

43- 4097

alone



Raft River Green House Looking North

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

OCTOBER 14, 1980

IVAN DARRINGTON
BARBARA DARRINGTON
ALMO

ID 83311

RE: Claim No. 43-4097

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

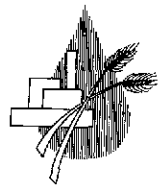


LOREN O. HOLMES
Southern Region Supervisor

Enclosure

RECEIVED
JUN 5 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

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

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

Notice is hereby given that Ivan & Barbara Darrington
(Name of Claimant)
Almo Idaho 83311 Telephone No. 824-5511
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use) Oct-11-1930

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

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

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>4 CF</u>	Use	<u>Irrigation</u>	Period of Use From <u>Oct 10</u>	To <u>May 7</u>
Quantity	<u>4.4 CF</u>	Use	<u>Stock Water</u>	Period of Use From <u>Sept 20</u>	To <u>June 4</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 8.4 CF TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 1/4 SE 1/4 1/4, Sec. 23 Twp. 155 Rge. 26E B.M., County of Cassia
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion Dam With 200yds DF Ditch

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

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
15	26	24																	
15	26	23																	

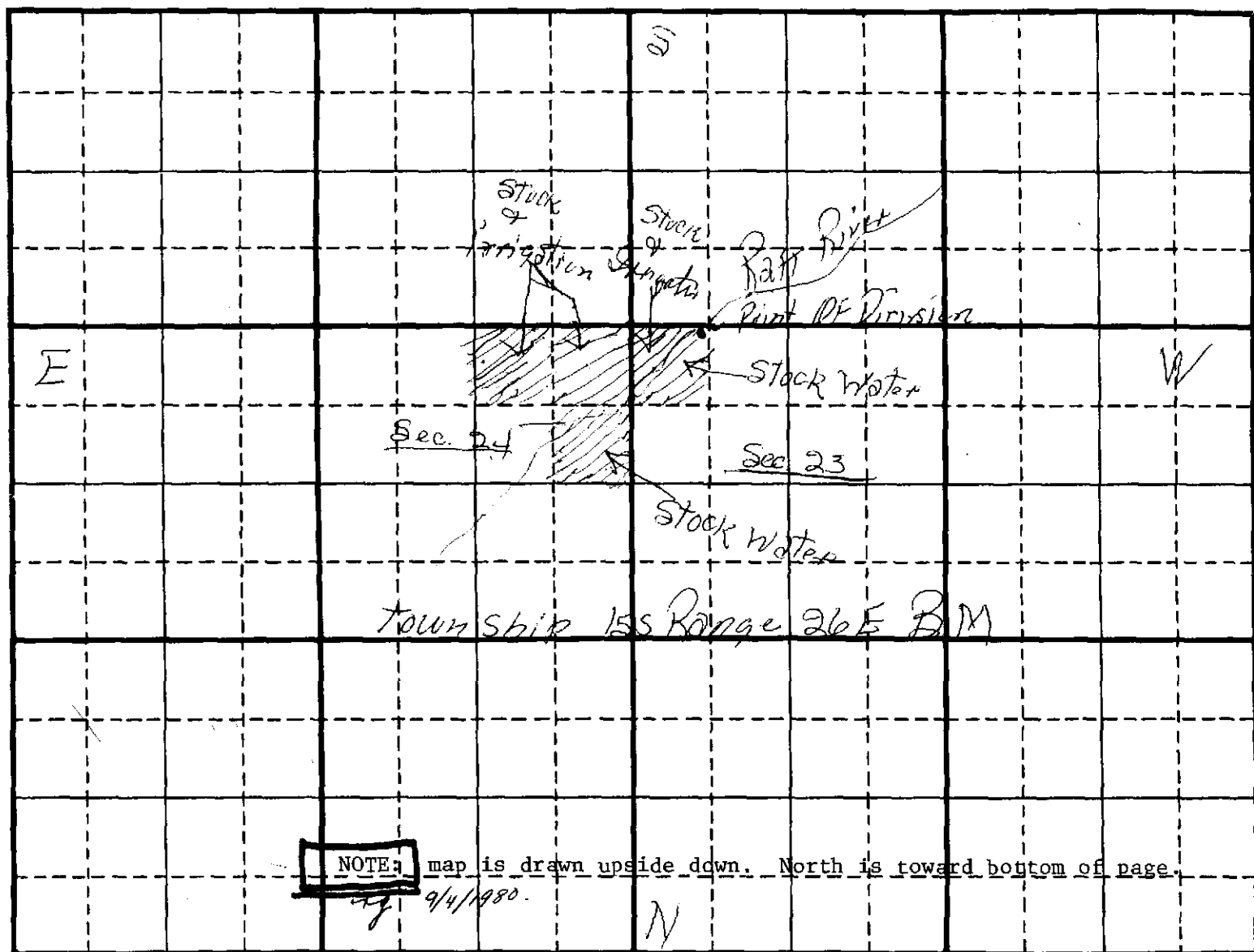
I was not Acquainted with this farm operation before 1950 No. of acres 160

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 1965-50 young Bulls April 1 to Jan- 1950-1964-100 Ewes with Lambs year around 1966 75 Range Cows with Calves-3 Bulls-4 Saddle Horses Feb. 6 to May 1- 1967 to 1980 200 Range Cows (Bik Angus) 2 Milk Cows-7 Horses-13 Saddle Horses Nov-1 to June-1-Some times a few year around never more than 20 head total- 7 Saddle Horses

NOTE: Include here the type and number of stock watered: 200 Range Cows with Calves-2 Milk Cows

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

(8) Remarks The land described on this map designated as Stock Water
was not irrigated with in Oct 1 to April - But was irrigated
with the Adams Decree 1884 & Well permit granted to this
land Areas marked irrigation & Stock were used with in Oct. 1 to Apr. 1



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of _____) ss.

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

Barbara Darrington
(Claimant)

Sworn to before me this 20 day of August, 1980.

Ella L. Linn
Notary Public
Residing at Alhambra, Idaho

My commission expires 10-14-81

FOR DEPARTMENT USE ONLY

Received by ng Date 9/4/80 Exception filed by: _____ Date _____
Prelim. check by ng Date 9-10-80 # 16405 Forwarded to claimant by: _____
\$0.00 fee received by ng Date 9/4/80 Published in South Idaho Press _____
Dates 9/20 + 9/30/80

AGRICULTURAL GROWTH INDUSTRIES, INC.

2326 Bisso Lane, Suite 6 • Concord, CA 94520
(415) 676-2326

The Engineering & Economics Research, Inc.
P. O. Box 485
Boise, Idaho 83701

ATTENTION: Mr. Gay Davis Hammer
Regional Manager

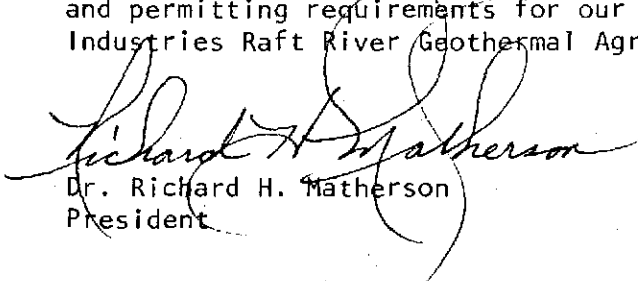
August 4th, 1980

SUBJECT: Water, Legal, and Necessary Permitting:

This letter is authorization for Gay Davis Hammer or
EER to act on behalf of:

Idaho-Agricultural Growth Industries, Partnership
Mar-Bil Enterprises,
Agricultural Growth Industries, Inc., and
Geothermal Agricultural Industries, Inc.,

for the purposes of obtaining the necessary legal water,
and permitting requirements for our Idaho - Agricultural Growth
Industries Raft River Geothermal Agricultural Complex.



Dr. Richard H. Matherson
President

RHM/dm

STATE OF IDAHO
Department of Water Resources

Nº 16405

Boise, Idaho, Sept. 4, 19 80
RECEIVED FROM Economics Research Inc.
Engineering & of Boise \$ 30⁰⁰
Thirty and no/100 DOLLARS

FOR		
<u>claim</u>	\$	
<u>Ivan + Barbara</u>	\$	
<u>Darrington</u>	\$	
	\$	
TOTAL - - -	\$	<u>30</u>

ck # 1018
92-155/1241

Roberta Garrett

**SOUTH IDAHO PRESS
BURLEY, IDAHO**

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Mary Summers, being first
duly sworn, deposes and says that She is the

Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for *Two*
consecutive weeks, commencing with the issue
dated *Sept 23* 19*80*, and ending
with the issue dated *Sept 30*, 1980.

Mary Summers

Subscribed and sworn to before me

this *8th* day of *Oct*

19*80*.

Norman M. Peterson Notary Public

Cost of Publication

Notary Fee

Total Cost

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

RECEIVED

de mays

80-353

**NOTICE OF CLAIMS
TO WATER RIGHTS**

Notice is hereby given that the following
claim(s) to water right(s) have been established by
diversion and application to beneficial use:

43-4097

DARRINGTON, IVAN &/or BARBARA, ALMO, ID
83311, Source: RAFT RIVER, Priority Date:
10/11/1930, Amount: 8.40 CFS, Diversion Point:
SESE Sec 23 T 15S R 26E, CASSIA Co., Use:
IRRIGATION (4.00 CFS) from 10/10 to 05/07,
STOCKWATER (4.40 CFS) from 09/20 to 06/06,
Place of Use: NWSW SWSW SESE Sec 24 T 15S R
26E SESE Sec 23 T 15S R 26E FOR 160 ACRES,
Diversion Means: DIVERSION DAM & DITCH

Any exception to any claim of water right may
be filed with the Director of the Idaho Department
of Water Resources, 1041 Blue Lakes Blvd. North,
Twin Falls, Idaho 83301.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on September
23, 30, 1980.

43-4097

alone



Raft River Green House Looking North

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AGRICULTURAL GROWTH INDUSTRIES, INC.

RECEIVED

~~2326 Bristol Lane, Suite 1, Concord, CA 94520~~

(415) 676-2326

7671 Hansom Drive, Oakland, California 94605

AUG 1 1980

Department of Water Resources

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
Boise, Idaho 83720

July 25th, 1980

SUBJECT: Position Letter and Data

Water Usage - 160 Acres

Township 15 S, Range 26 E

Section 23 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 Acre Tract	1) 43-0046 (2.0 cfs Nov - Mch)	0.5
24 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 Acre Tract	2) 43-2268 (3.2 cfs Nov - Mch)	0.5
24 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 Acre Tract	3) 43-2327 (0.21 cfs Apr - Oct)	0.5
24 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 Acre Tract	4) 43-2461 (1.5 cfs Apr - Oct)	0.5

Dear Sirs:

Thank you for the time and cooperation of your entire office staff at our meeting yesterday. We were extremely appreciative of the sincere help and advise that you have provided.

Actions to be taken following your suggestions were as follows:

- 1 - File to clarify the claim on the 3.2 Cfs of winter water rights, namely 43-2268. This is being looked into and the initial notices are being reviewed. As soon as the proper information is researched we will take the appropriate action.
- 2 - File the appropriate documents to obtain permission for water storage from the winter water rights. This is likewise being reviewed and the appropriate filing prepared.
- 3 - Prepare a Water Balance and Flow Chart with appropriate backup calculations, References and Summary. This is attached herewith and is a part of this communication. (5 pages)

I believe that the Flow Diagram and usage information is self explanatory. If there are any further questions please contact us or it would be easier if our local representative, Ms. Gay Hammer were contacted for immediate response.

Please note that this information superceeds the letter of usage of May 14th, 1980 from Dr. W. Darrell Gertsch. The information provided by him at that time was not complete with respect to the water balance of the entire agricultural complex. Hence, this data will provide you further information updated to our present engineering and usage requirements.

We would also like to call to your attention the balancing fact of the bringing of water and grain onto the complex via the 39,421 tons of grains for processing and usage. This quantity will actually provide a positive water balance instead of a negative usage with regards to the usage of the commercial alcohol portion of the complex. The remaining water usage will comply with animal watering and irrigation as stated in the water permits and usage in the past and at present.

Again, thank you and you staff for their interest and cooperation on our behalf.

Sincerely yours;

Richard H. Matherson
Dr. Richard H. Matherson
President

MICROFILMED

Seven Acre Water Reservoir
3,049,200 cu ft - 358 day storage

35.8 gpm

28,110 Gal/day

ENVIRONMENTAL SWINE COMPLEX 1874 ANIMAL UNITS

12,724 Gal/day

RECYCLE TO SYSTEM

PART USED FOR IRRIGATION

28,612 Gal/day = 18.59 gpm

MANURE METHANE GENERATOR

SURGE

650 DAIRY HERD

22,750 Gal/day

5,625 Gal/day

2,025 Gal/day

4,260 Gal/day

7,890 Gal/day

2,498 Gal/day

1,904 Gal/day

1,753 Gal/day

FEED

1843 Gal/day

43.35 Tons GRAIN

778 Gal/day*

1065 Gal/day*

ALCOHOL

63.39 Tons Barley / Day

913 Gal/day

Used

35.8 gpm

44.2 gpm

502,920

3,380,872 gpm

* Water from Grain and Mash to Animals via 7% of original weight

* Water from Grain and Mash to Animals via 7% of original weight

RAFT RIVER AGRICULTURAL COMPLEX
WATER USAGE AND RECOVERY
FLOW DIAGRAM

AGRICULTURAL GROWTH INDUSTRIES, INC.
July 25th, 1980
Confidential Information: Q

[Handwritten signature]

October 27, 1980

Mr. Bill Munger
P.O. Box 485
Boise, Idaho 83701

Dear Mr. Munger:

Re: Claim No. 43-4097

Corrections to a claim of the point of diversion or place of use may be corrected by the claimant filing an amended claim in the same form as the original. However, a claimant desiring to change the established point of diversion or place of use of all or part of the water under the right is required to submit an Application for Transfer of Water Right. An exception to this is that no amendment or transfer is necessary if the corrected or proposed change in the point of diversion remains in the same 40-acre tract.

As discussed in our telephone conversation with regard to the proposed change of the established point of diversion to claim 43-4097, no transfer is required as long as the point of diversion remains in the same 40-acre tract. You may, however, wish to submit a letter to be placed in the file to more accurately identify the new point of diversion. Please reference the file number when corresponding or inquiring about the claim.

If you have any questions or need further assistance, please feel free to contact me.

Sincerely,

Roberta Garrett
Records Supervisor

RG:ss

UNRECORDED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J. E. Horton

Right Number 43-4097 Applicant DARRINGTON, Ivan & Barbara

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☐ Name and address.
- ☐ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☐ Source.
- ☐ Quantity, use, period.
- ☐ Point(s) of diversion.
- ☐ Location of use.
- ☐ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Loren O'Halloran Date 10-14-80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Maureen Date 10/16/80

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

43-4097-

DARRINGTON, IVAN &/or BARBARA

ALMO, ID 83311

Source: RAFT RIVER

Priority Date: 10/11/1930

Amount: 8.40 CFS

Diversion Point: SESE Sec 23 T 15S R 26E, *Cassia* ~~SESE~~ Co.

Use: IRRIGATION	(4.00 CFS)	from 10/10 to 05/07
STOCKWATER	(4.40 CFS)	from 09/20 to 06/06

Place of Use: NWSW SWSW SESW Sec 24 T 15S R 26E SESE Sec 23 T 15S R 26E
FOR 160 ACRES

Diversion Means: DIVERSION DAM & DITCH

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

C. STEPHEN ALLRED

Director

Published 9/23 & 9/30/80.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 17, 1980

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

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 OCTOBER 10, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED