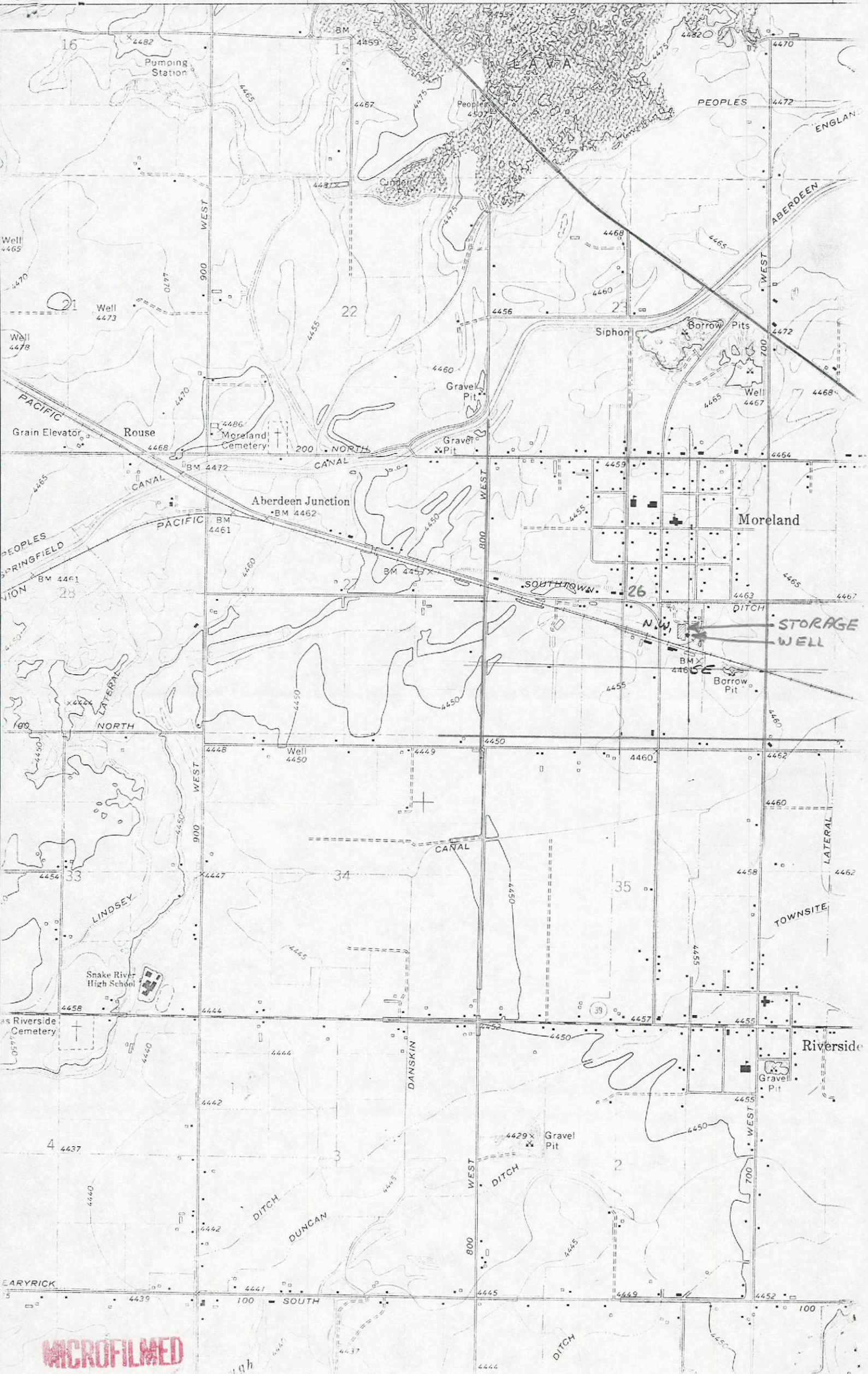
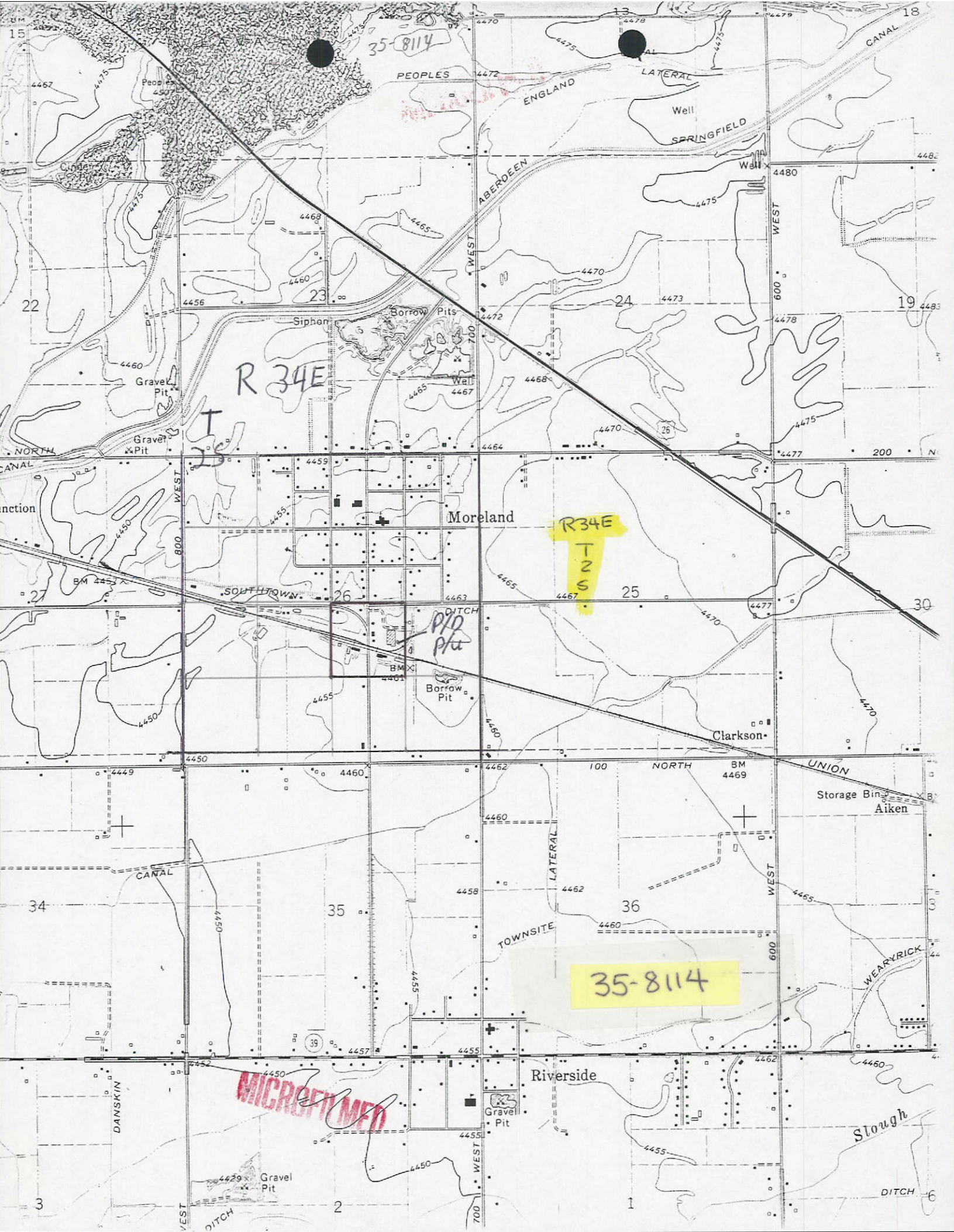




MICROFILMED



35-8114

SIMPLOT INDUSTRIES INC.

P.O. BOX 27, BOISE, ID 83707

Source: GROUNDWATER

Date Filed: 02/24/1983

Diversion Pt: NWSE Sec 26 T 02S R 34E

Use: COMMERCIAL (0.01 CFS)

In: NWSE Sec 26 T 02S R 34E

35-8114
SIMPLOT INDUSTRIES, INC.
P.O. Box 27
Boise, Idaho, 83707
Source: GROUNDWATER
Date Filed: 02/24/1983
Diversion Pt.: NWSE, Sec. 26, T. 02S, R.
34E
Use: COMMERCIAL (0.01 CFS)
In: NWSE, Sec. 26, T. 02S, R. 34E

MICROFILMED

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that _____ J. R. Simplot Co.

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Commercial	from September 15 to April 15	at 0.01 cfs and	4.22 acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Twp 2S, Rge 34E

[illegible]

Total number of apples irrigated

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14TH day of OCTOBER, 19 86.

Acting for the Director

MICROFILMED

85
51177

RECEIVED

AUG 1 1985

FILED
IN THE OFFICE OF THE
SECRETARY OF STATE OF
STATE OF NEVADA

CERTIFICATE OF OWNERSHIP AND MERGER
INCLUDING ARTICLES OF MERGER

Department of Water Resources

FEB 27 1985

Merging

BRACEGIRDLE - SECRETARY OF STATE

SIMPLOT INDUSTRIES, INC.

35-8114

into

J. R. SIMPLOT COMPANY

(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 deter-
mined 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 busi-
ness 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

MICROFILMED

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 of 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.

MICROFILMED

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.

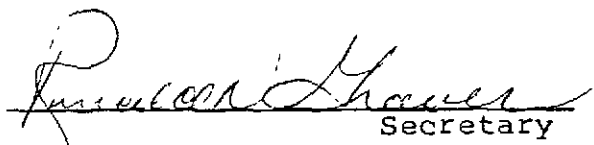
SIXTH: The mailing of Notice of said Plan and Agreement of Merger was waived by the shareholders of SIMPLOT INDUSTRIES, INC. on February 15, 1985.

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 N. Graves, its Secretary this 15th day of February, 1985.

J. R. SIMPLOT COMPANY

By 
Its Executive Vice President

ATTEST:


Secretary

MICROFILMED

STATE OF IDAHO)
) ss
County of Ada)

I, Laurel J. Walker, a notary public, do hereby certify that on this 15th day of February, 1985, 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

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
APPROVED
FEB 14 1983

To appropriate the public waters of the State of Idaho

*Department of Water Resources

1. Name of applicant Simplot Industries, Inc. Phone 336-2110

Post office address P.O. Box 27, Boise, ID 83701/7 ATTN: R. N. Graves

2. Source of water supply Ground water which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26 Township 2S

Range 34E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

*As per Telecon SM 3/15/83

Amount 0.01 cfs for Commercial* Potato storage purposes from Sept. 15 to April 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

Allow 0.01 cfs

a. --.007-- cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, 1 hp. submersible, depth
unknown, pressure tank

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26 Township 2S

Range 34E B.M.

(2) Amount of power to be generated _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: Operation of potato storage humidifica-
tion equipment and restroom

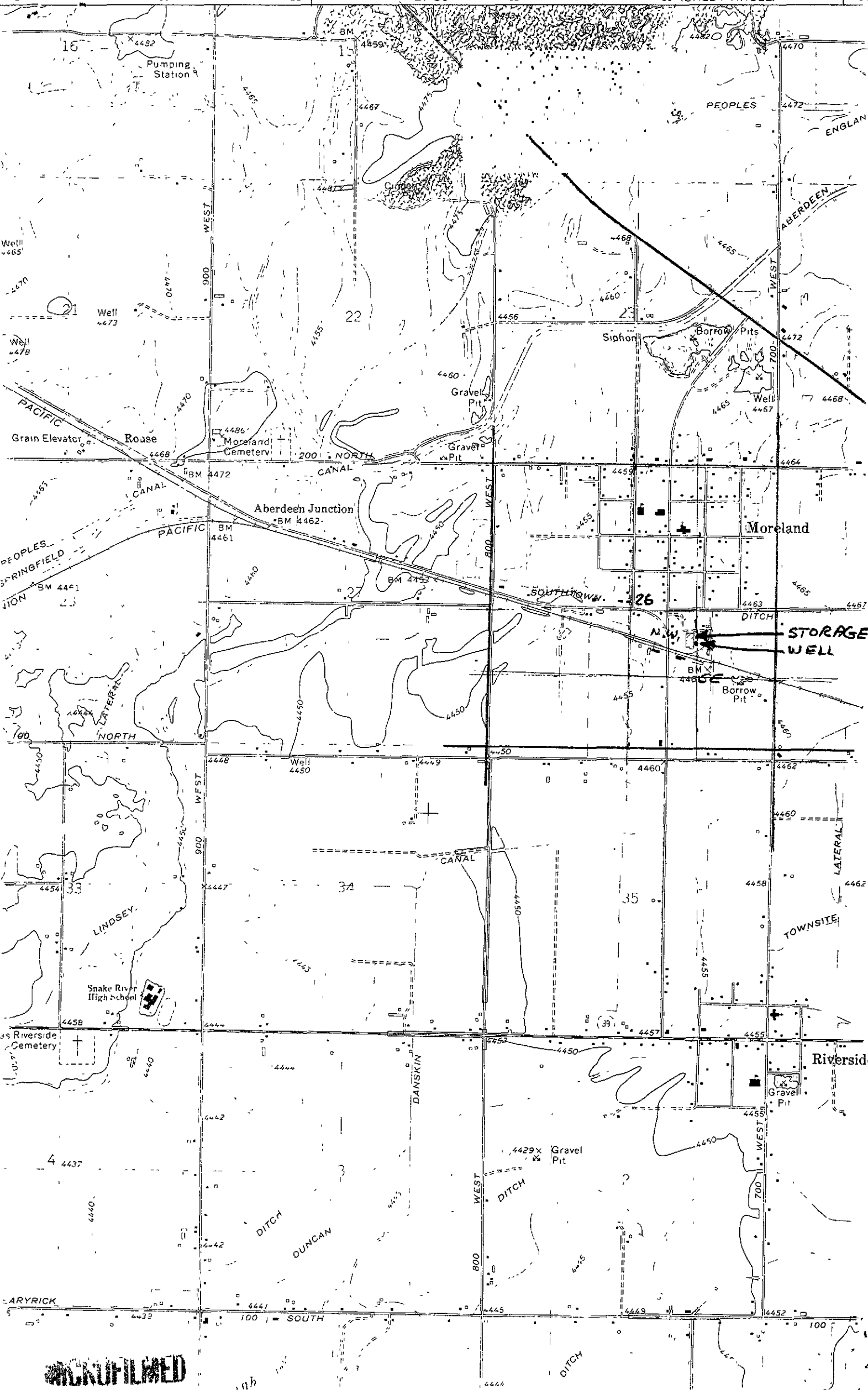
MICROFILMED

REPORT

Total number of acres to be irrigated _____

b. Who owns the land to be irrigated or place of use Simplot Industries, Inc.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.



SEE ATTACHED

SIMPLOT INDUSTRIES, INC.

by Russell G. Young
(Applicant) Secretary

[Faint handwritten notes at the bottom of the page]

Proposed Priority 2/24/1983 Received by Sec Date 3-2-83 Time 3:30p
2/24/83 9:00
Preliminary check by Sm Fee \$ 30.00
Receipted by ry Date 2-24-83 # 25943
Publication prepared by BP Date 7/13/83
Published in Blackfoot News
Publication dates 7/21 - 7/28/83
Publication approved BP Date 8/1/83
Protests filed by: None
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by kw RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-8114, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 86.
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 - d. Other:

Witness my hand this 8th day of February, 1985.

J. Glen Sayton
Chief, Operations Bureau

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claim(s) have been filed on
water right(s) created by diversion and
beneficial use

27-4114

MARTIN, Ennis B. &/or
DOROTHY L
P O Box 788
Blackfoot, Idaho 83221
Source GROUNDWATER
Priority Date 04/01/1959
Diversion Pt. NWNE, Sec 12, T 03S, R
34E
Use IRRIGATION (0 09 CFS)
In NWNE, Sec 12, T 03S, R 34E, for 3
ACRES

27-4112

KERR, Robert M Jr
P O Box 160
Blackfoot, Idaho 83221
Source GROUNDWATER
Priority Date 05/26/1962
Diversion Pt SENE, Sec 34, T 02S, R
35E
Use IRRIGATION (0 05 CFS)
STOCKWATER (0 0013 CFS)
DOMESTIC (0 16 CFS)
In SENE, Sec 34, T 02S, R 35E, for 2 ACRES
Sec 35, T 02S, R 35E, for 2 ACRES

35-4192

HAMMOND, Homer
Rt 5, Box 26
Blackfoot, Id. 83221
Source GROUNDWATER
Priority Date 04/01/1890
Diversion Pt SENE, Sec 05, T 03S, R
34E
Use IRRIGATION (0 02 CFS)
DOMESTIC (0 04 CFS)
In SENE, Sec 05, T 03S, R 34E, for 1
ACRES

Exceptions to a claim may be filed with the
Director, Dept of Water Resources, 150 Shoup
Ave, Suite 15, Idaho Falls, Idaho, 83402
KEN DUNN, Director

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

35-2763

NOTICE is given that the Matsuura Brothers
Co., Inc., Blackfoot, Idaho, have applied to the
Department of Water Resources for a change in
the point of diversion of a groundwater source.
The right sought to be changed is evidenced by
License No 35-2763 and is recorded as
follows:

AMOUNT 7.2 cfs, PRIORITY 5/20/1965,
POINT OF DIVERSION SW 1/4 NE 1/4, Sec 28, T
1N, R 35E, B M Bingham County

The water is used to irrigate 655 acres within
the S 1/2 NW 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4, Sec 27,
S 1/2 NE 1/4, S 1/2 NW 1/4, SW 1/4, SE 1/4, Sec 28,
N 1/2 NW 1/4, Sec 33, T 1N, R 35E, B M

**TO BE CHANGED
AS FOLLOWS**

0.44 cfs will be diverted within the
NE 1/4 NW 1/4, SE 1/4 NW 1/4, Sec 33, T 1N, R
35E, B M Bingham County and used to irrigate
40 acres within the NE 1/4 NW 1/4, Sec 33, T 1N,
R 35E, B M

Any protest against approval of the above pro-
posed change of water right must be filed with
the Department of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho, 83401, on or
before August 8, 1983

A KENNETH DUNN
Director

(7862)
Pub 7-21, 28

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed
appropriate the public waters of the State
Idaho

35-8114

SIMPLOT INDUSTRIES, INC
P O Box 27
Boise, Idaho, 83707
Source GROUNDWATER
Date Filed 02/24/1983
Diversion Pt NWSE, Sec. 26, T 02S
34E
Use COMMERCIAL (0 01 CFS)
In NWSE, Sec 26, T 02S, R 34E

35-8072

IDAHO FUELS
P O Box 597
American Falls, Id 83211
Source GROUNDWATER
Date Filed 12/27/1982
Diversion Pt SESW, Sec 22, T 04S,
31E
Use COMMERCIAL (0.07 CFS)
DOMESTIC (0 02 CFS)
IN SESW, Sec 22, T 04S, R 31E

The permit(s) will be subject to all prior water
rights. Protests must be filed with the Director,
Dept of Water Resources, 150 Shoup Ave

JUL 29 1983

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

David Mark Brown

I, _____
solemnly

Publisher

swear that I am the _____ of
The Morning News which is a daily newspaper of general
circulation published each day except Sunday at
Blackfoot, Bingham County, Idaho, said newspaper hav-
ing been so published at Blackfoot, aforesaid for more
than one year past; that said newspaper heretofore com-
plied with all the provisions of Chapter 154 of the Ses-
sions Laws of Idaho of 1933, approved March 11, 1933,
and duly designated, pursuant to law, a particular day of
the week as the day on which legal notices required by
law or by the order of any Court of competent jurisdiction
within the State of Idaho shall be published to-wit: Thursday
of each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of
publication was published in said issue or said
newspaper 2 consecutive weeks

the first publication having been made on the
21st day of July, 19 83

and the last publication having been made on the
28th day of July, 19 83

that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 29th

day of July, 19 83

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

October 15, 1986

RE: Permit No. 35-8114

J. R. Simplot Co.
Box 27
Boise, ID 83707

Gentlemen:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

35-8114
Permit No.

1. **Measurement Calculations**

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)
No field measurement available

$$\text{Capacity} = \frac{30 \text{ gal}}{60 \text{ min}} \times 9 \text{ units} \times \frac{1 \text{ cfs}}{448.8 \text{ gpm}} = 0.01 \text{ cfs}$$

permit = 0.01 cfs

recommend 0.01 cfs by permit and capacity

- b) Volume Calculations for Irrigation: *N/A*

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{\hspace{2cm}}$$

- c) Volume Calculations for Other Uses:

$$V_{com} = 0.01 \text{ cfs} \times 213 \text{ days} \times 1.9835 = 4.22 \text{ afa}$$

213 days from permit. ✓

2. **Overlap Review**

- a) Other water rights with same place of use: *None*

- b) Other water rights with same point of diversion: *None*

- c) Analysis:

NOT RECORDED

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	35-8114					0.01 cfs

4. Permit Holder: _____

Address: _____

5. Source: groundwater tributary to NIA

6. Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
<u>Commercial</u>	<u>9/15</u>	<u>4/15</u>	<u>0.01</u>	<u>4.22</u>

Allowable Maximums: 0.01 4.22

7. Point(s) of Diversion: *No Change*

[illegible]

8. Place(s) of Use No Change

[illegible]

9. Recommended Conditions/Remarks: Domestic use under - Commercial use
is restraints, therefore recommend 0.01 cfs and 4.22 afa
by permit and capacity,

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

11. Examiner's Signature *[Signature]* *W. Arambani*

Checked in Regional Office by Deeth C. Wilson

Approved in State Office by Jim Johnson

Date 6-25-86

Date 16 July 1986

Date 9-22-84

... MED

BENEFICIAL USE FIELD REPORT

35-8114

Department of Water Resources
Simla

~~Water Resources~~
Simplot Industries, Inc.

Permit No. ~~C 35-8114~~

Phone No. 356-2110

1. Owner: J. R. S. mplot Co. Phone No. 336-2110
Current Address: P.O. Box 27 Boise 83707

2. Accompanied by: Mick Paris EXAM. DATE: 16 June, 1986
Address: 1208 W. 50 S Blackfoot Phone No. 684-4444
Relationship to Permit Holder: Plant Manager (Rockford)

3. Source: ground water tributary to NA

3. Source: ground water tributary to Na

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	2	NA	Franklin	?

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

pump to office (toilets & wash basin)
pump to 9 humidifier units of type
listed below

440902 - 01 American Air Filter Co.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NA Theoretical						

7. Measurements ☐ Additional data/computation sheets attached

☐ Additional data/computation sheets attached

None ~~available~~ available, pump not operating
(theoretical only)

8. Point(s) of Diversion: Indicate Method of Determination U.S.G.S Topo

Indicate Method of Determination U.S.G.S. Topo

[illegible]

9.	Place(s) of Use:	Irrigation - give acres served by system at time of exam. Indicate Method of Determination
----	------------------	---

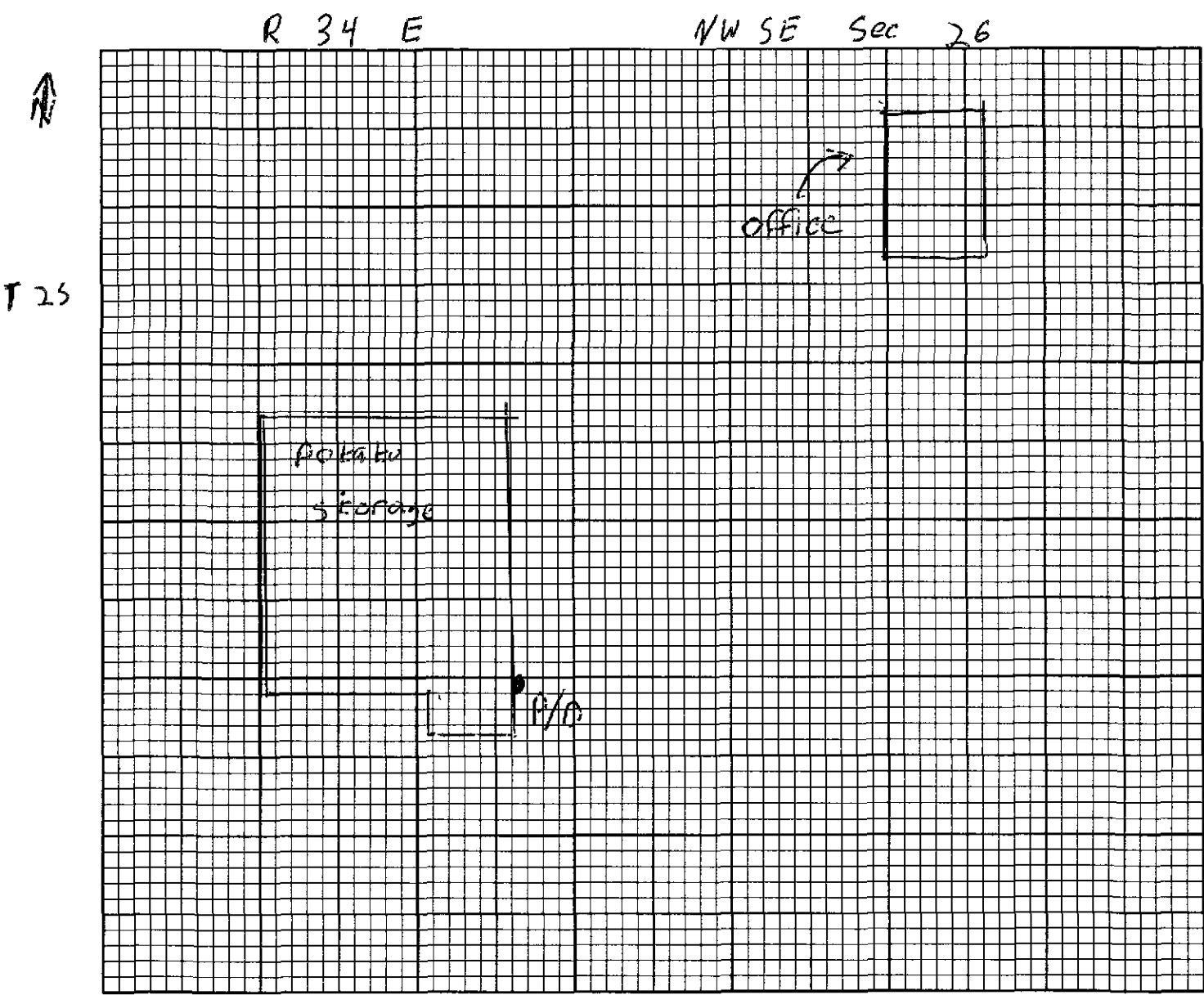
Irrigation - give acres served by system at time of exam.

Indicate Method of Determination

[illegible]

Total Acres _____

10. Other water rights on these lands No
11. Other water right diverted from same p.d. No
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



USGS Topo

13. ☐ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks Humidifiers and office were not in use
and Mr Paris was unable to turn pump on
at time of examination. Humidifiers operate 3 months
out of year. Industrial ventilation Inc, says each unit
has max capacity of ≈ 30 gal/hr.

15. Recommended Amendments
- ☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

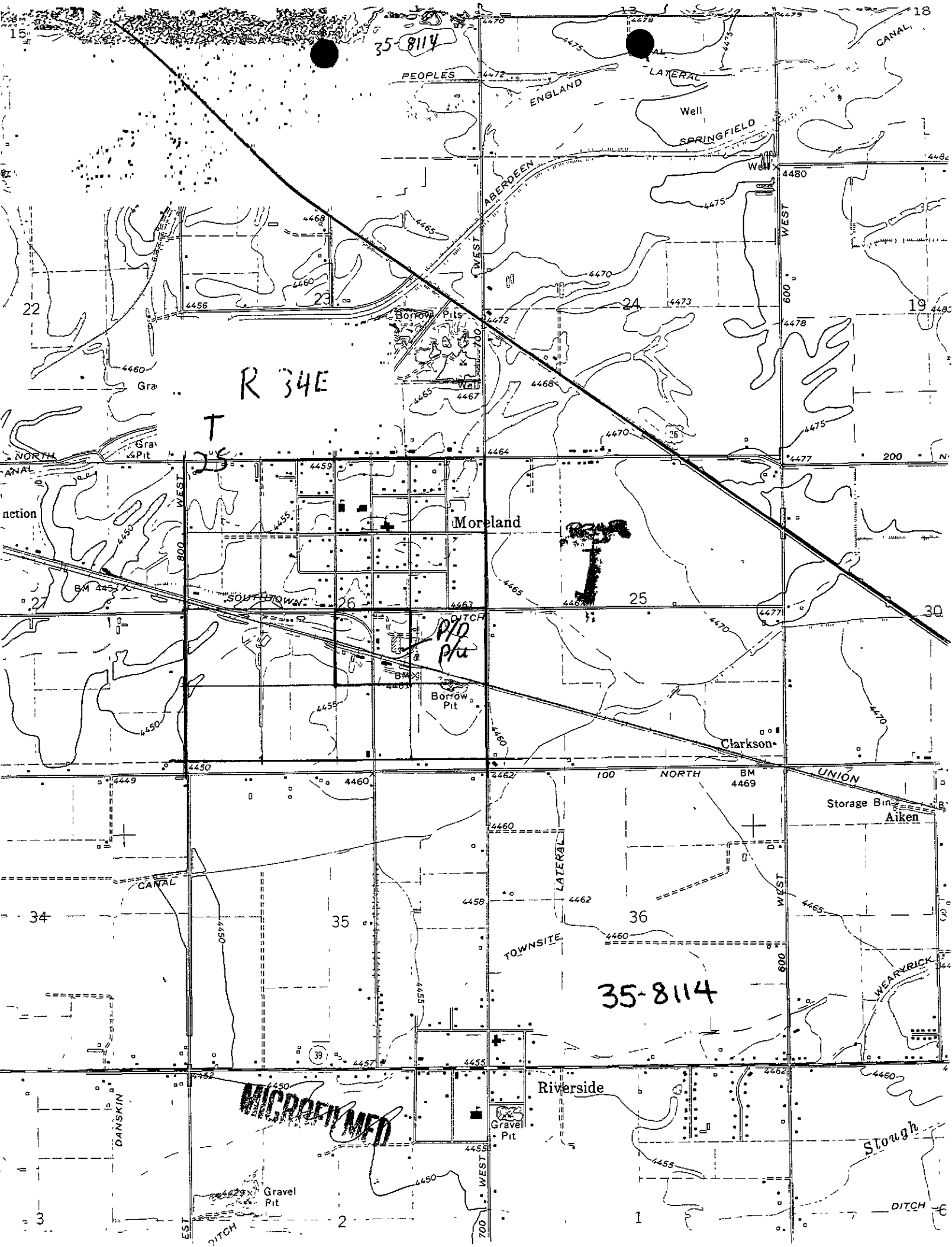
☒ None
- ☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other
16. Examiner's/Consultant's Signature [Signature] Date 6-20-86
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct
- Beneficial Use Examination _____

Date

CONSULTANT SEAL



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Eastern Region

150 Shoup, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161
FEBRUARY 19, 1986

SIMPLIOT INDUSTRIES, INC.
P.O. BOX 27
BOISE

ID 83707

RE: Permit No. 35-8114

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,

S/HAROLD W. JONES

Sr. Resource Agent

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
OCT 9 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-8114

Name(s) of Permit Holder: Simplot Industries, Inc.

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

Attn: Ronald N. Graves Telephone No. 336-2110

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks Potato Storage Humidification

Indicate the date water was first diverted and beneficially used under this permit: 1973

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Ronald N. Graves

(Name)

P.O. Box 27, Boise, Idaho 83707

(Address)

336-2110

(Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

J. R. SIMPLOT COMPANY, SUCCESSOR BY MERGER WITH
SIMPLOT INDUSTRIES

Date

Jason L. Smith *J.R.*
Signature of Permit Holder (and Title, if appropriate)

MICROFILMED



Place
Stamp
Here

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.
(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 25, 1985

RE: Water Rights in the name of "Simplot Industries, Inc."

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

Gentlemen:

Please be advised that we are in receipt of the Certificate of Ownership and Merger, merging Simplot Industries, Inc. into J. R. Simplot Company. We have corrected our water right records to show this merger on the below listed water rights.

01-4058	43-4194	65-11119	65-6638	29-7036	43-2575
01-7082	43-4196	65-11120	65-6639	33-7007	43-7056
33-2125	43-4197	65-11121	65-6640	33-7053	43-7068
35-4189	43-4198	65-11122	65-6641	33-7061	45-2746
36-4179	43-4201	65-11123	65-7376	<u>35-8114</u>	51-2160
36-4180	43-7145	65-11124	65-0786	36-7333	61-7067
36-4181	45-4167	65-11125	02-7040	37-0465	63-5273
36-4182	63-9335	65-2477	02-7396	37-0692	63-5274
36-8153	65-10426	65-6063	22-7423	43-2519	63-5286
36-8154	65-10428	65-6637	29-4088	43-2569	63-5297
02-0006	02-0015	02-0076	02-2053	02-2118	02-2139
02-2166	02-2220	02-2221	02-2222	02-2409	
33-2119	65-2805				

We have placed a copy of the merger in all of the files above. If you have any questions regarding this matter, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:k

MICROFILMED

S T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SIMPLOT INDUSTRIES INC.
P.O. BOX 27
BOISE, ID 83707

FEBRUARY 19, 1985

RE: PERMIT NC. 35-8114

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

YOU SHOULD BE AWARE THAT THE GROUND WATER YOU PROPOSE TO DIVERT IS LOCATED WITHIN A DRAINAGE BASIN WHERE SURFACE WATERS ARE REGULATED DURING THE MONTHS OF LOW FLOW. IT IS POSSIBLE THAT DIVERSION OF GROUNDWATER MAY HAVE AN ADVERSE IMPACT ON THESE SURFACE WATER FLOWS. INFORMATION AVAILABLE TO US AT THIS TIME DOES NOT WARRANT REFUSING TO ISSUE PERMITS IN YOUR AREA, BUT WE DO CAUTION THAT DIVERSIONS OF GROUND WATER ARE NOT ALLOWED TO DEplete FLOWS AVAILABLE FOR SURFACE WATER USERS WITH EARLIER PRIORITY DATES. SITING YOUR WELL AS FAR FROM SURFACE SOURCES AS POSSIBLE AND CASING OUT UPPER WATER PRODUCING ZONES MAY REDUCE THE POTENTIAL FOR INTERFERENCE.

PLEASE BE ADVISED THAT NUMEROUS PRIOR APPLICATIONS FOR PERMIT HAVE BEEN FILED TO APPROPRIATE WATER FROM YOUR SOURCE, TO BE USED ON DESERT LAND ENTRY AND/OR CAREY ACT LANDS. DEVELOPMENT OF THESE WATER RIGHTS IS CURRENTLY PREVENTED BY THE U.S. BUREAU OF LAND MANAGEMENT. HOWEVER, IF THE LANDS ARE RELEASED FOR DEVELOPMENT, THE ASSOCIATED WATER RIGHTS WILL RECEIVE WATER PRIOR TO YOUR WATER RIGHT ENCLOSED. THEREFORE BE SURE TO ANALYZE THE FUTURE IMPACT OF THESE RIGHTS BEFORE MAKING A MAJOR INVESTMENT IN A WATER SUPPLY SYSTEM.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE POSTCARD THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

MICROFILMED

RE: PERMIT 35-8114

PAGE 01
FEBRUARY 19, 1985

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

UNRECORDED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

APPLICATION NUMBER: 35 8114

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: Aug. 8, 1983 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: July 29, 1985 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 01
2-24-83 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson

Date: Aug 16, 1983

STATE OFFICE REVIEW:

LO5

- ☐ See attached sheet for more information.

By: [Signature]
kw

Date: 8/24/83

2/7/85

RECEIVED
AUG 19 1983
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

The Blackfoot News
P. O. Box 70
Blackfoot, Idaho 83221

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JULY 13, 1983

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 8, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 8, 1983.

KEN DUNN, Dir.

Published 7/21 & 7/28/83.

MICROFILMED

25-8114

SIMPLOT INDUSTRIES INC.

P.O. BOX 27, BOISE, ID 83707

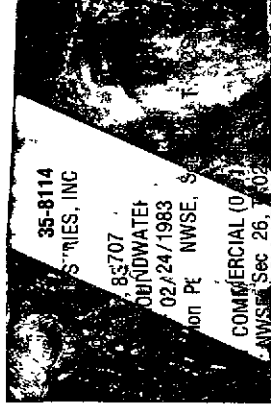
Source GROUNDWATER

Date Filed: 02/24/1983

Diversion Pt. NWSE Sec 26 T 02S R 34E

Use COMMERCIAL (0.01 CFS)

In NWSE Sec 26 T 02S R 34E



25-8114

IDENT. NO. 35 8114

WATER RIGHT
DATA ENTRY LOG

Item

BP

7/13/83

Original form entered

[Edit](#) [Report](#) [Correct](#)

Date Protested

Date of Hearing

50

211

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

VERIFIED SRC

10/15/86

License Signed

Transfer Approved

Keypunched by State Office