^{-2}) is used.

California • Colorado • Idaho • New Jersey • New Mexico • Pennsylvania • Texas • Washington

Mr. Ward Wolleson
August 21, 2003
Page 2 of 3

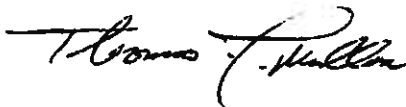
For a given pumping rate equivalent to the proposed amount of 0.14 cfs (63 gallons per minute [gpm]) to be transferred, the rate of depletion from the Portneuf River due to pumping the 30 Club well in one day equals approximately 0.09 cfs (40 gpm) or 64 percent of the proposed water right being transferred from the current point of diversion. It should be noted that the above depletion rate represents the depletion between the current point of diversion from the Portneuf River and the proposed point of diversion, a distance of approximately 680 feet. As noted above, the distance from the Portneuf River to the 30 Club well is approximately 97 feet. The difference is due to the fact that the current point of diversion is located upstream on the inside of a meander bend. The river flows in a west-southwest direction and then turns northwest to where it is closest to the 30 Club well. The calculated stream depletion at this location (i.e., the closest perpendicular distance from the well to the river) is approximately 0.13 cfs or 90 percent of the proposed surface water right to be transferred. The analysis and associated type curve used in the analysis are presented in Table 2 and Figure 2, respectively.

Well log searches with IDWR did not result in obtaining well construction details for the 30 Club well. However, nearby monitoring wells indicate undifferentiated sands and gravels comprise the alluvial aquifer. Further, the delineation of distinct shallow and deeper aquifers by the presence of a confining layer as is the case throughout much of the Michaud Flats does not occur along the Portneuf River valley south from Batiste Springs beyond the Highway 30 River crossing.

Based on the stream depletion analysis above, the proposed transfer of a current surface water right to a groundwater right in the 30 Club well for 0.14 cfs would result in a depletion greater than 50 percent, as required by IDWR.

If you have any questions concerning this letter, please do not hesitate to call me at (208) 667-2948.

Sincerely,
MFG, INC.

A handwritten signature in black ink, appearing to read "Thomas F. Mullen". The signature is fluid and cursive, with the first name "Thomas" being more prominent.

Thomas F. Mullen, P.G.
Senior Hydrogeologist

Mr. Ward Wolleson
August 21, 2003
Page 3 of 3

References

Bechtel Environmental, Inc. (Bechtel), 1995. Remedial Investigation for the Eastern Michaud Flats Site, Prepared for FMC Corporation and J.R.Simplot Company, August.

Jenkins, C.T., 1968. Computation of Rate and Volume of Stream Depletion by Wells: Techniques of Water-Resources Investigations of the U.S. Geological Survey, Book 4, Chapter D1, 17 p.

McCulley, Frick & Gilman, Inc. (MFG), 1997. Report of Field Activities in Support of Remedial Design of a Groundwater Extraction System – Simplot Plant Area, Eastern Michaud Flats Superfund Site, Pocatello, Idaho, August.

TFM:bms

Attachments

cc: Andy Koulermos MFG, Inc.

Stream Depletion

TABLE 1
REPRESENTATIVE HYDRAULIC PARAMETERS

Well No.	Zone	Transmissivity (gpd/ft)	Hydraulic Conductivity (gpd/sq ft)	Reference
319	Deep	59,900	212	1
321	Deep	100,000	3,180	1
503	Deep	342,000	35,600	1
506	Deep	142,000	4,880	1
507	Shallow	135,000	13,600	1
512	Deep	148,000	12,300	1
Geometric Mean		134,088	5,192	

Well No.	Zone	Specific Yield	Reference	
129	Deep	0.06	1	
137	Shallow	0.0024	1	
150	Shallow	0.0014	1	
338	Shallow	0.343	2	
343	Shallow	0.0041	2	
		0.206	2	
345	Shallow	0.00639	2	
Geometric Mean		0.017		

References:

- 1 - Attachment F-1, Bechtel, 1995
- 2 - Table 2, MFG, 1997

TABLE 2
STREAM DEPLETION ANALYSIS

Scenario	a (ft)	T (gpd/ft)	T (ft ² /day)	Sy	Q (cfs)	Q (cfd)	Q (gpm)	t (days)
30 Club well to Portneuf River	97	135,000	18,048	1.70E-02	0.14	12,096	63	1
30 Club well to current point of diversion	680	135,000	18,048	1.70E-02	0.14	12,096	63	1
Scenario	sdf (days)	t/sdf	q/Q	q (cfd)	q (cfs)	q (gpm)	%	
30 Club well to Portneuf River	0.01	113	0.9	10,886	0.13	57	90%	
30 Club well to current point of diversion	0.44	2.30	0.64	7,741	0.09	40	64%	

Notes:

a = distance from the pumped well to the stream (distance from current point of diversion to proposed point of diversion)

T = Transmissivity

Sy = Specific Yield

Q = pumping rate (equivalent to full water right amount)

t = time, during the pumping period since pumping began

sdf = stream depletion factor

q = rate of depletion of the stream

EXPLANATION:

- 328 ○ SHALLOW MONITORING WELL
- 526 ● DEEP MONITORING WELL
- 401 ● EXTRACTION WELL



Approximate Scale



SIMPLOT PLANT AREA
EASTERN MICHAUD FLATS
SUPERFUND SITE
 POCATELLO, IDAHO

WATER RIGHT TRANSFER

Figure 1

Point Of Diversion Location Map

PROJECT: 010121 DATE: August 2003
 REV: 0 BY: BLR CHECKED: TFM

MFG, Inc.
 consulting scientists and engineers

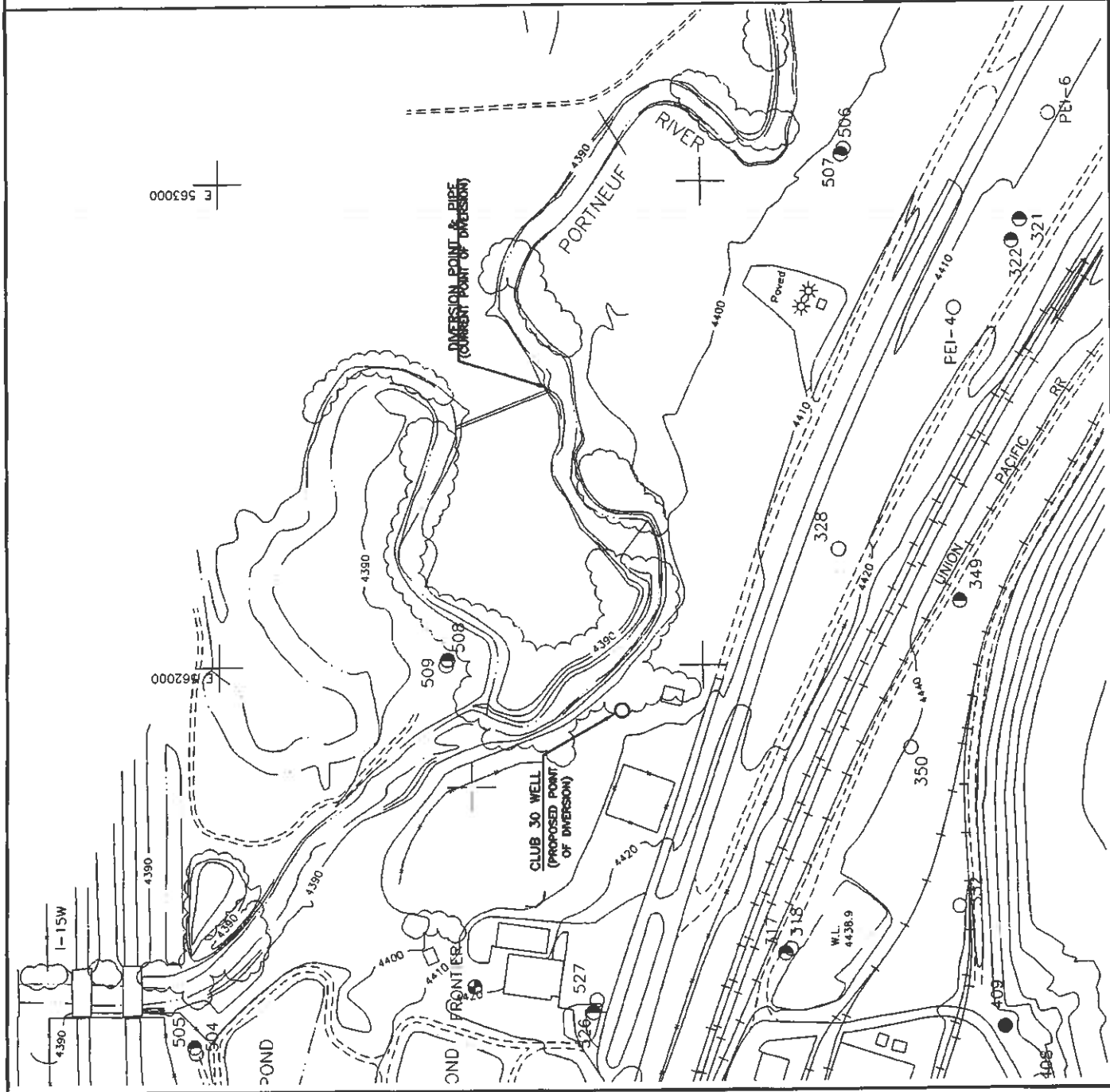


Figure 2.

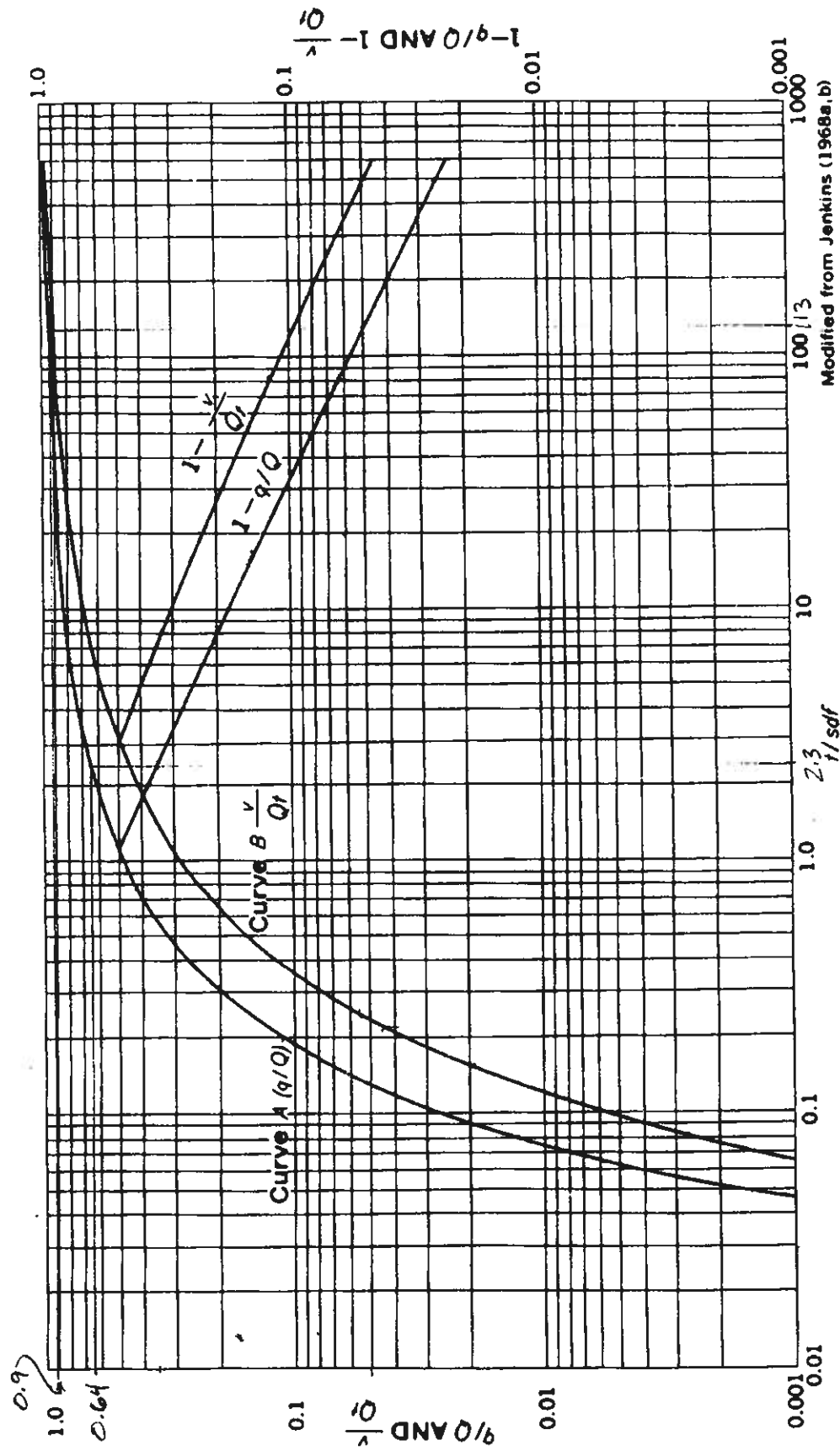


Figure 1.—Curves to determine rate and volume of stream depletion.

Residual effects

nary recharge well, starting from the time pumping ends.

Stream depletion continues after pumping

Residual effects are shown in figures 2 and 3

MEMORANDUM

TO: Hydrology Section

FROM: Pam Skaggs, ^{CS}Water Rights Permits Section

SUBJECT: Proposed Change of Source thru Transfer ~~70605~~ 70506

DATE: June 19, 2003

=====

Right 29-4088 describes diversion of surface water from the Portneuf River for irrigation purposes. J R Simplot Co. has filed Transfer Application 70506 to add groundwater as a source and point of diversion to this right.

The Director's Transfer Memo has specific criteria when a change of source is acceptable:

ADMINISTRATOR'S MEMORANDUM

Transfer Processing No. 24

Date: October 30, 2002

RE: TRANSFER PROCESSING POLICIES & PROCEDURES

5c. Injury to Other Water Rights

(6) Change of Source. Whether the source would be changed from ground water to surface water, or from surface water to ground water.

An application for transfer proposing such a change in source is not approvable unless the ground water and surface water sources have a direct and immediate hydraulic connection (at least 50 percent depletion in original source from depletion at proposed point of diversion in one day). The existing point of diversion and proposed point of diversion must be proximate such that diversion and use of water from the proposed point of diversion would have substantially the same effect on the hydraulically-connected source as diversion and use of water from the original point of diversion. If such application for transfer is approved, the changed water right shall be administered no differently than any other water right from the surface water source. If approved, the source for a change from a surface water source to a ground water source should be listed as ground water tributary to the surface water source.

The applicant has provided the attached documentation to support the connection between the surface and ground water sources at this site. Please evaluate this information and provide comment for transfer review.

MEMORANDUM

July 8, 2003

To: Pam Skaggs, Water Rights Permits
From: Shane Bendixsen, Technical Hydrogeologist
Reviewed by: Garth Newton, Hydrology Manager Section
Subject: **Transfer 70506, Simplot**

It is my understanding JR Simplot Co. has applied to transfer a portion of a current surface water right to a ground water right in T06S R34E sec 06 near Pocatello, Idaho. The surface water right is from the Portneuf River. The distance between the current point of diversion and the proposed point of diversion is approximately ¼ mile. The reader is referred to application for transfer for a location map. The following is a brief hydrologic review.

Their consultant's argument is based on previous work that concluded there is a distinct shallow aquifer separated from the deep or regional aquifer by the American Falls Lake Beds (formation?). This shallow aquifer is in direct hydraulic connection with the Portneuf River based on ground water contours and ground water geochemistry.

While their argument may very well be correct, no estimate is made for stream depletion. It is my understanding there must be at least 50 percent depletion in one day for the transfer to be acceptable. Based on the proximity for the current and proposed points of diversion to the Portneuf River, there is a good chance there will be 50 percent depletion the first day. But some type of analysis is needed to confirm this.

I would suggest an analytical method such as image wells (the Jenkins Method) or possibly a numeric model. Based on the proximity to the Portneuf River an analytical method would be appropriate.

Based on the amount being transferred, a pump test will not be useful. The amount transferred is only 2.94 cfs (1300 gpm) and flow in the Portneuf is approximately 250 cfs. Stream gauging is usually only accurate within five percent. Therefore the amount transferred will not be detectable.

There should also be some discussion about well construction. Since the transfer is from the river to the 'shallow aquifer' the well will have to be designed to insure the deep or regional aquifer is not tapped.

In closing, I am not in disagreement with the applicants findings, but a much more thorough analysis is needed.

December 21, 2010

J. R. Simplot Co.
P.O. Box 27
Boise ID 83707

RE: Application for Transfer of Water Right 70506
Right 29-4088

Dear Applicant:

Transfer 70506 proposes to add a well as a diversion point for this Portneuf River right. The application and supporting documentation was forwarded to our Hydrology Section for technical review. Their analysis doesn't disagree with your conclusions, but feel a more thorough analysis is needed to address timing of stream depletions.

I have enclosed a copy of both my request for Hydrology review that includes the evaluation criteria to approve such a transfer request, and Shane Bendixsen's response and recommendation for your review. Please provide additional analysis to demonstrate the direct and immediate stream depletion effects of using the proposed well. Also, address concerns regarding the withdrawals from the deep or regional aquifer instead of the shallow aquifer directly connected to the Portneuf River.

The Department will hold further processing of your application for 30 days to allow submittal of the required information. Additional time may be granted by the Department upon receipt of a written request and sufficient justification for an extension. After that time, if adequate information is not received, the Department will issue a preliminary order to reject or deny the application.

If you require additional information regarding this matter, please call me directly at (208) 327-7943, e-mail me at pskaggs@idwr.state.id.us or contact me by mail, and I will be happy to assist you.

Sincerely,

Pamela S. Skaggs
Sr. Water Rights Agent

Enclosures

MEMORANDUM

TO: Shane Bendixsen

FROM: Pam Skaggs

SUBJECT: Follow-up to Initial Hydrology Review
Transfer 70506 Simplot

DATE: August 26, 2003

=====

Following your initial review of the change proposed under this transfer, we requested additional information from Vic Conrad, contact for the applicant. He has responded by submitting the attached letter from Thomas F. Mullen of MFG Inc regarding this transfer.

Please review and provide comment. I have attached our request letter for reference and previous documentation is located in water right file 29-4088.

MEMORANDUM

Date: April 07, 2003
To: Transfer 70506
From: hjones
Re: Transfer Evaluation

This transfer proposes to add a point of diversion from a well. Documentation has been submitted that purports to show a direct connection between the surface water and the ground water which will be tapped by the proposed well.

Authority to File:

Subject land is owned by the applicant as evidenced by warranty deed and Amendment to Articles of Incorporation. Also the applicant is in good standing with the Secretary of State's office. This right 29-4088 has just been recommended in the SRBA to J R SIMPLOT COMP, the applicants in this case.

Water Right Validity:

Validity of the right involved: The right involved is a recent recommendation in the SRBA.

Injury to Other Water Rights:

No issues identified.

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is consistency with criteria set forth in Section 42-222 Idaho Code in processing of this application.

The application will be advertised.

(Amended) APPLICATION FOR TRANSFER OF WATER RIGHT (Amended)
PART 1

Name of Applicant J. R. Simplot Company Phone 208-336-2110

Post Office address P.O. Box 27, Boise, Idaho 83707

A. PURPOSE OF TRANSFER

RECEIVED

DEC 09 2002

Department of Water Resources
Eastern Region

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other ☐ Change Source

2. Describe the reason for the proposed changes Due to irrigation system changes, a new well as a point of diversion is needed to continue irrigating a portion of the place of use.

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

- | <u>1. Right Number</u> | <u>Priority</u> | <u>Amount (cfs/ac-ft)</u> | <u>Nature of Use</u> | <u>Period of Use</u> |
|------------------------|----------------------|---------------------------|----------------------|--|
| <u>29-4088</u> | <u>June 18, 1902</u> | <u>2.94 cfs</u> | <u>Irrigation</u> | <u>April 1</u> to <u>Oct. 31</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |

2. Total amount of water being transferred 2.94 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Portneuf River and Groundwater tributary to Snake River

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use: Irrigation within Power and Bannock Counties

[illegible]

PART 1

6. General Information:

- a. Description of diversion system New Diversion: Well, pump, existing underground pipelines
Existing Diversion Section 7: Headgate & pipeline
Existing Diversion Section 16: Pump intake, pump, ditch
- 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.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change proposed.
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____

For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

T70504

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4088 V1

WATER RIGHT NUMBER: 29-4088 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	J R SIMPLOT CO ENV AND REGULATORY AFFAIRS ATTN: GRAY YOUNG OR TERRY UHLING PO BOX 27 BOISE, ID 83707-0027 (208)389-7318
Current Owner	J R SIMPLOT CO 999 MAIN ST STE 1300 PO BOX 27 BOISE, ID 83707 (208) 336-2110

Priority Date: 06/18/1902
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
PORTNEUF RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	2.940 CFS	
	<u>Total Diversion:</u>	2.940 CFS	

Location of Point(s) of Diversion

PORTNEUF RIVER	L7 (SE1/4NE1/4SE1/4)	Sec. 7, Twp 06S, Rge 34E, B.M.
BANNOCK County		
PORTNEUF RIVER	SW1/4SE1/4SW1/4	Sec. 16, Twp 06S, Rge 34E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	34E	7									12.0				L 7			3.4	15.4
06S	34E	8								26.0	31.0	20.0	38.0				3.6		118.6
06S	34E	17			9.0				3.6										12.6

Total Acres: 146.6

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4088 V1

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.

Remarks:

1. Place of Use PLACE OF USE INCLUDES THE IRRIGATION OF 21.6 ACRES WITHIN POWER COUNTY,
- Irrigation DEFINED AS FOLLOWS: 7.5 ACRES WITHIN NESE, SECTION 7; 3.4 ACRES WITHIN SESE, SECTION 7; 1.8 ACRES WITHIN NWSW, SECTION 8 AND 8.9 ACRES WITHIN SWSW, SECTION 8; ALL T06S, R34E.

Comments:

1. bcontor 9/8/2001 Priority Date

Comment: See letter in paper file and documentation in paper file 29-2020. Affidavit in 29-10927 from son of former owner Swanson asserts diversion & use in 1910 but does not speak to personal knowledge. Assuming signer of affidavit was at least 21 years old on 3/3/95 when letter was written makes date of birth earlier than 1974. Without further evidence I presume development took place before mandatory permit statute but I don't know when, so I recommend one day before permit statute date. Hopefully claimant will respond to requests for information to allow more accurate determination of priority.

2. bcontor 9/8/2001 Field work

Comment: See field notes in paper file 29-2020, "general" flap.

3. bcontor 9/8/2001 POD

Comment: POD is where gate from Portneuf diverts water to pipeline, to pond. Pump at other end of pond pressurizes water for sprinkler system.

4. bcontor 9/8/2001 POU

Comment: POU per GIS as confirmed with Norm Self.

5. bcontor 9/8/2001 Overlap

Comment: This recommendation overlaps post-AJ permit. I trust Allocations Bureau will add appropriate combined use limitations.

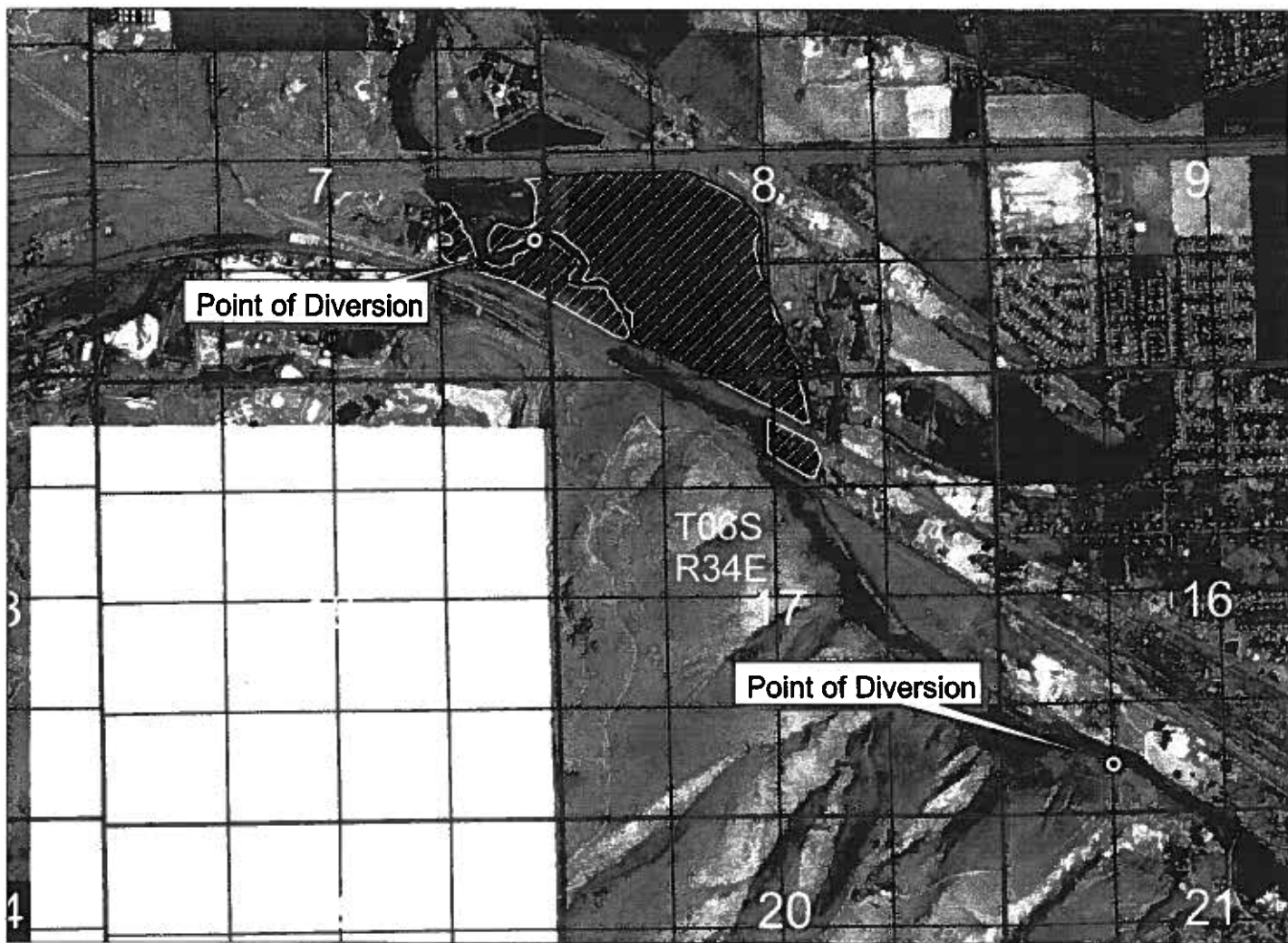
6. pmeyer 7/12/2002 Priority Date updated

Comment: Claimant submitted copy of posted notice in support of the claimed date of priority. Legal description for point of diversion indicates Township 7 South. I believe this to be in error as the rest of the items identified match the historical point of diversion in Section 16, T06S, R34E...



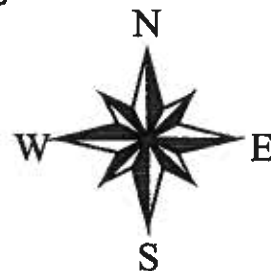
State of Idaho
Department of Water Resources
Eastern Region

Water Right: 29-04088



0.5 0 0.5 1 1.5 Miles

1:24000



○ Point(s) of Diversion
Place of Use

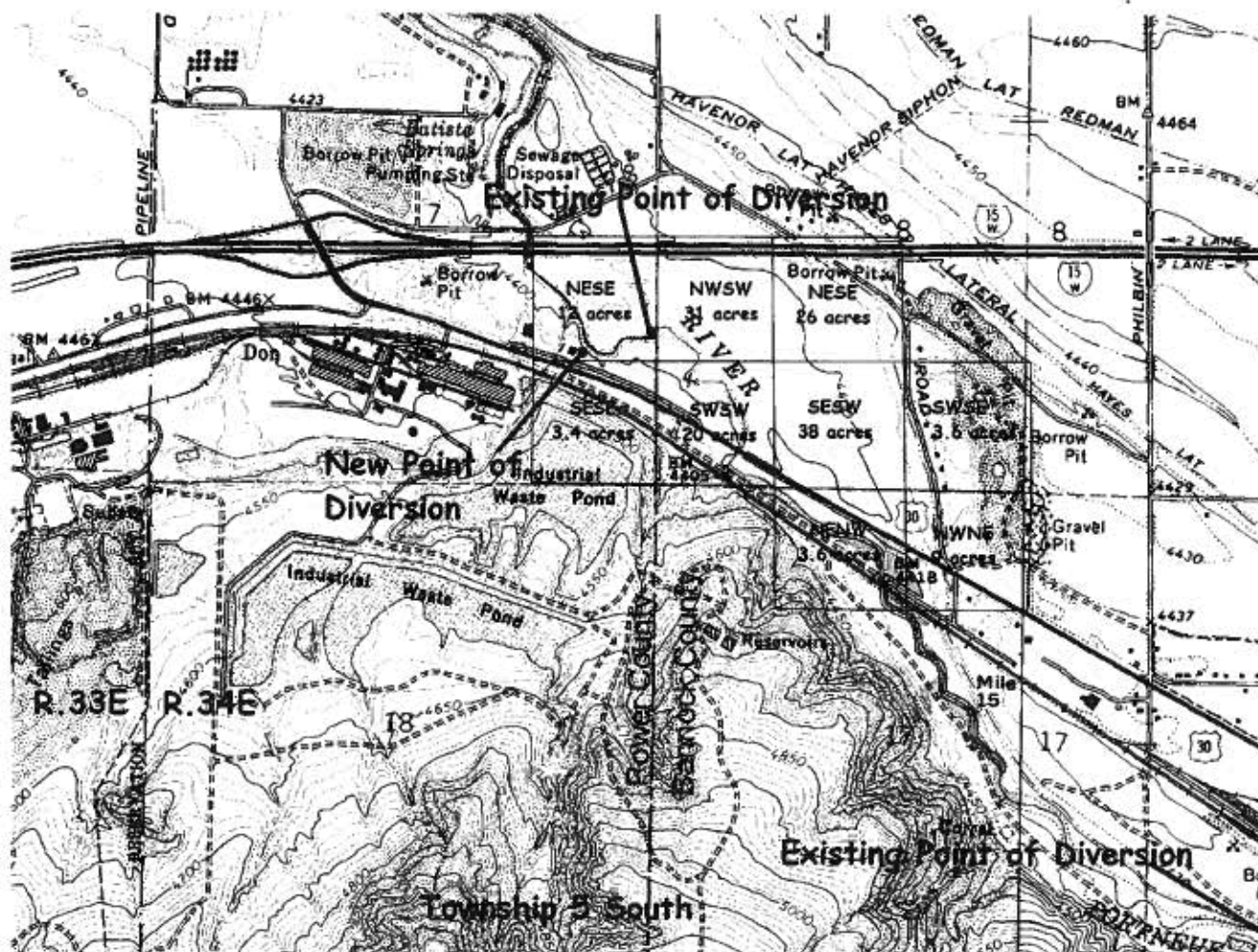
□ Section Lines

□ Quarter Quarter Lines

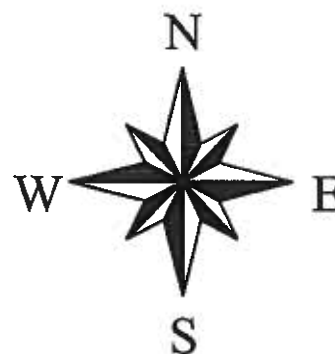
T70506

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: October 2002

Application for Transfer of Water Right 29-4088



0.6 0 0.6 1.2 Miles



PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount(cfs/af-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.

J. R. Simplot Company

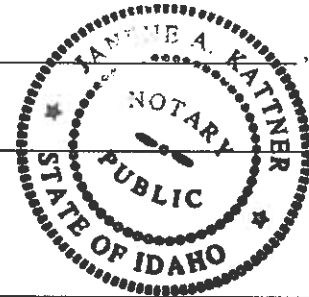
By: Ronald N. Graves
 (Signature of Applicant)

Ronald N. Graves, Sr. Vice President, Secretary and Chief Legal Officer

Subscribed and sworn to before me this 5th day of December, 20 02.

Jeanne A. Kattner
 (Notary Public)

My commission expires May 31, 2008



FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 47 attachments

Received by HWT Date _____ Protest filed by _____

Prelim. Check by HWT \$ 100 Fee \$100 and \$230

Received by HWT # EO25940 Date 3-27-03

Published in Power Co. Press And Idaho State Journal Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

T70506

Copy of transfer sent to lien holder

CORPORATE HEADQUARTERS

March 25, 2003

Harold W. Jones
Water Resource Supervisor
State of Idaho
Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Water Right No. 29-4088.

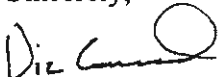
Dear Harold:

In response to your letter dated March 7, 2003, I am enclosing a \$230.00 check to cover your additional transfer fees and copies of the following documents:

1. Articles of Amendment to Articles of Incorporation of Ruby Company substituting the name "Simplot Industries, Inc." for the name "Ruby Company". These articles were filed in the office of the Secretary of State, State of Utah on February 14, 1966. Ruby Company was a Utah corporation. A copy of the certificate from the State of Utah Office of the Secretary of State acknowledging the name change is also enclosed.
2. A Certificate of Ownership and Merger Including Articles of Merger Merging Simplot Industries, Inc., a Utah corporation into J. R. Simplot Company, a Nevada corporation. This certificate was filed with the Secretary of the State of Nevada on February 27, 1985.

The J. R. Simplot Company is the current water right owner, and the owner of the land to which the water right is appurtenant.

Sincerely,



Vic Conrad
Land and Development

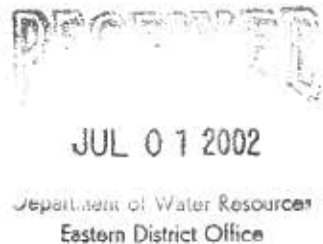
Enclosures

ATTACHMENT ^{T 70506} 1 OF 47

CORPORATE HEADQUARTERS

June 27, 2002

Ernest Carlson
Water Rights Supervisor
State of Idaho
Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718



Re: IDWR Water Right No. 29-04088.

Dear Mr. Carlson:

I am enclosing a copy of an image provided by Bryce Contor while he was employed by the Eastern Regional office of the IDWR. The image contains areas that have been outlined by Bryce indicating a proposed place of use for this water right.

Also enclosed is a copy of the same image containing Simplot's revisions to Bryce's proposed place of use. Simplot's revisions include small areas omitted from Bryce's proposal within the following quarter quarters:

T.6S R.34E Section 7: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 8: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 17: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

I did not attempt to estimate the number of acres that are included within each quarter quarter. Please revise your electronic shape files to conform to Simplot's revisions then provide me with the computerized estimate for the number of acres irrigated within the revised place of use. If possible, please forward the revised image in a jpg format to the following email address along with acreage estimate: vconrad@simplot.com.

Sincerely,

Vic Conrad
Land and Development

C: H. Jones, IDWR (without enclosures)
 L. Pruett, Simplot (with enclosures)



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

RECEIVED

DEC 09 2002

Department of Water Resources
Eastern Region

December 4, 2002

Harold W. Jones
Water Resource Supervisor
State of Idaho
Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Re: Amended Application for Transfer of Water Right No. 29-4088.

Dear Harold:

Enclosed is the transfer application amended to conform to the current status of the preliminary SRBA recommendation provided by your office. Basically the enclosed amendments are described as follows:

1. The irrigated acres are reduced from 160 acres contained on the original transfer application to 146.6 acres.
2. An adjustment to the amount of water coinciding with the reduced acres from 3.2 cfs to 2.94 cfs.

The balance of the enclosed transfer application is substantively the same as the original transfer application filed with the IDWR on June 28, 2000. With the enclosed changes we hope processing can proceed quickly.

Sincerely,

Vic Conrad
Land and Development

Enclosure

T 70576
ATTACHMENT 3 OF 7



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

June 26, 2000

Harold Jones
Water Rights Supervisor
State of Idaho
Department of Water Resources
900 North Skyline Drive Suite A
Idaho Falls, ID 83402

RECEIVED

JUN 28 2000

Department of Water Resources
Eastern Region

Re: IDWR Water Right No. 29-04008.

Dear Harold:

Enclosed for filing are the following documents:

1. Application for transfer of water right no. 29-04088. This application proposes adding a point of diversion to this water right. A \$100.00 check enclosed to cover your filing fee.
2. Amended SRBA claim no. A29-04088. This amendment is being filed to correct the place of use so it conforms with the place of use that existed at the time the SRBA commenced.

Please file the enclosed transfer application and amended claim then return a receipt for the enclosed check to my attention at the above address. Should you have any questions about the amended claim or the transfer application please contact me. My phone number is 208-389-7359.

Sincerely,

Vic Conrad
Simplot Land and Development

Enclosures

J. Davis
P. Evans
W. Wolleson

ATTACHMENT 4 OF 47 T 70506

CORPORATE HEADQUARTERS

December 13, 2000

Harold Jones
State of Idaho
Department of Water Resources
Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RECEIVED

DEC 15 2000

Department of Water Resources
Eastern Region

Re: IDWR Water Right No. 29-04088.

Dear Harold:

In response to your letter dated July 7, 2000, I am enclosing an evaluation of the source of water in the shallow aquifer at the location of the proposed new point of diversion identified in the transfer application filed for this water right. It is my understanding you temporarily suspended processing the application pending your receipt of the enclosed information.

Sincerely,

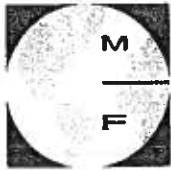


Vic Conrad
Simplot Land and Development

Enclosure

c: W. Wolleson

T 70506
ATTACHMENT 5 OF 47



MFG, Inc.
4900 Pearl East Circle
Suite 300W
Boulder, CO 80301-6118
303/447-1823
Fax: 303/447-1836

G
consulting
scientists and
engineers

MEMORANDUM

TO: Ward Wolleson, Simplot AgriBusiness MFG PROJECT NO. 5324-7

FROM: Kathy Tegtmeier, MFG
Andy Koulermos, MFG

DATE: December 4, 2000

SUBJECT: SOURCE OF WATER IN THE SHALLOW AQUIFER AT THE PROPOSED LOCATION OF A
WATER-SUPPLY WELL

Per our recent discussions, this memo provides an evaluation of the source of water in the shallow aquifer at the location of a proposed water supply well between the Portneuf River and Highway 30 (Figure 1). Water in the shallow aquifer at this location originates directly from Portneuf River surface water rather than from upgradient groundwater flow. This conclusion is supported by hydrologic and geochemical data collected in support of the Remedial Investigation and Feasibility Study performed for the Eastern Michaud Flats Site (Bechtel, 1996 and MFG, 1996).

Hydrologic Setting

The Portneuf River flows across Simplot's property in an area north and east of the main plant (refer to Figure 1). From approximately the I-86 bridge south, the Portneuf River loses flow as river water discharges directly into highly permeable, coarse-grained flood deposits (i.e., Michaud Gravel) that fill the Portneuf River valley. Hydraulic conductivities estimated for the valley-filling flood deposits in this area are greater than 1,000 feet per day. The potentiometric surface for shallow groundwater in the vicinity of the river south of I-86 shows groundwater flow away from the river (Figure 2). Based on the groundwater flow directions observed in the vicinity of the proposed well location, it appears that water from the proposed well would be supplied from Portneuf River surface water rather than from upgradient groundwater flow. This conclusion is supported by chemical data for groundwater and surface water in the Portneuf River valley, as described below.

Hydrogeologic Setting

Groundwater flows across the Simplot property in distinct shallow and deep aquifers that eventually flow together along the Portneuf River valley. The shallow and deep aquifers are separated by an aquitard unit, the American Falls Lake Beds (AFLBs), that is generally present across Michaud Flats. The AFLBs aquitard is missing, however, along the Portneuf River valley south from Batiste Springs beyond the Highway 30 river crossing. Where the AFLBs are absent, shallow and deep groundwaters are no longer physically separated, and delineation of distinct shallow and deeper aquifers is not possible.

T 70506
ATTACHMENT 6 OF 47

Groundwater in the shallow aquifer that flows into the Portneuf River valley is represented by the water discharging at Batiste and Swanson Road Springs and in a number of shallow monitoring wells located upgradient of the river valley (e.g., wells 327 and Frontier well). Groundwater in the deep aquifer upgradient of the river valley is represented by samples from wells such as 318, 320 and 519, among others. Within the Portneuf River valley, where the river loses water to the valley-filling flood deposits, shallow groundwater is represented by wells 328, 505, 507, 509 and 511; deeper groundwater in the same area is represented by wells 504, 506, 508 and 510 (Figure 3).

Surface Water and Groundwater Chemistry

Surface water and groundwater samples collected in 1992 and 1993 in support of the Remedial Investigation were used to identify the chemical characteristics of groundwater originating from various sources of recharge. These are the most complete set of data available to describe the major-ion chemistry of surface water and groundwater; the data evaluated are provided on Table 1. These data are presented graphically on a trilinear Piper diagram (Figure 4) that can be used to identify chemically distinct waters and their mixing relationships, if any.

Surface water samples collected from the losing reach of the Portneuf River (samples from river locations SW19, SW20, SW21 and SW22 on Figure 1) indicate that the river water is a moderately alkaline (pH = 8.5), magnesium-bicarbonate type with low total dissolved solids (TDS) content (approximately 300 to 400 mg/L).

The groundwater collected at shallow monitoring wells along the losing reach of the Portneuf River all share a common major-ion signature that closely resembles the river water major-ion chemistry. Well 511 (see Figure 3) is a location considered representative for the Portneuf River groundwater flow regime (Bechtel, 1995). Groundwater from well 511 bears the chemical signature of river water, and it is distinct from groundwater originating from shallow and deep aquifers outside the portion of the river valley where the river loses water to the valley-filling flood deposits. Groundwater from the other shallow wells along the losing reach of the river (328, 505, 507, 509) is nearly identical to 511 in chemical composition (Figure 4).

The primary chemical differences between river water and the adjacent shallow groundwater from these wells are the groundwater's lower pH (pH range from 7 to 7.5), higher relative calcium and magnesium contents and slightly higher TDS content (approximately 400 to 500 mg/L). A drop in pH is expected when water is no longer in contact with the atmosphere, and the change in abundance of major cations is a likely result of that drop in pH due to re-equilibration with carbonate minerals in the valley-filling flood deposits underlying the river.

In contrast, groundwater from well 305, located in the shallow aquifer upgradient of the Portneuf River valley, well outside the area receiving recharge from river water (as determined from the potentiometric surface map), is chemically distinct from the groundwater along the river's losing reach. Also distinct is shallow groundwater from the "Frontier" well and well 327, which are located upgradient of the Portneuf River valley at locations where groundwater has traveled across Simplot's main plant area and shows the resulting change in groundwater chemistry. At Batiste Springs, shallow groundwater has traveled from FMC and Simplot property and discharges either at springs or directly to the river. Deeper

groundwater upgradient of the river valley, represented by well 519, is distinct from both the overlying shallow groundwater (Frontier well and well 327) and from river water and shallow groundwater in the river valley. Data from these locations are presented on Figure 4 because they demonstrate the distinctions that exist among shallow groundwaters supplied by upgradient recharge of the groundwater flow system and between the shallow groundwater present adjacent to the losing reach of the Portneuf River and shallow and deep groundwater upgradient of the river valley.

Two deeper wells, 504 and 508, that are located in close proximity to the river have chemical compositions similar to the shallow groundwater from nearby wells but less similar to river water. In contrast, a third deep well, 506, is chemically indistinguishable from nearby shallow groundwater and Portneuf River water. Well 506 is screened at shallower depths than either of the two other deep wells (504 and 508) and appears to have the same source as shallow groundwater at wells 328, 505, 507, 509 and 511 (Figure 4).

In summary, Figure 4 shows that water from the losing reach of the Portneuf River is chemically indistinguishable from groundwater at shallow levels of the valley-filling aquifer. The differences observed between river water and adjacent shallow groundwater are consistent with the decrease in pH expected when river water infiltrates the subsurface and resulting interaction between river water and aquifer solids. Groundwater from deeper levels of the same valley-filling materials is also similar but distinguishable by its slightly lower pH, alkalinity, and TDS. Groundwater collected from shallow wells upgradient of the river valley are chemically distinct from both the river water and shallow groundwater adjacent to the river. These observations suggest that the Portneuf River is the primary source of water to the shallow aquifer adjacent to the river rather than shallow groundwater from areas upgradient of the river valley.

To better evaluate whether the differences in shallow groundwater chemistry upgradient and within the river valley's losing reach could be the result of mixing between river water and upgradient shallow groundwater, the chloride and fluoride concentrations of shallow groundwaters and river water were compared. Chloride acts conservatively during groundwater flow and is not typically removed from groundwater as it flows through the subsurface. In the presence of calcium, fluoride may be removed from water by the precipitation of fluorite (CaF_2), which is relatively insoluble at near-neutral pH. Surface water from the Portneuf River may be expected to gain chloride, along with other major ions, as a result of interactions with aquifer solids and could lose fluoride to fluorite precipitation during flow through the aquifer.

Figure 5 is a bivariate plot of fluoride and chloride concentrations and shows distinctions among the waters from the Portneuf River, shallow wells adjacent to the river's losing reach, shallow wells upgradient of the river valley and deep wells. Shallow groundwater from wells adjacent to the losing reach of the Portneuf River has lower fluoride and higher chloride content than river water. However, these differences cannot be attributed to mixing between river water and any of the other groundwater sources shown. Mixing between river water and upgradient shallow groundwater or mixing between river water and deeper groundwater within the river valley would result in higher fluoride contents than observed in shallow groundwater along the losing reach of the Portneuf River. A better explanation for the slightly higher chloride and lower fluoride content of shallow groundwater compared to river water is that river water discharging to the subsurface gains chloride from aquifer solids and loses fluoride to fluorite precipitation.

Mr. Wolleson
December 4, 2000
Page 4

Together these observations support a conclusion that the primary source of water to shallow groundwater wells located on Simplot's property in close proximity to the Portneuf River's losing reach is river water.

References (data sources)

Bechtel Environmental, Inc., 1996. Remedial Investigation for the Eastern Michaud Flats Site, Prepared for FMC Corporation and J.R. Simplot Company, August 1996.

MFG, Inc., 1996. Feasibility Study for the Simplot Subarea. Eastern Michaud Flats. Prepared for the J.R. Simplot Company.

ACK/KJT:cd

Enclosure(s)

- | | |
|----------|---|
| Figure 1 | Map of Simplot Property, including Portneuf River, showing location of proposed water supply well and surface water sampling stations |
| Figure 2 | Potentiometric surface map for shallow aquifer, June 1994 |
| Figure 3 | Map of shallow and deep groundwater monitoring wells |
| Figure 4 | Piper diagram showing surface water, shallow groundwater in river valley, shallow groundwater outside river valley, deep groundwater |
| Figure 5 | Chloride vs. Fluoride concentrations |
| Table 1 | Summary of data used for this evaluation |

Table 1. Groundwater and Surface Water Data
J.R. Simplot Company, Pocatello, Idaho
(all concentrations reported as mg/L unless noted otherwise)

175 FO 77 T INEMHCVTLA
90502 L

STATION ID	SAMPLE ID	SAMPLE DATE	Alkalinity, bicarbonate	Alkalinity, carbonate	Arsenic, total	Barium, total	Calcium	Chloride	Fluoride	Lithium, total	Magnesium	Orthophosphate (PO ₄ as P)	pH	Phosphorus, total	Potassium	Sodium	Sulfate	Total Dissolved Solids	Temperature (Celcius)	Zinc, total
PORTNEUE RIVER																				
SW 19 AVERAGE		1992/1993	249	0.00	0.007	0.10	65.7	45.7	0.30	0.051	32.0	0.03	8.3	0.13	8.7	39.7	41	380	17.3	ND
SW 20 AVERAGE		1992/1993	257	0.00	0.007	0.10	65.9	46.5	0.30	0.053	32.7	0.03	8.7	0.06	9.4	41.5	43	405	14.7	ND
SW 21 AVERAGE		1992/1993	231	0.00	0.005	0.10	55.8	42.8	0.30	0.057	28.9	0.03	8.5	0.16	8.5	43.5	38	300	17.2	ND
SW 22 AVERAGE		1992/1993	248	0.00	0.006	0.10	53.4	45.5	0.30	0.052	30.6	0.03	8.4	0.08	8.8	40.2	42	347	15.9	ND
SHALLOW GROUNDWATER ALONG LOSING REACH OF PORTNEUE RIVER																				
328	S212421	12/18/92	308	1.00	0.002	0.13	85.2	69.5	0.20	0.034	30.9	0.06	7.26	0.070	6.2	39.0	46	450	13.5	0.0090
328	S303417	03/14/93	288	0.00	0.007	0.13	87.1	60.0	0.30	0.032	32.9	0.04	7.03	0.050	6.2	42.1	41	480	13.0	0.0042
328	S308419	08/09/93	282	0.00	0.002	0.13	87.5	57.0	0.20	0.034	32.1	0.03	7.12	0.024	6.5	41.5	54	520	12.9	0.0059
328	312328	12/13/93	298	0.00	0.002	0.13	84.1	33.0	0.20	0.030	33.0	0.04	7.14	0.043	7.5	45.0	50	520	13.1	0.0029
328 AVERAGE			294	0.25	0.003	0.13	86.0	54.9	0.23	0.032	32.2	0.04	7.14	0.047	6.6	41.9	48	493	13.1	0.0055
505	9209500	09/22/92	308	1.00	0.007	0.15	69.4	52.2	0.20	0.030	25.3	0.06	7.17	0.060	6.6	36.7	61	510	13.4	0.0220
505	O212509	12/11/92	271	1.00	0.007	0.13	81.8	63.3	0.30	0.035	31.3	0.08	7.24	0.090	6.4	44.8	69	480	13.3	0.0090
505	O303216	03/11/93	278	0.00	0.002	0.15	91.3	59.0	0.30	0.036	34.1	0.07	7.13	0.080	7.0	47.5	65	520	13.0	0.0050
505	O308314	08/07/93	288	0.00	0.003	0.15	92.1	58.0	0.20	0.033	34.4	0.07	7.09	0.092	7.0	49.3	70	570	12.7	0.0086
505	312505	12/09/93	298	0.00	0.003	0.14	80.4	54.0	0.30	0.036	30.5	0.10	7.11	0.075	7.1	46.2	63	488	13.3	0.0029
505 AVERAGE			289	0.40	0.005	0.14	83.0	57.3	0.26	0.034	31.1	0.08	7.15	0.079	6.8	44.9	66	514	13.1	0.0095
507	9209518	09/24/92	295	1.00	0.007	0.14	77.7	55.9	0.20	0.031	28.6	0.04	7.13	0.030	6.4	34.0	56	470	12.3	0.0050
507	O212501	12/10/92	288	1.00	0.004	0.11	82.1	55.8	0.20	0.032	31.5	0.04	7.04	0.050	6.2	40.4	52	470	13.1	0.0090
507	O303206	03/11/93											7.06						13.0	
507	O303206A	03/11/93	282	0.00	0.003	0.12	86.1	54.6	0.30	0.038	32.1	0.02	7.14	0.050	6.6	40.4	45	490	13.4	0.0113
507	O308301	08/05/93	290	0.00	0.003	0.12	94.8	60.0	0.20	0.030	34.7	0.02	7.14	0.037	6.6	44.2	90	530	11.4	0.0124
507	312507	12/07/93	298	0.00	0.001	0.11	77.5	46.0	0.30	0.032	28.5	0.05	7.13	0.045	6.8	40.6	64	514	12.8	0.0029
507 AVERAGE			291	0.40	0.004	0.12	83.6	54.5	0.24	0.033	31.1	0.03	7.10	0.042	6.5	39.9	61	495	12.5	0.0081
509	9209524	09/24/92	272	1.00	0.006	0.11	63.7	54.6	0.22	0.026	24.1	0.02	7.32	0.030	6.1	34.4	51	440	13.3	0.0140
509	O212505	12/11/92	269	1.00	0.004	0.13	76.3	55.8	0.30	0.035	29.8	0.04	7.34	0.050	6.2	40.7	54	480	13.2	0.0090
509	O303204	03/10/93	272	0.00	0.006	0.15	83.2	53.8	0.30	0.035	32.3	0.04	7.25	0.030	6.7	44.0	48	480	13.3	0.0051
509	O303207	03/10/93	270	0.00	0.006	0.14	82.8	51.2	0.30	0.034	32.0	0.04	7.17	0.040	6.6	43.5	50	470	13.3	0.0048
509	O308308	08/06/93	274	0.00	0.002	0.14	83.7	48.0	0.20	0.030	31.8	0.02	7.17	0.020	6.8	42.3	52	490	13.4	0.0030
509	312509	12/07/93	282	0.00	0.001	0.12	69.0	34.0	0.30	0.029	26.1	0.04	7.23	0.039	6.1	35.2	54	462	13.3	0.0028
509 AVERAGE			273	0.33	0.004	0.13	76.4	49.6	0.27	0.032	29.3	0.03	7.26	0.035	6.4	40.0	52	467	13.3	0.0065
511	9209521	09/24/92	289	1.00	0.007	0.12	73.4	49.8	0.20	0.023	26.3	0.03	7.22	0.020	6.1	30.9	50	460	13.2	0.0170
511	O212503	12/11/92	279	1.00	0.003	0.13	83.8	65.8	0.20	0.031	31.4	0.04	7.20	0.050	6.1	37.6	49	520	13.5	0.0090
511	O303202	03/10/93	286	0.00	0.007	0.14	88.6	61.7	0.20	0.034	32.8	0.04	7.13	0.040	6.4	40.0	46	480	13.0	0.0045
511	O308303	08/06/93	290	0.00	0.002	0.14	89.8	54.0	0.20	0.028	32.3	0.02	7.06	0.030	6.7	42.2	47	530	13.2	0.0087
511	312511	12/07/93	298	0.00	0.001	0.13	76.0	43.0	0.20	0.028	27.4	0.04	7.12	0.041	6.0	34.0	49	460	13.1	0.0029
511 AVERAGE			289	0.40	0.004	0.13	82.3	54.9	0.20	0.029	30.0	0.03	7.15	0.036	6.3	36.9	48	490	13.2	0.0084

Table 1. Groundwater and Surface Water Data
J.R. Simplot Company, Pocatello, Idaho
(all concentrations reported as mg/L unless noted otherwise)

14 FO 11 JNEMHCVTLLV
92502 T

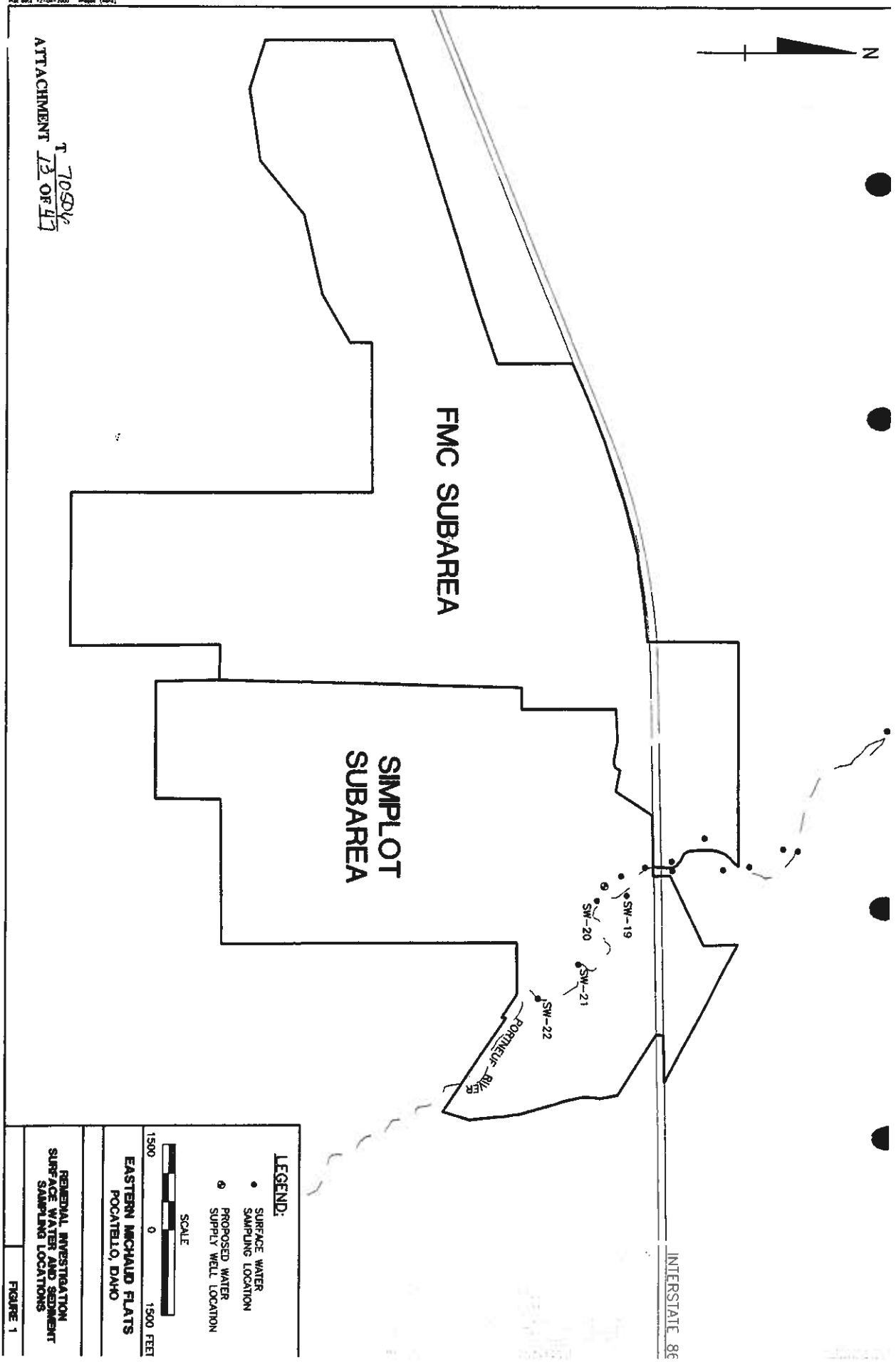
STATION ID	SAMPLE ID	SAMPLE DATE	Alkalinity, bicarbonate	Alkalinity, carbonate	Arsenic, total	Barium, total	Calcium	Chloride	Fluoride	Lithium, total	Magnesium	Orthophosphate (PO4 as P)	pH	Phosphorus, total	Potassium	Sodium	Sulfate	Total Dissolved Solids	Temperature (Celsius)	Zinc, total
DEEP GROUNDWATER ALONG LOSING REACH OF FORTNEUF RIVER VALLEY																				
504	9209501	09/22/92	167	1.00	0.008	0.08	41.0	28.5	0.70	0.040	12.8	0.02	7.69	0.020	5.1	28.6	56	310	14.6	0.0260
504	0212607	12/11/92	160	1.00	0.005	0.06	46.3	38.5	0.80	0.046	14.5	0.03	7.65	0.030	4.8	33.6	49	300	14.4	0.0090
504	0303215	03/11/93	159	0.00	0.004	0.06	51.0	28.9	0.90	0.048	15.6	0.02	7.53	0.020	5.3	35.8	42	330	14.3	0.0040
504	0308313	08/07/93	156	0.00	0.003	0.06	50.7	28.0	1.00	0.045	15.2	0.02	7.52	0.020	5.3	35.0	50	340	14.6	0.0080
504	3125044	12/09/93	170	0.00	0.004	0.06	44.4	26.0	1.00	0.048	13.4	0.02	7.52	0.020	5.0	31.4	48	308	14.4	0.0025
504 AVERAGE			162	0.40	0.005	0.06	46.7	30.0	0.82	0.045	14.3	0.02	7.56	0.022	5.1	32.9	49	318	14.5	0.0100
506	9209517	09/24/92	283	1.00	0.007	0.18	68.6	59.5	0.20	0.032	26.7	0.02	7.27	0.020	6.5	38.4	51	470	13.4	0.0110
506	9209520	09/24/92	287	1.00	0.007	0.19	69.9	55.9	0.20	0.033	26.8	0.02	7.27	0.020	6.3	38.5	57	480	13.4	0.0300
506	0212600	12/10/92	275	1.00	0.003	0.15	81.1	65.8	0.20	0.035	32.6	0.06	7.22	0.040	6.6	45.4	59	500	13.3	0.0090
506	0303205	03/11/93	278	0.00	0.007	0.15	83.5	53.1	0.20	0.033	33.0	0.02	7.12	0.030	6.8	45.8	41	480	13.3	0.0040
506	0308300	08/05/93	284	0.00	0.004	0.15	85.8	55.0	0.20	0.039	32.9	0.02	7.22	0.030	6.9	45.7	57	520	13.6	0.0107
506	312506	12/07/93	288	0.00	0.003	0.13	66.6	57.0	0.30	0.031	26.2	0.04	7.25	0.031	6.2	38.0	57	478	13.3	0.0028
506 AVERAGE			283	0.50	0.005	0.16	75.9	57.7	0.22	0.034	29.7	0.03	7.22	0.029	6.5	42.0	54	488	13.4	0.0113
508	9209525A	09/24/92	165	1.00	0.006	0.08	38.9	31.6	0.79	0.035	12.7	0.02	7.61	0.020	4.8	27.0	52	280	13.9	0.0210
508	0212604A	12/11/92	166	1.00	0.002	0.07	50.1	36.0	0.80	0.045	16.4	0.03	7.59	0.030	4.9	33.4	49	290	14.1	0.0090
508	0303203	03/10/93	179	0.00	0.007	0.07	53.8	30.2	0.90	0.045	17.2	0.02	7.49	0.020	5.2	34.9	42	330	14.1	0.0046
508	0308307A	08/06/93	164	0.00	0.002	0.07	51.5	29.0	0.70	0.046	16.2	0.02	7.48	0.020	5.3	34.6	46	320	14.3	0.0085
508	312508A	12/07/93	168	0.00	0.002	0.06	41.9	29.0	0.90	0.038	13.1	0.02	7.53	0.026	4.4	27.4	50	354	14.0	0.0028
508 AVERAGE			168	0.40	0.004	0.07	47.3	31.2	0.82	0.042	15.1	0.02	7.54	0.023	4.9	31.5	48	315	14.1	0.0093
SHALLOW GROUNDWATER UPGRADE FOR ALONG LOSING REACH OF FORTNEUF RIVER																				
305	SC305	04/29/92	140	0.00	0.010	0.10	62.0	45.9	0.40	0.010	16.6	0.04	8.13	0.090	5.6	19.7	43	404	19.6	0.01
305	9209409	09/19/92	135	1.00	0.018	0.04	36.1	44.9	0.46	0.008	9.5	0.10	7.38	0.020	6.4	18.4	27	370	16.4	0.002
305	S212404A	12/13/92	132	1.00	0.002	0.07	53.4	52.1	0.80	0.006	12.6	0.02	7.42	0.030	6.4	17.2	31	290	16.4	0.0089
305	S303430A	03/15/93	136	0.00	0.002	0.08	56.4	43.8	0.50	0.010	13.2	0.02	7.32	0.020	6.6	17.6	39	410	16.4	0.004
305	S308402	08/08/93	134	0.00	0.002	0.08	59.6	43.0	0.40	0.010	13.8	0.02	7.32	0.020	7.0	19.0	37	380	16.5	0.00513
305	S308405	08/08/93	134	0.00	0.002	0.08	59.7	47.0	0.40	0.010	13.9	0.02	7.38	0.020	7.1	18.9	27	350	16.7	0.00817
305	312305A	12/10/93	144	0.00	0.002	0.08	54.6	45.0	0.50	0.009	13.2	0.02	7.38	0.020	7.2	17.9	35	392	16.7	0.0028
305 AVERAGE			151	0.34	0.005	0.07	51.2	39.1	0.63	0.024	14.1	0.03	7.33	0.028	5.8	24.4	40	345	15.5	0.0074
Frontier	OGRT	05/31/92	254	1.00	0.009	0.13	55.2	45.5	0.55	0.033	24.3	0.39	7.56	0.391	3.6	31.9	85	470	15.6	0.0130
Frontier	9209507	09/23/92	264	1.00	0.023	0.17	77.7	38.6	0.50	0.047	25.5	1.77	6.88	1.770	7.2	51.3	176	570	14.0	0.0350
Frontier	0212621	12/12/92	288	1.00	0.022	0.14	105.1	65.8	0.50	0.056	36.1	3.48	6.83	3.320	7.8	71.2	206	700	13.2	0.0090
Frontier	0303221	03/12/93	288	0.00	0.025	0.14	110.1	51.2	0.80	0.057	38.0	3.02	6.76	3.440	8.4	74.0	221	700	13.7	0.0040
Frontier	0308316	08/07/93	232	0.00	0.007	0.10	80.0	41.0	0.44	0.046	26.7	0.52	7.12	0.515	6.7	47.7	86	664	13.6	0.0111
Frontier	31251R	12/08/93	304	0.00	0.016	0.12	91.1	14.0	0.50	0.053	30.7	2.53	6.81	3.090	7.3	60.5	190	664	13.5	0.0029
Frontier AVERAGE			272	0.50	0.017	0.13	86.5	42.7	0.52	0.049	30.2	1.95	6.99	2.088	6.8	56.1	161	625	13.9	0.0125

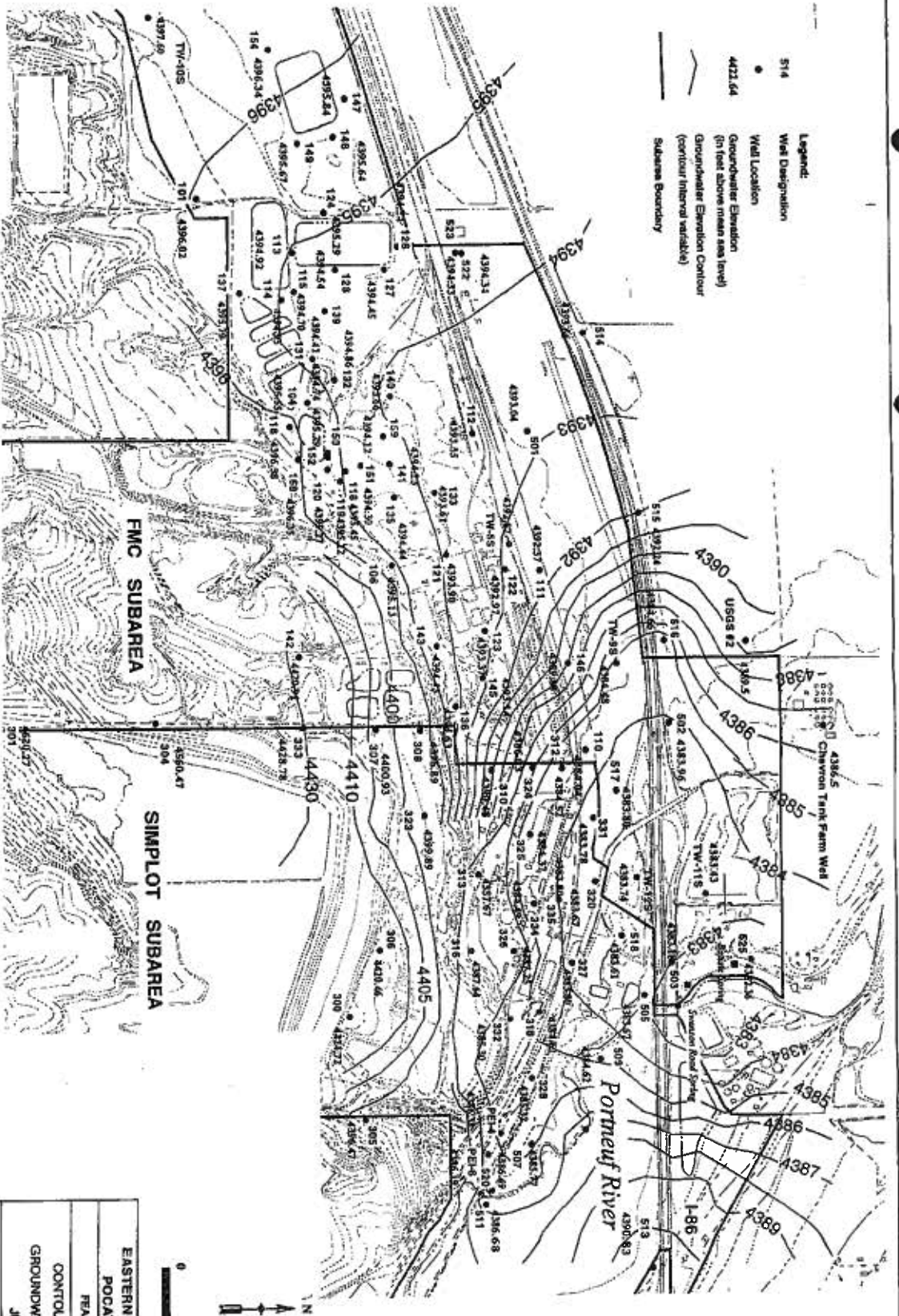
Table 1. Groundwater and Surface Water Data
J.R. Simplot Company, Pocatello, Idaho
(all concentrations reported as mg/L unless noted otherwise)

STATION ID	SAMPLE ID	SAMPLE DATE	Alkalinity, bicarbonate	Alkalinity, carbonate	Arsenic, total	Barium, total	Calcium	Chloride	Fluoride	Lithium, total	Magnesium	Orthophosphate (PO4 as P)	pH	Phosphorus, total	Potassium	Sodium	Sulfate	Total Dissolved Solids	Temperature (Celsius)	Zinc, total
327	S212422	12/16/92	346	1.00	0.024	0.10	130.1	74.4	1.10	0.055	46.1	6.03	6.69	6.650	11.0	76.4	295	830	14.3	0.02131
327	S303418	03/15/93	365	0.00	0.038	0.10	138.0	70.6	1.00	0.057	50.9	6.57	6.44	6.880	12.1	89.3	286	900	14.2	0.02481
327	S308420	08/09/93	334	0.00	0.028	0.10	132.5	62.0	1.20	0.058	49.4	6.01	6.49	5.370	11.5	85.5	268	910	13.6	0.03703
327	312327	12/13/93	364	0.00	0.027	0.11	131.5	66.0	1.20	0.057	51.5	6.84	6.52	6.890	13.0	92.3	272	1010	13.9	0.01849
327 AVERAGE			352	0.25	0.029	0.10	133.0	68.3	1.13	0.057	49.5	6.36	6.54	6.448	11.9	85.9	290	913	14.0	0.0254
BATISTE	HYD5920	11/09/90	210		0.0158	0.045	70.1	45	0.6		24.8	2	7.4		2.2	10.2	43.6	97	12	0.0089
BATISTE	9104129	04/08/91	230	5			85	54	0.4		31.5		6.53		5.9	12.3	59.5	140	12.8	
BATISTE	9106217	06/18/91	210				70.8	42	0.7		25.4		7.03		2.6	8.3	46.3	91	13	
BATISTE	9106219	06/19/91	200				71.5	40	0.7		25.7		7.03		2.6	8.2	46	92	13	
BATISTE	9109322	09/21/91	238				77.9	47	0.5		27.4		7.1		2.3	9.6	49.7	112	15.2	
BATISTE	9109325	09/21/91	224				80.5	47	0.5		28		7.1		2.6	9.7	51.4	124	15.2	
BATISTE	9112444	12/15/91	225				82.5	48.4	0.54		30.9		6.98		0.34	11.5	59.7	125	12.3	
BATISTE	9203123	03/18/92	240				100	49.6	0.48		36.2		6.96		3.8	13	68	140	12.4	
BATISTE AVERAGE			222	5	0.0158	0.045	79.8	46.6	0.55		26.7	2	7.02		2.8	10.4	53.0	115	13.2	0.0089
DEEP GROUNDWATER UPGRADEMENT OF FORTNEUF RIVER VALLEY																				
519	O308319	08/10/93	244	0.00	0.004	0.09	58.5	22.0	0.30	0.022	20.7	0.02	7.49	0.020	5.3	38.2	36	400	14.6	0.00425
519	O308321	08/10/93	224	0.00	0.004	0.09	58.8	23.0	0.30	0.023	20.9	0.02	7.48	0.020	5.4	39.1	39	400	14.3	0.00461
519	312519	12/09/93	250	0.00	0.004	0.09	55.7	22.0	0.40	0.023	20.3	0.03	7.48	0.043	5.2	38.5	37	366	14.3	0.0029
519	312605	12/09/93	250	0.00	0.003	0.08	55.6	21.0	0.40	0.020	20.0	0.02	7.48	0.020	4.8	36.4	39	330	14.3	0.0029
519	403519	03/14/94	242	0.00	0.005	0.08	57.3	25.0	0.30	0.021	20.0	0.04	7.41	0.020	4.9	34.9	39	390	14.0	0.0041
519 AVERAGE			242	0.00	0.004	0.09	57.2	22.6	0.34	0.022	20.4	0.03	7.47	0.025	5.1	37.4	38	377	14.3	0.0038

LF OF 21
90507
T
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T 70504
ATTACHMENT 12 OF 47



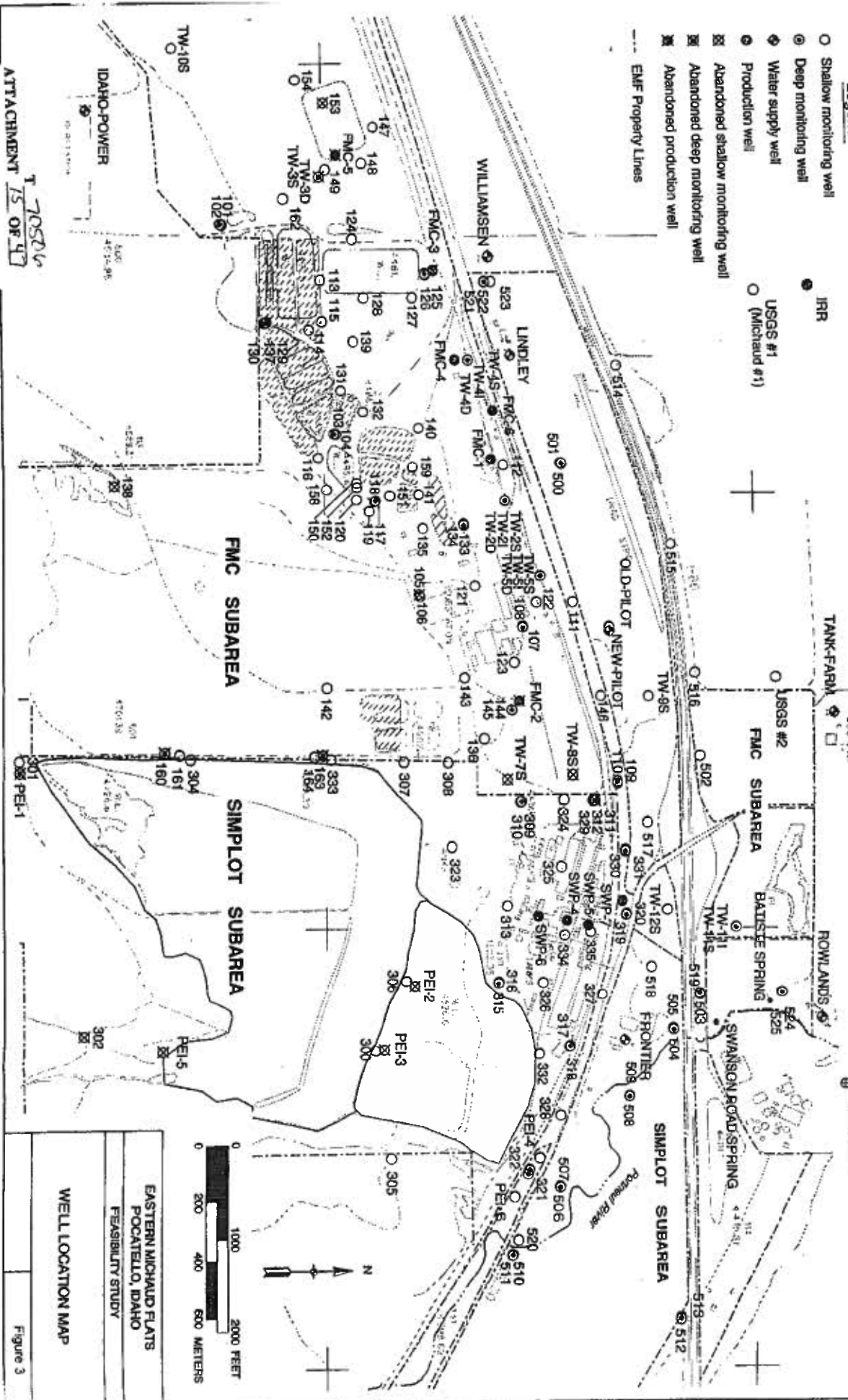


TANK-FARM MONITORING WELLS

INDIAN SPRINGS
TROUT FARM

Legend:

- Shallow monitoring well
- ⊙ Deep monitoring well
- ⊕ Water supply well
- ⊗ Production well
- ⊗ Abandoned shallow monitoring well
- ⊗ Abandoned deep monitoring well
- ⊗ Abandoned production well
- EMF Property Lines



ATTACHMENT 15 OF 17

EASTERN MICHAEL FLATS POCATELLO, IDAHO	
FEASIBILITY STUDY	
WELL LOCATION MAP	
Figure 3	

Figure 4. Surface Water vs. Groundwater Data

Simplot Property, Pocatello, ID

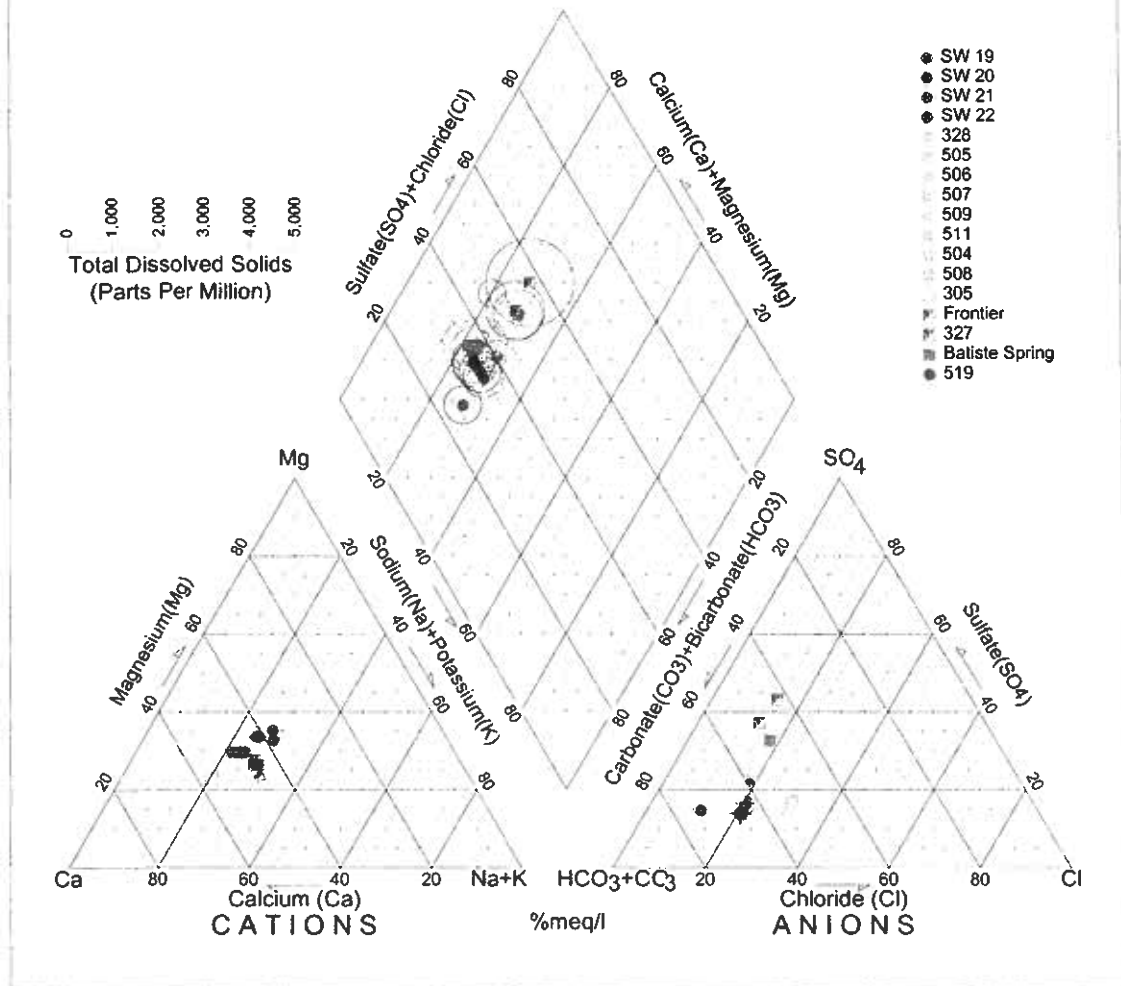
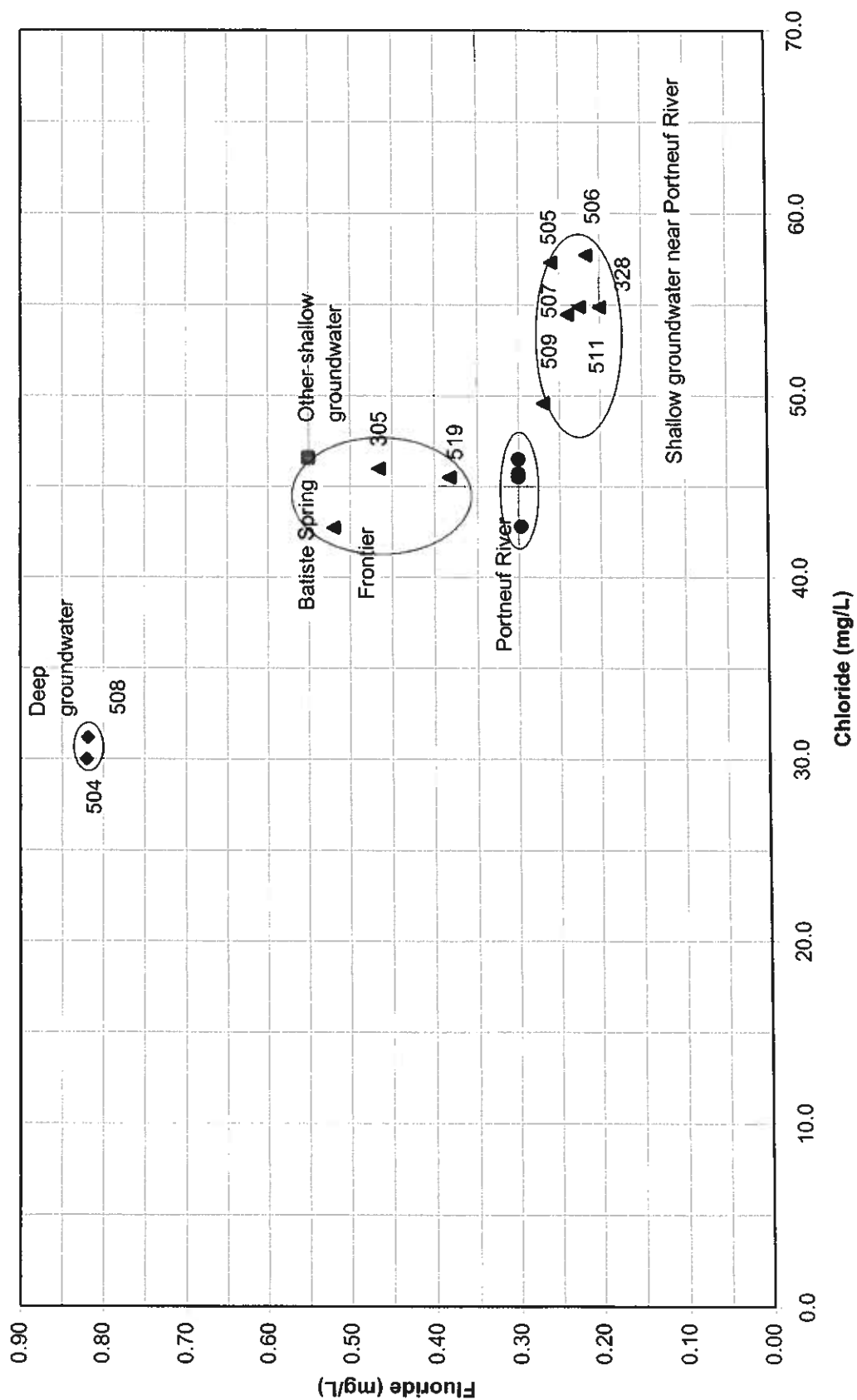


Figure 5. Chloride vs Fluoride
1992-1993 Groundwater and Surface Water Data





GEOLOGIC DRILL LOG				PROJECT		JOB NO.	SHEET NO.	HOLE NO.
SITE				COORDINATES and/or STATIONINGS		21372	1 OF 3	504
North of Highway 30				N 454,050.5 E 561,213.1		ANGLE FROM HORIZ. BEARING		
Vertical				-----				
BEGUN	COMPLETED	DRILLER	DRILL MAKE AND MODEL	SIZE	OVERBURDEN	ROCK (FT.)	TOTAL DEPTH	
5-20-92	5-28-92	Boyles Brothers	Schram T685	9"	173.0	0.0	173.0	
CORE RECOVERY (FT./%)		CORE BOXES	SAMPLES	EL. TOP CASING	GROUND EL.	DEPTH/EL. GROUND WATER		DEPTH/EL. TOP OF ROCK
/				4395.0	4393.1	6.5/4386.6 6-26-92		/
SAMPLE HAMMER WEIGHT/FALL			CASING LEFT IN HOLE: DIA./LENGTH		LOGGED BY:			
			4" PVC / 166.4 ft.		T. F. Mullen			
(Template: BCHTLLS)								
SAMP. TYPE AND DIAM.	SAMP. ADV. LEN. CORE	SAMPLE REC. CORE REC.	SAMPLE "N" BLOWS	RECOVERY	LOSS G.P.M.	WATER PRESSURE TESTS	ELEV.	DEPTH
							4393.1	
								5
							4383.1	10
							4378.1	15
							4371.1	20
							4365.1	25
							4358.1	30
							4345.1	40
								45
								50
								55
								60
								65
							4323.1	
						DESCRIPTION AND CLASSIFICATION		NOTES ON: WATER LEVELS, WATER RETURN, CHARACTER OF DRILLING, ETC.
						0 - 10 ft. SANDY SILT (ML) : Dark yellowish brown, trace clay, 40% very fine sand.		Drilled 0-173 ft. with 7 1/2" Halco down-hole hammer and 9" steel casing driven ahead of drill bit. Drilling with compressed air.
						10 - 16 ft. SAND (SP) : Fine sand with 10% medium to coarse sand, trace silt. Composed of angular quartzite and 5% black, subrounded basalt grains. Colors generally range from grayish orange to moderate orange pink.		Description and classification are from logging of cuttings blown from hole; logged using Unified Soil Classification System and GSA Rock Color Chart.
						15 - 22 ft. SILTY SANDY GRAVEL (GM) : Poorly graded gravel up to 1" with 20% fine to coarse sand and 20% silt. Composed of rounded to angular quartzite of all colors. Silt is dark yellowish brown and wet.		
						22 - 28 ft. SILTY SANDY GRAVEL (GM) : Well graded gravel up to 1 1/2" with 40% coarse sand and 30% silt. Colors vary: yellowish gray, pale reddish purple, grayish orange, grayish olive green, dark gray and dusky red. Silt is moderate yellowish brown, wet to saturated.		25 feet, encounter water.
						28 - 35 ft. SANDY GRAVEL (GW) : Well graded gravel up to 1" with 40% medium to coarse sand and 10% silt. Predominantly composed of pinkish gray and white quartzite with 10% black subrounded basalt. Sand and gravel are angular to subangular, 30% surface are Fe stained, < 10% are subrounded to rounded.		
						35 - 48 ft. SANDY GRAVEL (GP) : Poorly graded gravel up to 1/4" with 40% coarse sand and 20% fine to medium sand and 10% silt. Grains are angular to subrounded and vary in color including oranges, reds, blacks, greens, and browns.		
						48 - 70 ft. SILTY SANDY GRAVEL (GM) : Increase in silt, fine sand and gravel up to 1 1/2". Moderate yellowish brown silt, 10% fine sand.		
						At 60 feet, maximum size gravel 3/4", 40% medium to coarse sand, < 10% fine sand, 20% silt. Predominantly angular to subangular quartzite of varying colors. Moderate yellowish brown silt.		
						At 68 feet, fine sand and silt content increases.		
SS = SPLIT SPOON; ST = SHELBY TUBE D = DENNISON P = PITCHER O = OTHER				SITE		North of Highway 30		HOLE NO. 504

T 2050
ATTACHMENT 18 OF 47

Last Update: 11-10-93



GEOLOGIC DRILL LOG										PROJECT		JOB NO.	SHEET NO.	HOLE NO.
										EMF POCATELLO, ID		21372	2 OF 3	504
SAMP. TYPE AND DIAM.	SAMP. ADV. LEN. CORE	SAMP. REC. CORE REC.	SAMP. LEN. IN.	Z. CORE RECOVERY	WATER PRESSURE TESTS			ELEV.	DEPTH	GRAPHICS	SAMPLE	DESCRIPTION AND CLASSIFICATION	NOTES ON: WATER LEVELS, WATER RETURN, CHARACTER OF DRILLING, ETC.	
					LOSS IN G.P.M.	PRESS. P.S.I.	TIME MIN.							
								4318.1	75			At 70 feet, fine sand and silt content increases. Poorly graded 1/8" to 1/4" and 1" to 1 1/2" gravel with well graded sand and 20% silt. Composed of 50% subrounded, rough textured basalt granules and 50% light colored to reddish gray quartzite, angular to subangular.		
								4313.1	80			70 - 75 ft. SILTY GRAVELLY SAND (SM) : Poorly graded medium to coarse sand with gravel up to 1", 20% fine sand and 20% moderate yellowish brown silt. Composed of 50% reddish gray and pale yellowish orange to yellowish gray quartzite, angular to subangular grains. Contains some subrounded to rounded grains, all colors. 10% subangular to subrounded black basalt.		
								4303.1	90			75 - 80 ft. SANDY GRAVEL (GW) : Well graded gravel up to 1 1/2" with 40% medium to coarse sand, < 10% fine sand, and < 20% moderate yellowish brown to grayish orange silt. Sand and gravel composed of angular to subangular grains of quartzite of all colors.		
								4293.1	100			80 - 90 ft. SANDY GRAVEL (GP) : Poorly graded gravel up to 1" with 40% fine sand, 30% medium to coarse sand, and 10% grayish orange to moderate yellowish brown silt. Generally angular to subangular, multicolor quartzites.		
								4285.1	105			90 - 100 ft. SILTY SANDY GRAVEL (GM) : Poorly graded gravel up to 1 1/4" with 20% medium to coarse sand, 20% fine sand, 20% dark yellowish brown silt. Generally composed of angular to subangular, multicolored quartzites, 10% rough textured, subrounded basalt grains. Weathering rims on 10% of surfaces.	102 feet, casing harder to drive.	
								4281.1	110			100 - 112 ft. SILTY GRAVELLY SAND (SM) grading to SANDY GRAVEL (GP) . At 110 feet, predominantly 1/8" to 1" gravel with 10% fine sand, 30% medium to coarse sand and 10% moderate yellowish brown silt.		
									115			112 - 120 ft. SILTY GRAVELLY SAND (SM) : 60% fine sand with abundant moderate reddish brown silt and 20% medium to coarse sand and gravel up to 1", poorly graded.	112 feet, water color change to moderate reddish brown	
								4273.1	120			120 - 122 ft. SILTY SANDY GRAVEL (GM) : Poorly graded gravel up to 1" with 30% fine sand, 20% medium to coarse sand and abundant dark yellowish brown silt. Composed of well rounded to angular, multicolored quartzites. Predominant colors include dark reddish brown, yellowish gray, olive black, and grayish olive.		
								4271.1	125			122 - 130 ft. GRAVELLY SILTY SAND (SM) : Predominantly fine sand with dusky brown silt and 30% 1" to 1 1/2" well rounded river gravels. Generally multicolored quartzite.		
								4263.1	130			130 - 133 ft. SANDY GRAVEL (GW) : 60% 1/8" to 1" well graded gravel with 20% fine sand, 10% medium to coarse sand and small amount moderate yellowish brown silt. Composed of multicolored, angular to subangular quartzites. Some rounded grains, some Fe stained surfaces.	122 feet, very hard driving of casing.	
								4260.1	135			133 - 147 ft. SILTY GRAVELLY SAND (SM) : Predominantly fine sand with 20% medium to coarse sand, 30% well graded gravel up to 1 1/2" and moderate yellowish brown to pale yellowish brown silt.		
								4246.1	145			147 - 173 ft. SANDY GRAVEL (GP-GW) : Multicolor but overall grayish red (10 R 4/2) to blackish red (5 Y 2/2); 50 to 80% fine.		

T 72506
ATTACHMENT 19 OF 47

SS = SPLIT SPOON; ST = SHELBY TUBE
D = DENNISON P = PITCHER O = OTHER

SITE

North of Highway 30

Last Update:
11-10-93

HOLE NO.

504



GEOLOGIC DRILL LOG

PROJECT

EMF POCATELLO, ID

JOB NO.

21372

SHEET NO.

3 OF 3

HOLE NO.

504

SAMP. TYPE AND DIA.	SAMP. ADV. LEN. CORE	SAMPLE REC. CORE REC.	SAMPLE BLDG. "N"	% CORE RECOVERY	WATER PRESSURE TESTS		ELEV.	DEPTH	GRAPHICS	SAMPLE	DESCRIPTION AND CLASSIFICATION (Template: BCHTLLS)	NOTES ON: WATER LEVELS, WATER RETURN, CHARACTER OF DRILLING, ETC.
					LOSS IN G.P.M.	PRESS. P.S.I.						
								4220.1			angular gravel to 2" rounded cobbles. 20 to 50% medium to coarse, subangular to subrounded sand, some fine sand; metamorphic and quartzite composition; wet.	6-26-92 150-173 feet, GA Day logs hole. water flow, 155-173 feet. black water between 160 to 165 feet.
											Bottom of Hole = 173 ft.	Installed 4" PVC monitoring well to a depth of 166.4 ft. on 5-28-92.

SS = SPLIT SPOON; ST = SHELBY TUBE
D = DENNISON P = PITCHER O = OTHER

SITE

North of Highway 30

Last Update:
11-10-93

HOLE NO.

504

T 70506
ATTACHMENT 20 OF 42



GEOLOGIC DRILL LOG				PROJECT		JOB NO.	SHEET NO.	HOLE NO.					
				EMF POCATELLO, ID		21372	1 OF 1	505					
SITE		COORDINATES and/or STATIONINGS				ANGLE FROM HORIZ		BEARING					
North of Highway 30		N 454,047.2 E 561,200.5				Vertical		-----					
BEGUN	COMPLETED	DRILLER	DRILL MAKE AND MODEL		SIZE	OVERBURDEN	ROCK (FT.)	TOTAL DEPTH					
5-28-92	5-28-92	Boyles Brothers	Schramm T685		9 5/8"	45.0	0.0	45.0					
CORE RECOVERY (FT./%)		CORE BOXES	SAMPLES	EL. TOP CASING	GROUND EL.	DEPTH/EL. GROUND WATER		DEPTH/EL. TOP OF ROCK					
/				4395.7	4393.8	10.4/4383.4 6-26-92		/					
SAMPLE HAMMER WEIGHT/FALL		CASING LEFT IN HOLE: DIA./LENGTH			LOGGED BY:								
		4" PVC / 42.9 ft.			T. F. Mullen								
SAMP. TYPE AND DIA.	SAMP. ADV. LEN. CORE	SAMP. REC. CORE REC.	SAMP. BLOWS "N"	CORE RECOVERY	LOSS G.P.M.	WATER PRESSURE TESTS		ELEV.	DEPTH	GRAPHICS	SAMPLE	DESCRIPTION AND CLASSIFICATION	NOTES ON: WATER LEVELS, WATER RETURN, CHARACTER OF DRILLING, ETC.
						PRESS. P.S.F.	TIME MIN.						
								4393.8					
									6			0 - 10 ft. SILT (ML) : Dark brown, grading to moderate yellowish brown, slightly moist, loose, dusty.	Drilling with compressed air, using 9 5/8" ODEX bit with 9" casing.
								4383.8	10			10 - 13 ft. SANDY GRAVEL (GW) : Moist, well graded gravel up to 1 1/2" with predominantly coarse sand. Multicolored, subangular to rounded quartzites.	Description and classification are from logging of cuttings blown from hole; logged using Unified Soil Classification System and GSA Rock Color Chart.
								4380.8	15			13 - 28 ft. SILTY SANDY GRAVEL (GM) : Wet, well graded gravel up to 1 1/2" with 40% coarse sand, and < 10% fine to medium sand. Moderate yellowish brown silt.	
									20				
									25				
								4365.8	30			28 - 33 ft. SILTY SANDY GRAVEL (GM) : Poorly graded gravel, predominantly 3/4" to 1" with abundant coarse sand and moderate yellowish brown silt. Multicolored subangular to rounded quartzites.	24 feet. Encounter water.
								4360.8	35			33 - 38 ft. GRAVELLY SILTY SAND (SM) : Coarse sand with 20% gravel up to 1/4" and moderate yellowish brown silt.	
								4355.8	40			38 - 39 ft. SILTY SANDY GRAVEL (GM) : Gravel up to 1 1/2" with moderate brown to grayish brown silt and well graded sand.	
								4354.8				39 - 42 ft. SILTY GRAVELLY SAND (SM) : Fine to medium sand with 30% gravel up to 1" and moderate yellowish brown silt.	42 - 45 feet. Smooth drilling, no gravel.
								4351.8				42 - 45 ft. SILTY SAND (SM) : Fine to medium sand with dark yellowish brown silt.	Installed 4" PVC monitoring well to a depth of 42.9 ft. on 5-28-92.
								4348.8	45			Bottom of Hole = 45 ft.	
												T 70506	
												ATTACHMENT 21 OF 47	
SS = SPLIT SPOON; ST = SHELBY TUBE D = DENNISON P = PITCHER O = OTHER		SITE		North of Highway 30				Last Update: 11-10-93		HOLE NO. 505			



GEOLOGIC DRILL LOG

PROJECT

EMF POCATELLO, ID

JOB NO.

21372

SHEET NO.

1 OF 2

HOLE NO.

506

SITE

North of Highway 30

COORDINATES and/or STATIONINGS

N 452,702.9 E 563,065.1

ANGLE FROM HORIZ

Vertical

BEARING

BEGUN

5-12-92

COMPLETED

5-12-92

DRILLER

Boyles Brothers

DRILL MAKE AND MODEL

Schramm T685

SIZE

9"

OVERBURDEN

105'

ROCK (FT.)

0'

TOTAL DEPTH

105.0

CORE RECOVERY (FT./%)

/

CORE BOXES

SAMPLES

EL. TOP CASING

4402.4

GROUND EL.

4400.6

DEPTH/EL. GROUND WATER

15.3/4385.3 6-26-92

DEPTH/EL. TOP OF ROCK

/

SAMPLE HAMMER WEIGHT/FALL

CASING LEFT IN HOLE: DIA./LENGTH

4" PVC / 100 ft.

LOGGED BY:

D.B. McCullar

SAMP. TYPE AND DIA.	SAMP. ADV. LEN. CORE	SAMP. REC. CORE REC.	SAMP. BLOWS IN	CORE RECOVERY	LOSS IN G.P.M.	WATER PRESSURE TESTS	ELEV.	DEPTH	GRAPHICS	SAMPLE	DESCRIPTION AND CLASSIFICATION	NOTES ON: WATER LEVELS, WATER RETURN, CHARACTER OF DRILLING, ETC.
							4400.6				(Template: BCHTLLS)	
								5			0 - 10 ft SILT (ML) : Pale yellowish-brown (10YR 6/2), loess-derived fluvial deposits with organic plant matter, very dry. Color changes at approximately 2 ft to moderate yellowish-brown (10YR 5/4), calcareous loess, dry. Color change again at approximately 5 ft to grayish-red (10R 4/2), slightly moist, calcareous.	Drilling with compressed air, using 7-1/2" Halco down-hole hammer and 9" outer casing.
							4390.6	10			10.0 - 16.0 ft CLAYEY SILT (ML) : Moderate brown (5YR 4/4), moist, moderately plastic, calcareous.	Description and classification are from logging of cuttings blown from hole; logged using Unified Soil Classification System and GSA Rock Color Chart.
							4384.6	15			16.0 - 45.0 ft SILTY GRAVEL (GM) : Dark yellowish-brown (10YR 4/2), subangular to subrounded quartzite and meta-sediments, 25% granules and 60% pebbles up to 1.5 cm, 15% silt; many are well-rounded, various colors, but silt covered. At 22.0 ft, becomes very moist, gravels are gradually cleaner. At 25.0 ft, clean gravels and pebbles up to 1.5 cm, subangular to round, some are very smooth and round overall; pale red (5R 6/2) to grayish-red (5R 4/2). At 28.0 ft, gravels are silty. At 30.0 ft, gravels are clean granules and small pebbles up to 1 cm, subangular to round, various colors, grayish-red (10R 4/2) dominating. At 35.0 ft, gravels are silt covered, dark yellowish-brown (10YR 4/2), quartzite pebbles up to 2 cm, angular to rounded.	Producing abundant water after making connection at 25 ft.
							4355.6	45			At 45.0 ft, gravels are covered with dark yellowish-brown (10YR 4/2) silt, pebbles up to 3 cm, angular to rounded. 45.0 - 105.0 ft GRAVEL (GW) : Various colors, Pale red (5R 6/2) dominates, less silty, pebbles up to 3 cm, angular to rounded.	Water is less muddy below 45 ft.
								50				
								55				
								60				
								65			At 65.0 ft, granules and pebbles up to 3 cm, subangular to rounded.	Water is very abundant.

T 70506

ATTACHMENT 22 OF 41

SS = SPLIT SPOON; ST = SHELBY TUBE
D = DENNISON P = PITCHER O = OTHER

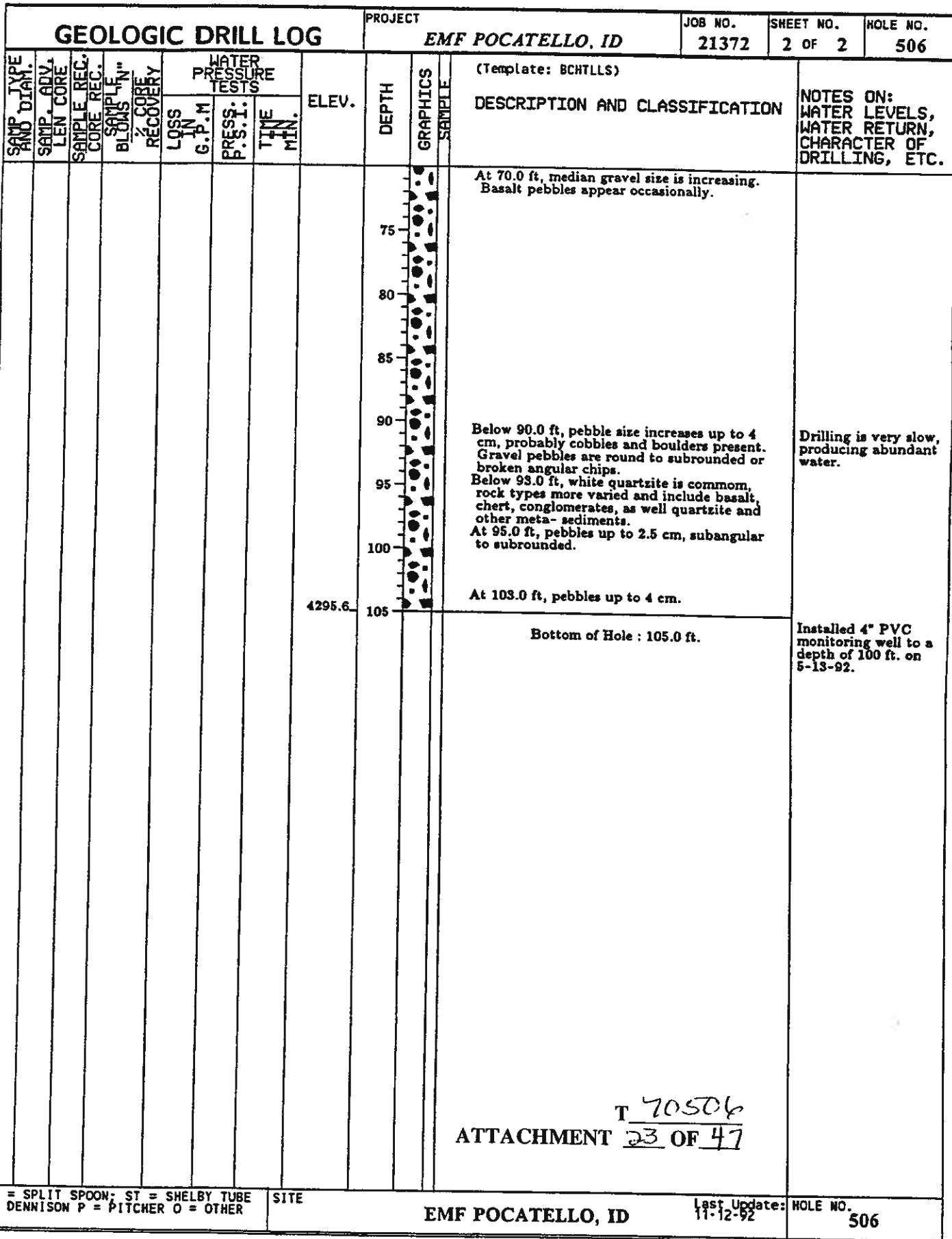
SITE

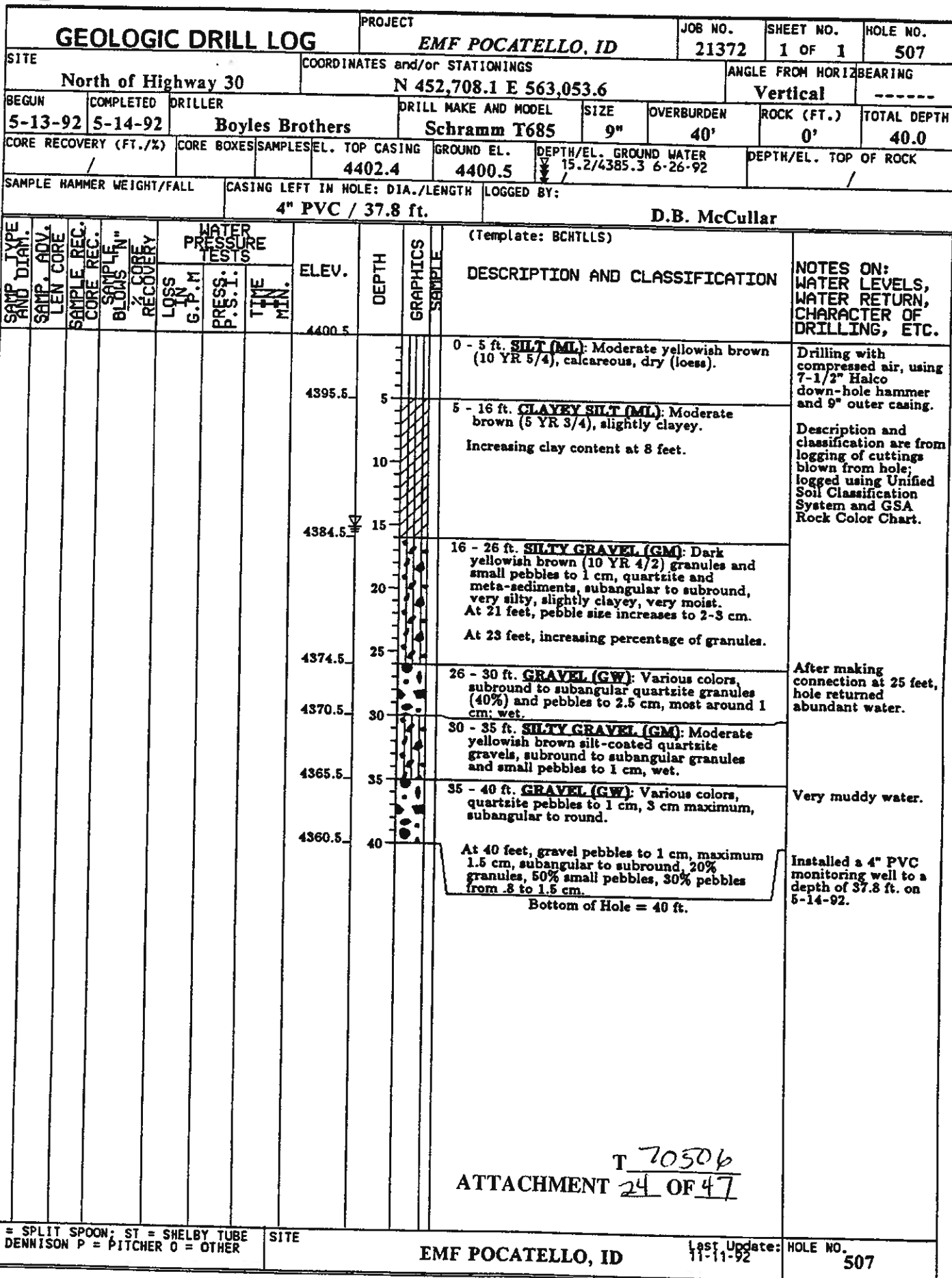
EMF POCATELLO, ID

Last Update:
11-12-92

HOLE NO.

506







MONITORING WELL

PROJECT

EMF POCATELLO, ID

WELL NO.

507

JOB NO.

SITE

COORDINATES and/or STATIONINGS

21372

North of Highway 30

N 452,708.1 E 563,053.6

BEGUN

COMPLETED

PREPARED BY

REFERENCE POINT FOR MEASUREMENTS

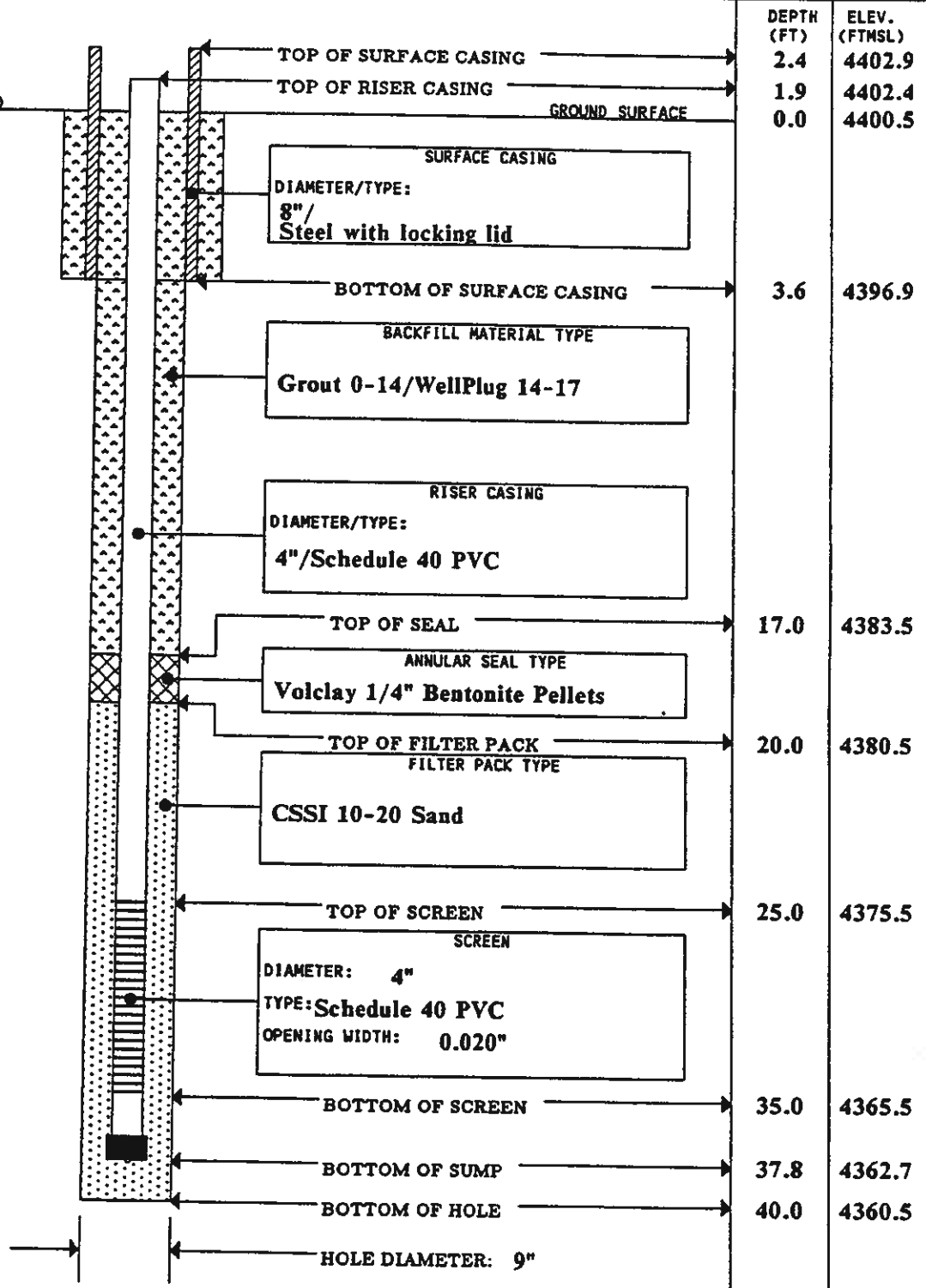
5-13-92

5-14-92

D.B. McCullar

Top of PVC Casing-Water Level

(GENERALIZED GEOLOGIC LOG)

See Geologic
Drill Log for DetailsBorehole caved
from 40 to 39 ft.



MONITORING WELL

PROJECT

EMF POCATELLO, ID

WELL NO.

506

JOB NO.

SITE

COORDINATES and/or STATIONINGS

21372

North of Highway 30

N 452,702.9 E 563,065.1

BEGUN

COMPLETED

PREPARED BY

REFERENCE POINT FOR MEASUREMENTS

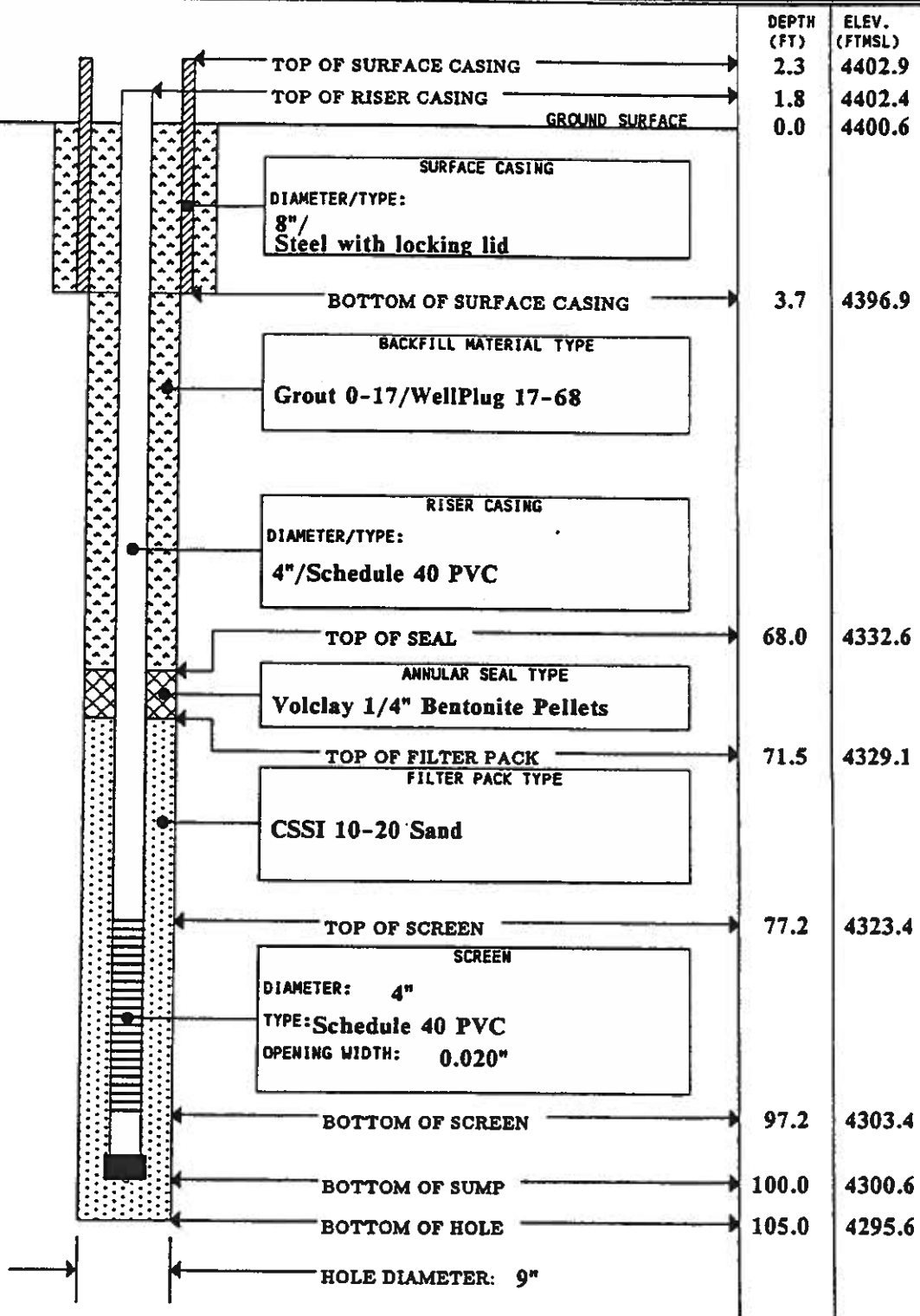
5-12-92

5-13-92

D.B. McCullar

Top of PVC Casing-Water Level

(GENERALIZED GEOLOGIC LOG)

See Geologic
Drill Log for DetailsBorehole caved
from 105 to 100 ft.Update: 11-11-92
Template: ZWELLOG

NOT TO SCALE

ATTACHMENT 26 OF 47

T 70506



MONITORING WELL

PROJECT

EMF POCATELLO, ID

WELL NO.

505

JOB NO.

21372

SITE

North of Highway 30

COORDINATES and/or STATIONINGS

N 454,047.2 E 561,200.5

BEGUN

5-28-92

COMPLETED

5-28-92

PREPARED BY

T. F. Mullen

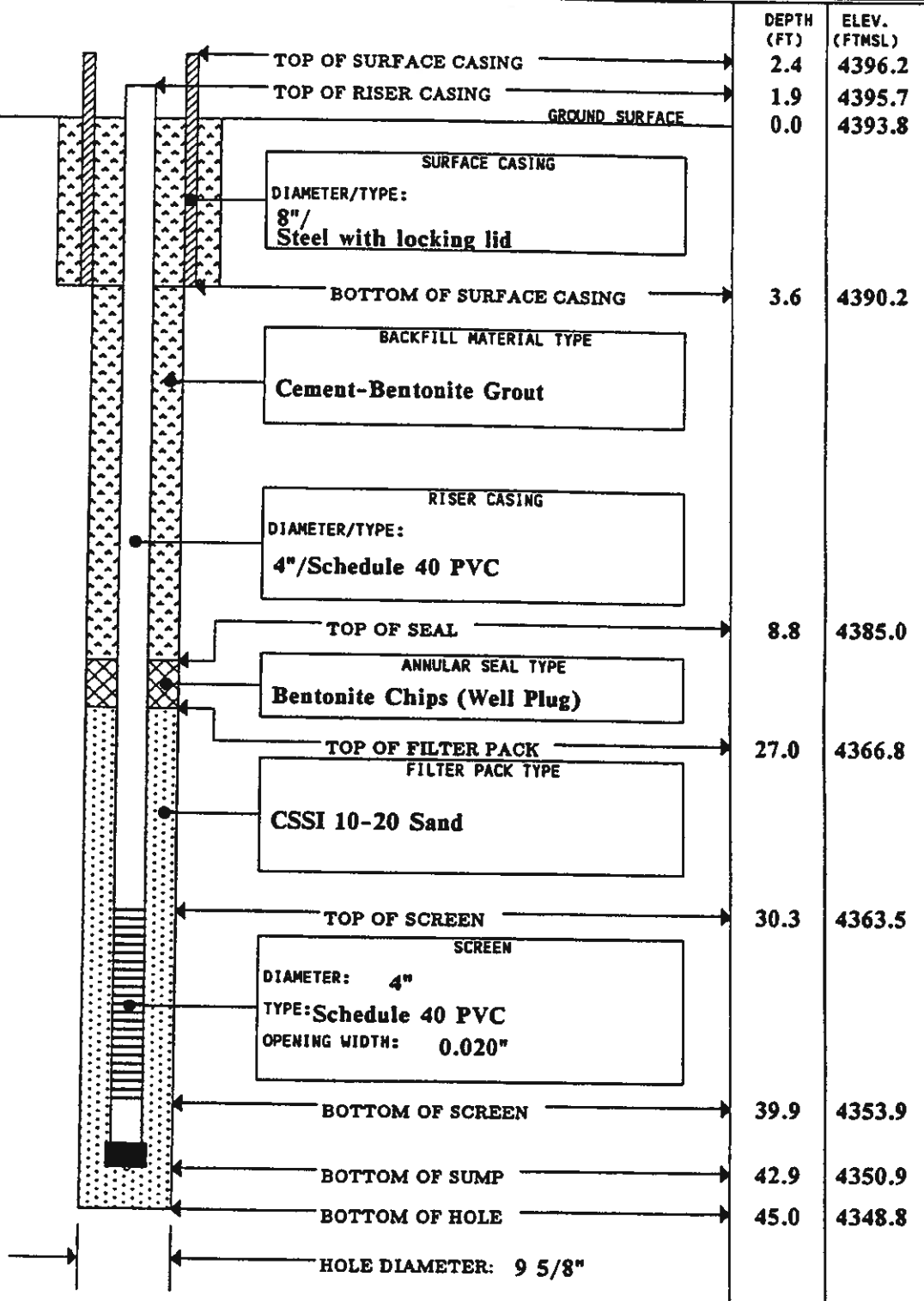
REFERENCE POINT FOR MEASUREMENTS

Top of PVC Casing-Water Level

(GENERALIZED GEOLOGIC LOG)

See Geologic
Drill Log for Detail

Borehole caved
from 45 to 43 ft.



Update: 11-11-92
Template: 2WELLOG

NOT TO SCALE

T 70506
ATTACHMENT 27 OF 47



MONITORING WELL

PROJECT

EMF POCATELLO, ID

WELL NO.

504

JOB NO.

21372

SITE

North of Highway 30

COORDINATES and/or STATIONINGS

N 454,050.5 E 561,213.1

BEGUN

5-26-92

COMPLETED

5-28-92

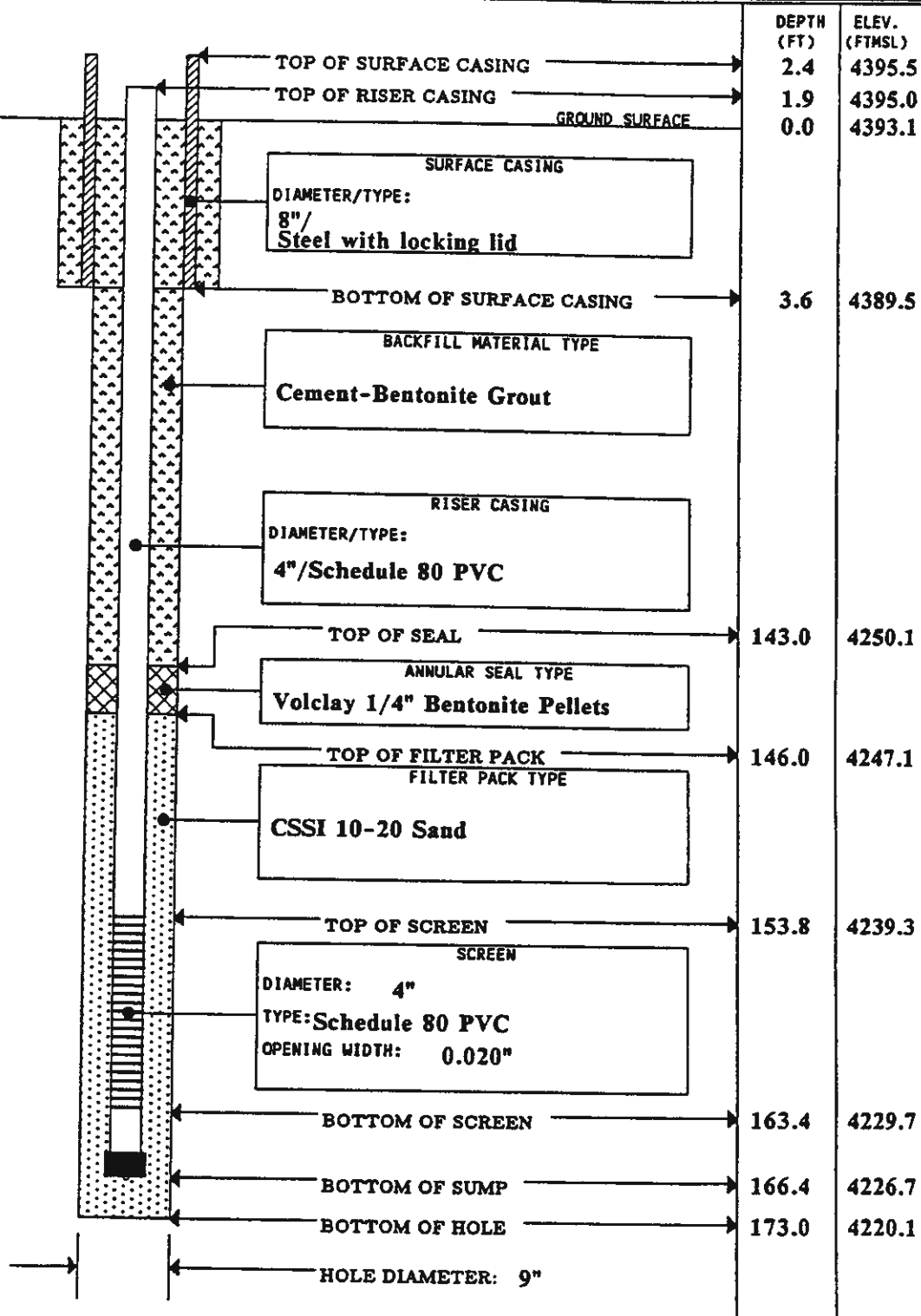
PREPARED BY

T. F. Mullen

REFERENCE POINT FOR MEASUREMENTS

Top of PVC Casing-Water Level

(GENERALIZED GEOLOGIC LOG)

See Geologic
Drill Log for DetailsBorehole caved
from 173 to 168 ft.Update: 11-11-92
Template: 2WELLOG

NOT TO SCALE

T 10506
ATTACHMENT 28 OF 47

442272

WARRANTY DEED

THIS INDENTURE, made this 1st day of October, 1960, between THEODORE A. SWANSON and MINNIE SWANSON, husband and wife, of Pocatello, Bannock County, Idaho; RAY V. SWANSON and LOTTIE E. SWANSON, husband and wife, of Pocatello, Bannock County, Idaho; RONALD E. WOOD and ALICE S. WOOD, husband and wife, of Pocatello, Bannock County, Idaho; EFFIE FUGATE, a widow, of Aberdeen, Bingham County, Idaho; GRACE GARRETT, a widow, of Idaho Falls, Bonneville County, Idaho; and DELBERT ANDERSON and CLARA ANDERSON, husband and wife, of Idaho Falls, Bonneville County, Idaho, the parties of the first part, and RUBY COMPANY, a Corporation, with principal offices in the State of Idaho, at Boise, Ada County, Idaho, the party of the second part:

W I T N E S S E T H:

That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100 AND OTHER VALUABLE CONSIDERATION - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey and confirm unto said party of the second part, and to its heirs and assigns forever: All those certain lots, pieces, or parcels of land situate, lying and being in the Counties of Bannock and Power, State of Idaho, bounded and more particularly described as follows, to wit:

BANNOCK COUNTY:

Section 7, Lot 6, except that portion conveyed to the City of Pocatello and described as:

Beginning at the intersection of the east line of Section 7 and the Northwestern right of way line of Batiste Road, which is 655 feet, more or less, northerly from the east 1/4 corner of said Section, and running; thence Southwesterly along said right of way 810 feet, more or less; thence Northwesterly at right angles 450 feet; thence Northwesterly at an angle of 100°45' right from the last preceding course 575 feet, more or less, to the north 1/16 line of said Section; thence Easterly along said 1/16 line 1090 feet, more or less, to the easterly line of said Section; thence Southerly along the easterly Section line 615 feet, more or less, to the point of beginning.

WITNESSETH

#75515

Lot 7, that portion north and east of the Portneuf River. That portion of SW $\frac{1}{4}$ of Section 8 lying south and west of Batiste Road; that portion of the S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 8, lying south and west of Batiste Road; that portion of W $\frac{1}{2}$ of SE $\frac{1}{4}$, of Section 8 lying south and west of Batiste Road; that portion of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, lying north and east of the Oregon Short Line Railroad right of way, excepting those portions granted to Bannock County or the State of Idaho for highway purposes, and to the Oregon Short Line Railroad; that portion of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17 lying west of Batiste Road and north and east of the Oregon Short Line Railroad right of way, excepting those portions granted to Bannock County and the State of Idaho for highway purposes and to the Oregon Short Line Railroad; all of the above described property lying and being in Township 6 South, Range 34, East of the Boise Meridian.

POWER COUNTY:

That portion of Lot 7, EXCEPT Tax No. 7 and Tax No. 4, in Section 7, Township 6 South, Range 34 East, Boise Meridian, all being in Power County, Idaho; and

The N $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 18, Township 6 South, Range 34 East, Boise Meridian, all being in Power County, Idaho.

Particular descriptions of Tax No. 7 and Tax No. 4, above mentioned, are as follows:

TAX NO. 7:

Beginning at the SE corner, Sec. 7, T. 6 S., R. 34 E., E.M., running thence N. 1°15' W. 692.51 feet to the North boundary of U.S. Highway 30 N. right of way; thence N. 63°32' W. 1261.97 feet to a true point of beginning on the North boundary of the U.S. Highway 30 N. right of way; thence N. 16°41' E. 408.93 feet; thence N. 47°55'30" W. 390.65 feet; thence S. 0°10'30" W. 586.37 feet to a point on the North boundary of U.S. Highway 30 N. right of way; thence along the said right of way 186.94 feet, more or less, to the true point of beginning, containing 2.90 acres, more or less.

TAX NO. 4:

Beginning at the Southwest corner of Lot 7, Section 7, Township 6 South, Range 34 East, Boise Meridian; thence North along the West line of the said Lot 7 a distance of 2.0 feet, more or less, to the Northerly right of way line of the Old Oregon Trail Highway; thence following the said right of way line in a Southeasterly direction on a curve to the right 190.3 feet to the point of beginning of the following described tract of land; thence North 16°27' E. 407.0 feet; thence S. 38°23' E. 325.4 feet; thence S. 16°27' W. 249.0 feet, more or less to the said right of way line; thence along the said right of way line in a Northwesterly direction on a curve to the left 267.8 feet, more or less, to the point of beginning. Being a part of Lots 7 and 10 of Section 7, T. 6 S., R. 34 E.B.M. and containing 2.0 acres, more or less.

Beginning at the Northeast corner of Lot 10, Section 7,

ATTACHMENT T 70506
51 OF 47

of the said party of the first part, and their heirs and assigns forever, the said premises in the quiet and peaceable possession of the said party of the second part, its heirs and assigns against the said parties of the first part, and their heirs and assigns and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said party of the second part, and to its heirs and assigns forever and the said parties of the first part, and their heirs and assigns warrant the said premises in the quiet and peaceable possession of the said party of the second part, its heirs and assigns against the said parties of the first part, and their heirs and assigns and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Theodore A. Swanson
Theodore A. Swanson

Minnie Swanson
Minnie Swanson

Ray V. Swanson
Ray V. Swanson

Lottie E. Swanson
Lottie E. Swanson

Ronald E. Wood
Ronald E. Wood

Alice S. Wood
Alice S. Wood

Effie Ingate
Effie Ingate

Grace Garrett
Grace Garrett

Delbert Anderson
Delbert Anderson

Clara Anderson
Clara Anderson

T 70506
ATTACHMENT 32 OF 47

5-5

STATE OF IDAHO)
County of Bannock) ss

On the 1st day of October, in the year 1960,
before me, Louis F. Racine, Jr., a Notary Public in and for said
County and State, personally appeared THEODORE A. SWANSON and
MINNIE SWANSON, husband and wife, RAY V. SWANSON and LOTTIE E.
SWANSON, husband and wife, RONALD E. WOOD and ALICE S. WOOD,
husband and wife, EFFIE FUGATE, a widow, GRACE GARRETT, a widow,
DELBERT ANDERSON and CLARA ANDERSON, husband and wife, known to me
to be the persons whose names are subscribed to the within instrument
and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
first above written.

Louis F. Racine, Jr.
Louis F. Racine, Jr.
Notary Public for Idaho
Residing at: Pocatello, Idaho

(Seal)

NOTARY SEAL

INDEXED

RECEIVED

91033

Inst. # 91033

State of Idaho
County of Bannock
Certified to be a true and correct copy of the original
for record
J. R. Simplot Co.
Filed at 25
2 o'clock P. on 28th
day of July 1967
and in book Drawer #1
of 91033
Heleen Hall
Mary Jarwell
Clerk

NO. 442-2

RECORDED AT REQUEST OF

J.R. SIMPLOT COMPANY

P.O. BOX 2777-- BOISE, IDAHO 83701

AUG 2 9 39 AM '67

OFFICIAL
FEE \$6.00
215

T 70506
ATTACHMENT 33 OF 47

STAT IDA

FEB 24 1985

CERTIFICATE OF OWNERSHIP AND MERGER

INCLUDING ARTICLES OF MERGER

Merging

SIMPLOT INDUSTRIES, INC.

into

876-33

J. R. SIMPLOT COMPANY

FILING FEE: \$50.00

BY: J. R. SIMPLOT

COMPANY

SUITE #1300

ONE CAPITAL

CENTER

999 MAIN STREET

P. O. BOX 27

BOISE, IDAHO

81707

(Pursuant to Section 78.486 of the Nevada Revised Statutes and 16-10-70 of the Utah Business Corporation Act.)

J. R. SIMPLOT COMPANY, a corporation organized and existing under the laws of Nevada, the parent corporation, does hereby certify:

FIRST: That this corporation was incorporated on the 28th day of June, 1955, pursuant to the laws of the State of Nevada.

SECOND: The number of outstanding shares of each class of SIMPLOT INDUSTRIES, INC., a Utah corporation, and the number of shares of each class owned by J. R. SIMPLOT COMPANY are as follows:

<u>Names of Subsidiary</u>	<u>Number of Shares Outstanding</u>	<u>Designation of Class</u>	<u>Number of Shares Owned by J. R. Simplot Company</u>
Simplot Industries, Inc.	10	Common	10

THIRD: That this corporation, by resolution of its board of directors, duly adopted the following Plan of Merger, at a meeting held on the 15th day of February, 1985, and determined to merge into itself said SIMPLOT INDUSTRIES, INC. at the Effective Time which resolution is in the following words to-wit:

NOW, THEREFORE, be it resolved that J. R. SIMPLOT COMPANY merge, and it hereby does merge into itself said SIMPLOT INDUSTRIES, INC. and assumes all of its obligations, at the Effective Time; under the following terms and conditions:

A. BE IT RESOLVED that effective as of the close of business on the 28th day of February, 1985, (the Effective Time), SIMPLOT INDUSTRIES, INC. shall be and it is hereby merged into J. R. SIMPLOT COMPANY, with the effect and result that the existence of SIMPLOT INDUSTRIES, INC. shall

T 72506
ATTACHMENT 34 OF 97

cease and J. R. SIMPLOT COMPANY shall continue in existence as the surviving corporation.

B. BE IT RESOLVED that all of the provisions contained in the Articles of Incorporation, as amended, and the By-Laws of J. R. SIMPLOT COMPANY shall remain in force and effect and shall not be deemed altered or amended hereby, and that the laws of the State of Nevada shall continue to govern the surviving corporation.

C. BE IT RESOLVED that the present members of the Board of Directors of J. R. SIMPLOT COMPANY shall continue to hold office during the remainder of the term to which they are elected and until their successors are elected and duly qualified.

D. BE IT RESOLVED that at the Effective Time, all of the property, real, personal or mixed, and all of the assets of SIMPLOT INDUSTRIES, INC. wherever located, shall be deemed automatically transferred to and become vested in J. R. SIMPLOT COMPANY as the surviving corporation, without any further act or deed or instrument of transfer or conveyance for the accomplishment thereof; and whereupon, further, J. R. SIMPLOT COMPANY shall assume and become liable for payment of all of the existing indebtedness and obligations of SIMPLOT INDUSTRIES, INC., including the obligations to perform existing agreements without any special act or assumption of liability for those obligations.

E. BE IT RESOLVED that in as much as SIMPLOT INDUSTRIES, INC. is a wholly-owned subsidiary of J. R. SIMPLOT COMPANY and is being merged into its parent corporation, no additional capital stock of J. R. SIMPLOT COMPANY will be issued upon or as a part of said merger; and after the Effective Time each certificate or certificates theretofore representing issued and outstanding shares of the Capital Stock of SIMPLOT INDUSTRIES, INC. shall be deemed cancelled.

F. BE IT RESOLVED that notwithstanding any action taken with respect to the merger by the Directors of J. R. SIMPLOT COMPANY or SIMPLOT INDUSTRIES, INC. or both, and notwithstanding anything herein or elsewhere to the contrary, the merger may be abandoned at any time prior to the filing thereof by the adoption of a resolution providing for such abandonment by the Board of Directors of J. R. SIMPLOT COMPANY.

G. BE IT RESOLVED that the Executive Vice President and Secretary of this corporation be and they hereby are directed to make and execute, under the corporate seal of this corporation, a certificate of ownership and merger setting forth a copy of the resolution to merge said SIMPLOT INDUSTRIES, INC. and assume its liabilities and obligations, and to file the same in the office of the Secretary of State of Nevada and the Secretary of State of Utah; and

H. BE IT FURTHER RESOLVED that the officers of this corporation be and they hereby are authorized and directed to do all acts and things whatsoever, whether within or without the States of Nevada and Utah which may be necessary or proper to effect said merger.

FOURTH: That this corporation survive the merger and may be served with process in the States of Nevada and Utah in any proceeding for enforcement of any obligation of SIMPLOT INDUSTRIES, INC. as well as for enforcement of any obligation of the surviving corporation arising from the merger.

FIFTH: The undersigned corporation hereby (a) agrees that it may be served with process in the State of Utah in any proceeding for the enforcement of the rights of a dissenting shareholder of the above-mentioned subsidiary corporation against the surviving corporation; (b) irrevocably appoints the Secretary of State of Utah as its agent to accept service of process in any such proceeding; and (c) agrees that it will promptly pay to the dissenting shareholders of such domestic corporation the amount, if any, to which they shall be entitled under the provisions of the Utah Business Corporation Act with respect to the rights of dissenting shareholders.

SIXTH: The mailing of Notice of said Plan and Agreement of Merger was waived by the shareholders of SIMPLOT INDUSTRIES, INC. on February 15, 1985.

IN WITNESS WHEREOF, said J. R. SIMPLOT COMPANY has caused its corporate seal to be affixed and this certificate to be signed by Scott R. Simplot, its Executive Vice President and Ronald W. Graves, its Secretary this 15th day of February, 1985.

J. R. SIMPLOT COMPANY

By


Its Executive Vice President

ATTEST:


Secretary

STATE OF IDAHO)
) ss
County of Ada)

I, Laurel J. Walker, a notary public, do hereby certify that on this 15th day of February, 1983, personally appeared before me Scott R. Simplot, who, being by me first duly sworn, declared that he is the Executive Vice President of J. R. SIMPLOT COMPANY, that he signed the foregoing document as Executive Vice President of the Corporation, and that the statements therein contained are true.

Laurel J. Walker

Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 5/30/87

CERTIFICATE OF OWNERSHIP

MERGING

SIMPLOT INDUSTRIES, INC.
(A UTAH CORPORATION)

INTO

J. R. SIMPLOT COMPANY
(A NEVADA CORPORATION)

FILED AT THE REQUEST OF:

J. R. SIMPLOT COMPANY
SUITE #1300
ONE CAPITAL CENTER
999 MAIN STREET
P. O. BOX 27
BOISE, IDAHO 83707

FILING DATE: FEBRUARY 27, 1985

FILING FEE: \$ 50.00

FILE NUMBER: 876-55



Office of Secretary of State

AMENDED CERTIFICATE OF AUTHORITY

OF

RUBY COMPANY

I, CLYDE L. MILLER, as Secretary of State of the State of Utah, hereby certify that duplicate originals of an Application of RUBY COMPANY for an Amended Certificate of Authority to transact business in this State

duly signed and verified pursuant to the provisions of the Utah Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY, the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Amended Certificate of Authority to Ruby Company to transact business in this State under the name of SIMPLOT INDUSTRIES, INC.

and attaches hereto a duplicate original of the Application for such Amended Certificate.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 14th day of February, A.D. 1966

Clyde L. Miller
SECRETARY OF STATE

By *James H. H. H. H.*
DEPUTY

T 70504
ATTACHMENT 39 OF 47

FILED in the office of the Secretary of
State, of the State of Utah, on the
14th day of Feb. A.D. 1966

CLYDE L. MILLER
Secretary of State

Filing Clerk 5.02 Fees 20.00

ARTICLES OF AMENDMENT 1966 JAN 31 AM 11 47
TO
ARTICLES OF INCORPORATION
OF
RUBY COMPANY

Pursuant to an amendment adopted by resolution of the
Board of Directors of Ruby Company, and recommended to the stock-
holders of Ruby Company;

This is to certify that at a special meeting of the stockholders
of Ruby Company, a corporation organized and existing under and
by virtue of the laws of the State of Utah, which meeting was held
in Boise, Idaho, on the 3rd day of January, 1966, at the hour of
2:00 o'clock p.m. pursuant to Call and Waiver of Notice in writing,
signed by each of the stockholders, at which meeting all of the
issued shares of capital stock of said corporation were represented,
in person or by proxy of the owner and holders thereof, the stock-
holders of said corporation, by unanimous affirmative vote amended
the Articles of Incorporation of the said corporation in accordance
with the Utah Business Corporation Act, Section 16-10-54 through
16-10-59, as follows:

(a) The name of the corporation is RUBY COMPANY.

(b) The amendment so adopted is as follows:

"NAME - The name of this corporation is the
RUBY COMPANY."

and substituting in lieu thereof,

"NAME - The name of this corporation is
the SIMPLOT INDUSTRIES, INC."

- (c) The amendment was adopted by the shareholders on the 3rd day of January, 1966, at a special meeting of the stockholders.
- (d) The total number of shares outstanding at the time of said adoption was 7,600; and the number of shares entitled to vote thereon was 1,000. The designation and number of outstanding shares of each class entitled to vote thereon as a class, were as follows: NONE
- (e) The number of shares voted for said Articles of Amendment was 1,000; and the number of shares voted against said Articles of Amendment was: NONE. The number of shares of each class entitled to vote thereon as a class voted for and against said Articles of Amendment, respectively, was, NONE.
- (f) The manner in which any exchange, reclassification, or cancellation of issued shares provided for in the Articles of Amendment shall be effected, is as follows: NO CHANGE
- (g) The manner in which the Articles of Amendment effects a change in the amount of stated capital and the amount of stated capital as changed by said Articles of Amendment are as follows: NO CHANGE

IN WITNESS WHEREOF the said corporation has caused these Articles of Amendment to be signed by its Vice President and its Secretary, this 25th day of January, 1966.

RUBY COMPANY

BY: John M. Dahl
John M. Dahl - Vice President

BY: L. E. Haight
L. E. Haight - Secretary

STATE OF IDAHO)
County of Ada) ss.

I, Dennis J. Sallaz, a Notary Public, do hereby certify that on this 25th day of January, 1966, personally appeared before me John M. Dahl, and L. E. Haight, who each being by me first duly sworn, declared that they are the Vice President and Secretary, respectively, of Ruby Company, who acknowledged that they signed the foregoing document in the capacities therein set forth, and declared that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written,

Dennis J. Sallaz
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires: 4-11-69

T 70506
ATTACHMENT 42 OF 41

442272

WARRANTY DEED

THIS INDENTURE, made this 1st day of October, 1960, between THEODORE A. SWANSON and MINNIE SWANSON, husband and wife, of Pocatello, Bannock County, Idaho; RAY V. SWANSON and LOTTIE E. SWANSON, husband and wife, of Pocatello, Bannock County, Idaho; RONALD E. WOOD and ALICE S. WOOD, husband and wife, of Pocatello, Bannock County, Idaho; EFFIE FUGATE, a widow, of Aberdeen, Bingham County, Idaho; GRACE GARRETT, a widow, of Idaho Falls, Bonneville County, Idaho; and DELBERT ANDERSON and CLARA ANDERSON, husband and wife, of Idaho Falls, Bonneville County, Idaho, the parties of the first part, and RUBY COMPANY, a Corporation, with principal offices in the State of Idaho, at Boise, Ada County, Idaho, the party of the second part:

W I T N E S S E T H:

That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100 AND OTHER VALUABLE CONSIDERATION - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey and confirm unto said party of the second part, and to its heirs and assigns forever: All those certain lots, pieces, or parcels of land situate, lying and being in the Counties of Bannock and Power, State of Idaho, bounded and more particularly described as follows, to wit:

BANNOCK COUNTY:

Section 7, Lot 6, except that portion conveyed to the City of Pocatello and described as:

Beginning at the intersection of the east line of Section 7 and the Northwestern right of way line of Batiste Road, which is 655 feet, more or less, northerly from the east 1/4 corner of said Section, and running; thence Southwesterly along said right of way 810 feet, more or less; thence Northwesterly at right angles 450 feet; thence Northwesterly at an angle of 10°45' right from the last preceding course 575 feet, more or less, to the north 1/16 line of said Section; thence Easterly along said 1/16 line 1090 feet, more or less, to the easterly line of said Section; thence Southerly along the easterly Section line 615 feet, more or less, to the point of beginning.

T 70506
ATTACHMENT 43 OF 47

MUNICIPAL DEED

75555

Lot 7, that portion north and east of the Portneuf River. That portion of SW $\frac{1}{4}$ of Section 8 lying south and west of Batiste Road; that portion of the S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 8, lying south and west of Batiste Road; that portion of W $\frac{1}{2}$ of SE $\frac{1}{4}$, of Section 8 lying south and west of Batiste Road; that portion of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, lying north and east of the Oregon Short Line Railroad right of way, excepting those portions granted to Bannock County or the State of Idaho for highway purposes, and to the Oregon Short Line Railroad; that portion of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17 lying west of Batiste Road and north and east of the Oregon Short Line Railroad right of way, excepting those portions granted to Bannock County and the State of Idaho for highway purposes and to the Oregon Short Line Railroad; all of the above described property lying and being in Township 6 South, Range 34, East of the Boise Meridian.

POWER COUNTY:

That portion of Lot 7, EXCEPT Tax No. 7 and Tax No. 4, in Section 7, Township 6 South, Range 34 East, Boise Meridian, all being in Power County, Idaho; and

The N $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 18, Township 6 South, Range 34 East, Boise Meridian, all being in Power County, Idaho.

Particular descriptions of Tax No. 7 and Tax No. 4, above mentioned, are as follows:

TAX NO. 7:

Beginning at the SE corner, Sec. 7, T. 6 S., R. 34 E., B.M., running thence N. 1°15' W. 692.51 feet to the North boundary of U.S. Highway 30 N. right of way; thence N. 63°32' W. 1261.97 feet to a true point of beginning on the North boundary of the U.S. Highway 30 N. right of way; thence N. 16°41' E. 408.93 feet; thence N. 47°55'30" W. 390.65 feet; thence S. 0°10'30" W. 586.37 feet to a point on the North boundary of U.S. Highway 30 N. right of way; thence along the said right of way 186.94 feet, more or less, to the true point of beginning, containing 2.90 acres, more or less.

TAX NO. 4:

Beginning at the Southwest corner of Lot 7, Section 7, Township 6 South, Range 34 East, Boise Meridian; thence North along the West line of the said Lot 7 a distance of 2.0 feet, more or less, to the Northerly right of way line of the Old Oregon Trail Highway; thence following the said right of way line in a Southeasterly direction on a curve to the right 190.3 feet to the point of beginning of the following described tract of land; thence North 16°27' E. 407.0 feet; thence S. 38°23' E. 325.4 feet; thence S. 16°27' W. 249.0 feet, more or less to the said right of way line; thence along the said right of way line in a Northwesterly direction on a curve to the left 267.8 feet, more or less, to the point of beginning. Being a part of Lots 7 and 10 of Section 7, T. 6 S., R. 34 E.B.M. and containing 2.0 acres, more or less.

Beginning at the Northeast corner of Lot 10, Section 7,

the SE corner of the said Section 7, T. 6 S., R. 34 E.B.M., thence south along the east line of the said Section 7, 640.0 feet, more or less, to the northerly right of way line of the Old Oregon Trail Highway; thence along the said right of way line in a northwesterly direction on a curve to the left, to the northwest corner of the said Lot 10; thence East along the north line of the said Lot 10, 1320.0 feet, more or less, to the point of beginning.

T. 6 S., R. 34 E.B.M., thence south along the east line of the said Section 7, 640.0 feet, more or less, to the northerly right of way line of the Old Oregon Trail Highway; thence along the said right of way line in a northwesterly direction on a curve to the left, to the northwest corner of the said Lot 10; thence East along the north line of the said Lot 10, 1320.0 feet, more or less, to the point of beginning.

The above described tract of land is all of that part of Lot 10, Section 7, T. 6 S., R. 34 E.,B.M., lying northerly from the northerly right of way line of the Old Oregon Trail Highway and contains 9.0 acres, more or less, SAVE AND EXCEPT the following described tracts, to wit:

TAX NO. 4 and TAX NO. 7 as described above.

TAX NO. 6:

Beginning at the SE corner, Sec. 7, T. 34 E.B.M., running thence N. 1°15' W. 692.51 feet to the North boundary of U.S. Highway 30 N. right of Way; thence N. 60°25' W. 532.36 feet to a true point of beginning on the north boundary of U.S. Highway 30 N right of way thence N. 28°33' E., 270 ft., thence N. 67°09'30" W., 514.55 ft. thence S. 16°19'30" W. 251.09 ft., to a point of the north boundary of U.S. Highway 30 N right of way, thence along said right of way, 459.91 ft., more or less, to the true point of beginning, containing 2.86 acres, more or less.

TAX NO. 13:

Commencing at the SE corner, Section 7, Twp. 6 S., R.34 E.B.M., thence N. 1°15' W. 692.51 feet to the north boundary of the Old Oregon Trail right of way, thence N. 59°47' W. 332.41 feet to the real point of beginning on the N. boundary of said highway right of way, thence N. 28°32' E. a distance of 210 feet, more or less to a point, thence Northwesterly along a curve left of 5830.30 feet radius 78 feet distance northeasterly from and parallel to the center line of the Old Oregon Trail FI 1024 (1) highway survey, a distance of 200 feet, more or less, to a point, thence S. 28°33' W. a distance of 190 feet, more or less, to a point on said present northerly right of way line of the Old Oregon Trail Highway, thence Southeasterly along the said present northerly right of way line a distance of 200 feet, more or less, to the point of beginning and containing .92 acres, more or less.

TAX NO. 14:

Beginning at the SE Corner, Sec. 7, Twp. 6 S., R. 34 E.B.M. running thence N. 1°15' W. 692.51 feet, to the north boundary of U.S. Highway 30 N. right of way, thence N. 59°47' W. 332.41 feet to a true point of beginning on the north boundary of U.S. Highway 30 N. right of way, thence N. 28°32' E. 270 feet, thence N. 61°28' W. 200 feet, thence S. 28°32' W. 270 feet, to a point on the north boundary of U.S. Highway Right of Way, thence along the said right of way, 200 feet, more or less, to the point of beginning, containing 1.24 acres, more or less, SAVE AND EXCEPT Tax # 13.

T 76506
ATTACHMENT 45 OF 47

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compleat cover. of the day for 10' 1250'0 year' more
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1' 1250'0 year' more of year' to the day type

Together with all and singular, the tenements, hereditaments
and appurtenances thereunto belonging or in anywise appertaining,
and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises,
together with the appurtenances and privileges thereunto incident
unto the said party of the second part, and to its heirs and assigns
forever and the said parties of the first part, and their heirs and
assigns warrant the said premises in the quiet and peaceable poss-
ession of the said party of the second part, its heirs and assigns
against the said parties of the first part, and their heirs and
assigns and against all and every person or persons whomsoever,
lawfully claiming or to claim the same, shall and will warrant and
by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part
have hereunto set their hands and seals the day and year first
above written.

Theodore A. Swanson
Theodore A. Swanson

Minnie Swanson
Minnie Swanson

Ray V. Swanson
Ray V. Swanson

Lottie E. Swanson
Lottie E. Swanson

Ronald E. Wood
Ronald E. Wood

Alice S. Wood
Alice S. Wood

Effie Tugate
Effie Tugate

Grace Garrett
Grace Garrett

Delbert Anderson
Delbert Anderson

Clara Anderson
Clara Anderson

T 70506
ATTACHMENT 46 OF 47

5-5

STATE OF IDAHO

County of Bannock

)
: ss
)

On the 1st day of October, in the year 1960,

before me, Louis F. Racine, Jr., a Notary Public in and for said County and State, personally appeared THEODORE A. SWANSON and MINNIE SWANSON, husband and wife, RAY V. SWANSON and LOTTIE E. SWANSON, husband and wife, RONALD E. WOOD and ALICE S. WOOD, husband and wife, EFFIE FUGATE, a widow, GRACE GARRETT, a widow, DELBERT ANDERSON and CLARA ANDERSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(Seal)

NOTARY SEAL

Louis F. Racine, Jr.
Louis F. Racine, Jr.
Notary Public for Idaho
Residing at: Pocatello, Idaho

INDEXED

INDEXED

FILED

91033

Instrument No.

State of Idaho, ss. I hereby
County of Bannock, ss. certify that this instrument was made
for record at the last of

J. R. Simplot Co.
Filed at 25 minutes past
2 o'clock P. M., this 28th
day of July, 1967, and record-
ed in book Drawer #1
at 91033

Helen Hall
Recorder
Mary Jarwell
Deputy

NO. 442272

RECORDED AT REQUEST OF

J.R. SIMPLOT COMPANY

P.O. BOX 2777-- BOISE, IDAHO 83701

AUG 28 9 39 AM '67

OFFICIAL IDAHO
PACIFIC 215

T 70506
ATTACHMENT 47 OF 47



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
November 12, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department
POWER COUNTY PRESS
PO BOX 547
AMERICAN FALLS ID 83211

RE: Transfer No. 70506
Water Right No(s). 29-4088

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before December 8, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
11/18/03
sc*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 70506

J R SIMPLOT CO, C/O RON GRAVES, 999 MAIN ST STE 1300, PO BOX 27, BOISE ID 83707, has filed Application No. 70506 for changes to the following water rights within POWER County:

Right No. 29-4088

Priority 6/18/1902

Source PORTNEUF RIVER

Use IRRIGATION (146.6 acres) 2.94 CFS

Total Amount 2.94 CFS

Point(s) of Diversion L7 (SENESE) S7 T06S R34E
SWSESW S16 T06S R34E

Place of Use S17 T06S R34E
S7 T06S R34E
S8 T06S R34E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant proposes to add an existing well as a new point of diversion in the SWNESE Sec 7 T6S R34E, for irrigation for the existing place of use.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before December 08, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on November 19 and 26, 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

November 12, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

J R SIMPLOT CO
C/O RON GRAVES
999 MAIN ST STE 1300
PO BOX 27
BOISE ID 83707

RE: Application for Transfer No 70506
Water Right No(s) 29-4088

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Power County Press on November 19 and 26, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


W Roger Warner
Water Right Supervisor

WRW:sc



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

March 7, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JR Simplot Company
PO Box 27
Boise, Idaho 83707

Attention: Vic Conrad

Vic:

I talked to you about this application for transfer of water right #29-4088 that asks for a new point of diversion in the form of a well.

I still need the additional fees (\$230) and a clarification on the ownership records. The one I have says "Ruby Comp" and I need the paper work that demonstrates how it got to JR Simplot Company.

If you have any questions please call me.

Sincerely,

Harold W. Jones
Water Resource Supervisor

HWJ/clk

July 7, 2000

J. R. Simplot Company
P.O. Box 27
Boise, Idaho 83707

Attention: Vic Conrad

Mr. Conrad:

I received Simplot's application for transfer on claim #29-04088 to add a point of diversion. Since this is a claim, no data exists in our office to validate this filing.

I will need pre-1987 maps (air photos) that show the 160 acres listed as irrigated ground. Any other data or photos that show the original points of diversion will also help. If the water was pumped from the river then any power bills would add evidence of use.

Finally, I will need some geologic/hydrologic data to support the contention that the proposed well is drawing from Portneuf River in a real time manner.

If you have any questions please give me a call.

Sincerely,

Harold W Jones

HWJ/clk

Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2nd successive weekly issues thereof, the date of the first publication being the 19th day of November 2003 and the date of the last publication being the 26th day of November 2003

State of Idaho

County of Power

On this 26th day of November in the year of 2003, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Signed Brett Crompton

Proposed change to water right

Published in The Power County Press
Nov. 19, 26, 2003.

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT

TRANSFER NO. 70506

J R SIMPLOT CO, C/O RON
GRAVES, 999 MAIN ST STE 1300, PO
BOX 27, BOISE ID 83707, has filed Ap-
plication No. 70506 for changes to the fol-
lowing water rights within POWER
County:

Right No. 29-4008

Priority 6/18/1902

Source PORTNEUF RIVER

Use IRRIGATION (146.6 acres) 2.94 CFS

Total Amount 2.94 CFS

Point(s) of Diversion L7 (SENESE) S7

T06S R34E

SWSSEW S16 T06S R34E

Place of Use S17 T06S R34E

S7 T06S R34E

S8 T06S R34E

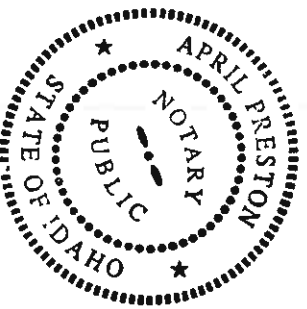
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The applicant proposes to add an exist-
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Protests may be submitted based on the
criteria of Sec 42-222, Idaho Code.

Any protest against the proposed
change must be filed with the Department
of Water Resources, Eastern Region, 900
N Skyline Dr Ste A, Idaho Falls ID 83402
together with a protest fee of \$25.00 for
each application on or before December
08, 2003. The protest must also send a
copy of the protest to the applicant.

KARI TROTHER, Director



[Signature]
Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: August 3, 2006

RECEIVED

DEC 09 2003

Department of Water Resources
Eastern Region