c. Describe the land [redacted] place of use to which the right will be t[redacted]ferred:

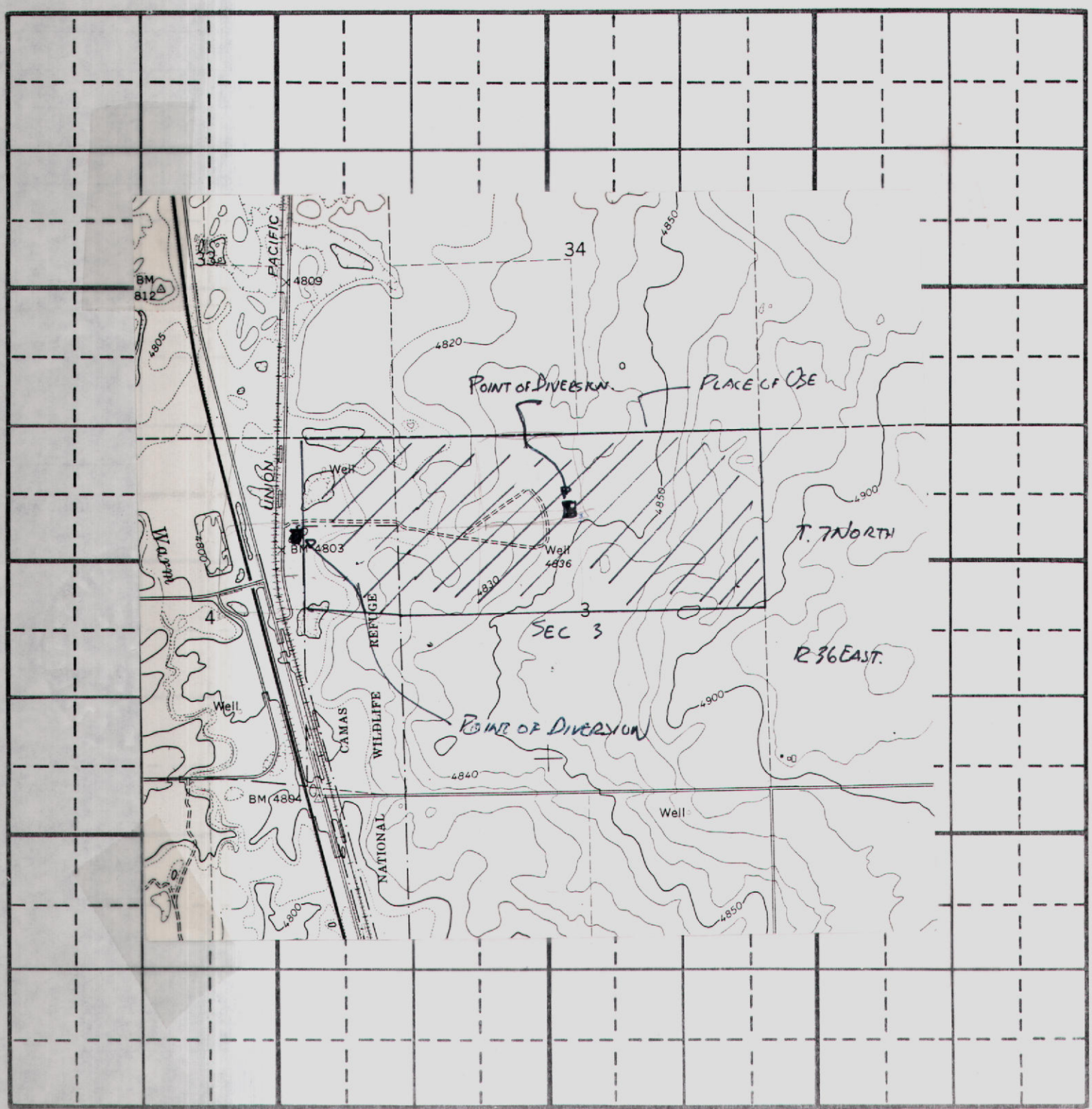
NO CHA[redacted]E

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	3	31½	31½	31½	31½	31½	31½	31½	31½									252
			L1	L2			L3	L4											
7N	36E	4	40			27													67

Total number of acres to be irrigated 319

4. Describe any other water rights used for the same purpose as described above. None

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

Tenant shall upon request of Landlord execute such additional Financing Statements and Security Agreements as are needed to maintain a perfected security interest in crops securing rent under any renewal terms hereof.

5. Irrigation System.

Tenant's predecessor has obtained the necessary permits, has drilled an irrigation well, and has installed a pump, mainline and complete irrigation system upon the premises. This irrigation system may be modified or altered by Tenant. Upon termination of the lease, the Tenant is authorized to remove the irrigation system. Tenant is obligated to furnish all irrigation water at Tenant's own expense, and Tenant covenants and agrees to pay all electric power bills and other charges in connection with the irrigation system.

6. Farming Practices.

Tenant shall farm the tillable ground on the premises, in a good husbandlike manner, and in accordance with standard farming practices for such property. Tenant shall maintain proper weed control practices. Tenant has the right to control and determine the kinds and amounts of crops to be raised upon the premises, the time to plant and harvest, the place of storage, and the time and manner of sale of the crops, provided there is no default under this agreement in payment of rent, and subject to a security interest in Landlord in the proceeds of the crops. Tenant is obligated to pay all costs and expenses of farming the premises, harvesting and storing the crops, and marketing the crops.

7. Potato Storage.

Tenant is responsible to store potatoes raised upon the premises in adequate potato storage facilities until time of marketing.

8. Quiet Enjoyment.

Landlord covenants and agrees that Tenant, upon payment of the rent and performance of all covenants herein, shall and may

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OCT 15 1985
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Department of Water Resources
Eastern District Office

c. Tenant shall pay all costs, expenses and reasonabl attorney's fees that are incurred by Landlord in enforcing the covenants and agreements of this lease or collecting damages for the breach thereof with or without suit.

d. In addition to the remedies recited herein, Landlo shall also have such other remedies as are afforded in law or equity in the event of any breach by Tenant hereunder.

12. Remedies for Default of Landlord.

a. Landlord shall pay to Tenant all costs, expenses, and reasonable attorney's fees that are incurred by Tenant in enforcing the covenants and agreements of this lease or collecti damages for the breach thereof, with or without suit, in the event of any default by Landlord.

b. In the event of any default by Landlord hereunder, Tenant at its option may remedy such breach and the cost of such action may be deducted by Tenant from unpaid rents which shall accrue under the unexpired term of the lease.

c. In addition to the remedies recited herein, Tenant shall also have such other remedies as are afforded in law or equity in the event of any breach by Landlord hereunder.

13. Renewals of Lease.

Landlord hereby grants Tenant successive options to renew this lease for (a) an additional three-year term, commencin on January 1, 1974, and continuing to December 31, 1976; (b) an additional five-year term, commencing on January 1, 1977 and continuing to December 31, 1981; and, (c) an additional five-year term commencing on January 1, 1982 and continuing to December 31, 1986. Each successive option will be deemed automatically exercised by Tenant, unless Tenant shall give written notice to Landlord, personally delivered, or mailed, certified mail, return receipt requested, on or before the last day of the original term, or of any renewal thereof, that the lease will not be further renewed. If such notice be given, then the lease shall terminate

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Eastern District Office
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NAME OF APPLICANT Quality Oil

Form No. 0

R 36 E

T 8N

T 7N



APPROVED
SEP 12 1966
33139
STATE RECLAMATION ENGINEER

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

33139

Affidavit of Publication

THE RIGBY STAR

MAR 2'S 1971
Department of Water Administration

STATE OF IDAHO
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for two Consecutive issues thereof; first publication having been made on the 4th day of February, 1971 and the last publication on the 11th day of February, 1971

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are a least two hundred bona fide subscribers in Jefferson County.

Hope B Jones

Subscribed in my presence and sworn to before me this 24th day of March, 1971.
(SEAL)

B H Wurmer

Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.

My commission expires _____, 19____.

Publication Fee: $Pd

MY COMMISSION EXPIRES JULY 15, 1973

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Quality Pak, P.O. Box 382, Rexburg, Idaho has received and approved Permit No. G-33139/31-2430 issued by the Idaho Department of Water Administration authorizing the diversion of 8.0 cubic feet per second of water from a ground water source. The priority to be established under this permit is August 25, 1966 and the permit was approved September 12, 1966.

Water is to be diverted by well, and pump from a point within the NE¼NW¼, Sec. 3, T. 7 N, R. 36 E. B.M., Jefferson County to be used for irrigation in the N½ Sec. 3; E½NE¼, Sec. 4, T. 7 N, R. 36 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before September 12, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licening of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in The Rigby Star, Rigby, Idaho on Feb. 4 - Feb. 11, 1971.

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Terry Weatherston,
being first duly sworn, depose and say, that I am the printer of THE JEFFERSON STAR, a weekly newspaper printed and published weekly at Rigby, Jefferson County, Idaho; and I do solemnly swear that the

Notice Of Correction

a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for 2 consecutive issues, the first publication having been made on Nov. 27, 1985 and the last publication having been made on Dec. 4, 1985.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninteruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

Subscribed to and sworn to before me this Dec. 5, 1985

Dori Garner
Notary Public.

(SEAL)

My commission expires April 20, 1986

RECEIVED
DEC 11 1985
Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that Application for Transfer No. 31-2430 in the name of Quality Farms, Inc., Rexburg, Idaho was advertised incorrectly on October 23 and 30, 1985. The original place of use was advertised as being within the NENE (Lot 1), NWNW (Lot 2), S½NE¼, NENW (Lot 3), NWNW (Lot 4), S½NW¼, Sec. 3, NE¼NE¼, SE¼NE¼, Sec. 4, T. 7N, R. 36E.

WHEREAS, the original place of use is within the NENE (Lot 1), NWNE (Lot 2), S½NE¼, NENW (Lot 3), NWNW (Lot 4), S½NW¼, Sec. 3, E½NE¼, Sec. 4, T. 7N, R. 36E.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402, on or before December 16, 1985.

A. KENNETH DUNN
Director

Publ. Nov. 27 and Dec. 4, 1985RS.

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RECEIVED
NOV 14 1985
Department of Water Resources
Eastern District Office

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Terry Weatherston,
being first duly sworn, depose and say, that I am the printer of THE JEFFERSON STAR, a weekly newspaper printed and published weekly at Rigby, Jefferson County, Idaho; and I do solemnly swear that the

Notice Of Proposed Change Of Water Right

a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for 2 consecutive issues, the first publication having been made on Oct. 23, 1985 and the last publication having been made on Oct. 30, 1985.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninteruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

Subscribed to and sworn to before me this Oct. 31, 1985

Geri Garner
Notary Public.

(SEAL)

My commission expires life

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
No. 31-2430

Notice is hereby given that Quality Farms, Inc., Rexburg, Idaho, has applied to the Department of Water Resources to change the point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 31-2430 and is recorded as follows:

AMOUNT: 4.63 cfs
PRIORITY August 25, 1966
POINT OF DIVERSION: NE¼NW¼, Sec. 3, T. 7N, R. 36E, B.M., Jefferson County:
The water is used to irrigate 319 acres within NENE (Lot 1), NWNW (Lot 2), S½ NE¼, NENW (Lot 3), NWNW (Lot 4), S½NW¼, Sec. 3, NE¼NE¼, SE¼NE¼, Sec. 4, T. 7N, R. 36E.

TO BE CHANGED AS FOLLOWS
The water will be diverted within the SW¼NE¼, Sec. 4, NE¼NW¼, Sec. 3, T. 7N, R. 36E, B.M., Jefferson County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402, on or before November 12, 1985.

A. KENNETH DUNN
Director

Publ. Oct. 23 and 30, 1985RS.

MICROFILMED

PACKING SLIP

FULL SHIPMENT

RECEIVED
NOV - 5 2001
Department of Water Resources

Ship Remarks:

TOTAL ORDER BY PRODUCT

Agency	Order #	Product	Description	Quantity
9916	109657	1001	10X10 BW PAPER	2

**** ACCOUNTING SUMMARY ****
**** THIS IS NOT AN INVOICE ****

Total Cost:	$10.00
- Amount Remitted:	$0.00
Balance Due:	$10.00

Commercial or Residential ? Commercial

Ship To: ID DEPT OF WATER RES
1301 NORTH ORCHARD ST

BOISE ID 83706

208-327-7897

From: USDA-CFSA
Aerial Photography Field Office
2222 West 2300 South
Salt Lake City, Utah 84119-2020

APFO Phone # (801) 975-3503
Purchase Order # CYNTHIA BRIDGE CLARK/02-21
Order Date: 26-SEP-2001 Customer Code: 79431
Ship Date: 31-OCT-2001 Sales Representative: EXB

County/State: ,
WO Remarks:

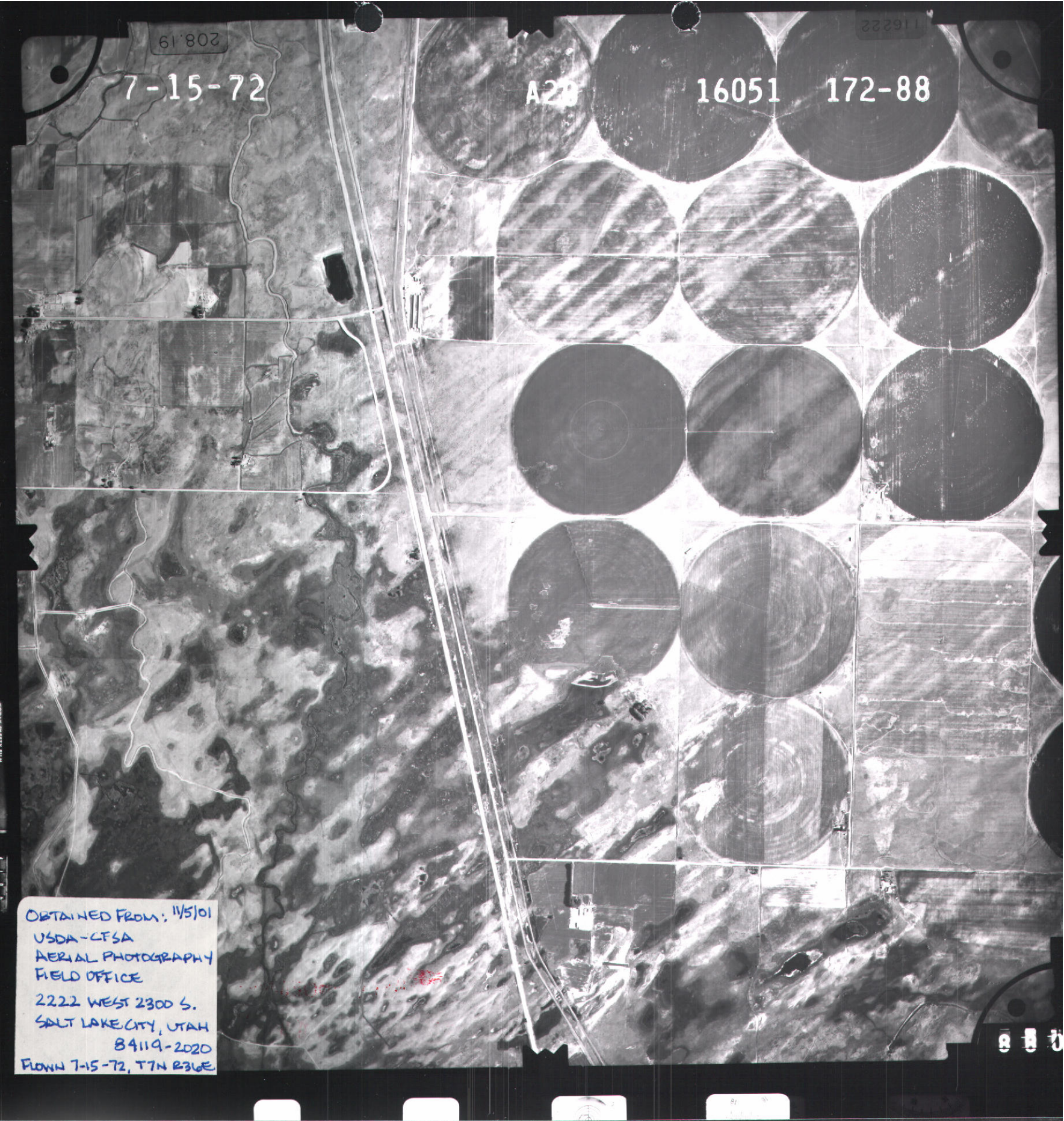
****
* THE SYMBOL SHOWN ON PRODUCTS REFLECTS *
* ACTUAL SYMBOL ON FILM *
****

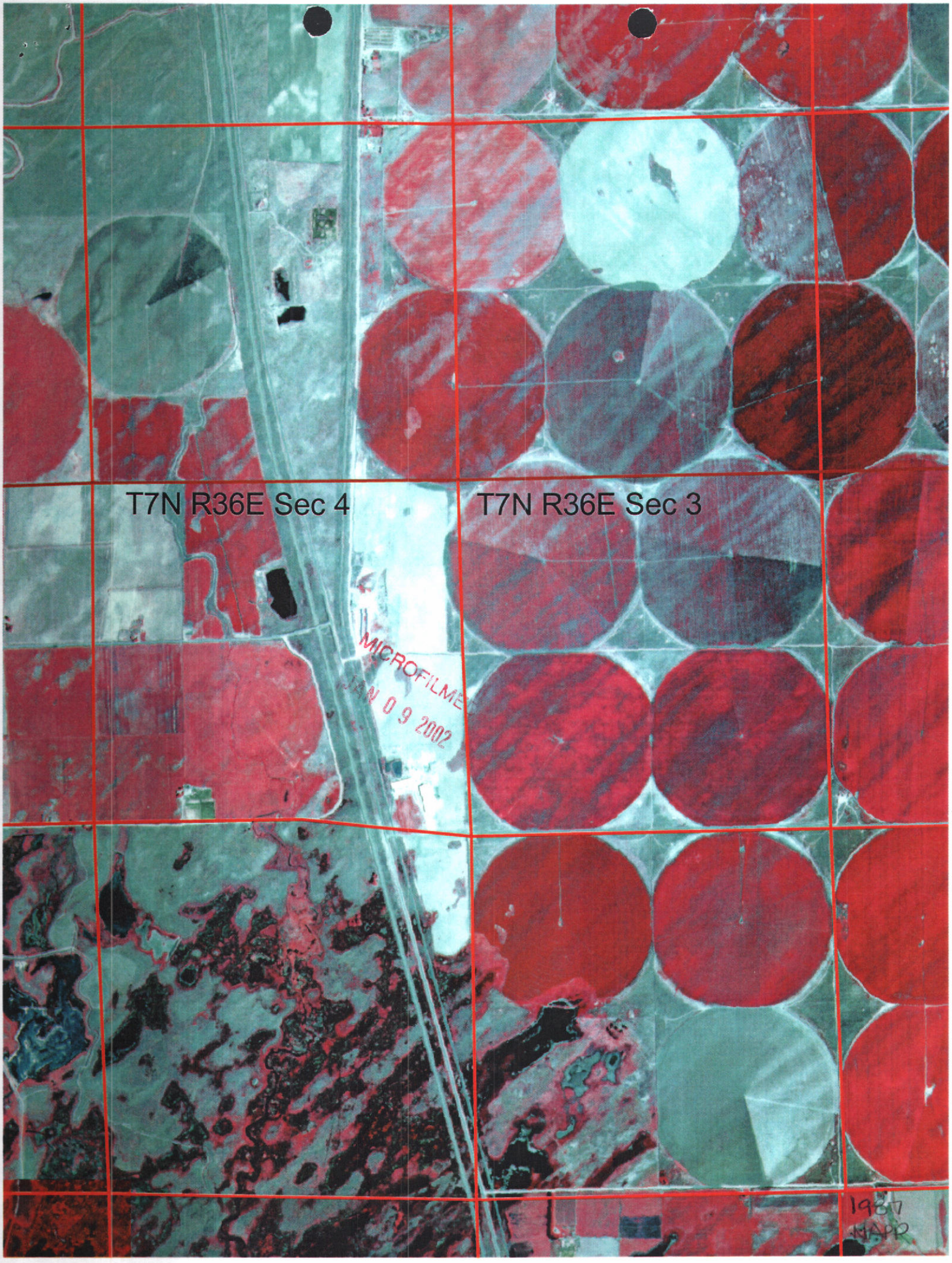
LINE ITEMS

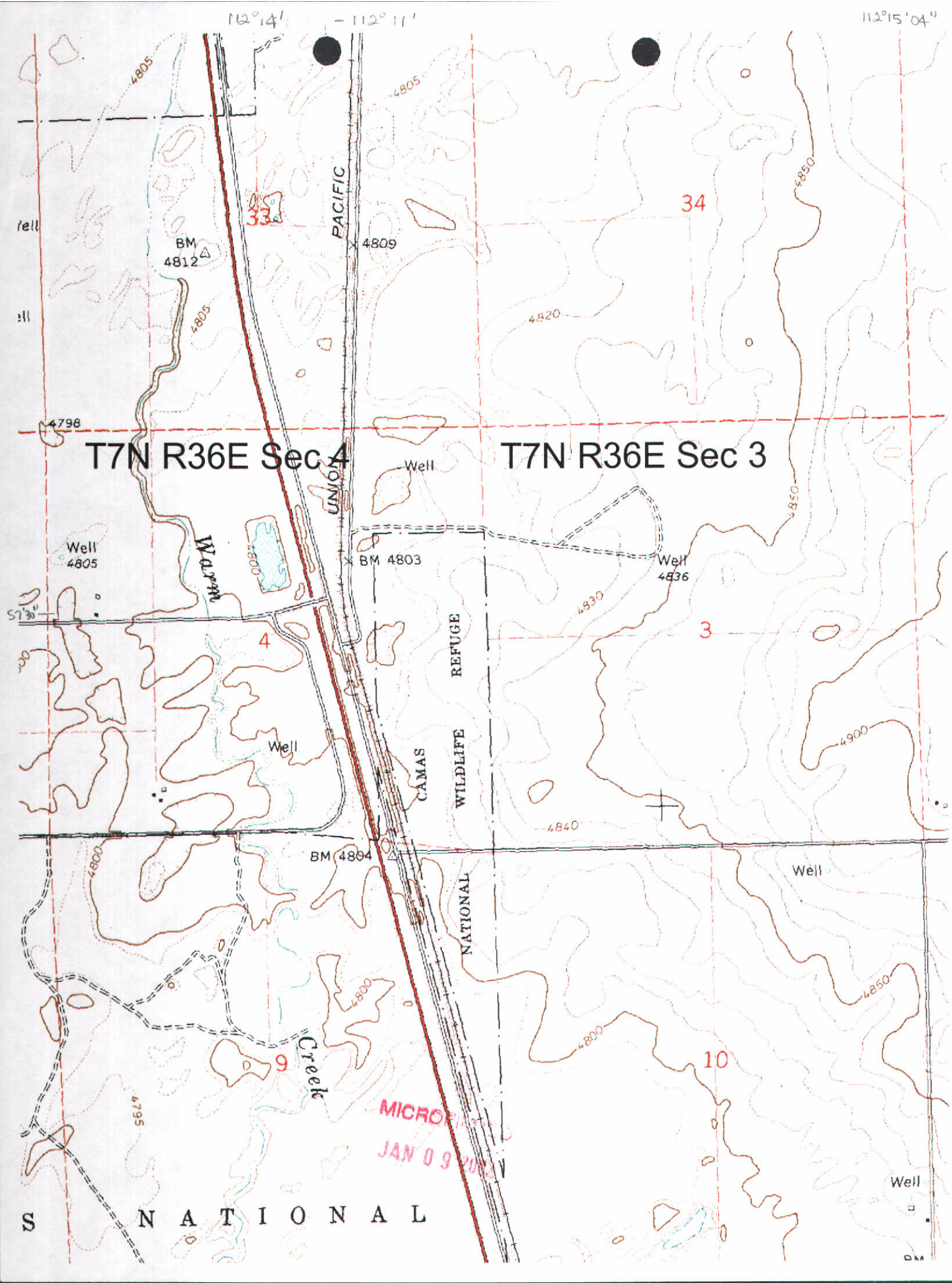
Ln#	Product	Qty	Exp Symbol	Roll	Exposures	Enlg Code	Shift Code	Zone	Scale ft/in
1	1001	1	CXS	1GG	198-198	FF		NZ	N/A
2	1001	1	16051	172	88-88	FF		NZ	N/A

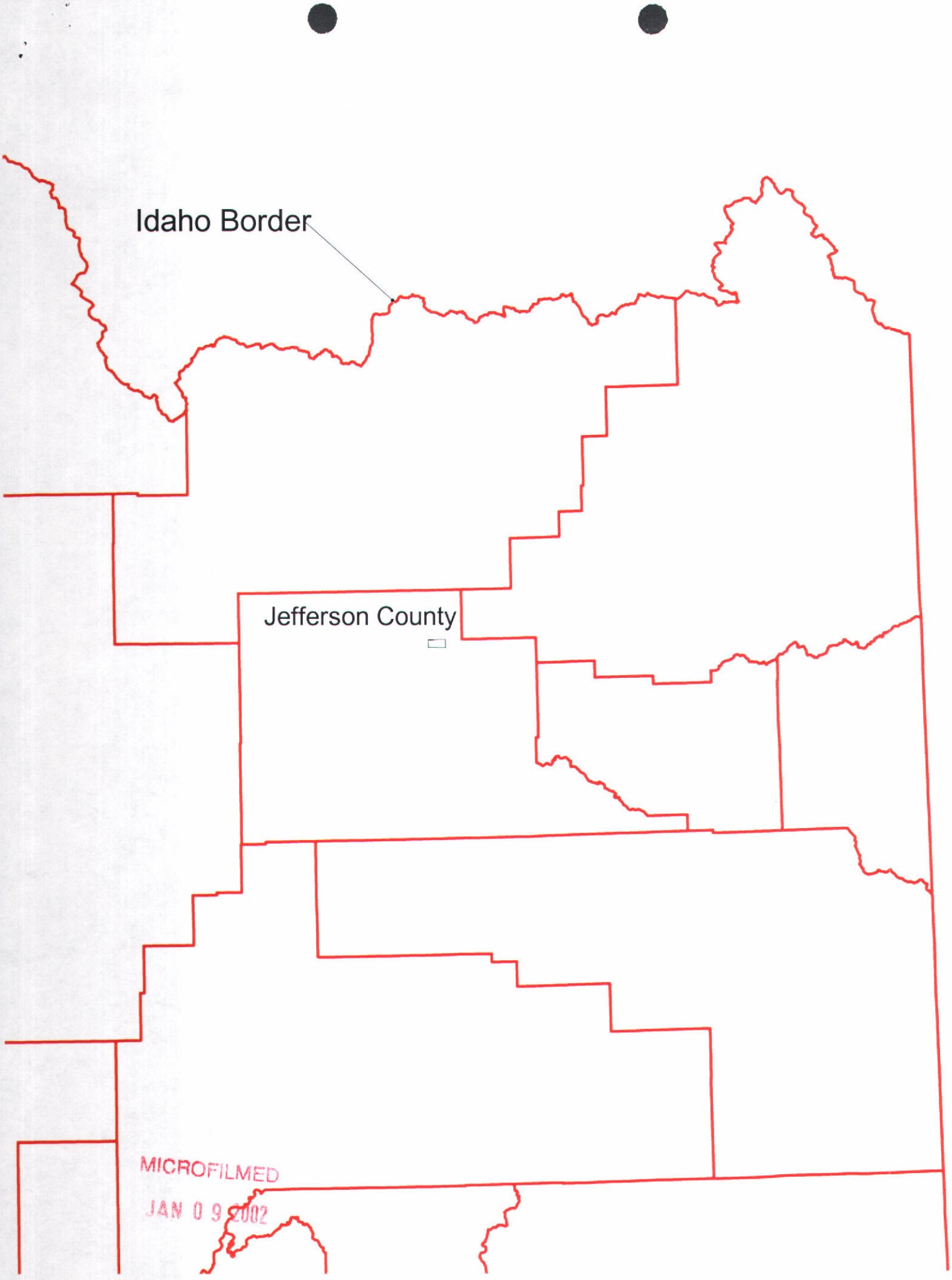
MICROFILMED
JAN 0 9 2002


5-2-66
CXS-1GG-198
OBTAINED FROM: 11/5/01
USDA-CFSA
AERIAL PHOTOGRAPHY
FIELD OFFICE
2222 WEST 2300 S.
SALT LAKE CITY, UTAH
84119-2020
FLOWN 5-2-66
T7N R3&6E SEC 3 & 4

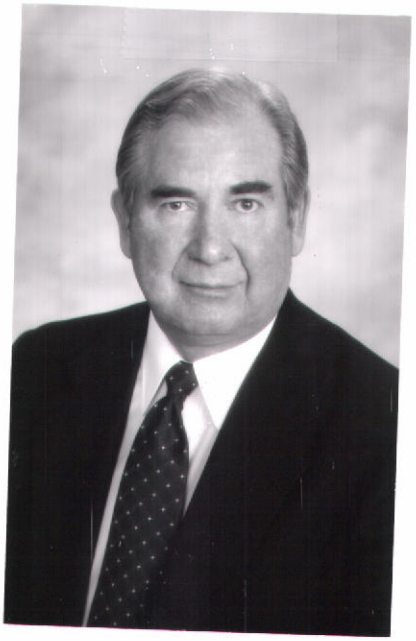

208.19
7-15-72
A28
16051
172-88
OBTAINED FROM: 11/5/01
USDA-CFSA
AERIAL PHOTOGRAPHY
FIELD OFFICE
2222 WEST 2300 S.
SALT LAKE CITY, UTAH
84119-2020
FLOWN 7-15-72, T7N R3E


T7N R36E Sec 4
T7N R36E Sec 3
MICROFILMED
JAN 09 2002
1987
MAPR


112°14'
112°11'
112°15'04"
T7N R36E Sec 4
T7N R36E Sec 3
PACIFIC
UNION
BM 4812
4809
BM 4803
BM 4804
Well 4805
Well 4836
Well
Well
Well
Well
Worm Creek
CAMAS WILDLIFE REFUGE
NATIONAL
4798
4805
4820
4830
4840
4850
4900
4800
4795
33
34
4
3
9
10
MICROFILMED
JAN 09 2002
S N A T I O N A L



MICROFILMED
JAN 0 9 2002



100%

Golden as legislator

6-20

MICROFILMED

JAN 0 3 2002

A9
A23

A9
A24

A9
A242

A9
A243

A5
A16

MICROFILMED
JAN 0 9 1967

T 7 N

May 2, 1966

T 8 N

1978 Map
Eskeene Ryder
acting for CED - USDA/FSA
3-6-86

These Three Circles have Water right 31-02429

A.355
T27

D 18.1
C 124.7
B 122.6
128.0
128.0

#5
#4
#3
#2
#1

(2) 153.9 ~~146.0~~ Ac. ~~138.5~~ ~~140.0~~ HEL 1.5

(1) ~~145.0~~ Ac. 160.7 84 | 35 / 3 | 2 HEL

(3) ~~133.5~~ Ac. 146.4 33 | 34 / 4 | 3 HEL

T203

T205
#2 + #3

BLM
6-24-86
Rec'd Contract
Purchase B.L.M.

32.8

I204
South
#7

(4) 10.5 Ac. HEL

A (5) 24.2 Ac. HEL

Water right 31-02430 2 Circles + West Piece

(5) 8 23.9 Ac. HEL

(2) 152.0 108.6 ~~111.4~~ ~~111.4~~ Ac. HEL

A.140 A.244 T206

(1) 150.4 ~~139.1~~ ~~139.7~~ Ac. ~~139.7~~ HEL

(9) 146.5

South
#8

(10) 127.6

A.243

MICROFILMED
JAN 09 2002

Shane Larsen

1980 Map

Transferred to Clark

NW HEL ② 17.3

HEL/NW ① 124.7

#1241 (27)

HEL/NW ① 127.1

HEL/NW ② 65.5

HEL/NW ① 64.4 ③ 5.0

HEL/NW ③ 146.4 | 33 4 | 34 3

#1291 (205)

③ 4.3

HEL/NW ② 153.9

HEL/NW ① 150.7 | 34 3 | 35 2

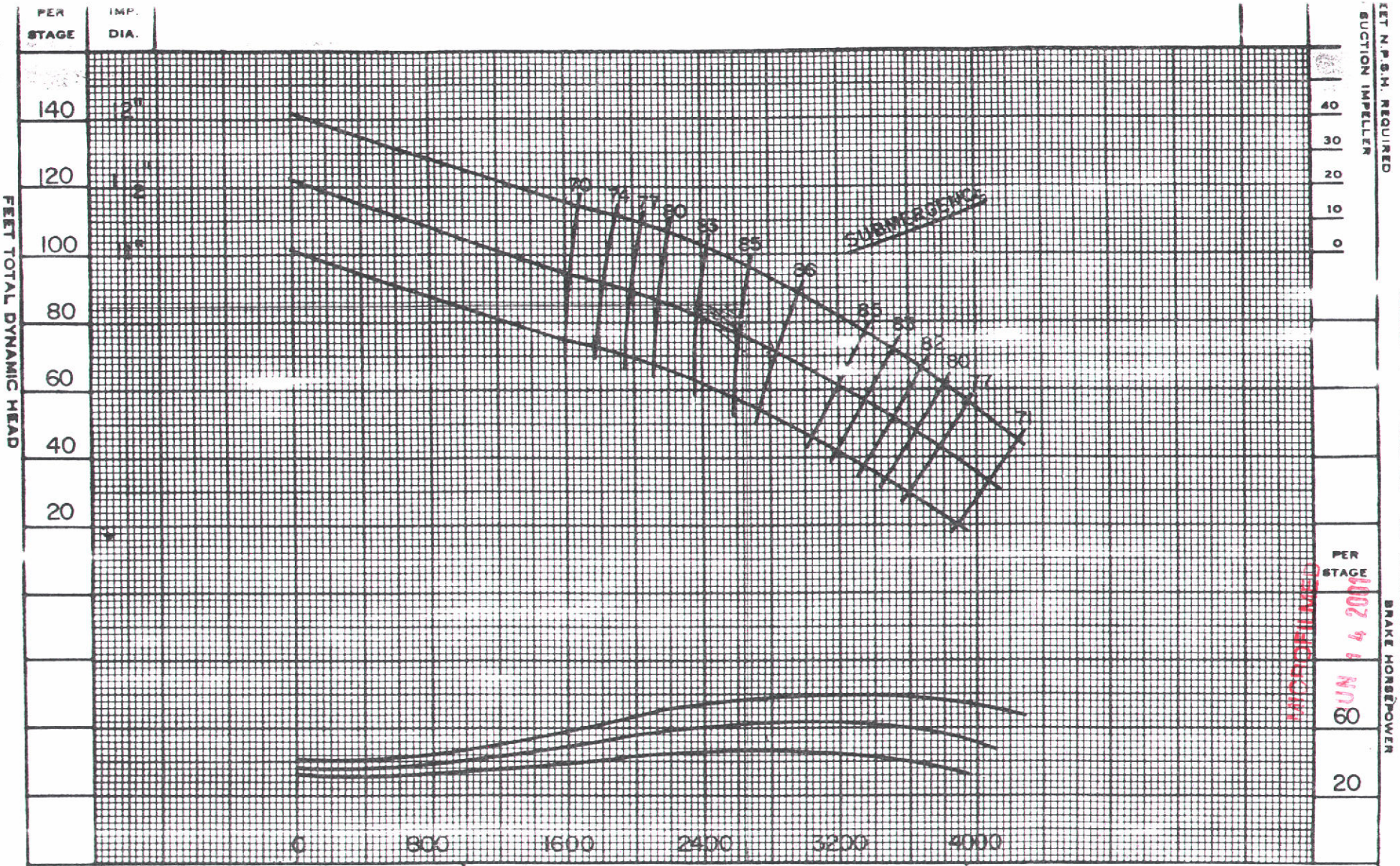
④ 58.7 ⑤ 5.0

HEL/NW ② 152.0

HEL/NW ① 150.4

#2617 (206)

MICROFILMED
JAN 09 2002



PERFORMANCE BASED ON MULTISTAGE TESTS
PUMPING CLEAR COLD WATER SP. GR. 1.0

FOR 1 STAGE MULTIPLY HEAD & EFF. BY .97

FOR 3 STAGES MULTIPLY HD. & EFF. BY .99

DATE 7-26-65

JOHNSTON PUMP COMPANY
Glendora, California
ESTABLISHED 1909

16 CMC TURBINE PUMP — 1770 R.P.M

IMPELLER — BRONZE

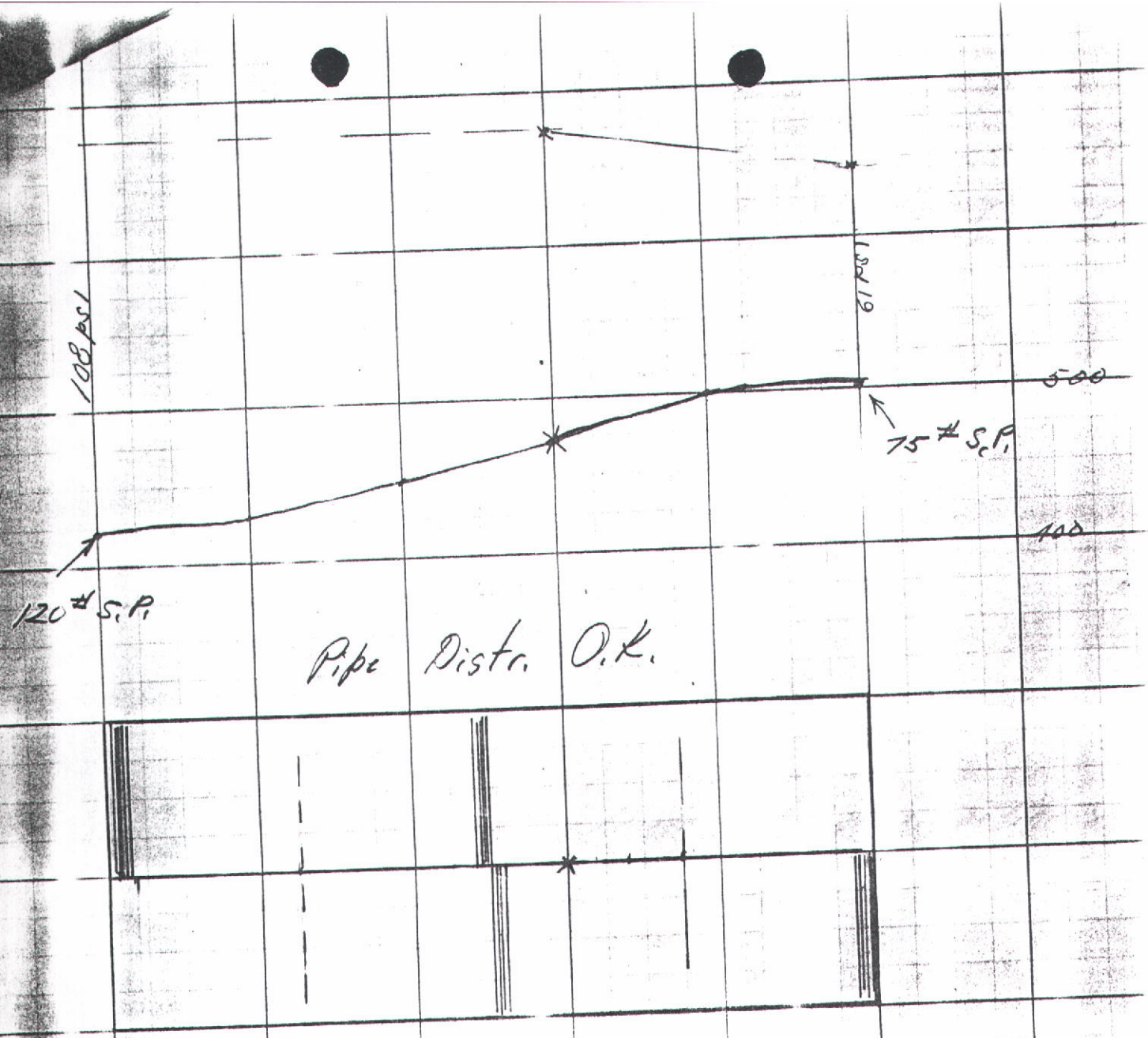
BOWL — CAST IRON

CURVE SHEET NO. 10246

JP-341

CERTIFIED COPY
JUN 4 2009

Supersedes Page 94 Dated April 6, 1964



Pipe Distr. O.K.

Water Requirement

4 - 5 Line Irrigation

@ 660 gpm = 2640 gpm

Pump in Well 3-16CLC

Will deliver 2640 @ 270' TDH

Column Friction 6

Suction Lift 60'

Pressure Head 204 = 88 psi

270

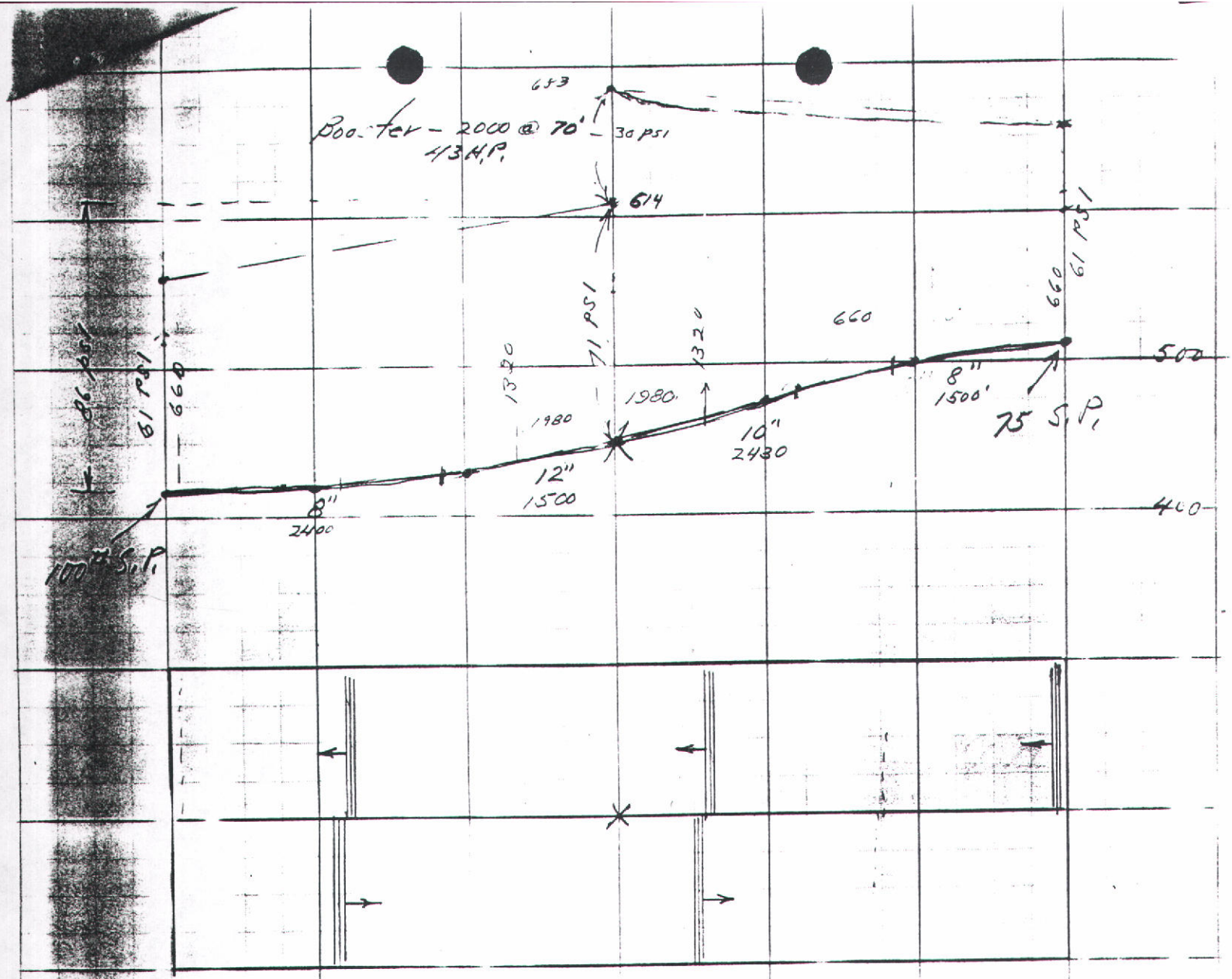
Quality Pac

South Well

MICROFILMED

JUN 14 2001


Prem. Produce (Quality Par)
#4, #5 Pump
CAMAS 3.2 MI.
403 12'30"
3872 N SW (CAMAS)
#4 100 H.P.
#5 200 H.P.
#2 wire
#2 well
#1
#6
Elev. 4955
Pump 95 - 270"
200 x 30
Well
Beacon Butte
Radio Tower
Beacon
PACIFIC
REFUGE
TEXAS
WILDLIFE
NATIONAL
27
26
25
34
35
36
3
2
1
10
11
12
MICROFILMED
JUN 14 2001



Water Requirement

5- 5 line Trimatics

@ 660 gpm @ 3300 gpm

Pump in Well: 3-16 CLC

Will deliver 3300 @ 210 TDH

Column Friction 8

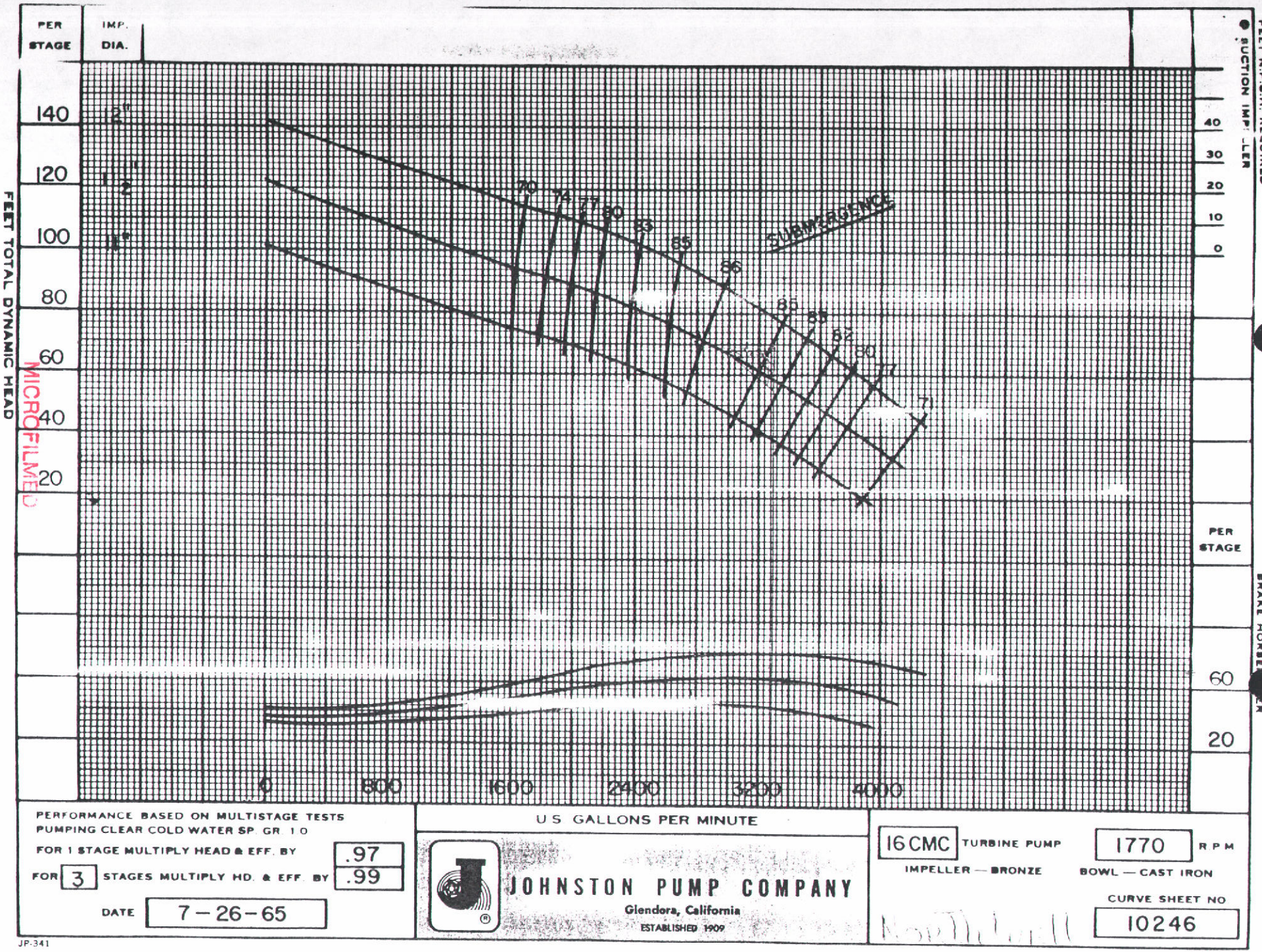
Suction Lift 38

Pressure Head $\frac{164}{210}$ = 71 psi

MICROFILMED
JUN 14 2001

Quality Pac

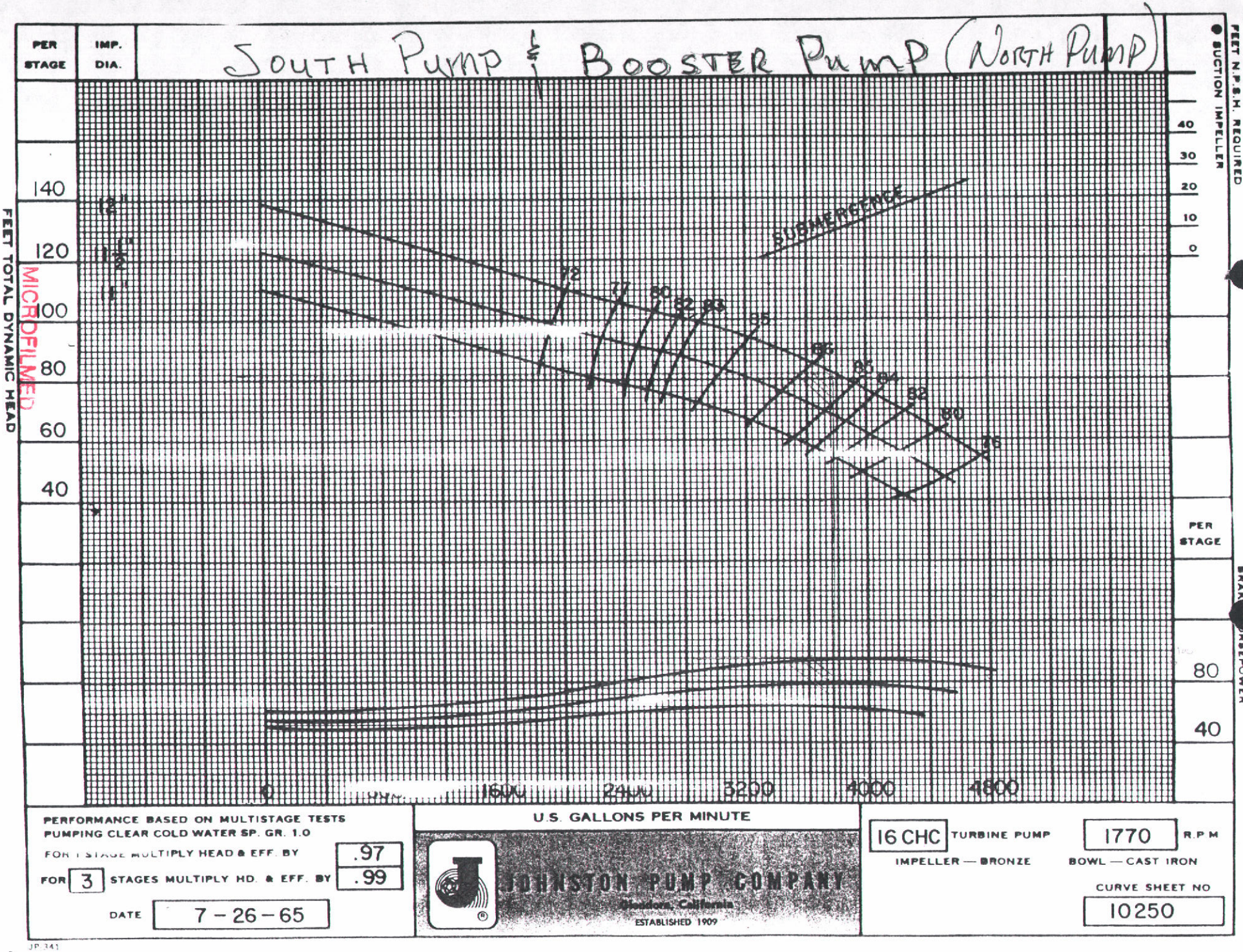
North Pump



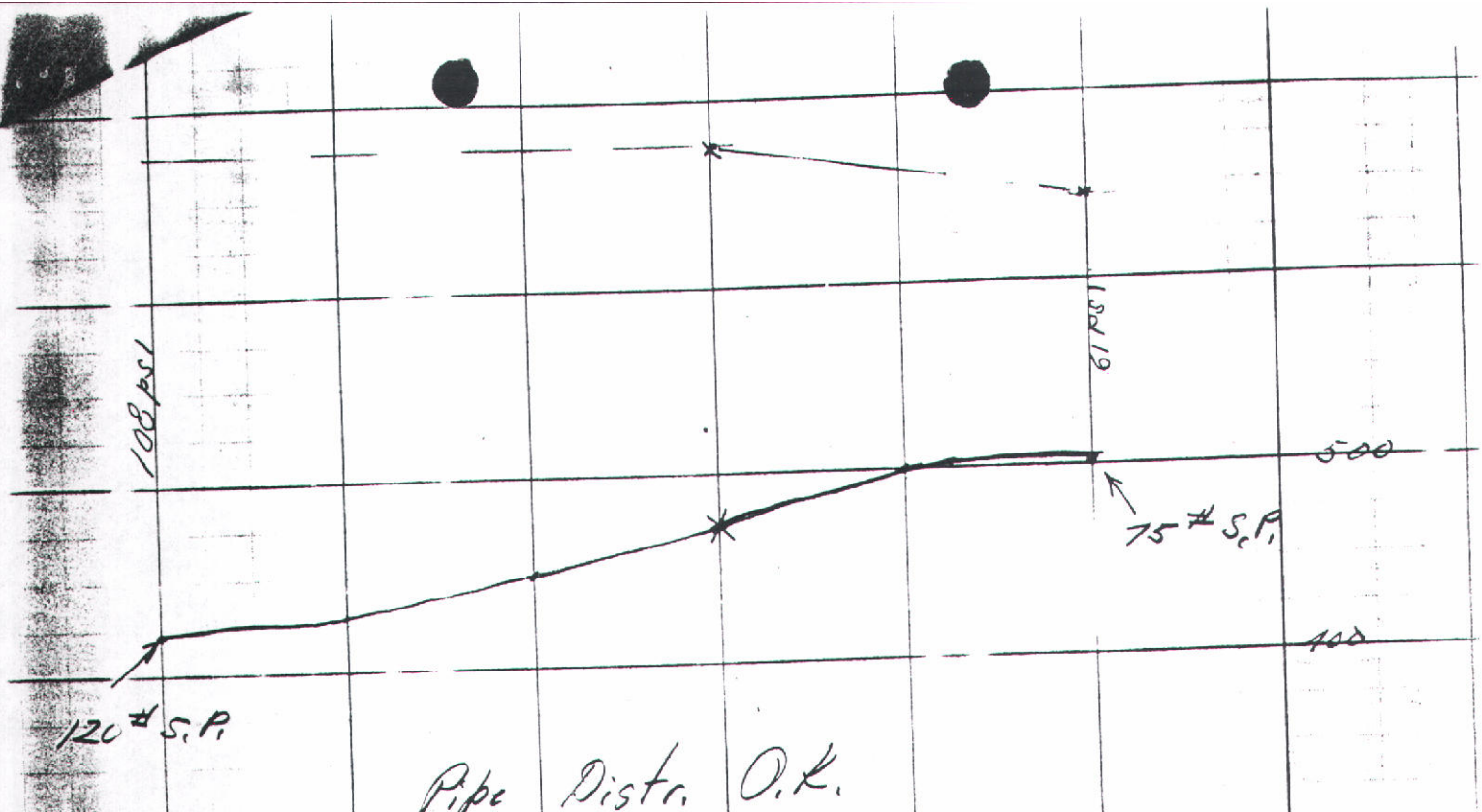
JP-341

MICROFILMED
JUN 14 2001

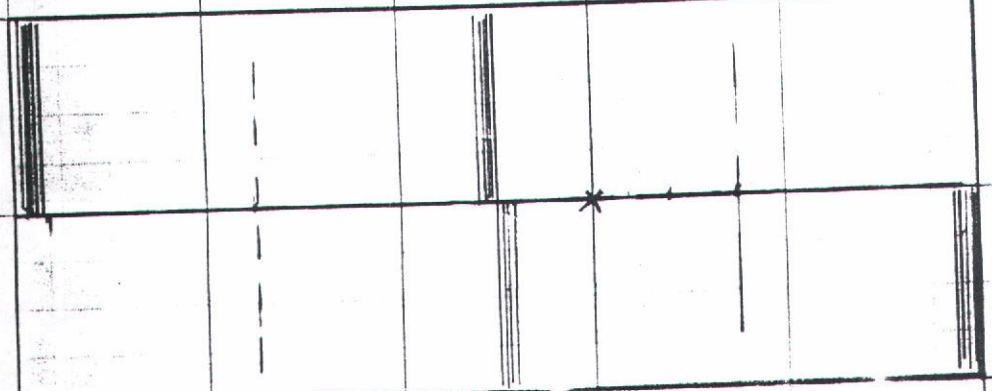
Supersedes Page 94
Dated April 6, 1964



MICROFILMED
JUN 14 2001



Pipe Distr. O.K.



Water Requirement

4 - 5 Line Irrigati

@ 660 gpm = 264 gpm

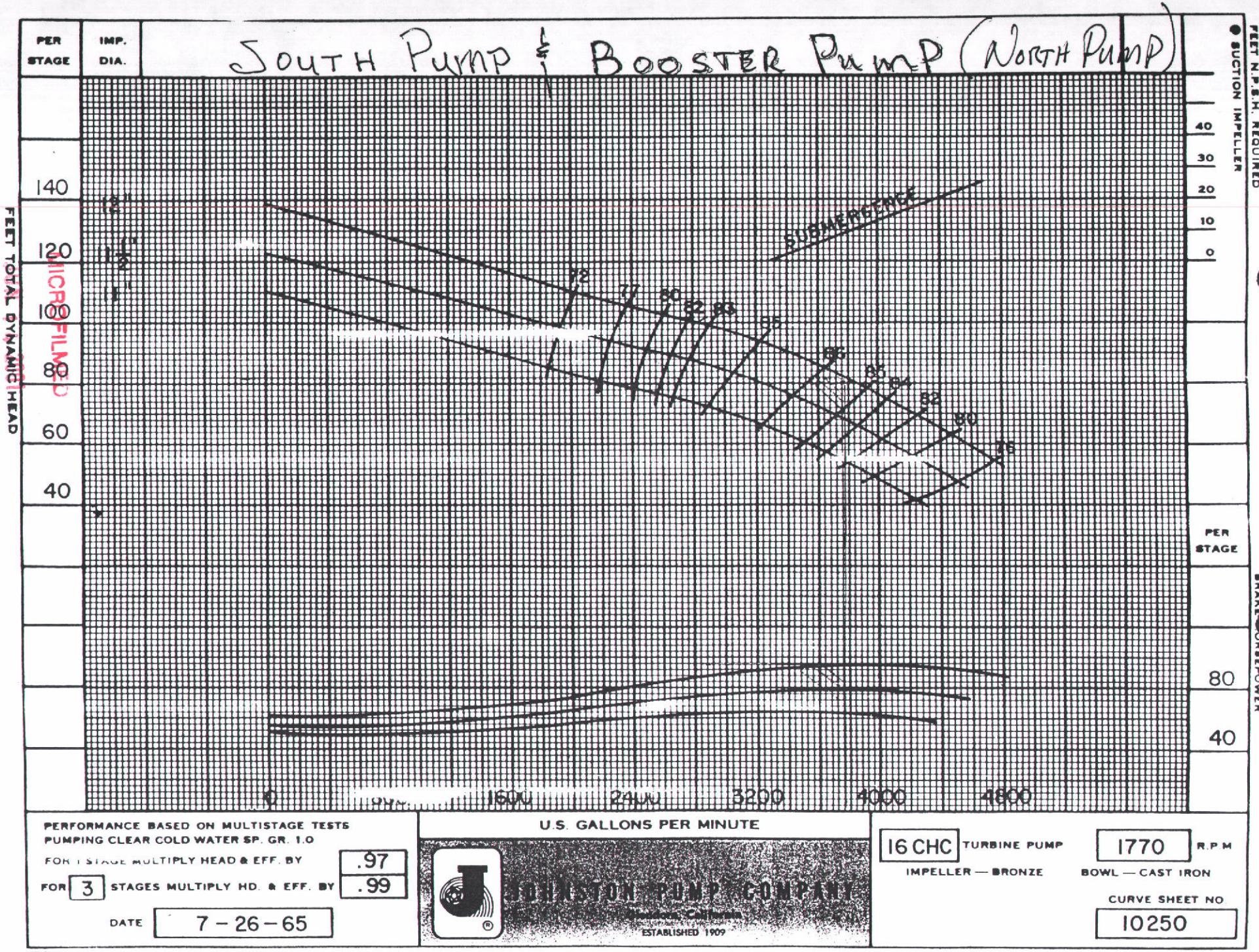
Pump in Well 3-6CLC

Well deliver 2640 = 270' TDH

Column Friction	6
Suction Lift	60'
Pressure Head	204
	270 = 85.3

Quality Pac
South Well

MICROFILMED
JUN 14 2001



MICROFILMED

JP-341

Form 238-7
9/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

USE TYPEWRITER OR BALLPOINT PEN

RECEIVED
JUN 11 1992
Department of Water Resources
Eastern District Office

1. WELL OWNER

Name Quality Farms

Address 2120 W 4200 S Rexburg, Id 83440

Owner's Permit No. 31 91E-011-002

2. NATURE OF WORK

WR # 31-2430

☐ New well ☒ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
_____ inches	_____ inches +	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No
Manufacturer's name Deepened well
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth _____ Material used in seal: ☐ Cement grout
☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.

N / W / E / S

Subdivision Name _____
Lot No. _____ Block No. _____
County Jefferson
SW ¼ NE ¼ Sec. 4, T. 7 N/S, R. 36 E/W.

7. WATER LEVEL

Static water level 60' feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
16"	92	154	sand some Rock Gravel clay	✓	
	154	168	Gray Basalt	✓	
	168	170	Broken Basalt	✓	
	170	173	Black Basalt	✓	
	173	175	Broken Basalt	✓	
	175	183	Black Basalt	✓	
	183	185	Loose Basalt cinders	✓	

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Department of Water Resources

10.

Work started 5/91 finished 5/91

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Kendle Well Drilling & Pump Co
Irving & Corlican Kendle
301 E Anderson St.
Idaho Falls, ID 83401

Firm No. 38

Date 6/9/92

Signed by (Firm Official) Irving Kendle

and

(Operator) Irving Kendle

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

31 2430

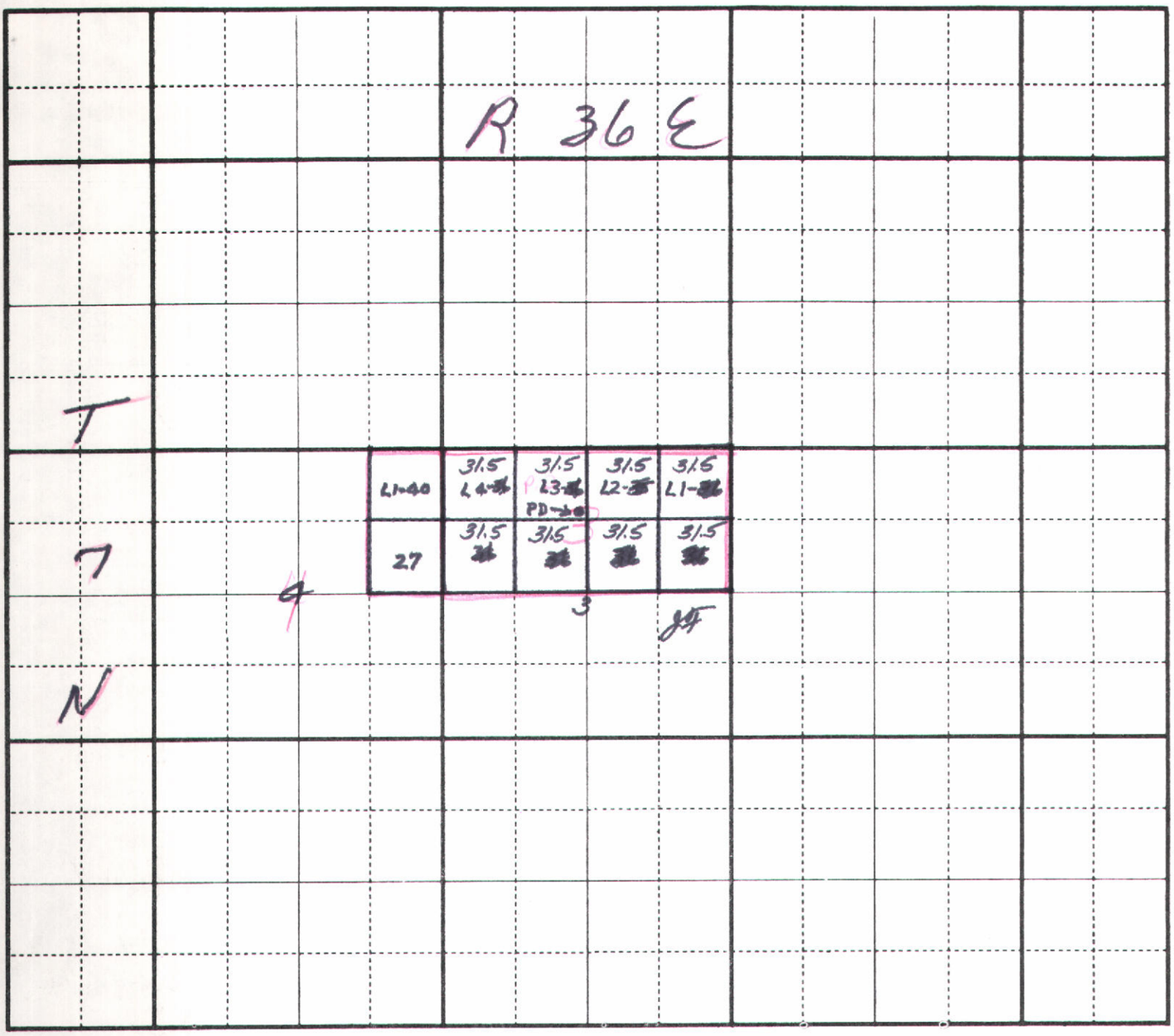
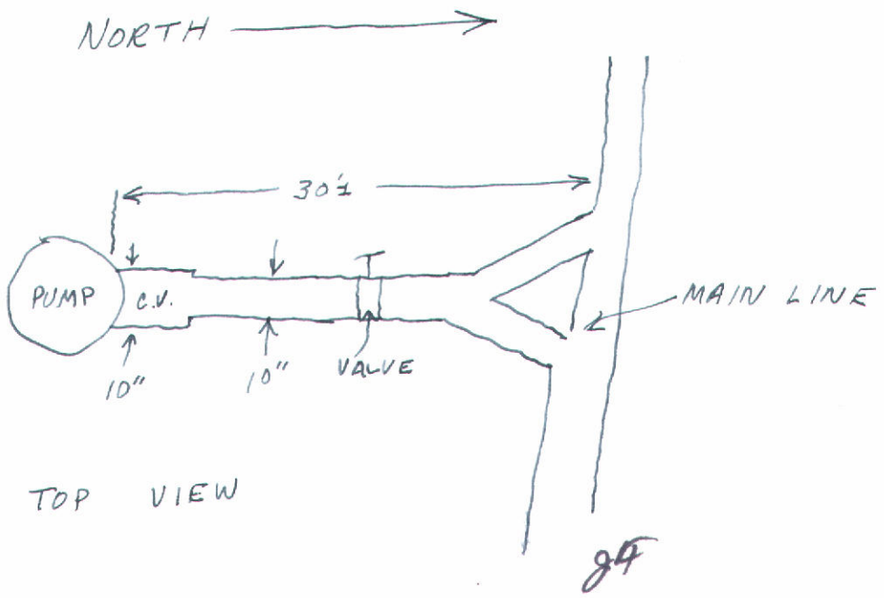
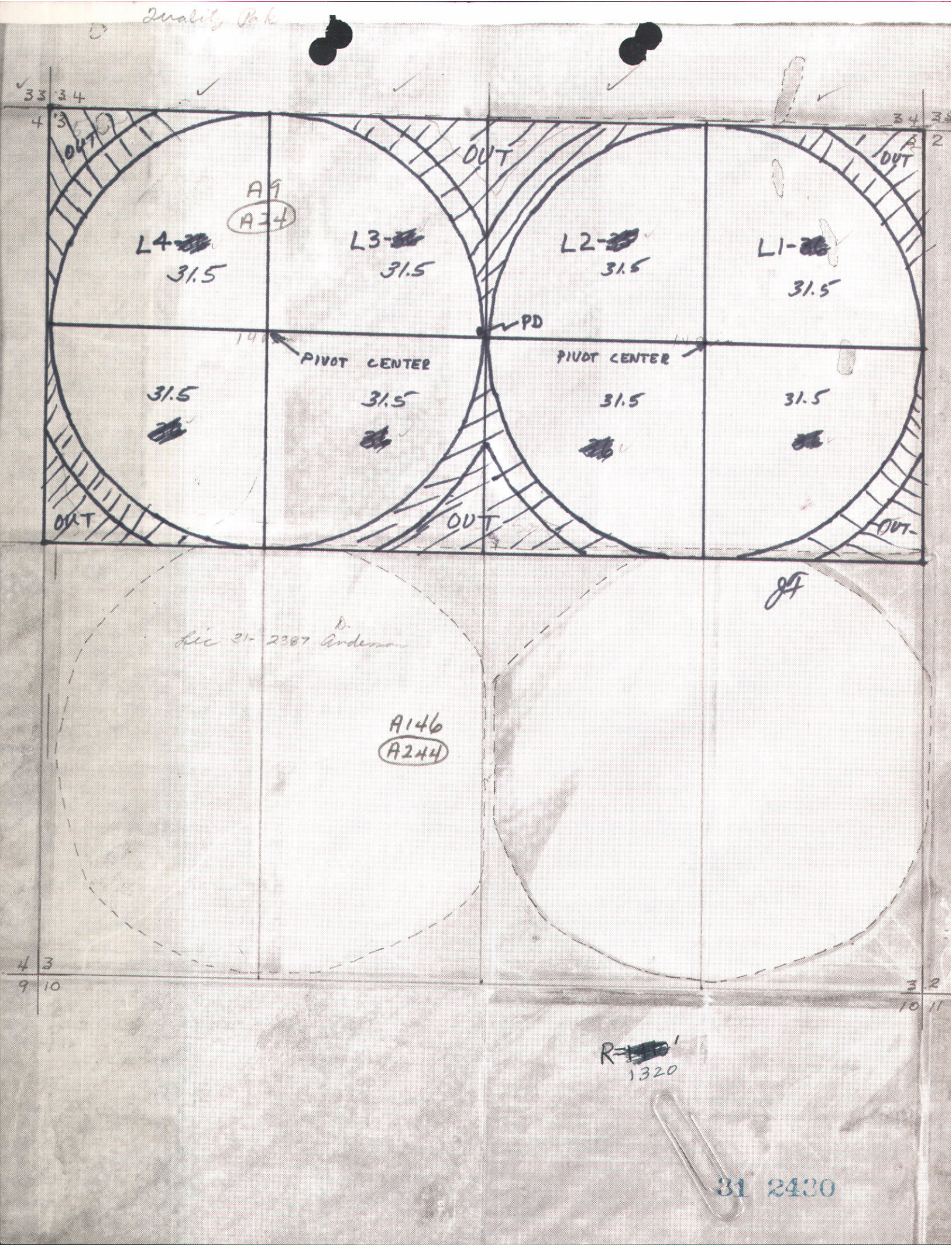
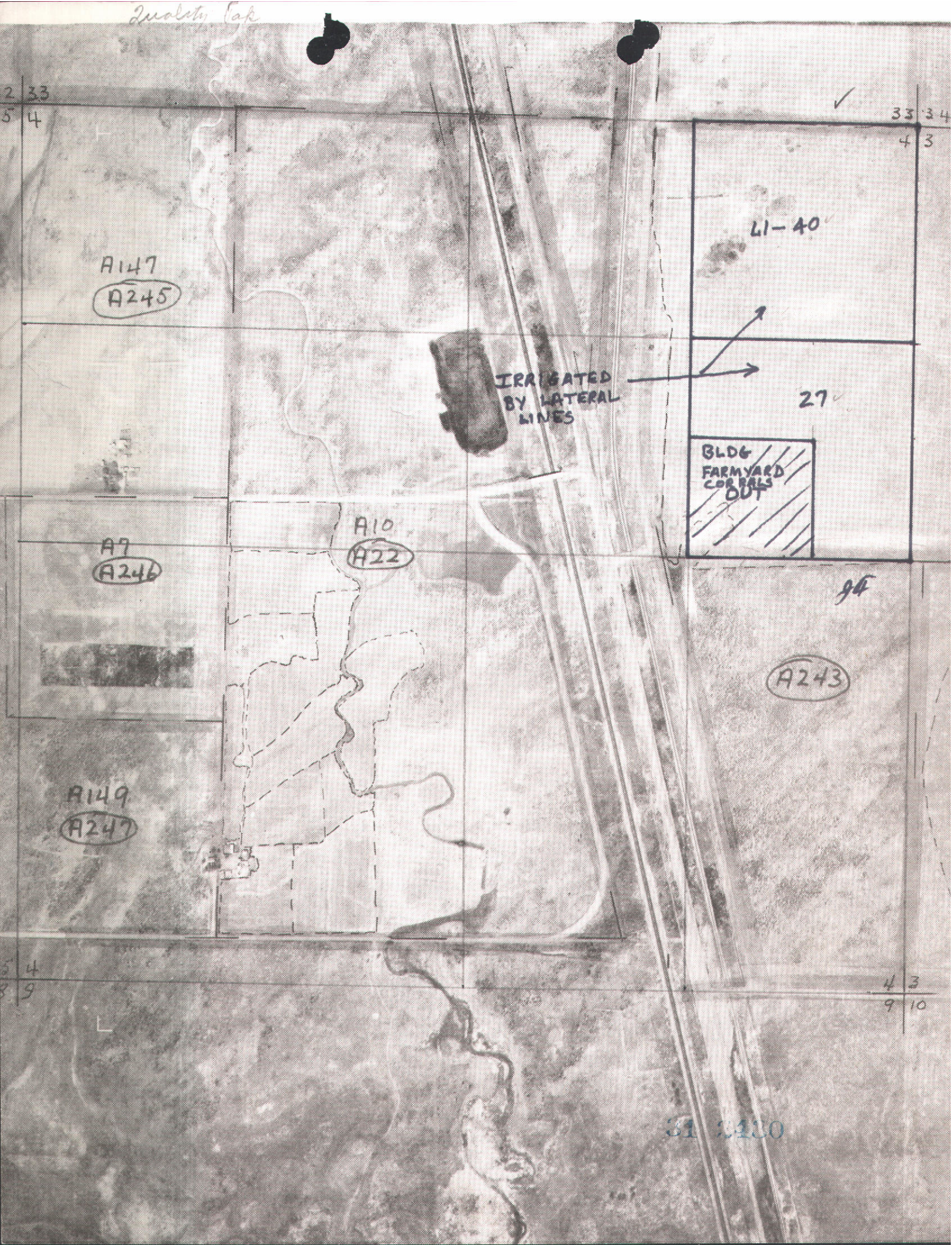


Diagram of System




Quabil Park
33 34
4 3
OUT
A1
A24
L4
31.5
L3
31.5
OUT
L2
31.5
L1
31.5
OUT
PD
PIVOT CENTER
PIVOT CENTER
31.5
31.5
31.5
31.5
OUT
OUT
OUT
Lic 31-2387 D. Anderson
A146
A244
4 3
9 10
3 2
10 11
R=
1320
31 2430


Quality Oak
2 33
5 4
33 34
4 3
A147
A245
41-40
IRRIGATED BY LATERAL LINES
27
BLDG FARMYARD CORRALS OUT
A10
A22
A7
A246
94
A243
A149
A247
5 4
8 9
4 3
9 10

State of Idaho
Department of Water Resources

Water Right License

AMENDED **WATER RIGHT NO. 31-02430** **AMENDED**

Priority: August 25,1966

Maximum Diversion Rate: 5.88 CFS
Maximum Diversion Volume: 1,214.5 AF

It is hereby certified that QUALITY FARMS INC
RT 3 BOX 433-8
REXBURG ID 83440 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 25, 1966; and has submitted Proof of Beneficial Use on July 23, 1971. An examination indicates that the works have a diversion capacity of 5.88 cfs of water from:

SOURCE
GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
IRRIGATION	04/01 to 11/01	5.88 CFS	1,214.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE1/4NW1/4	Sec. 3, Twp 07N, Rge 36E, B.M.	JEFFERSON County
GROUND WATER	SW1/4NE1/4	Sec. 4, Twp 07N, Rge 36E, B.M.	JEFFERSON 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	
07N 36E 3	35.0	35.0	35.0	35.0	35.0	35.0	35.0	35.0									280.0
07N 36E 4	40.0			27.0													67.0

Total Acres: 347

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 18TH day of DECEMBER, 2001.

KARL J. DREHER
Director

BEFORE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF WATER RIGHT LICENSE NO. 31-02430 IN THE NAME OF QUALITY FARMS, INC.	))))	**PRELIMINARY ORDER CORRECTING LICENSE**

This matter having come before the Department of Water Resources (Department) as a result of the filing of a petition to correct a water right license, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On August 25, 1966, the Department issued Permit No. 33139 (permit) in the name of Quality Pak. The permit authorized the development of a right to divert 8.0 cubic feet per second (cfs) from ground water to irrigate 400 acres, with a beneficial use proof due date of September 12, 1971.

2. On July 23, 1971, the right holder submitted a proof of beneficial use statement for the permit.

3. On September 15, 1972, Department staff conducted a field inspection to verify the extent of the beneficial use of water developed in accordance with the permit. The field examiner reported a system diversion rate of 4.63 cfs based on measurements for two sprinkler pivots. The field examiner identified 252 acres irrigated by the two pivots plus an additional 67 acres irrigated by lateral sprinkler hand lines. The field examiner recommended a diversion rate of 4.63 cfs for irrigation of 319 acres. The recommended diversion rate did not account for a diversion rate associated with the sprinkler hand lines.

4. On July 24, 1973, the Department issued Water Right License No. 31-02430 (license) in the name of Quality Pak, which authorizes the diversion of 4.63 cfs from ground water to irrigate 319 acres.

5. On January 15, 1986, Transfer No. 3220 was approved in the name of Quality Farms, Inc. to add a point of diversion.

6. On March 24, 2001, the Department received a letter and supplemental documentation from Golden C. Linford (petitioner) on behalf of the current water right holder requesting corrections be made to the diversion rate and irrigated acreage to Water Right License No. 31-02430. The letter described the original system as designed and installed in 1966, and the changes made through the development period. The letter and supplemental documentation indicated that the original design flow was 2640 gpm (5.88 cfs), and changes made in 1969

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increased the diversion rate to 6.36 cfs. The letter also indicated that 345 acres were irrigated by two sprinkler pivots plus sprinkler hand lines in 1969.

7. On April 2, 2001, the Department received a letter from Robert R. Lee on behalf of the petitioner, with supplemental documentation stating that Water Right License No. 31-02430 was licensed with an incorrect diversion rate and should be amended. This letter also gave an account of system changes during and after the permit development period, and described the system capacities with attached pump curves and design calculations.

8. Department staff reviewed the letters and supplemental documentation and summarized the findings in a memorandum dated May 2, 2001. The review confirmed that the field examiner erred by failing to include the diversion rate associated with the sprinkler hand lines. The documentation provided by the petitioner and by Robert R. Lee supported a diversion rate of 5.88 cfs. There was insufficient support for a higher diversion rate, or to justify a change to the irrigated acres reported by the field examiner.

9. On July 10, 2001, the Department issued Amended Water Right License No. 31-02430 (amended license) in the name of Quality Farms, Inc., which authorizes the diversion of 5.88 cfs from ground water to irrigate 319 acres.

10. On August 17, 2001, the Department received a letter with photocopies of aerial photographs from Mr. Linford requesting additional corrections be made to the irrigated acreage associated with the amended license. The letter indicated that the system included 140-acre sprinkler pivots, which is equivalent to a total of 347 acres for two pivots plus the 67 acres irrigated by lateral sprinkler hand lines.

11. Department staff reviewed the letters, supplemental documentation, and obtained additional aerial photography for 1966 and 1972 from the USDA-CFSA. The total acres irrigated varied throughout the development period due to changes in the irrigation system. The review confirmed that the field examiner erred by failing to include the maximum acres irrigated within the development period.

12. The original license issued by the Department on July 24, 1973, in the name of Quality Pak, authorized a diversion volume of 957 acre feet per acre (afa). The current Department standard for diversion volume is 3.5 acre feet per year per acre at the place of use.

CONCLUSIONS OF LAW

1. The field inspection report prepared by the Department on September 15, 1972 for the permit contained an error by failure to include the maximum acreage developed during the development period.

2. Information submitted by the petitioner supports a place of use of 347 acres developed in accordance with the permit.

3. The license does not accurately portray the water use developed by the water right holder in accordance with Permit No. 33139.

4. The Department should correct Water Right License No. 31-02430 as requested by the petitioner, to authorize a place of use of 347 acres for irrigation purposes and a diversion volume of 1214.5 afa.

ORDER

IT IS HEREBY ORDERED that Water Right License No. 31-02430 issued by the Department on July 24, 1973 and amended on July 10, 2001, is **CORRECTED** by revising the place of use from 319 acres to 347 acres, and the diversion volume from 957 afa to 1214.5 afa. An Amended Water Right License shall be prepared to incorporate the corrections hereby ordered.

Dated this 16th day of NOVEMBER, 2001.

NORMAN C. YOUNG
Administrator, Water Management Division

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JAN 0 3 2002

State of Idaho
Department of Water Resources

Water Right License

AMENDED **WATER RIGHT NO. 31-02430** **AMENDED**

Priority: August 25,1966

Maximum Diversion Rate: 5.88 CFS
Maximum Diversion Volume: 957 AF

It is hereby certified that QUALITY FARMS INC
RT 3 BOX 433-8
REXBURG ID 83440 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 25, 1966; and has submitted Proof of Beneficial Use on July 23, 1971. An examination indicates that the works have a diversion capacity of 5.88 cfs of water from:

SOURCE
GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
IRRIGATION	04/01 to 11/01	5.88 CFS	957.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE¼NW¼	Sec. 3, Twp 07N, Rge 36E, B.M.	JEFFERSON County
GROUND WATER	SW¼NE¼	Sec. 4, Twp 07N, Rge 36E, B.M.	JEFFERSON 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	
07N 36E 3	31.5	31.5	31.5	31.5	31.5	31.5	31.5	31.5									252.0
07N 36E 4	40.0			27.0													67.0

Total Acres: 319

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 10th day of July, 2001.

for KARL J. DREHER
Director

MICROFILMED
JAN 09 '02

BEFORE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF WATER RIGHT LICENSE NO. 31-02430 IN THE NAME OF QUALITY FARMS, INC.	))))	**PRELIMINARY ORDER CORRECTING LICENSE**

This matter having come before the Department of Water Resources (Department) as a result of the filing of a petition to correct a water right license, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On August 25, 1966, the Department issued Permit No. 33139 (permit) in the name of Quality Pak. The permit authorized the development of a right to divert 8.0 cubic feet per second (cfs) from ground water to irrigate 400 acres, with a beneficial use proof due date of September 12, 1971.

2. On July 23, 1971, the right holder submitted a proof of beneficial use statement for the permit.

3. On September 15, 1972, Department staff conducted a field inspection to verify the extent of the beneficial use of water developed in accordance with the permit. The field examiner reported a system diversion rate of 4.63 cfs based on measurements for two sprinkler pivots. The field examiner identified 252 acres irrigated by the two pivots plus an additional 67 acres irrigated by lateral sprinkler hand lines. The field examiner recommended a diversion rate of 4.63 cfs for irrigation of 319 acres. The recommended diversion rate did not account for a diversion rate associated with the sprinkler hand lines.

4. On July 24, 1973, the Department issued Water Right License No. 31-02430 (license) in the name of Quality Pak, which authorizes the diversion of 4.63 cfs from ground water to irrigate 319 acres.

5. On January 15, 1986, Transfer No. 3220 was approved in the name of Quality Farms, Inc. to add a point of diversion.

6. On March 24, 2001, the Department received a letter and supplemental documentation from Golden C. Linford (petitioner) on behalf of the current water right holder requesting corrections be made to the diversion rate and irrigated acreage to Water Right License No. 31-02430. The letter described the original system as designed and installed in 1966, and the changes made through the development period. The letter and supplemental documentation indicated that the original design flow was 2640 gpm (5.88 cfs), and changes made in 1969

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increased the diversion rate to 6.36 cfs. The letter also indicated that 345 acres were irrigated by two sprinkler pivots plus sprinkler hand lines in 1969.

7. On April 2, 2001, the Department received a letter from Robert R. Lee on behalf of the petitioner, with supplemental documentation stating that Water Right License No. 31-02430 was licensed with an incorrect diversion rate and should be amended. This letter also gave an account of system changes during and after the permit development period, and described the system capacities with attached pump curves and design calculations.

8. Department staff reviewed the letters and supplemental documentation and summarized the findings in a memorandum dated May 2, 2001. The review confirmed that the field examiner erred by failing to include the diversion rate associated with the sprinkler hand lines. The documentation provided by the petitioner and by Robert R. Lee supported a diversion rate of 5.88 cfs. There was insufficient support for a higher diversion rate, or to justify a change to the irrigated acres reported by the field examiner.

CONCLUSIONS OF LAW

1. The field inspection report prepared by the Department on September 15, 1972 for the permit contained an error by failure to include the total diversion rate developed under the permit.

2. Information submitted by the petitioner supports a diversion rate of 5.88 cfs developed in accordance with the permit.

3. The license does not accurately portray the water use developed by the water right holder in accordance with Permit No. 33139.

4. The Department should correct Water Right License No. 31-02430 to authorize a diversion rate of 5.88 cfs for irrigation purposes.

ORDER

IT IS HEREBY ORDERED that Water Right License No. 31-02430 issued by the Department on July 24, 1973, is **CORRECTED** by revising the diversion rate from 4.63 cfs to 5.88 cfs. An Amended Water Right License shall be prepared to incorporate the corrections hereby ordered.

Dated this 4TH day of JUNE, 2001.

NORMAN C. YOUNG
Administrator, Water Management Division

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Form No. 222 8/84

Transfer No. 3220

Water Right No. 31-2430

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Quality Farms, Inc. Phone 356-7220

Post Office address Rt. 3, Box 433-8, Rexburg, ID 83440

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____ (Name)

   in case of _____ vs _____

   dated in _____ in _____ (Name of court) county of _____

   b. License No. 31-2430 issued by the Idaho Department of Water Resources

   c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water Groundwater tributary to _____

4. Date of priority 8-25-1966

5. Water is used for the following purposes:

   amount 4.63 cfs for Irrigation purposes from 4/1 to 11/1

   amount _____ for _____ purposes from _____ to _____

   amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 4.63 cubic feet per second &/or

   b. _____ acre feet per annum

7. Location of original point of diversion is NE ¼ of NW ¼ of Section 3

   Township 7N Range 36E, B.M., in Jefferson County

   Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	3	31½	31½	31½	31½	31½	31½	31½	31½									252
			L1	L2			L3	L4											
7N	36E	4	40			27													67

Total number of acres to be irrigated 319

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

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2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

a. Amount of water to be diverted 4.63 c.f.s. &/or _____ acre feet

b. Description of diverting works two wells, sprinkler system

c. Describe the reasons for the proposed changes applicant wishes to add an additional well to his system.

2. Change in point of diversion

Point of diversion SW ¼ NE ¼, Section 4 Township 7N
Range 36E, B.M., Jefferson County
Additional points NE¼NW¼, Sec. 3, T. 7N, R. 36E

3. Change in place of use

a. 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 change.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

c. Describe the land [redacted] place of use to which the right will be t[redacted]ferred:

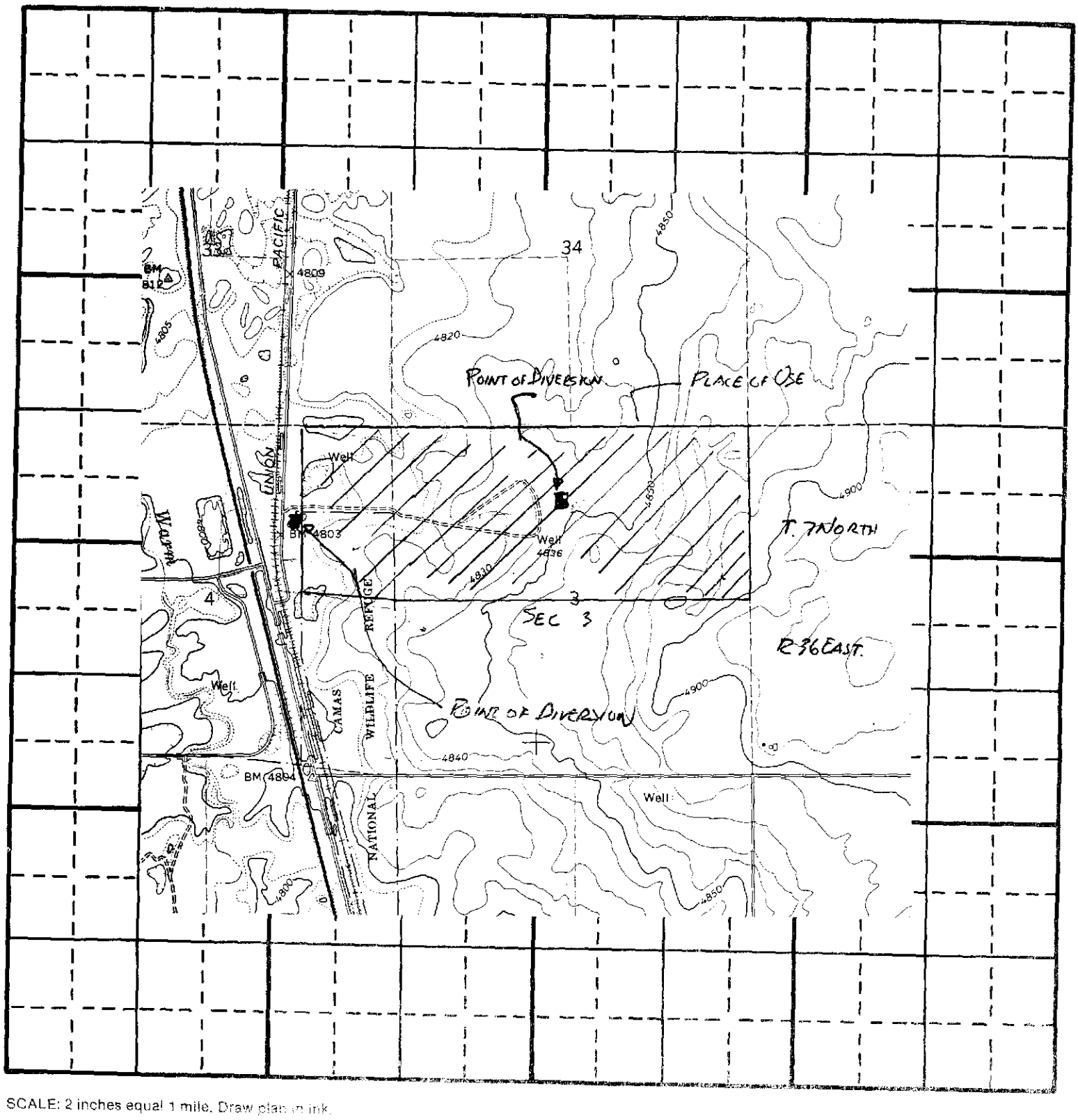
NO CHA[redacted]E

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	3	31½	31½	31½	31½	31½	31½	31½	31½									252
			L1	L2			L3	L4											
7N	36E	4	40			27													67

Total number of acres to be irrigated 319

4. Describe any other water rights used for the same purpose as described above. [redacted]

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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D. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

Holden C Kinsford
(Signature of Applicant)

Subscribed and sworn to before me this 9th day of October, 1985.

Ronald D Carlson
(Notary Public)

My commission expires 2/14/86

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-2430 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 15th day of January, 1986.

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by SM Date 10-9-85 Protest filed by

Prelim. check by KCW Fee $50.00

Receipted by CW Date 10-9-85 #35510

Published in The Rigby Star

Pub. dates Oct 24 + 31, 1985 / 11/28 + 12/4 1985

Copies of protest forwarded by

Hearing held by Date

Watermaster recommendation requested on N.A.

rec'd. Recommended for approval denial

by ~~ROC~~ JIM

Tenant shall upon request of Landlord execute such additional Financing Statements and Security Agreements as are needed to maintain a perfected security interest in crops securing rent under any renewal terms hereof.

5. Irrigation System.

Tenant's predecessor has obtained the necessary permits, has drilled an irrigation well, and has installed a pump, mainline and complete irrigation system upon the premises. This irrigation system may be modified or altered by Tenant. Upon termination of the lease, the Tenant is authorized to remove the irrigation system. Tenant is obligated to furnish all irrigation water at Tenant's own expense, and Tenant covenants and agrees to pay all electric power bills and other charges in connection with the irrigation system.

6. Farming Practices.

Tenant shall farm the tillable ground on the premises, in a good husbandlike manner, and in accordance with standard farming practices for such property. Tenant shall maintain proper weed control practices. Tenant has the right to control and determine the kinds and amounts of crops to be raised upon the premises, the time to plant and harvest, the place of storage, and the time and manner of sale of the crops, provided there is no default under this agreement in payment of rent, and subject to a security interest in Landlord in the proceeds of the crops. Tenant is obligated to pay all costs and expenses of farming the premises, harvesting and storing the crops, and marketing the crops.

7. Potato Storage.

Tenant is responsible to store potatoes raised upon the premises in adequate potato storage facilities until time of marketing.

8. Quiet Enjoyment.

Landlord covenants and agrees that Tenant, upon payment of the rent and performance of all covenants herein, shall and may

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peaceably and quietly have, hold and enjoy the premises for the term of this lease, and any renewal hereof.

9. Real Estate Taxes.

Landlord covenants that all real property taxes and assessments are paid current on the premises, and that Landlord shall pay all real property taxes and assessments of every kind a nature levied and assessed against the real property during the entire term of this lease, when the same are due and payable, and before the same shall become delinquent.

10. Removal at End of Term.

Upon termination of the initial term of this lease or c any renewal hereof, Tenant shall surrender possession of the rea property to Landlord, in good condition, provided that Tenant may remove the complete irrigation system and any personal property c Tenant.

11. Remedies for Default of Tenant.

a. In the event Tenant fails to comply with any of the covenants, terms or conditions of this lease, or shall be in arrears in payment of rent, or shall abandon or vacate the premis then Tenant shall not have the right to continue to occupy and farm the premises, and Landlord shall have the right to re-enter and repossess the premises. In that event, although the lease shall be otherwise terminated, Tenant shall remain liable to Landlord for loss or damage resulting from the breach of the leas and Tenant shall remain liable for any unpaid rent for the remain ing term of the lease; subject, however, to any appropriate credi for rent received by Landlord by releting the premises to another after deducting any expenses incident to the releting of the property.

b. Failure of Landlord to insist upon the strict performance of the provisions of this lease shall not be construe as a relinquishment of Landlord's right to thereafter enforce any such provisions.

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c. Tenant shall pay all costs, expenses and reasonabl attorney's fees that are incurred by Landlord in enforcing the covenants and agreements of this lease or collecting damages for the breach thereof with or without suit.

d. In addition to the remedies recited herein, Landlo shall also have such other remedies as are afforded in law or equity in the event of any breach by Tenant hereunder.

12. Remedies for Default of Landlord.

a. Landlord shall pay to Tenant all costs, expenses, and reasonable attorney's fees that are incurred by Tenant in enforcing the covenants and agreements of this lease or collecti damages for the breach thereof, with or without suit, in the event of any default by Landlord.

b. In the event of any default by Landlord hereunder, Tenant at its option may remedy such breach and the cost of such action may be deducted by Tenant from unpaid rents which shall accrue under the unexpired term of the lease.

c. In addition to the remedies recited herein, Tenant shall also have such other remedies as are afforded in law or equity in the event of any breach by Landlord hereunder.

13. Renewals of Lease.

Landlord hereby grants Tenant successive options to renew this lease for (a) an additional three-year term, commencin on January 1, 1974, and continuing to December 31, 1976; (b) an additional five-year term, commencing on January 1, 1977 and continuing to December 31, 1981; and, (c) an additional five-year commencing on January 1, 1982 and continuing to December 31, 5. Each successive option will be deemed automatically exercised by Tenant, unless Tenant shall give written notice to Landlord, personally delivered, or mailed, certified mail, return receipt requested, on or before the last day of the original term, or of any renewal thereof, that the lease will not be further renewed. If such notice be given, then the lease shall terminate

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ENGINEERING APPROVED

in accordance therewith. All other terms hereof shall apply to each renewal term and shall finally terminate on December 31, 198 If Tenant fails to give such notice of termination, the lease shall continue through the successive renewal.

14. Option to Purchase.

Landlord hereby grants to Tenant an option to purchase at any time during the initial term of the lease or of any renewa thereof, the following described portion of the property included in this lease, to-wit:

SW¼ of Sec. 34, Twp. 8 N., Rge. 36 E., Boise Mer.

For a total sum and purchase price of Twenty Four Thousand Dollars ($24,000.00), upon the following terms and conditions:

a. Within the term of the lease, or renewal thereof, Tenant must give notice in writing, either personally delivered or mailed certified mail, return receipt requested, to Landlord at their address of record, that Tenant elects to exercise the option to purchase. After purchase pursuant to the option, rental shall be reduced by $2,400.00 per year following, including the year of purchase if notice be given before the 1st day of July. Failure t serve such notice within the term of the lease, or renewal, shall terminate the option without further notice or action, time being the essence hereof.

b. Within ten days after exercise of the option Tenant shall deposit with Rigby & Thatcher, Attorneys at Law, 25 North Second East, Rexburg, Idaho, the sum of $24,000.00 as and for the purchase price of the property. Landlord agrees within the same period to execute and deliver to said attorneys a good and sufficie Warranty Deed to the premises, conveying the premises by Landlord to Tenant, free of all liens or encumbrances. The attorneys shall then order a policy of title insurance to the premises, which policy of title insurance shall be paid for by Landlord. Upon the attorneys receiving the title insurance policy insuring good title to the premises in Tenant, subject to road rights-of-way or other easements of record or in existence, and the standard printed exceptions, the attorneys shall then deliver the purchase price to

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Eastern District Office

Landlord. Landlord covenants to promptly remove any defects in the title. Both parties agree to complete all conditions of the purchase within a reasonable time.

15. First Right to Purchase.

Landlord shall not sell the property included herein during the term of this lease, or any renewal thereof, or within six months after the termination of the lease or renewal thereof, without granting Tenant the first right to purchase, upon the following terms and conditions:

a. Landlord shall give Tenant notice in writing of any prospective sale, together with the terms thereof, which notice shall be personally delivered to an officer of Tenant, or mailed to Tenant at its address of record, certified mail, postage prepaid, return receipt requested. Any such sale must include all property in the lease except that described in Clause 14 hereof.

b. Tenant shall have thirty days after mailing or personal delivery of the notice in which to notify Landlord in writing, by either of the above modes of notice, that it will purchase upon the same terms and conditions. In the event of acceptance by Tenant, the parties mutually agree to execute all documents and take all steps to effectuate the purchase by Tenant from Landlord upon such terms and conditions.

c. If Tenant fails to give notice, within the time allowed, time being of the essence, of intention to purchase, then Landlord may be free to sell to any other party.

d. Any sale of the property during the term of this lease, or any renewal hereof, shall be subject to all terms and provisions of this lease.

16. Miscellaneous.

a. This lease cannot be assigned by Tenant, nor the premises or any part thereof sublet, without the written consent of Landlord.

b. All the provisions of this lease shall be binding

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upon the successors, heirs, administrators and assigns of the parties hereto.

c. Landlord shall have the right to enter upon the premises at any reasonable time to inspect and examine any and all parts thereof, and the right to inspect crops in storage, subject to the security agreement hereof.

d. Upon termination of this lease Tenant covenants and agrees to replace or repair all fences destroyed or damaged by Tenant during their occupation thereof.

IN WITNESS WHEREOF, Landlord has executed this agreemen and Tenant has caused this agreement to be executed by its duly authorized President, and its seal affixed by its Secretary, the day and year first above written.

"Landlord"

William Flint
William Flint

Floetta Flint
Floetta Flint

"Tenant"

PREMIUM PRODUCE, INC.

By Golden C. Linford
President

ATTEST:

Secretary

STATE OF IDAHO,)
SS
County of Madison.)

On this 15th day of March, 1972, before me, the undersigned, a Notary Public in and for said State of Idaho, personall appeared GOLDEN C. LINFORD, known to me to be the President of PREMIUM PRODUCE, INC., the corporation that executed the within instrument, and acknowledged to me that such corporation 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 abcve written.

Linda Hambelen
Notary Public for Idaho
Residing at ~~Rexburg~~ Idaho Falls, Idaho
My Commission Expires: ~~8-26-74~~ 11-10-72

MED

STATE OF IDAHO,)
SS
County of Madison.)

On this 15th day of March, 1972, before me, the undersigned, a Notary Public in and for said State of Idaho, personall appeared WILLIAM FLINT and FLOETTA FLINT, 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.

Linda Hambelton
Notary Public for Idaho
Residing at ~~Rexburg~~, Idaho
My Commission Expires: ~~8-26-74~~ 11-15-72

RECORDED
OCT 15 1985

SECURITY AGREEMENT COVERING FARM PRODUCTS AND FARM EQUIPMENT

(May Be Used For Motor Vehicles)

March 15, 1972
(Date)

1. PREMIUM PRODUCE, INC., an Idaho corporation,
(Name)

340 North Seventh East (No. and Street) St. Anthony (City) Fremont (County) Idaho (State)

(hereinafter called "Debtor") hereby grants to WILLIAM FLINT and FLOETTA FLINT, of Hamer, Jefferson County, Idaho, (hereinafter called "Secured Party")

their successors and assigns, a security interest in the following goods (hereinafter called the "Collateral"):

A. CROPS—All of the summer fallow and all the following crops, including but not limited to:

All crops of every kind and nature, planted or growing or to be grown within the initial two year term, of January 1, 1972 to December 31, 1973, or within the successive three year, five year, and five year renewal options with Tenant, of a farm lease executed this day with Secured Party as Landlord and Debtor as Tenant upon the following described lands:

planted or growing, or to be grown, within the next two years on the following described lands:
(Insert legal description)

NE¼, Lot 4, S½NW¼ of Sec. 3; that part of W½NE¼ lying East of the railroad right-of-way (excepting 7 acres more or less deeded this day by Landlord to Quality Pak) SE¼NE¼ and Lot 1, Sec. 4, all in Twp. 7 N., R. 36 E., Boise Meridian.

ALSO SW¼ of Sec. 34, Twp. 8 N., R. 36 E., Boise Mer.

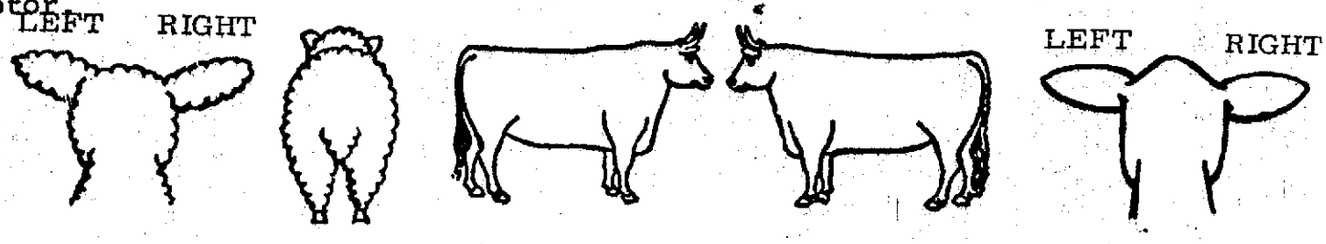
Jefferson County, Idaho

or on the lands described on exhibits attached hereto. The name of the record owner is WILLIAM FLINT and FLOETTA FLI

B. LIVESTOCK, POULTRY, ANIMALS, FEED, FARM PRODUCTS, EQUIPMENT AND SUPPLIES, including but not limited to:
(Include brands on livestock, year, make, model, ident. number on equipment)

None

The crops for each crop year of the lease secure payment of the rent owing fo that crop season, and for any unpaid rent owing for prior crop seasons. It i understood that $7800.00 cash rent is owing for each year of the lease, comme cing with the 1972 crop season, and that rent is payable on March 15, of the following year of each year of the lease, and that the proceeds of any crops sold prior to March 15 following shall be applied to the rent until the rent for that crop season, and any prior crop season is paid in full. Crops may b sold by Debtor without consent of Secured Party, provided until rent for that crop year and prior unpaid rent is paid. Secured Party shall be notified of each sale when made, and all proceeds shall be payable to Secured Party and Debtor.



or as described on exhibits attached hereto.

C. All goods similar to those described above, which at any time may hereafter be planted or grown on the lands described above, or acquired by the Debtor, including but not limited to, additions and replacements and progeny of livestock, animals and poultry, all products of such property, and replacement equipment and supplies, accessories, parts, additions and accessions now or hereafter affixed or used in connection therewith.

D. The security interest shall also extend to all forest permits and grazing rights granted to Debtor by any governmental agency or other party, and shall include all incentive payments and agricultural subsidies or allowances granted by any governmental agency or other party, whether for the purpose of stimulating Debtor's production of livestock and crops or granted in lieu of raising livestock or planting crops.

E. All proceeds of the sale or other disposition of any of the goods described or referred to above.

2. The security interest granted hereby is to secure payment and performance of the liabilities and obligations of Debtor to Secured Party of every kind and description, direct or indirect, absolute or contingent, due or to become due, now existing or hereafter arising (all hereinafter called "obligations").

3. DEBTOR HEREBY WARRANTS AND COVENANTS:

3. 01 TITLE. Debtor is competent to enter into the security agreement and is now or, by using the proceeds of loans by the Secured Party, will become the owner of the Collateral free from any adverse lien, security interest or encumbrance.

3. 02 USE. The Debtor is engaged in raising, fattening, grazing or other farming operations. If checked here ☐, the Collateral is being acquired with the proceeds of loans by Secured Party to Debtor.

3. 03 LOCATION OF COLLATERAL. The Collateral will be located in Jefferson County, Idaho. Debtor will not remove the Collateral from said state without the written consent of Secured Party.

3. 04 RESIDENCY. Debtor resides or maintains his chief place of business if not an individual in the county set forth above, unless some other county is indicated here: Fremont County, Idaho

3. 05 PERFECTION OF SECURITY INTEREST. The Debtor agrees to execute and file financing statements and do whatever may be necessary under applicable law to perfect and continue the Secured Party's interest in the Collateral, all at Debtor's expense.

THE TERMS AND CONDITIONS APPEARING ON THE BACK HEREOF ARE PART OF THIS SECURITY AGREEMENT

Signed and delivered to Secured Party on the day and year first above written.

ATTEST:
Secretary

PREMIUM PRODUCE, INC.
By: President
(Signature of Debtor)

IBA Form 6 Printed and For Sale by Syms-York Company, P.O. Box 7158 Boise, Idaho 83707

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Department of Water Resources
Eastern District Office

CROSS-FILMED

3. 06 SALE PROHIBITED. Debtor will not sell or offer to sell or otherwise transfer the Collateral or any interest therein without the written consent of Secured Party. By claiming proceeds or products of the Collateral in any financing statement prepared in conjunction with this Security Agreement, the Secured Party shall not be deemed to have given Debtor an implied power to sell or otherwise transfer the Collateral or any interest therein. In the event the Secured Party consents to the sale or disposition of said property, said consent is granted for only so long as the terms and conditions of this Security Agreement are kept and performed by Debtor, including the following to which Debtor agrees.

(a) All sales shall be for cash or upon credit for a term not exceeding 30 days, unless a longer term shall be approved by Secured Party; and may be made directly, through brokers or through any type of marketing organization and plan existing in the area where the property is located; and

(b) Whenever any of the property is stored in a warehouse, the warehouse receipts evidencing such storage shall be appropriately endorsed by Debtor and shall immediatey be assigned by Debtor and delivered to Secured Party as security for the indebtedness secured hereby.

(c) All proceeds of sale shall immediately be delivered to Secured Party. All chattel paper, contracts or other evidence of obligation whether issued by a warehouse marketing group or otherwise, and all accounts receivable and other non-cash proceeds shall immediately be endorsed and assigned and delivered to Secured Party for the indebtedness secured hereby.

(d) The proceeds of any such disposition shall, when and if received by Secured Party, be applied to the indebtedness secured hereby.

(e) The Secured Party may collect the proceeds of any of such accounts or other non-cash proceeds of sale, and at its discretion sell or dispose of any or all of the proceeds of said sale without notice to the Debtor.

(f) Debtor agrees to furnish to Secured Party on demand a true and complete report and accounting for all of said property and the proceeds thereof at such times as Secured Party may reasonably request. Debtor will permit Secured Party or its duly accredited representatives to examine its books and records at all reasonable times during business hours.

(g) With respect to proceeds in the form of accounts Secured Party may at any time notify account debtors that the accounts have been assigned to Secured Party and shall be paid to Secured Party. Upon request of Secured Party at any time Debtor will so notify such account debtors and will indicate on all invoices to such account debtors that the accounts are payable to Secured Party.

3. 07 INSURANCE. Debtor will keep the Collateral continuously insured by an insurer approved by Secured Party against fire, theft and other hazards designated at any time by Secured Party, in an amount equal to the full insurable value thereof or to all sums secured hereby, with such form of loss payable clause as designated by and in favor of Secured Party, and will deliver the policies and receipts showing payment of premiums to the Secured Party. In the event of loss, Secured Party shall have full power to collect any and all insurance upon the Collateral and to apply the same at its option to any obligation secured hereby, whether or not matured, or to the restoration or repair of the property. Secured Party shall have no liability whatsoever for any loss that may occur by reason of the omission or lack of coverage of any such insurance.

3. 08 ADVERSE LIENS AND USE. Debtor will keep the Collateral free from any adverse lien, security interest or encumbrance. Debtor will not create nor permit the existence of any adverse lien, security interest or encumbrance other than that created hereby on the property without the written consent of Secured Party. Any certificate of title now or hereafter existing on any of the property will be delivered to Secured Party and will recite the interest of Secured Party. Debtor will keep the Collateral in good order and repair and will not waste or destroy the Collateral or any part thereof. Debtor agrees that he will at all times properly and carefully and in a workmanlike and husbandlike manner, tend, care and harvest and prepare for market the above described farm products all in accordance with the customary and usual practices in the vicinity, and all in compliance with state and federal laws, rules and regulations, and will use every means and endeavor to produce good commercial crops. Debtor will not use or permit anyone to use the Collateral in violation of any statute, ordinance, or state or federal regulation; and Secured Party may examine and inspect the Collateral at any reasonable time, wherever located.

3. 09 TAXES AND ASSESMENTS. Debtor will pay promptly when due all taxes and assessments upon the Collateral or for its use or operation or upon this agreement or upon any note or notes evidencing the obligations.

4. PURCHASE MONEY. To the extent the proceeds of any note shall be used to acquire said Collateral, Secured Party shall have a purchase money security interest therein. Debtor hereby authorizes Secured Party to disburse said proceeds to the seller of the Collateral and/or to the insurance agent or broker, as shown on the records of the Secured Party.

5. SECURED PARTY'S RIGHT TO PAY TAXES, ETC.; DEBTOR'S RIGHT TO POSSESSION. The Secured Party is not required to, but may, at its option discharge taxes, liens or security interests or other encumbrances at any time levied or placed on the Collateral, pay for insurance on the Collateral, pay for the maintenance and preservation of the Collateral, pay any filing or recording fees, or any other charges payable by Debtor and any amount so paid, with interest thereon at the maximum rate permitted by law from date of payment until repaid shall be secured hereby and shall be repayable by Debtor on demand. The rights granted by this paragraph are not a waiver of any other rights of Secured Party arising from breach of any of the covenants hereof by Debtor.

5. 01 Until default Debtor may have possession of the Collateral and use it in any lawful manner not inconsistent with this agreement and not inconsistent with any policy of insurance thereon.

6. DEFAULT. Time is of the essence of this Security Agreement, and Debtor shall be in default under this agreement upon the happening of any of the following events or conditions:

6. 01 default in the payment or performance of any obligation, covenant or liability contained or referred to herein or in any note evidencing the same;

6. 02 any warranty, representation or statement made or furnished to Secured Party by or on behalf of Debtor proves to have been false in any material respect when made or furnished;

6. 03 any event which results in the acceleration of the maturity of the indebtedness of Debtor to others under any indenture, agreement or undertaking;

6. 04 loss, theft, damage, destruction, sale or encumbrance to or of any of the Collateral, or the making of any levy, seizure or attachment thereof or thereon;

6. 05 death, dissolution, termination of existence, insolvency, business failure, appointment of a receiver of any part of the property of, assignment for the benefit of creditors by, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against, Debtor or any guarantor or surety for Debtor, or entry of any judgment against them, or failure of any guarantor or surety for Debtor to provide Secured Party with financial information promptly when requested by Secured Party.

6. 06 The Secured Party deems itself insecure.

7. REMEDIES. Upon the occurrence of any default hereunder and at any time thereafter, the Secured Party may without notice or demand declare immediately due and payable all amounts secured hereby and shall have the remedies of a Secured Party under the Idaho Uniform Commercial Code or other applicable law; and without limiting the generality of the foregoing:

7. 01 Debtor agrees to put Secured Party in possession of the Collateral on demand; and

7. 02 Secured Party is authorized to enter any premises where the Collateral is situated and take possession of said property without notice or demand and without legal proceedings; and

7. 03 At the request of Secured Party, Debtor will assemble the Collateral and make it available to Secured Party at a place designated by Secured Party which is reasonably convenient to both parties; and

7. 04 Debtor agrees that a period of five (5) days from the time notice is sent, by first class mail or otherwise, shall be a reasonable period of notification of a sale or other disposition of the Collateral; and

7. 05 Secured Party shall have the right to possess and operate Debtor's entire operational unit and manage the same and make collections and sell such Collateral as it may determine, whether for liquidation or otherwise and take all other reasonable steps to realize funds from the Collateral; and Secured Party may obtain the appointment of a receiver, with or without notice to Debtor, for the purpose of possessing, managing and selling Debtor's property for the purposes of this agreement.

7. 06 Debtor agrees to pay on demand the amount of all expenses reasonably incurred by Secured Party in protecting or realizing on the property. In the event that this Security Agreement or any obligation secured by it is referred to an attorney for protecting or defending the priority of Secured Party's interest or for collection or realization procedures, Debtor agrees to pay a reasonable attorney's fee, including fees incurred in both trial and appellate courts, or fees incurred without suit, and expenses of title search and all court costs and costs of public officials. The sums agreed to be paid in this subparagraph shall be secured hereby; and

7. 07 If Secured Party disposes of the property, Debtor agrees to pay any deficiency remaining after application of the net proceeds to any indebtedness secured hereby.

7. 08 Secured Party shall have the right immediately and without further action by it, to set off against the obligations of Debtor all money owed by Secured Party in any capacity to Debtor, whether or not due, and Secured Party shall be deemed to have exercised such right of setoff and to have made a charge against any such money immediately upon occurrence of such default even though such charge is made or entered on the books of Secured Party subsequent thereto.

8. GENERAL. This agreement constitutes the entire agreement between the parties and may not be altered or amended except by a writing signed by the Debtor, accepted by Secured Party and attached hereto. Any provision found to be invalid shall not invalidate the remainder hereof. Waiver of any default shall not constitute a waiver of any subsequent default. All Secured Party's rights and remedies, whether evidenced hereby or by any other writing shall be cumulative and may be exercised singularly or concurrently. Any demand upon or notice to Debtor that Secured Party may give shall be effective when addressed and mailed to Debtor's address at which Secured Party customarily communicates with Debtor. This agreement and all rights and liabilities hereunder and in and to any and all obligations secured hereby, and in and to all Collateral described above, shall inure to the benefit of the Secured Party and its successors and assigns, and shall be binding upon the Debtor and its successors and assigns. Whenever there is no outstanding obligation and no commitment on the part of Secured Party under any agreement which might give rise to an obligation, Debtor may terminate this agreement upon written notice to Secured Party. Prior to such termination, this shall be a continuing agreement in every respect. This instrument is to be governed by the laws of the State of Idaho. If this instrument is signed by more than one Debtor, the obligations of Debtor shall be joint and several. All words used herein shall be construed to be of such gender and number as the circumstances require and all references to Debtor shall include all other persons primarily or secondarily liable hereunder. This agreement is intended to take effect when signed by Debtor and delivered to Secured Party.

MAY 13 1985

RECORDED

RECEIVED
OCT 15 1985
Department of Water Resources
Eastern District Office

LEASE

THIS AGREEMENT, Made and entered into this 15th day of March, 1972, by and between WILLIAM FLINT and FLOETTA FLINT, of Hamer, Jefferson County, Idaho, hereinafter called "Landlord", and PREMIUM PRODUCE, INC., an Idaho Corporation, of St. Anthony, Fremont County, Idaho, hereinafter called "Tenant",

WITNESSETH:

1. Property Leased.

Landlord does hereby lease to Tenant for crop production and other farming operations, the following described real estate located in Jefferson County, Idaho, and containing 520 farmable acres, more or less, to-wit:

> NE¼, Lot 4, S½NW¼ of Sec. 3; that part of W½NE¼ lying East of the railroad right-of-way (excepting 7 acres more or less deeded this day by Landlord to Quality Pak) SE¼NE¼ and Lot 1, Sec. 4, all in Twp. 7 N., Rge. 36 E., Boise Mer. Also SW¼ of Sec. 34, Twp. 8 N., Rge. 36 E., Boise Mer.

2. Term of Lease.

This lease shall run for a term of two years, commencing January 1, 1972, and continuing to December 31, 1973.

SEE PAGE #4 Item # 13

3. Rental.

Tenant shall pay as cash rent for the lease the sum of Seven Thousand Eight Hundred Dollars ($7,800.00) for each year of the term of the lease. Rental for each year shall be paid on or before the 15th day of March of the following year, provided that all proceeds of the earlier sale of crops from the premises shall be applied to the rental payment.

4. Crop Security Agreement; Financing Statements.

Tenant has this day executed and delivered to Landlord a Security Agreement and a Financing Statement pursuant to the Idaho Uniform Commercial Code, granting a security interest in crops raised upon the premises, to secure cash rent owing hereunder

Description of Hamer Property. 7 Acres

That portion of SW¼ of NE¼ and NW¼ of the SE¼ in Section 4, Township 7 N, Range 36 E,BM, Lying east of Oregon Shortline Railroad, saving and excepting there from the following tract beginning at a point 1429.8 feet South and 1062.5 feet east from N¼ corner of Section 4 Township 7, North Range 36 EBM and running thence North 2 degrees, 43 East 150 feet: thence South 89 Degrees 14' East 150 feet along existing fence and thence South 2 Degrees 43' west 150 feet thence north 89 degrees 14' west 150 feet to point of beginning comprise 7 acres, more or less.

State of Idaho

Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33139/31-2430 Priority August 25, 1966 Amount 4.63 cfs

THIS IS TO CERTIFY, that QUALITY PAK

of Rexburg, Idaho, has complied with the terms and conditions of Permit No. 33139/31-2430 issued pursuant to Application for Permit dated August 25, 1966, and has submitted proof to the Department of Water Administration on July 23, 1971, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity of 4.63 cfs, and that the water has in fact been applied to a beneficial use; a right to the use of water from a ground water source tributary of _____, is hereby confirmed in the following amounts:

Amount 4.63 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 4.63 cfs of water be diverted at any one time, said waters to be diverted within the NE¼NW¼ (Lot 3) of Sec. 3, Twp. 7 N, Rge. 36 E, B.M. in the county of Jefferson; and that the amount of water so diverted and to which such right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can actually be beneficially used and shall not exceed 957 acre feet per year or 3.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 N	36 E	3	31½	31½	31½	31½	31½	31½	31½	31½									252
			(lot 1)	(lot 2)			(lot 3)	(lot 4)											
7 N	36 E	4	40			27													67
			(lot 1)																

Total number of acres irrigated 319

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of July, 19 73.

Director

31 2430

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33139/31-2430 in the name of QUALITY PAK	ORDER MODIFYING REQUIREMENTS FOR COMPLETION OF PERMIT TO APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-33139 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.

2. The conditions of the above numbered permit are modified as follows:

   a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 12TH day of October, 1970.

R. KEITH HIGGINSON
Director

31-2430
33139

Form No. 3
Reprint 5M-6-60

Address all communications to:

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41339

Permit No. G 33139

Water District No.

RECEIVED
AUG 29 1966
8:00 A.M.
Department of Reclamation

1. Name of applicant: Quality Pak

   Post office address Box 382, Rexburg County Fremont State Ida.

2. Quantity of water claimed: ~~5000 gal. per minute~~ 8.0 cfs.

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NE ¼ of the NW ¼ of Section 3,

   Twp. 7 N, Rge. 36 E, B.M., County of Jefferson

5. Water is to be used for: Irrigatio n

6. If for domestic, municipal, industrial or recreational purposes give:

   (a) Point of use of water is in the ____ ¼ of the ____ ¼ of Section ____,

   Twp. ____, Rge. ____, B.M.

   (b) Waste water or sewage effluent is to be returned to ____

   at a point in the ____ ¼ of the ____ ¼ of Section ____, Twp. ____, Rge. ____, B.M.

7. Kind of Works: Well & pump

8. Estimated cost of works: $ $ 2,000.00 for drilling well

9. (a) Is reservoir to be used? No

   (b) Capacity of reservoir: ____

10. The time required for the completion of such work and complete application of the water to the proposed use is

    5 years.

11. If applicant is a corporation, give:

    I. (a) Date and place of incorporation: ____

    (b) Amount of capital stock $ ____ (c) Amount paid in: $ ____

    (d) Names and addresses of directors: ____

33139

(Continued)

II. The financial resources of the applicant are: (a) Cash on hand: $_____

(b) Treasury stock: _____ (c) Bonds to be issued: _____

(d) Other resources: _____

12. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7	36	3	40	40	40	40	40	40	40	40									320
7	36	4	40			40													80

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: _____

_____

(a) _____ (Cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 5000 gal per min (Cubic feet per second, inches or gallons per minute) is for new lands.

33139

Approval of State Reclamation Engineer

The number of this permit is G 33139

Recorded in Book 116 Page 33139 Approved SEP 12 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $_____ to be filed before _____

One-fifth of the work above specified to be completed on or before March 12, 1969
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before September 12, 1971

Witness my hand this 12th day of September, 19 66.

R. Keith Higginson
State Reclamation Engineer

IN TESTIMONY WHEREOF, We ROBERT E. SMYLIE, Governor of the State of Idaho, and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 12th day of September, 19 66.

Countersigned:

By Louis E. Clapp
Secretary of State

STATE OF IDAHO

By Robert E. Smylie
Governor.

A.M.

PERMIT

No. G 33139

Date of first receipt at office of State Reclamation Engineer

August 25, 1966 9:15

Returned to applicant for correction

Corrected application received

August 12, 1966 9:00 A.M.

Fees, $ 6.75

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. $5.00

For each additional Sec. Ft. or Fraction Thereof ..... .25

33139

Remarks:

BE IT KNOWN That the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

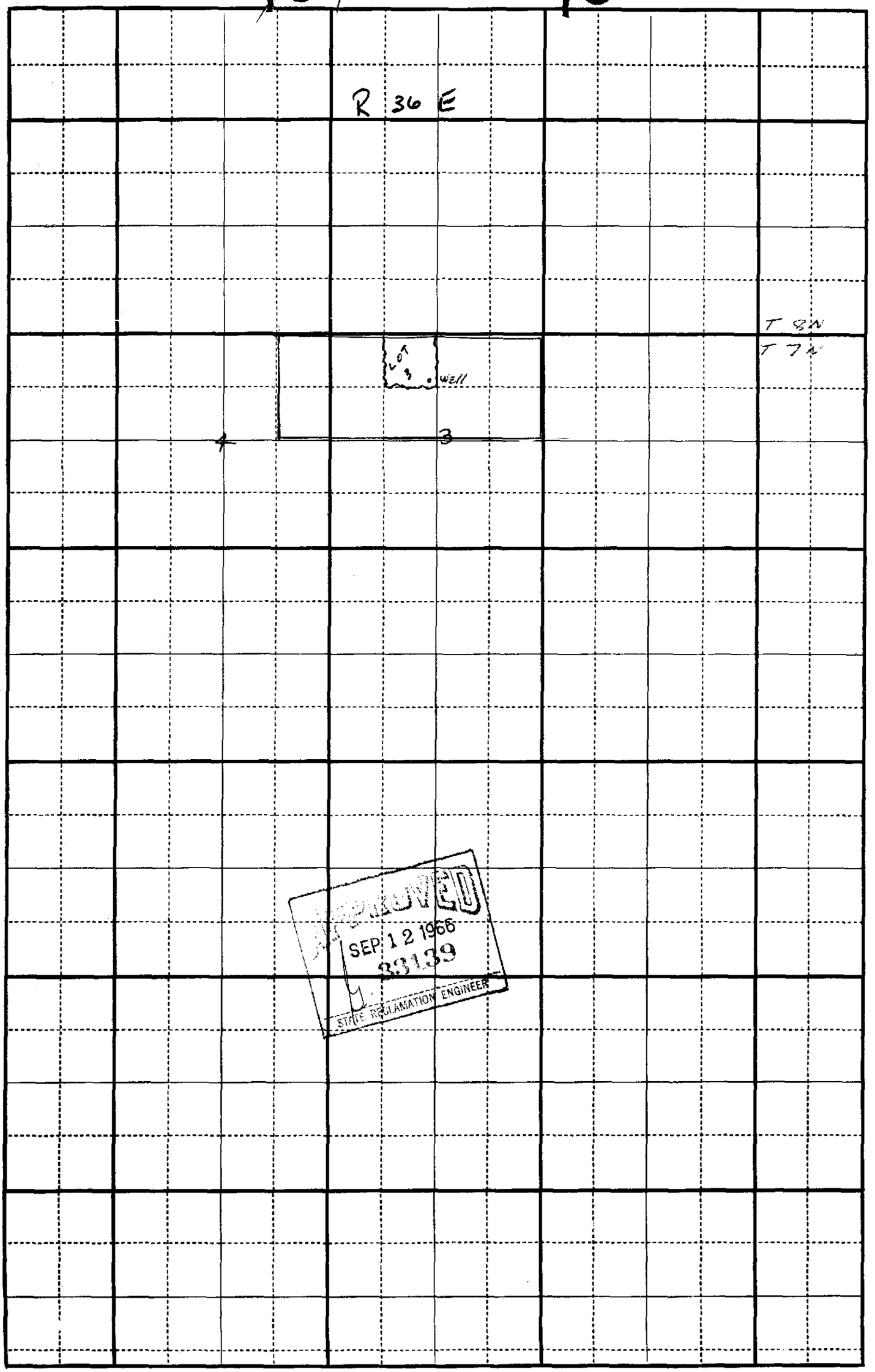
Quality Pak
Applicant

By Mark C Thorstenson, **Agent**

33139

NAME OF APPLICANT [redacted]

Form No. 0



APPROVED
SEP 12 1966
33139
STATE RECLAMATION ENGINEER

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

33139

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for four consecutive issues thereof; first publication having been made on the

4th day of February, 1971

and the last publication on the

11th day of February, 1971

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are a least two hundred bona fide subscribers in Jefferson County.

Hope B Jones

Subscribed in my presence and sworn to before me this 24th day of March, 1971.
(SEAL)

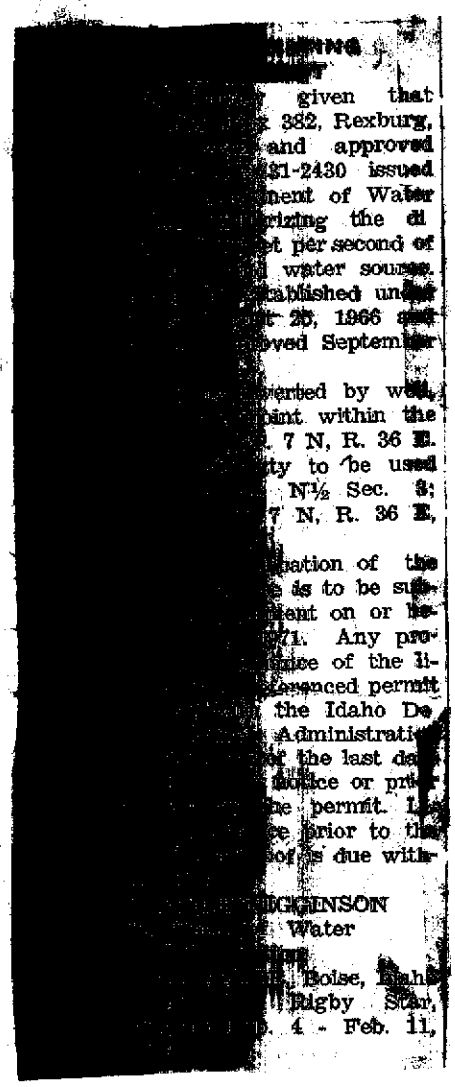
P H Hammon

Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.

My commission expires _____, 19____.

Publication Fee: $Pd

MY COMMISSION EXPIRES JULY 15, 1973



given that
382, Rexburg,
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31-2430 issued
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GGINSON
Water
Boise, Idaho
Rigby Star,
p. 4 - Feb. 11,

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Quality Pak

   b) Post Office Address Box 1382

2. Permit Number 6-33139

3. Date of Priority that you are prepared to establish Sept. 12, 1966

4. a) Source from which water was appropriated Subterranean

   b) Location of the point of diversion: NE ¼ NW ¼, Section 3

   Township 7N, Range 36E Boise Meridian, Other points of diversion:

   Jefferson Co.

5. a) The amount of water and use to which the water has been applied:

   amount 8.0 cfs or 5000 gal/min. for Irrigation purposes from April 1 to Oct. 1 incl.
   (cfs and/or acre feet per annum) (Month-Day) (Month-Day)

   amount _____ for _____ purposes from _____ to _____ incl.
   (cfs and/or acre feet per annum) (Month-Day) (Month-Day)

   amount _____ for _____ purposes from _____ to _____ incl.
   (cfs and/or acre feet per annum) (Month-Day) (Month-Day)

   b) Total amount appropriated 8.0 cfs and/or acre feet per annum

   c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: FARM Irrigation Mgr. Measured through A Circular Self Propelled Machine

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

   a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

   b) Describe the agreement or understanding by which you take water from the works:

7. a) Breifly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give breif description of diversion structure and/or canal or ditch) 200 H.P. pump - Approx - 50 ft - Deep -

   b) Describe the type and size of measuring device which you have installed at your point of diversion:

   c) Give well drillers name and address and date the well was completed
   Kendall Well Drilling Co - Idaho Falls -
   April 1966

31 2430

Form typed 9-30-71
mgl

31 2430

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: Potatoes + Grain

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	3	40	40	40	40	40	40	40	40									320
7	36	4	40			40													80
																			400

Total number of acres irrigated 400

10. Remarks: _____

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

_____ (Date)

_____ (Signature)

State of Idaho)
County of Madison) ss.

On this 14th day of July, 1971, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

_____
Notary Public residing at Rexburg Idaho

My commission expires 7-14-71

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Terry Weatherston
being first duly sworn, depose and say, that I am the printer of THE JEFFERSON STAR, a weekly newspaper printed and published weekly at Rigby, Jefferson County, Idaho; and I do solemnly swear that the

Notice Of Correction

a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for 2 consecutive issues, the first publication having been made on Nov. 27, 1985 and the last publication having been made on Dec. 4, 1985.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninteruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

Subscribed to and sworn to before me this Dec. 5, 1985

Notary Public.

(SEAL)

My commission expires April 20, 1986

DEC 11 1985

NOTICE OF CORRECTION

Notice is hereby given that Application for Transfer No. 31-2430 in the name of Quality Farms, Inc., Rexburg, Idaho was advertised incorrectly on October 23 and 30, 1985. The original place of use was advertised as being within the NENE (Lot 1), NWNW (Lot 2), S½NE¼, NENW (Lot 3), NWNW (Lot 4), S½NW¼, Sec. 3, NE¼NE¼, SE¼NE¼, Sec. 4, T. 7N, R. 36E.

WHEREAS, the original place of use is within the NENE (Lot 1), NWNE (Lot 2), S½NE¼, NENW (Lot 3), NWNW (Lot 4), S½NW¼, Sec. 3, E½NE¼, Sec. 4, T. 7N, R. 36E.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402, on or before December 16, 1985.

A. KENNETH DUNN
Director

Publ. Nov. 27 and Dec. 4, 1985RS.

MICROFILMED

RECEIVED
NOV 14 1985
Department of Water Resources
Eastern District Office

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Terry Weatherston, being first duly sworn, depose and say, that I am the printer of THE JEFFERSON STAR, a weekly newspaper printed and published weekly at Rigby, Jefferson County, Idaho; and I do solemnly swear that the

Notice Of Proposed Change Of Water Right

a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for 2 consecutive issues, the first publication having been made on Oct. 23, 1985 and the last publication having been made on Oct. 30, 1985.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninteruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

Subscribed to and sworn to before me this Oct. 31, 1985

Geri Garner
Notary Public.

(SEAL)

My commission expires life

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
No. 31-2430

Notice is hereby given that Quality Farms, Inc., Rexburg, Idaho, has applied to the Department of Water Resources to change the point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 31-2430 and is recorded as follows:

AMOUNT: 4.63 cfs
PRIORITY August 25, 1966
POINT OF DIVERSION: NE¼NW¼, Sec. 3, T. 7N, R. 36E, B.M., Jefferson County:
The water is used to irrigate 319 acres within NENE (Lot 1), NWNW (Lot 2), S½ NE¼, NENW (Lot 3), NWNW (Lot 4), S½NW¼, Sec. 3, NE¼NE¼, SE¼NE¼, Sec. 4, T. 7N, R. 36E.

TO BE CHANGED AS FOLLOWS
The water will be diverted within the SW¼NE¼, Sec. 4, NE¼NW¼, Sec. 3, T. 7N, R. 36E, B.M., Jefferson County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402, on or before November 12, 1985.

A. KENNETH DUNN
Director

Publ. Oct. 23 and 30, 1985RS.

RECEIVED

V G-33139

31-

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41339
Permit No. G- 33139
District No.

1. **Name of Applicant:** Quality Pak

   Postoffice address: P.O. Box 382, Rexburg **County:** Fremont **State:** Idaho

2. **Quantity of water claimed:**

   (a) **Rate of withdrawal in cubic feet per second** 0.0 or Idaho
   Miners' inches or gallons per minute 5000

   (b) **Annual withdrawal in acre feet per annum**

3. **Source of water supply:** Subterranean

4. **Location of point of diversion or well is in the** NE ¼ of the NW ¼ of Section 3

   Twp. 7 N , **Rge.** 36 E , B.M., County of Jefferson

5. **Water is to be used for:** irrigation

6. If for municipal, industrial or recreational purposes, give:

   (a) **Point of use of water is in the** ¼ of the ¼ of Section , Twp.
   Rge. , B. M.

   (b) **Waste water or sewage effluent is to be returned to**
   at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B. M.

7. **Kind of works:** well and pump

8. **Estimated cost of works:** $ 2,000.00 for drilling well

9. (a) **Is reservoir to be used?** no

   (b) **Capacity of reservoir:**

10. **The time required for the completion of such work and complete application of the water to the proposed use is years.** 5

11. If applicant is a corporation, give:

   I. (a) **Date and place of incorporation:**

   (b) **Amount of capital stock:** $ (c) Amount paid in: $

   (d) **Names and addresses of directors:**

   II. The financial resources of the applicant are (a) Cash on hand: $

   (b) **Treasury stock:** (c) Bonds to be issued:

   (d) **Other resources:**

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

   (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

   (b) 5000 ~~(cubic feet per second, inches~~ or gallons per minute) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

QUALITY PAK *Applicant.*

By /s/ MAX C. MORTENSEN *Agent.*

Date of first receipt at Department of Reclamation: August 25, 1966 9:15 A.M.

Returned to applicant for correction:

Corrected application received: August 12 , 1966 . 8:00 A.M.

Approval of State Reclamation Engineer

The number of this permit is G— 33139

Recorded in Book 116 Page 33139 Approved September 12, 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $ to be filed on or before

Work to begin on or before and to continue deligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before March 12, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before September 12, 1971

Witness my hand this 12th day of September, 1966.

/s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 12th day of September, 1966

Countersigned: STATE OF IDAHO

(SEAL)

By LOUIS E. CLAPP *Secretary of State.*

By /s/ ROBERT E. SMYLIE *Governor*

12.

Twp.	Range	Sec.	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
7N	36 E	3	40	40	40	40	40	40	40	40									320
		4	40			40													80

Total number of acres to be irrigated: 400

LICENSE ISSUED FOR 462 SEC. FT.
LICENSE PAGE NO. _____

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 19, 2001

QUALITY FARMS INC
RT 3 BOX 433-8
REXBURG ID 83440

RE: Water Right License 31-02430

Dear Water Right Holder(s):

Enclosed please find Amended Water Right License 31-02430 as referenced above which has been issued by the Department.

If you have any questions regarding this matter, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure

MICROFILMED
JAN 03 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

n Service Requested

[redacted]

RR1

As requested, the correct mailing address is:
220 W 4200 S
Rexburg, Idaho 83440

RETURNED TO SENDER

RECEIVED
NOV 23 2001
Department of Water Resources

WR 31-02430
Mail Reset
Kari Lyons
11.27.01

11/16

① ISSUE AFTER 14-DAY RECONSIDERATION PERIOD IS UP.
② NOTIFY DON SHAFF AFTER AMENDED LICENSE IS ISSUED.

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

November 16, 2001

QUALITY FARMS INC
C/O GOLDEN C LINFORD
RT 3 BOX 433-8
REXBURG ID 83440

RE: Preliminary Order Correcting License No. 31-02430

Dear Applicant(s):

The accompanying order is a **"preliminary order"** issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

cc: John Rosholt
Barker, Rosholt & Simpson LLP
PO Box 1906
Twin Falls, ID 83303-1906

MICROFILMED
JAN 0 9 2002

CERTIFICATE OF MAILING

I hereby certify that on **November 16, 2001,** I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

RE: Preliminary Order Correcting License No. 31-02430

QUALITY FARMS INC
C/O GOLDEN C LINFORD
RT 3 BOX 433-8
REXBURG ID 83440

Kari Lynn Townsend
Secretary

MICROFILMED
JAN 0 9 2002

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
JAN 0 3 2002

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
JAN 09 2002

PACKING SLIP

FULL SHIPMENT

RECEIVED
NOV - 5 2001
Department of Water Resources

Ship Remarks:

TOTAL ORDER BY PRODUCT

Order #	Product	Description	Quantity
109657	1001	10X10 BW PAPER	2

**** ACCOUNTING SUMMARY ****
**** THIS IS NOT AN INVOICE ****

Total Cost:	$10.00
- Amount Remitted:	$0.00
Balance Due:	$10.00

Commercial or Residential ? Commercial

Ship To: ID DEPT OF WATER RES
1301 NORTH ORCHARD ST

BOISE ID 83706

208-327-7897

Bill To: USDA-CFSA
Aerial Photography Field Office
2222 West 2300 South
Salt Lake City, Utah 84119-2020

PFO Phone # (801) 975-3503
Purchase Order # CYNTHIA BRIDGE CLARK/02-21
Order Date: 26-SEP-2001 Customer Code: 79431
Ship Date: 31-OCT-2001 Sales Representative: EXE

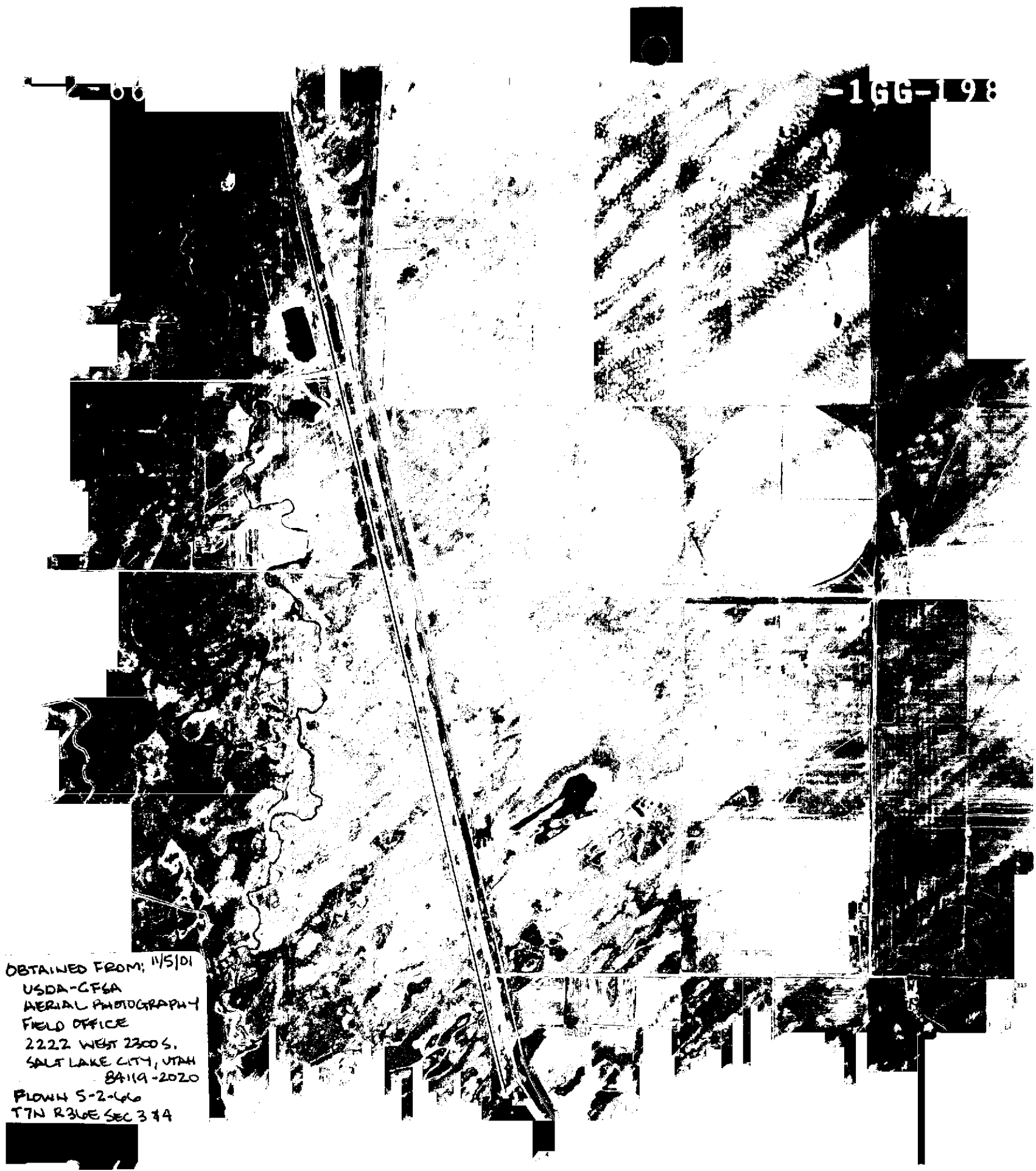
County/State: ,
WO Remarks:

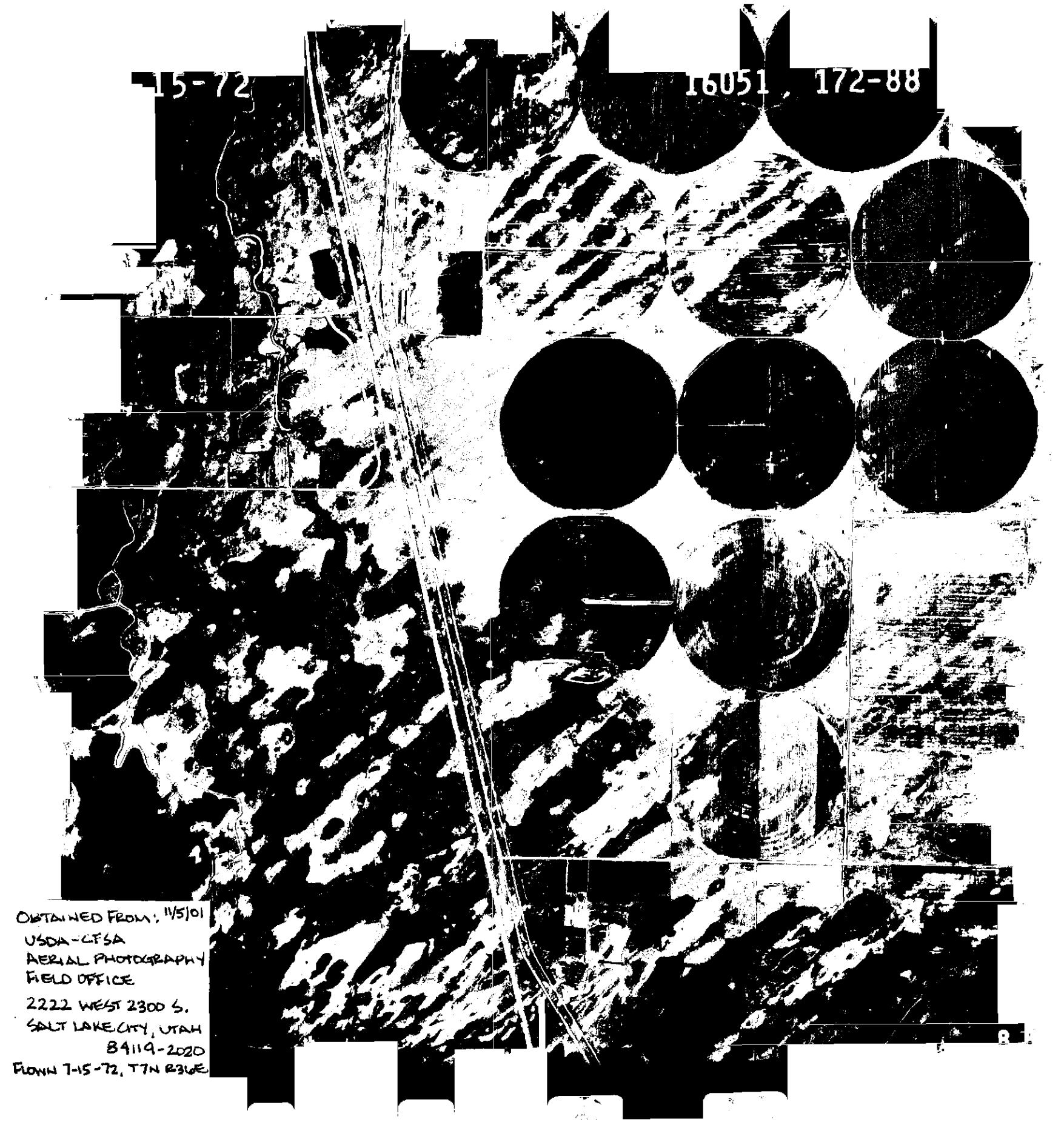
****
* THE SYMBOL SHOWN ON PRODUCTS REFLECTS *
* ACTUAL SYMBOL ON FILM *
****

LINE ITEMS

Product	Qty	Exp Symbol	Roll	Exposures	Enlg Code	Shift Code	Zone	Scale ft/in
1001	1	CXS	1GG	198-198	FF		NZ	N/A
1001	1	16051	172	88-88	FF		NZ	N/A

MICROFILMED
JAN 0 3 2002


-66
-1GG-19:
OBTAINED FROM: 11/5/01
USDA-CFSA
AERIAL PHOTOGRAPHY
FIELD OFFICE
2222 WEST 2300 S.
SALT LAKE CITY, UTAH
84119-2020
FLOWN 5-2-66
T7N R3GE SEC 3 & 4



OBTAINED FROM: 11/5/01
USDA-CFSA
AERIAL PHOTOGRAPHY
FIELD OFFICE
2222 WEST 2300 S.
SALT LAKE CITY, UTAH
84119-2020
FLOWN 7-15-72, T7N R3GE

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

September 25, 2001

BRIDGET BARLOW
USDA FSA AERIAL PHOTOGRAPHY FIELD OFFICE
2222 WEST 2300 SOUTH
SALT LAKE CITY, UT 84119-2020

RE: Request for photographs

Ms. Barlow:

I just spoke with you on the phone this morning about locating historic aerial photographs for a specific location here in Idaho. We would like to find out if there are any aerial photographs from 1966 through 1974 available in Jefferson County, Idaho:

Twp 07N Rge 36E, Sec 3 NE and NW quarters
Twp 07N Rge 36E, Sec 4 NE quarter

Unfortunately, I do not have the exact coordinates of the property, however, it sits between 112 deg, 14 minutes and 112 deg 11 minutes East, and 43 deg, 57 minutes and 43 deg, 58 minutes North. I have attached 1987 NAPP Photography and USGS topographic mapping of the Sections 3 and 4 for reference, as well as an area map of Jefferson County, Idaho.

Thank you for you help and please let me know if you need more information.

Sincerely,

Cynthia Bridge Clark
Associate Engineer
Water Right Permits Section
Idaho Department of Water Resources
208-327-7898

MICROFILMED
JAN 3 0 2002

Post-it® Fax Note 7671	Date 9/25/01	# of pages ▶ 4
To BRIDGET BARLOW	From CYNTHIA BRIDGE CLARK	
Co./Dept. FSA	Co. IDWR	
Phone #	Phone # 208-327-7898	
Fax # 801-975-3532	Fax #	

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

August 29, 2001

USGS
Eros Data Center

Attn: Research

RE: Request for photographs

To Whom It May Concern:

We would like to find out if there are any aerial photographs from 1966 through 1972 available through any of the government agencies. The property location is in Jefferson County, Idaho:

Twp 07N Rge 36E, Sec 3 NE and NW quarters
Twp 07N Rge 36E, Sec 4 NE quarter

Unfortunately, I do not have the exact coordinates of the property, however, it sits between 112 deg, 14 minutes and 112 deg 11 minutes East, and 43 deg, 57 minutes and 43 deg, 58 minutes North. I have attached 1987 NAPP Photography and USGS topographic mapping of the Sections 3 and 4 for reference, as well as an area map of Jefferson County, Idaho.

Please let me know if you need more information.

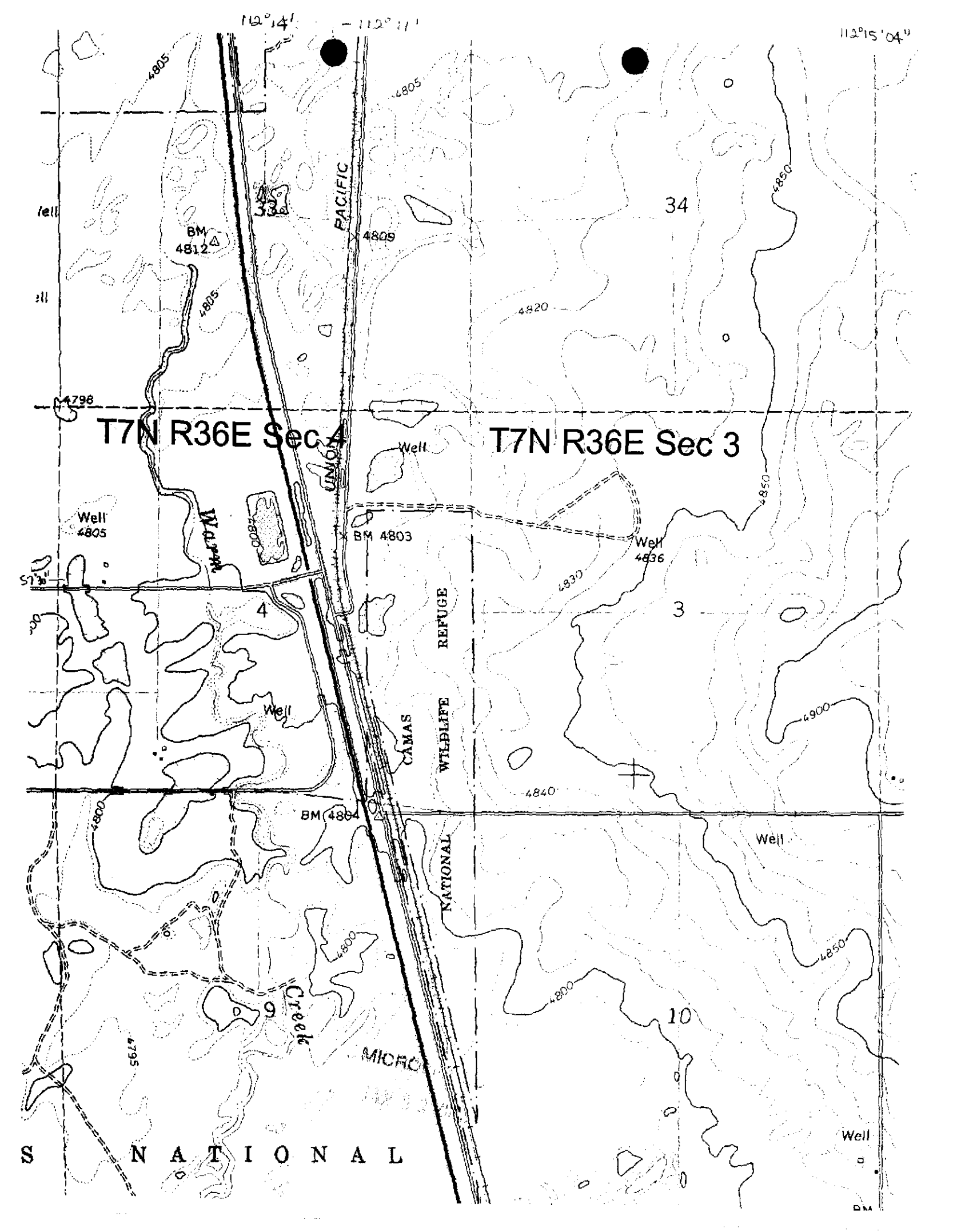
Sincerely,

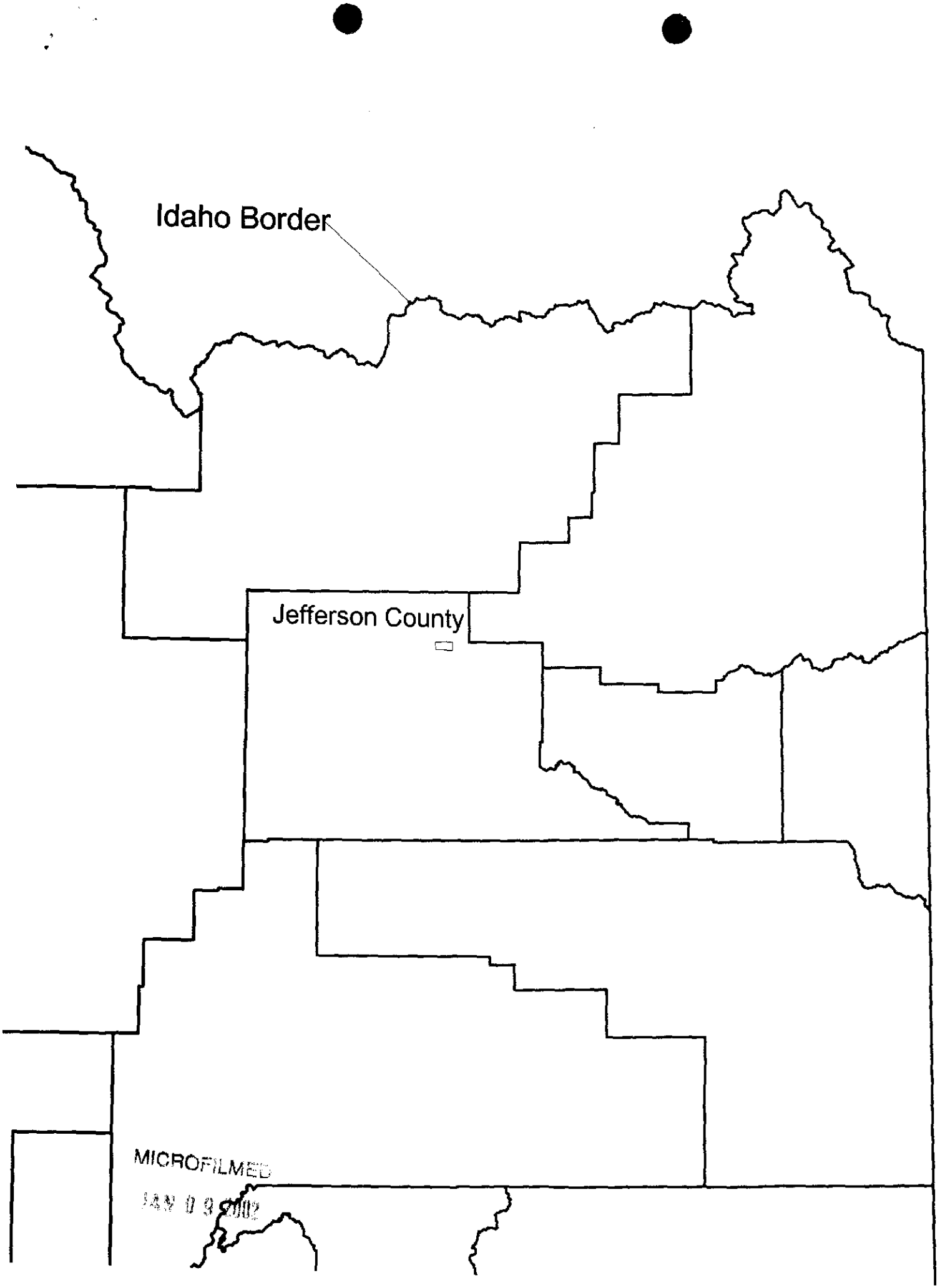
Cynthia Bridge Clark CBC
Water Right Permits Section
Idaho Department of Water Resources
208-327-7898

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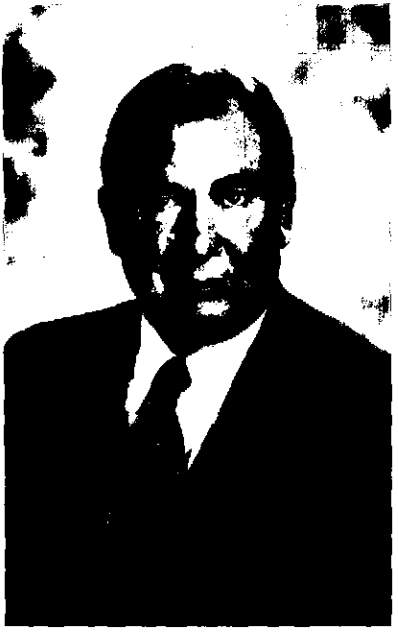
Post-it® Fax Note 7671	Date 8/29/01	# of pages ▶ 4
To RESEARCH	From CYNTHIA BRIDGE CLARK	
Co./Dept. EROS DATA CTR	Co. IDWR	
Phone #	Phone # 208 327 7898	
Fax # 605-594-6589	Fax #	

MMPROFILMED
0 9 2002


T7N R36E Sec 4
T7N R36E Sec 3
PACIFIC
UNION
Warm
Creek
CAMAS
WILDLIFE
REFUGE
NATIONAL
BM 4812
BM 4803
BM 4804
Well
4805
4836
4798
4809
4820
4830
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S N A T I O N A L



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MAR 0 9 2002



100%

Golden as
legislator

6-20

MICROFILMED

RECEIVED
AUG 17 2001
Department of Water Resources

Golden C. Linford
2120 West 4200 South
Rexburg, Id. 83440
August 14, 2001
208-356-7220
Fax: 208-356-3516

Norman C. Young
Department of Water Resources
1301 North Orchard St.
Boise, Id. 83792-2237

RE: Water Right 31-02430

Dear Norm:

You suggested I send data to show the mistakes in the 1972 field exam as related to acreage. Only 126 acres per pivot were shown on the report instead of at least 140 acres or more. I am at a loss to know why because all five pivots were longer than a quarter mile and were installed at the same time in 1969 on both 31-02430 and 31-02429. Apparently he used the acreage for a standard quarter mile pivot.

As you know, he had the water volume in error as well. The exam on 31-02429 in 1969 did have the correct acreage even though he was way off on water volumes. As you can see by the enclosed aerial photos, these are all large circles.

The USDA offices were unable to locate a fly over photo prior 1978 though they had one for 1966 while we were first developing the land. Both are enclosed. The acreage for 1972 and 1978 would have been the same on all five pivots. I have also enclosed a USDA map made in 1987 with the same length pivots showing even more than 140 acres per circle. I have also enclosed my letter to you of March, 19, 2001, that spoke to this same inconsistency.

As we discussed on the phone, water volumes are still a little short on both of the amended licenses but much better than before.

Again, thank you Norm for taking your valuable time in my behalf.

Sincerely,

Golden

Golden C. Linford

ROFILMED
2001

Golden C. Linford
2120 West 4200 South
Rexburg, Id. 83440
March 19, 2001

Norman C. Young
Department of Water Resources
1301 North Orchard St.
Boise, Id. 83706-2237

RE Water Rights 31-02430 and 31-02429

Dear Norm:

These licenses are incorrect using faulty field exam data and need to be amended.

Water right 31-02430 located Jefferson County in Sec. 3 and 4 T 7 N R 36E

This land was developed from sage brush in 1966 using a side roll irrigation system on 400 acres with a 200 H.P. pump supplying 2640 gpm or 5.90 cfs according to installers design which is enclosed. Our application to the Department in 1966 was for 8.0 cfs on 400 acres. The 1966 ASCS fly over map shows this development with 400 acres.

In 1969 the side roll irrigation system was replaced by two Valley pivots on 280 acres plus hand lines on approximately 65 acres making a total of 345 acres. These two pivots called for a minimum of 1100 gpm each and the hand lines at least 650 gpm making a total of not less than 2850 gpm or 6.36 cfs. We did not reduce the flow when the change to pivots was made.

The 1972 field exam resulting in the license was faulty and inconsistent in pressures, number of nozzles and total water volume as well as acreage.

These were near identical pivots with the examiner showing one with 810 gpm and the other 1268 gpm for a total of 2078 gpm or 4.63 cfs. Of Note: he had the up hill pivot with the greater volume than the down hill pivot. If one had more than the other the opposite would be expected.

Another inconsistency is the examiner's reporting only 319 acres. He shows only 126 acres per pivot and 67 acres under hand lines. The field examiner's maps show the pivots plus the 67 acres being irrigated with lateral lines but does not provide any water to be licensed on the 67 acres. This is a glaring oversight.

His report of 126 acres per pivot is inconsistent with the field exam on 31-02429 in 1969 which showed 140 acres per pivot with the same length pivots.

The ASCS fly over maps also show 140 acres on all pivots at the time of the field exams.

At the time of the field exam and in the years before, crops were irrigated adequately but could not have come close to adequacy with the 4.63 cfs provided by the license.

The recent Department field exam in 2000 indicate 2958 gpm or 6.60 cfs. This is consistent with the actual volume in 1972 and every year before and since for that matter.

Water right 31-02429 located in Jefferson County in Sec. 33, 34, 35 T 8 N R36E

This land was also developed from sage brush in 1966 using the side roll system on 480 acres with a 200 hp pump and 100 hp booster pump supplying 3300 gpm or 7.37 cfs according to the system design enclosed.

In 1969 the side roll irrigation system was replaced by 3 Valley pivots which would use the same 3300 gpm as before covering about 420 acres.

The 1969 field exam indicates only 643 gpm per pivot for a total of 1930 gpm or 4.3 cfs. He does not show how he arrived at this figure but it is incorrect and inadequate. Crops could not be grown with this flow in Hamer's sandy soil. The same 300 hp was still in place, we had adequate water for crops and we certainly did not reduce flows.

The Departments 2000 field exam indicated that 3604 gpm's or 8.04 cfs were being pumped with the same 300 h.p.

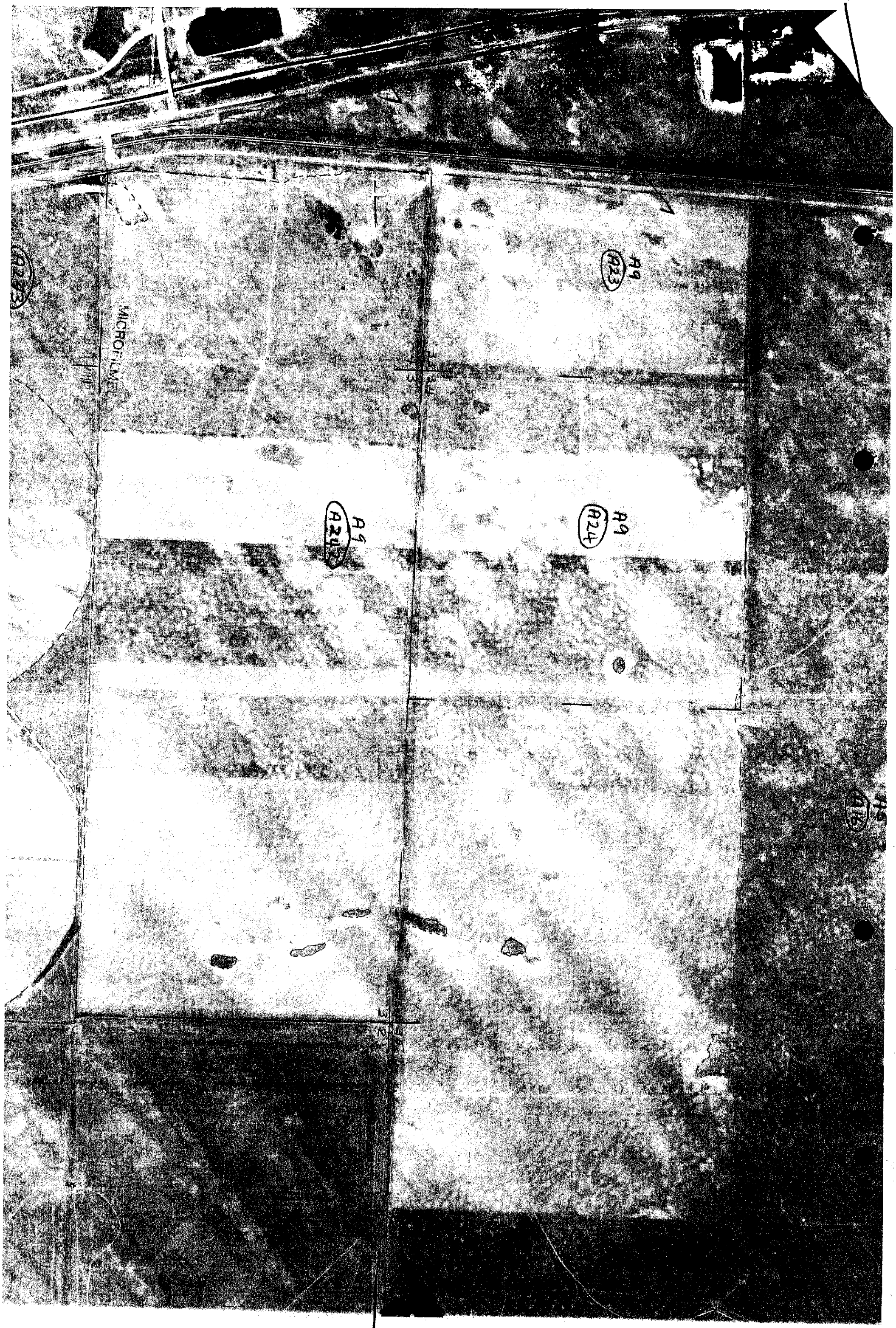
Another very real inconsistency is the comparison between the two licenses and the water allocated. The system with 200 hp is licensed for more than the one with 300 hp even though the 200 hp pump has a higher lift of nearly 20 ft.

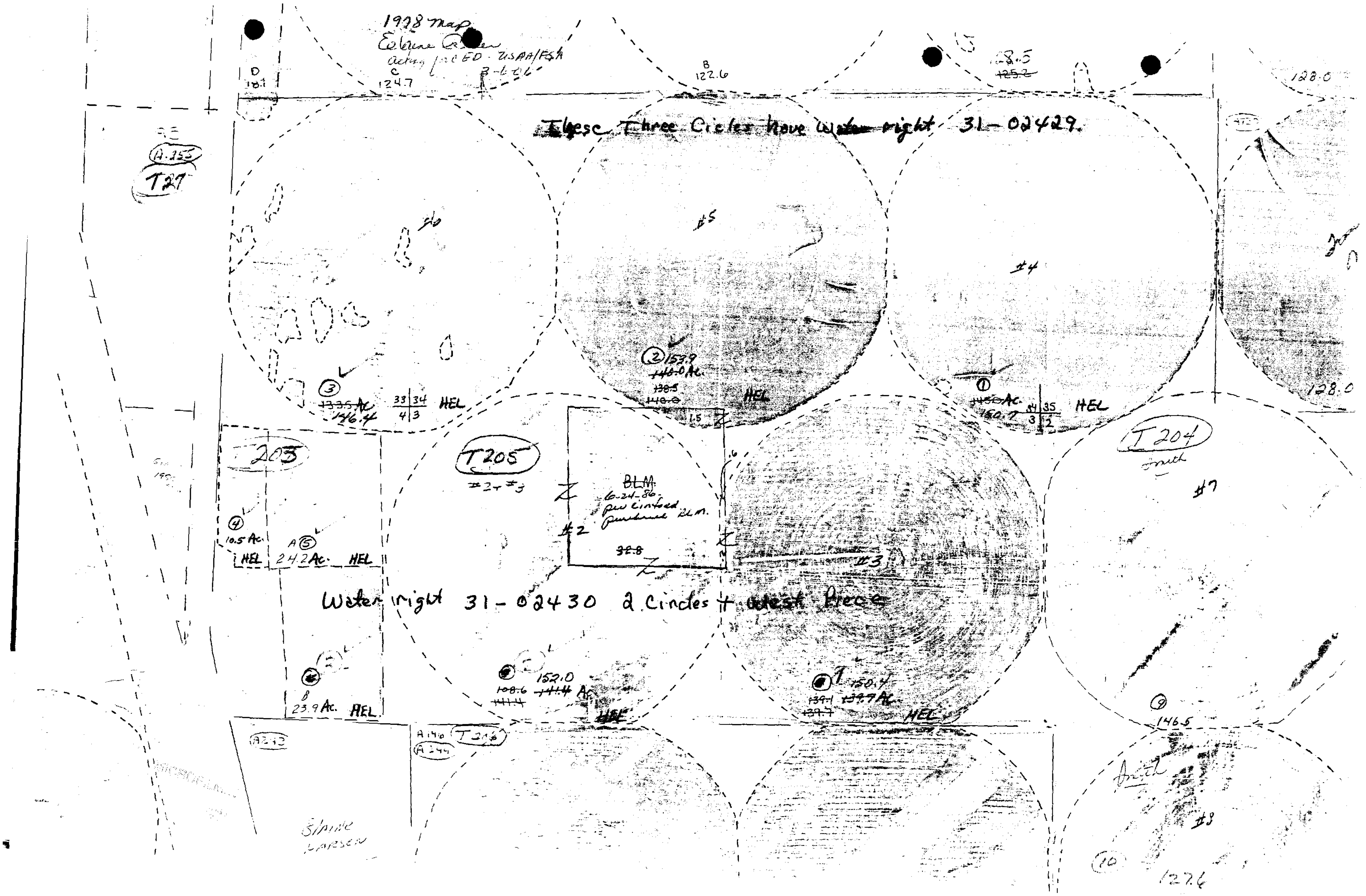
Hopefully, this information is indicative of substantial errors being made by the Department and that amendments are in order. Your help will be greatly appreciated.

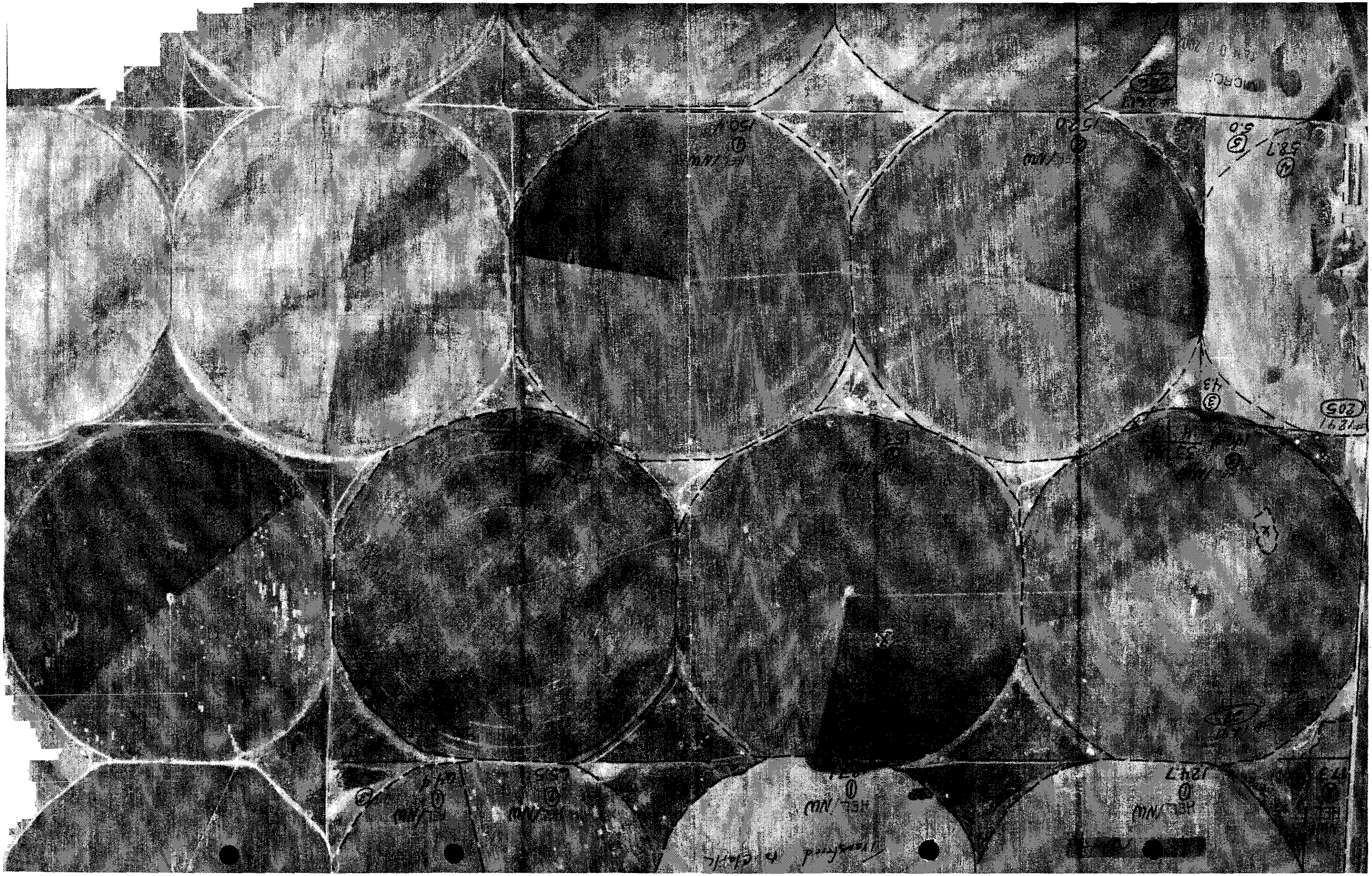
Sincerely,

Golden C. Linford

MICROFILMED
DEC 13 2000


A9
A23
A9
A24
A9
A24
A5
A18
MICROFILMED
T 7 N
May 2, 1966
T 8 N


1928 map
These Three Circles have water right 31-02429.
Water right 31-02430 2 Circles + west piece
BLM
6-24-86
T 205
T 204
T 27
203
#2
#3
#4
#5
#7
#8
HEL
152.0 Ac.
150.4 Ac.
153.9
160.7
146.4
24.2 Ac.
23.9 Ac.
10.5 Ac.
32.8
128.0
122.6
124.7
146.5
127.6



Bridge, Cynthia

From: Bridge, Cynthia
Sent: Tuesday, July 10, 2001 3:51 PM
To: Shaff, Don
Subject: Amended Licenses 31-2429 and 31-2430

Don,

Licenses 31-2429 and 31-2430 have been amended for Golden Linford and Quality Farms, Inc. The period for reconsideration has passed since the Preliminary Order was issued. The changes are now considered to be final.

I have attached copies of the amended licenses for your reference.

Thank you,
Cynthia

Amended License 31-2429.rtf

Amended License 31-2430.rtf

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 11, 2001

QUALITY FARMS INC
RT 3 BOX 433-8
REXBURG ID 83440

RE: Amended Water Right License 31-02430

Dear Water Right Holder(s):

Enclosed please find an Amended Water Right License issued by the department in reference to the above listed information.

If you have any questions regarding this matter, please call me at 327-7940.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

cc: John Rosholt
Rosholt, Robertson & Tucker

MICROFILMED
JUL 0 9 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 20, 2001

QUALITY FARMS
GOLDEN C LINFORD
2120 W 4200 S
REXBURG ID 83440

RE: Preliminary Order in the Matter of Water Right License 31-02430

Dear Permit Holder(s):

The accompanying order is a **"preliminary order"** issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

cc: John Rosholt,
Rosholt, Robertson & Tucker

MICROFILMED

CERTIFICATE OF MAILING

I hereby certify that on the **20th** day of **June, 2001,** I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

RE: Preliminary Order in the Matter of Water Right License 31-02430

QUALITY FARMS
GOLDEN C LINFORD
2120 W 4200 S
REXBURG ID 83440

JOHN ROSHOLT
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

Kari Lynn Townsend
Secretary

MICROFILMED

EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER

The accompanying order or approved document is a **"Preliminary Order"** issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
JAN 23 2007

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
JAN 0 3 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2001

QUALITY FARMS
GOLDEN C LINFORD
2120 W 4200 S
REXBURG ID 83440

RE: Water Right License 31-02430

Dear Water Right Holder(s):

Enclosed please find a Preliminary Order Correcting License issued by the department in reference to the above listed information.

If you have any questions regarding this matter, please call me at 327-7940.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

cc: John Rosholt,
Rosholt, Robertson & Tucker

MICROFILMED

RE: Adjudication claims 31-02429, 31-02430
Quality Farms Inc.
Golden C. Linford
2120 W. 4200 So.
Rexburg, Id 83440

Water right 31-02430

DATA

1966 development side rolls sprinkler system
- 400 acres
- 200 hp pump
- 2640 gpm or 5.90 cfs
- Static water depth 60 ft

1966 application request 8.0 cfs and 400 acres

1969 side roll system replaced by two water drive pivots.
1976 water drive pivots replaced by electric drive pivots and hand lines on about 70 acres
1986 approved transfer point of diversion and installation of short pivot to replace hand lines.

Present acreage approx. 360-365 acres.
Summer 2000 Dept. Field exam 2958 gpm or 6.60 cfs
1969 license provided only 2074 gpm or 4.63 cfs

Problem and error

1. No less than 2640 gpm or 5.90 cfs has been pumped since 1966.
This is at least 566 gpm or 1.27 cfs short of 1966 historical use and nearly 900 gpm or 2.0 cfs short of historical use since pivots replaced side rolls.

2. Acreage provided is also less than historical use.

MICROFILMED
JUN 14 2001

MEMORANDUM

To: File 31-2429 & 31-2430 Review Memo

From: Cynthia Bridge

Date: May 3, 2001

This review was initiated by a letter from Golden C. Linford regarding possible errors made in the licensing field exams of the water rights listed above. An additional letter was submitted by Robert R. Lee supporting Mr. Linford's concerns that the water rights were licensed for less than was being pumped at the time of the exam.

Water Right No. 31-2429 (Fields #4,#5,&#6):

- The original permit was allocated 9.6 cfs on 480 acres, while the water right was licensed for 4.3 cfs on 418 acres. Priority date 8/29/66.
- Both letters specify the original system design flow was 7.35 cfs.
- Measurement District exams (8/24/98) document 8.04 cfs on approximately 420 acres.

System & Changes:

- System includes a 200 hp pump for pivots #5 & 6, and 100 hp booster pump for pivot #4.
- System was designed for 3300 gpm (7.35 cfs) for the 200 hp pumps at 210' TDH, and 100 hp pump at 90' TDH.
- The design sheet and pump curves appear to match system design.
- The letters document changes to the system through 1976 (Licensing exam 7/9/69).
  - 1966: System was installed with 5-5 line Trimatics (each nozzled at 660 gpm according to Mr. Lee's letter).
  - 1969: Three valley water drive center pivots replaced the five trimatics. Mr. Lee writes: "The water drive pivots were approximately 1300' long and would have been nozzled for 1100 gpm each to match the pump output of 3300 gpm. The minimum gallonage for a 1300' pivot in the Hamer area would be 1000 gpm, so the 1100 gpm assumption is logical."
  - 1969: Field exam conducted. Recommended 4.3 cfs on 418 acres.
  - 1976: The pivot in field #4 was replace by a new Electric Valley center pivot and renozzled at 1200 gpm. Pivots at #5 and #6 were replaced and renozzled at 1130 gpm.
- 1998: MD field exam conducted 8/21/98. This field exam cannot be compared to the original license exam due to changes made to the irrigation equipment in 1976. MD exam states that each pivot irrigates approximately 140 acres, or 420 acres total.

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JUN 1 4 2001

License Field Exam (7/9/69):

- Exam states: "Q determined upon the basis of sprinkler nozzles size and pressure used. Previously used 14-1/4 mile lat. Now using Raincat and Valley (three units, 640 gpm/unit-650 gpm). 1930 gpm or 4.3 cfs." Three self propelled circle units are noted and the diversion works are described as a 200 hp GE electric motor # BBJ216151, Johnson Vertical Turbine Pump, and 100 hp GE powered booster.
- Examiner does not explain how the rate of flow was determined, however the system evaluated appears to include the system modifications made in 1969.
- 480 acres were permitted and 418 were licensed.

Conclusions:

- The information provided by Mr. Lee and Mr. Linford suggests that the system was designed and upgraded to meet an output flow rate of 3300 gpm.
- There is no explanation in the license exam regarding the determination of the rates, yet there is a large discrepancy between the design flow rate and the rate recorded in the license field exam.
- The field examiner did not provide sufficient information to support the reported diversion rate, while the documentation submitted by the Mr. Lee supports a diversion rate of 7.35 cfs developed in accordance with the permit.
- The department should correct the Water Right License No. 31-2429 to authorize a diversion rate of 7.35 cfs for irrigation purposes.

Water Right No. 31-2430 (Fields #1, #2, & #3)

- The original permit was for 8.0 cfs on 400 acres, while the water right was licensed for 4.63 cfs on 319 acres. Priority date 8/25/66.
- Both letters specify the original system design flow was 5.88 cfs, and changed to 6.40 cfs.
- Measurement District exams (8/24/98) document 6.60 cfs.

System/Changes:

- Original system included a 200 hp deep well pump for fields #1, #2, #3.
- The system was designed for 2640 gpm @ 270' TDH (5.88 cfs).
- Letters document changes to the system through 1976 (Licensing exam 7/9/69).
  - 1966: System installed with four Trimatics nozzled for 2640 gpm (5.88 cfs) for 400 acres.
  - 1969: Trimatics replaced with two Valley drive center pivots on fields #2 &3 and four hand lines on field #1. Drives "likely" nozzled at 1100 gpm and hand lines at 680 gpm for a total of 2880 gpm (6.40 cfs) according to Mr. Lee's letter. Mr. Linford's letter notes 345 acres were irrigated by this system.
  - 1972: Department Field Exam conducted with a recommendation of 4.63 cfs on 319 acres.

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JUN 14 2001

- 1976: Valley water drives replaced on #2 &3 with Valley electric drives nozzled for 1130 gpm with existing hand lines for a total of 2940 gpm (6.53 cfs).
- 1986: Transfer No. 3220 approved January 15, 1986 to add a point of diversion. Well added in the area previously irrigated by hand lines.
- 1998: MD field exam conducted 8/21/98. On field #1, a ¼ mile half-circle pivot was measured at 1.62 cfs on 55 acres with 40 hp well motor (SN 6228/T09T054 R043R-9). Examiner notes: "Appears to be hand lines or wheel lines for map... 11/19/97 Changed to pivot. 1997 55 acres hay." On field #2 and #3, a measurement of 4.97 cfs (about 1115 gpm/pivot) for 280 acres was taken on a well feeding two pivots of approximately 140 acres each.

License Field Exam (9/15/72):

- Examiner used Pitot tube on two pivot lines.
- Examiner describes system as: "200 hp GE Motor SN #BBJ216152 with Johnson Vertical Pump no serial number. 10" discharge north to buried main line east and west. Radius of pivots is 1320'."
- The examiner also referenced attached lists of nozzle sizes, models and flow rates for both pivots. The examiner reported mean pressures and total discharges of 40 psi and 1267.8 gpm for the east pivot, and 35 psi and 810.2 gpm for the west pivot. Forty-three nozzles were listed for the east pivot, and thirty-nine nozzles for the west pivot.
- The examiner reported that 126 acre were irrigated with each pivot.
- No hand lines are mentioned in system description or in calculations, however, the map of irrigated lands shows 67 acres irrigated by lateral lines.
- Total licensed acreage includes 252 acres for the pivots and the additional 67 acres for 319 total irrigated acres.

Notes:

- The examiner measured a flow of 4.63 cfs from the two center pivots. It appears however that the flow from the four hand lines described by Mr. Lee and Mr. Linford was not included in the flow measurements. The 67 acres of irrigated land were included in the total irrigated acreage.
- The examiner did not explain why flow from the hand lines was not included in the total measurement. There is no indication of whether they were being operated at different times than the pivots.
- In his letter, Mr. Linford notes that the pivots are nearly identical yet the flow measurements for each vary in the license exam. There is nothing in the Department field inspection to explain why a different number of nozzles were measured for each pivot, or why the total flow varied.
- Mr. Linford also contests the acreage measured by the license examiner. He states that ASCS maps for 1972 show 140 acres irrigated on both pivots. These photographs should be provided to the department for reconsideration of the irrigated acres reported by the examiner.

MICROFILMED
JUN 14 2007

- Design sheet and curve appear to match original system design. The Motor SN on the design sheet is difficult to read, but appears to match the SN on the license exam. (The curve is for 1770 rpm, and 1775 rpm is noted on the design sheet).
- There are no records of pump modifications other than addition of a well in section 4 as a result of Transfer No. 3220. The original motor SN is provided in the licensing exam, but there are no serial numbers for the original system in the documentation provided by the applicant or the MD exam.
- Mr. Lee writes that the irrigation equipment required a flow rate that was higher than the original design, yet there is no documentation indicating that changes were made to increase the pump capacity.
- There is no documentation indicating why a new well was installed and whether the existing well could not support the required flow capacity (Transfer No. 3220).
- The Measurement District's exam was conducted after the hand lines were replaced with a half-pivot supplied by the new well. Therefore this measurement can not be compared to the license exam. The MD examiner does mention hand lines may previously have been in place.

Conclusions:

- Based on the available information, it appears the field examiner erred by failing to include the diversion rate associated with the sprinkler hand lines.
- The documentation provided by Mr. Linford and Mr. Lee supports a diversion rate of 5.88 cfs developed in accordance with the permit. The letters from Mr. Linford and Mr. Lee state that the original design capacity of the system was 2640 gpm (5.88 cfs), but that the capacity increased with each system improvement. There are no flow measurements provided for the sprinkler hand lines, and there is insufficient evidence to support increases in system capacity beyond the original design.
- The license does not accurately portray the water use developed by the water right holder in accordance with Permit No. 33139. Based on the evidence, it would be reasonable to change the licensed rate to the original design flow of 2640 gpm or 5.88 cfs.

MICROFILMED
JUN 14 2005

Dear Norm: 3/24/01

As I mentioned to you, Senator Boxer is also preparing a statement and indicated he would have it to you soon.

RECEIVED
MAR 27 2001
Department of Water Resources

Thanks

Golden

3/27/01

Jeff —
After discussing with Linford & reviewing the file I agree we would re-evaluate — This includes sending Roshelt from a copy of the request. Please follow up.

NCG

MICROFILMED
JUN 14 2001

Golden C. Linford
2120 West 4200 South
Rexburg, Id. 83440
March 19, 2001

Norman C. Young
Department of Water Resources
1301 North Orchard St.
Boise, Id. 83706-2237

RE Water Rights 31-02430 and 31-02429

Dear Norm:

These licenses are incorrect using faulty field exam data and need to be amended.

Water right 31-02430 located Jefferson County in Sec. 3 and 4 T 7 N R 36E

This land was developed from sage brush in 1966 using a side roll irrigation system on 400 acres with a 200 H.P. pump supplying 2640 gpm or 5.90 cfs according to installers design which is enclosed. Our application to the Department in 1966 was for 8.0 cfs on 400 acres. The 1966 ASCS fly over map shows this development with 400 acres.

In 1969 the side roll irrigation system was replaced by two Valley pivots on 280 acres plus hand lines on approximately 65 acres making a total of 345 acres. These two pivots called for a minimum of 1100 gpm each and the hand lines at least 650 gpm making a total of not less than 2850 gpm or 6.36 cfs. We did not reduce the flow when the change to pivots was made.

The 1972 field exam resulting in the license was faulty and inconsistent in pressures, number of nozzles and total water volume as well as acreage.

These were near identical pivots with the examiner showing one with 810 gpm and the other 1268 gpm for a total of 2078 gpm or 4.63 cfs. Of Note: he had the up hill pivot with the greater volume than the down hill pivot. If one had more than the other the opposite would be expected.

Another inconsistency is the examiner's reporting only 319 acres. He shows only 126 acres per pivot and 67 acres under hand lines. The field examiner's maps show the pivots plus the 67 acres being irrigated with lateral lines but does not provide any water to be licensed on the 67 acres. This is a glaring oversight.

His report of 126 acres per pivot is inconsistent with the field exam on 31-02429 in 1969 which showed 140 acres per pivot with the same length pivots.

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The ASCS fly over maps also show 140 acres on all pivots at the time of the field exams.

At the time of the field exam and in the years before, crops were irrigated adequately but could not have come close to adequacy with the 4.63 cfs provided by the license.

The recent Department field exam in 2000 indicate 2958 gpm or 6.60 cfs. This is consistent with the actual volume in 1972 and every year before and since for that matter.

Water right 31-02429 located in Jefferson County in Sec. 33, 34, 35 T 8 N R36E

This land was also developed from sage brush in 1966 using the side roll system on 480 acres with a 200 hp pump and 100 hp booster pump supplying 3300 gpm or 7.37 cfs according to the system design enclosed.

In 1969 the side roll irrigation system was replaced by 3 Valley pivots which would use the same 3300 gpm as before covering about 420 acres.

The 1969 field exam indicates only 643 gpm per pivot for a total of 1930 gpm or 4.3 cfs. He does not show how he arrived at this figure but it is incorrect and inadequate. Crops could not be grown with this flow in Hamer's sandy soil. The same 300 hp was still in place, we had adequate water for crops and we certainly did not reduce flows.

The Departments 2000 field exam indicated that 3604 gpm's or 8.04 cfs were being pumped with the same 300 h.p.

Another very real inconsistency is the comparison between the two licenses and the water allocated. The system with 200 hp is licensed for more than the one with 300 hp even though the 200 hp pump has a higher lift of nearly 20 ft.

Hopefully, this information is indicative of substantial errors being made by the Department and that amendments are in order. Your help will be greatly appreciated.

Sincerely,

Golden C. Linford

Golden C. Linford

MICROFILMED
JUN 14 2001

31-02430

JOHNSTON PUMP COMPANY

IDAHO FALLS, IDAHO

PUMP RECORD

Date: April 2, 1966

Written By: Dennis Tessop

Name: Quality Pack

Location of Pump: 2 miles North of Homer 1 mile East (South well)

Make of Pump: Johnston

Serial No.: JY 14029

Well Depth: 159'

Casing Size I.D.: 20"

Static Water Level: 60'

Well Test:

Driver: Electric H.P. 200 Frame No.: 6285 VY Make: GE

Motor: 5K6285XC69A Serial No.: [illegible] R. P. M.: 1775 Volts: 440

Upper Brg. #: 6217226.63 Lower Brg. #: 2892334P20 C.D.:

N.R.V.: Yes: No: X

GEAR Drive: H.P.: Ratio: Frame No.:

Model: Make: Serial No.:

N.R.V.: Yes: No: C.D.:

Discharge Head: Base Dia: 20" Register Dia: Discharge Size: 10"

Tube Nipple Size & Length: 2½" x 5½"

Head Shaft Size: Length: K. W. Size & Length: Oil or Water: Oil

Length of Head Shaft from Top of Clutch to Top of Shaft:

Column Total Length: 95' Col. Size & Length: 10" x 20' Straight or Taper: Straight

Tube Size & Length: 2½" x 5' Tube R☐ or L☒ Shaft Size: 1 11/16" Shaft Length: 20'

Shaft Threads Per Inch:

CHC

Make Bowls: Johnston No. Stages: 3 Size OD.: 16-[illegible] Impeller Dia.: 11 7/16"

Tube Stickup: 16" Shaft Stickup: 20" (Cut) 19"

Tube Threads Per Inch:

Suction: Size: None Length: No. Thds. Per Inch:

Strainer: Size: 10" Type: Cone Mesh

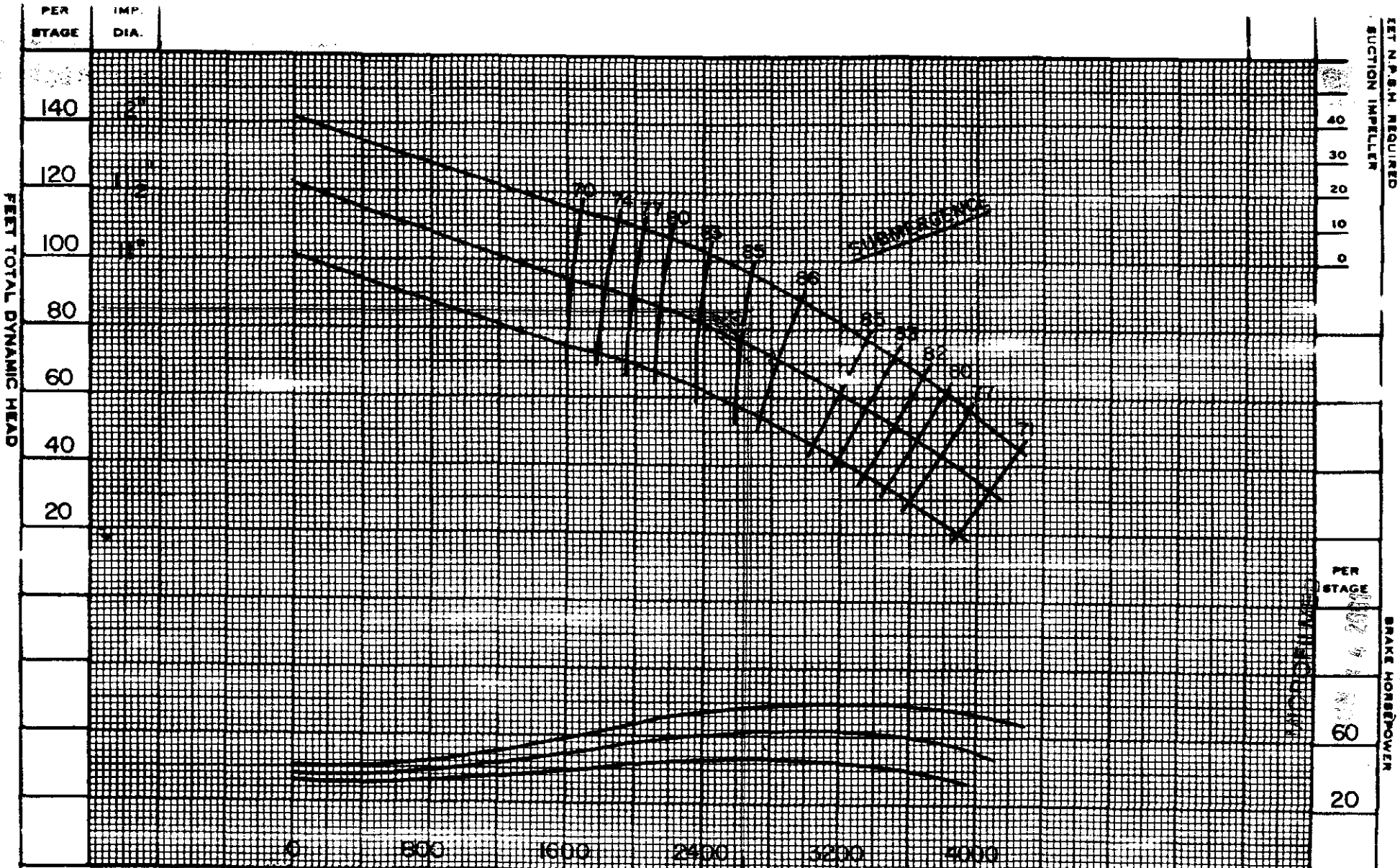
Miscellaneous:

10 to 12 thread adapter Bowl assy at bowl and tube nipple

Falls Printing

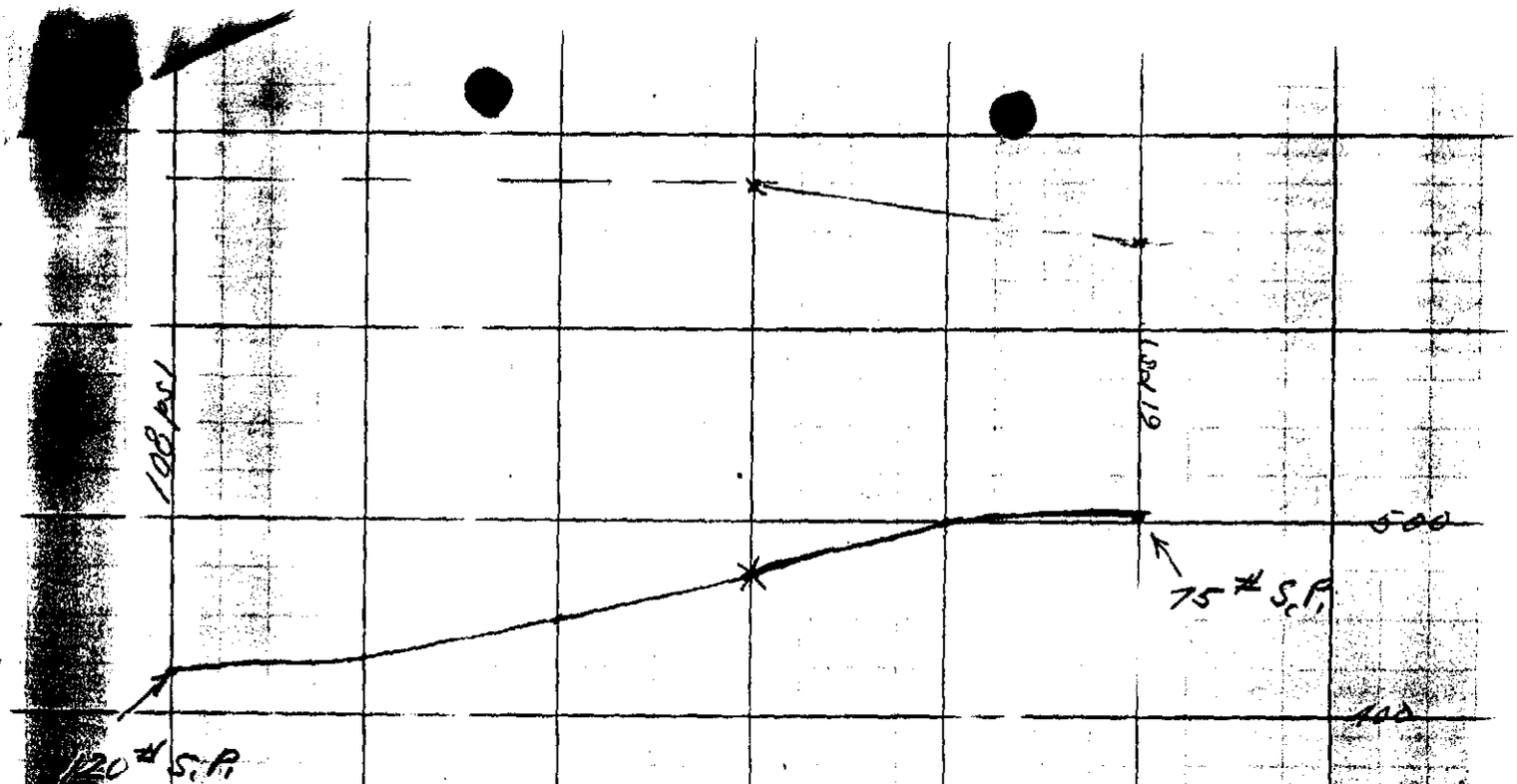
MICROFILMED

JAN 14 2009

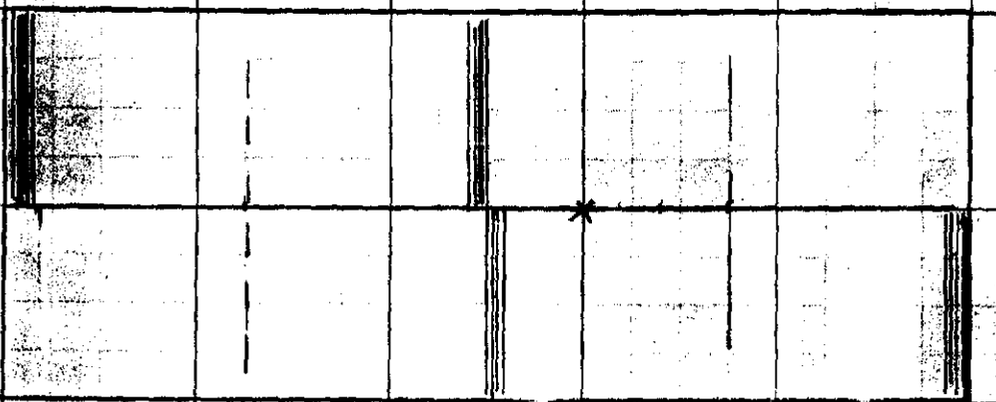


JP-341

Supersedes Page 94 Dated April 6, 1964



Pipe Distr. O.K.



Water Requirement

4 - 5 Line Irrigation

@ 660 gpm = 2640 gpm

Pump in Well 3-16CLC

Will deliver 2640 @ 270' TDH

Column Friction	6
Suction Lift	60'
Pressure Head	204 = 88 psi
	270

Quality Pac
South Well

MICROFILMED
JUN 1 4 2001

March 30, 2001

Norm Young
Administrator
Idaho Department of Water Resources
1301 North Orchard St
Boise, Idaho 83706

Dear Mr. Young:

I'm writing concerning water rights 31-02429 and 31-02430 owned by Golden Linford of Quality Farms, Inc.

Mr. Linford has asked me to analyze the above water rights because my company did business with him, and I am a civil engineer. He asserts the water rights are for far less than he has been pumping since the pumps were installed in 1966. Since 1966, Quality Farms, Inc. has also used the names Quality Pak and Premium Produce. However, numbering of fields on center pivots has been the same. Therefore, data for a numbered pump or center pivot is pertinent even though the farm name is different. The attached map shows the numbering of the center pivots on fields' pivots 4,5, and 6 with the 200 H.P. pump and the 100 H.P. booster pump pertain to water right number 31-02429. Pivots 1,2, and 3 with a 200 H.P. pump which pertain to water right number 31-02430.

1. Water right 31-02429: Issued in 1969 for 4.3 cfs.
   (a). The original irrigation project installed in 1966 for fields #4, #5, and #6 included 5-5 line Trimatics nozzled for 660 gpm each (3300gpm). The design sheet is enclosed.
   (b). A 200 H.P. deep well pump and a 100 H.P. booster pump were installed. The 200 H.P. pump was designed to do 3300 gpm at 210' TDH. The 100 H.P. booster pump was designed to do 3300 gpm at 90' TDH
   (c). A review of pump sheets and pump curves show that a 3 stage, 11 3/4" trim, 16 CMC Johnston pump and a 200 H.P. GE motor were installed to produce the design head of 210'. The booster pump installed was a 1 stage , 16 CHC impellor, full trim, with a 100 H.P. motor to produce 3300 gpm at 90' TDH. The pump sheets are enclosed.
   (d). In 1969 the 5 Trimatics were replaced by three valley water drive center pivots purchased from Gem State Irrigation in Rexburg. The water drive pivots were approximately 1300' long and would have been nozzled for 1100 gpm each to match the pump output of 3300 gpm. The minimum gallonage for a 1300' pivot in the Hamer area would be 1000 gpm, so the 1100 gpm assumption is logical. There is no record of the pumps being changed in 1969.

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JUN 1 4 2001

(e). In 1976, two new electric valley center pivots replaced two of the old water drive at location #2 and #4. Attached is the sprinkler chart for the #4 pivot showing a gpm of 1200. #5 and #6 were also replaced and they were nozzled for 1130 gpm each for a total of 3460 gpm. See enclosed calculation sheet. That amount is close to the 3300 gpm design of the pumps. The circles performed well and did not lack pressure.

The available evidence for #4, #5, and #6 fields shows that the original pump design was for 3300 cfs and subsequent changes in irrigation equipment allowed the pumps to produce more. The water right license should have been for at least 7.37 cfs rather than 4.3 cfs. The examiner made a serious error. The summer 2000 field exam by the IDWR showing 8.04 cfs. However, the license should be awarded to show 7.3 cfs (3300 gpm) to reflect the amount pumped in 1969.

2. Water Right 31-02430-4.63 cfs: Issued in 1969 for 4.63 cfs.
   (a). The original irrigation project installed in 1966 for fields #1,#2 and #3 included 4 Trimatics nozzled for 660 gpm each for a total of 2640 gpm. The design sheet is attached.
   (b). A 200 H.P. deep well pump was designed to do 2640 gpm @ 270' TDH. The attached pump sheet shows that a 3 stage 16CHC impeller with 111/2" trim was installed to do 2640 gpm @ 270' TDH with a 200 H.P. GE motor.
   (c). In 1969 the four Trimatics were replaced by two Valley water drive center pivots on fields 2 and 3 and with four 1/4 mile hand lines for field #1. The water drives were likely nozzled for 1100 gpm each to match the pump output. The four handlines for 80 acres in field #1 required 170 gpm each for a total of 680 gpm for the four lines. Therefore, the total gpm pumped was 2880 gpm or 6.40 cfs.
   (d). In 1976, the Valley water drives for #2 and #3 were replaced with Valley electric drives which were nozzled for 1130 gpm each as previously explained for water right 31-02429. Therefore, the total amount pumped at that time would have been 2940 gpm or 6.53 cfs.

The available evidence for fields #1, #2, and #3 shows that the original pump design was for 2640 gpm (5.90 cfs). In 1969 a change in irrigation equipment required a flow of 2880 gpm (6.40 cfs). In 1976, irrigation equipment was installed which required 2940 gpm (6.53 cfs). The Department's field examination was conducted in 1969 and showed only 2074 gpm being used or 4.63 cfs. That obviously is in error and license 31-02430 should reflect the amount used in 1969 which was 6.40 cfs. The Department's 2000 field exam showed the amount pumped to be 6.60 cfs.

To further verify the error of the field examinations, consider the fact that license 31-02429 for 300 H.P. and 480 acres is 4.3 cfs whereas license 31-02430 for 200 H.P. and 400 acres is 4.63 cfs. These are for adjacent fields and it is clear that more water is required for 480

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JUN 1 4 2001

acres than for 400 acres.

In summary, water right 31-02429 should be amended to be 7.33 cfs and water right 31-02430 should be amended to be 6.40 cfs. The original irrigation design, the pumps installed and the irrigation equipment installed all verify the need for the license to be amended as recommended.

Sincerely,

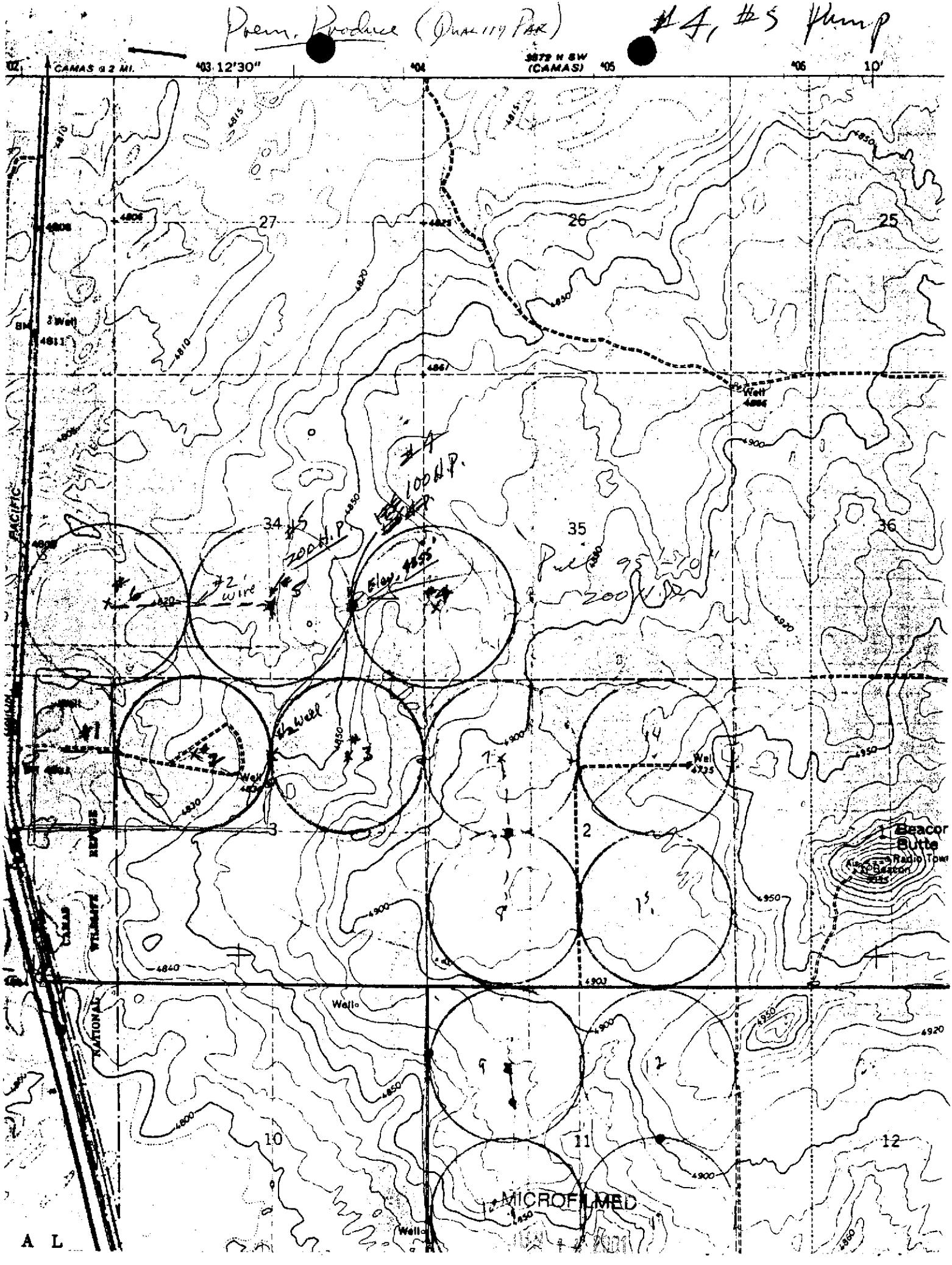
Robert R. Lee

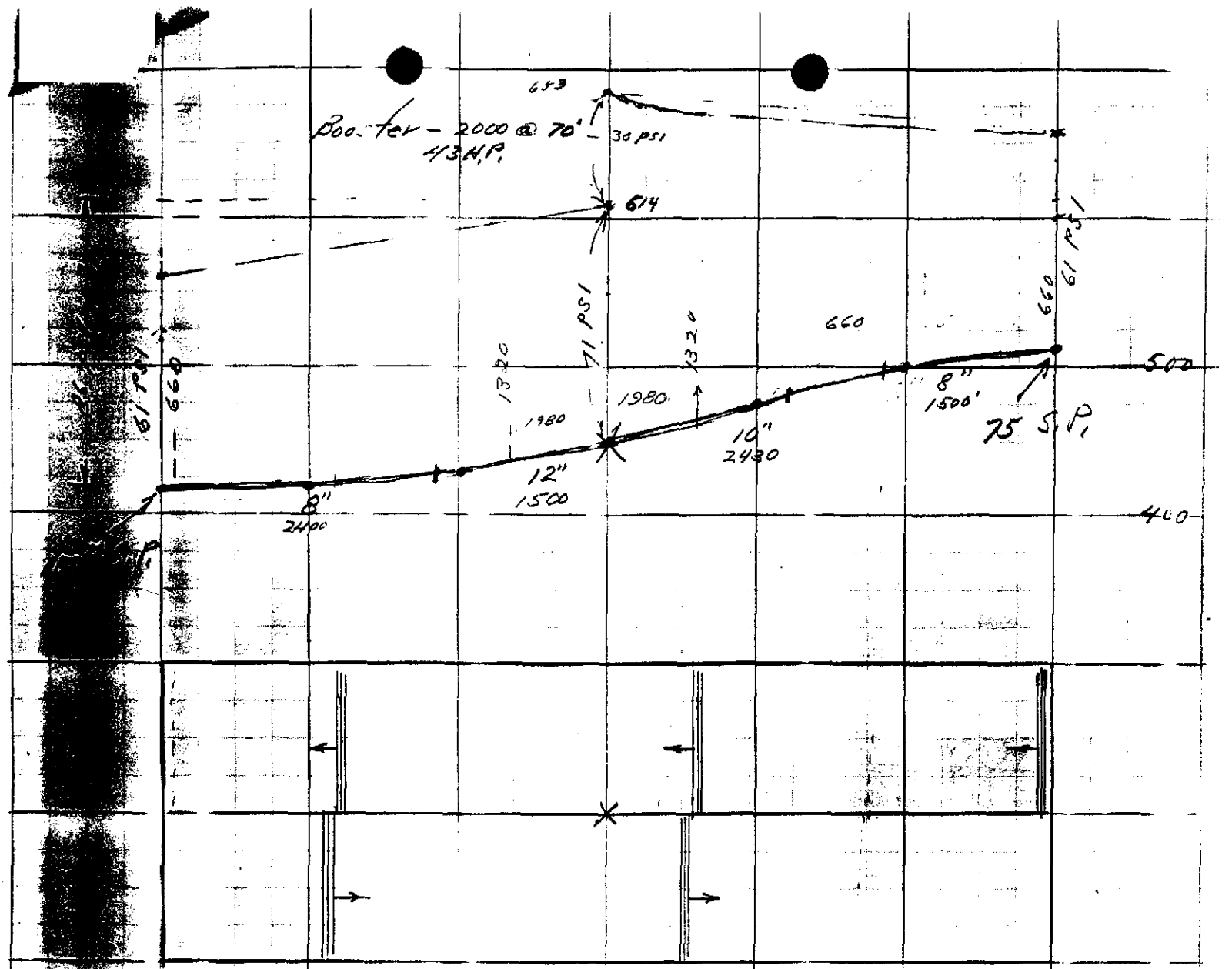
cc: Golden Linford

RRL:ms

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JUN 14 2001


Prem. Produce (Quality Park)
#4, #5 Pump
CAMAS 2 MI.
3872 N SW (CAMAS)
#4 100 H.P.
#5 200 H.P.
Flow 1855
2 wire
2 well
Well
Well 4806
Well 4735
Beacon Butte
Radio Tower
Well
MICROFILMED
PACIFIC
NATIONAL
27
26
25
34
35
36
3
2
1
7
12
11
10



Water Requirement

5 – 5 line Trimatics

@ 660 gpm @ 3300 gpm

Pump in Well: 3-16 CLC

Will deliver 3300 @ 210 TDH

Column Friction 8

Suction Lift 38

Pressure Head $\frac{164}{210} = 71$ psi

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JUN 14 2001

Quality Pac

North Pump

JOHNSTON PUMP COMPANY

IDAHO FALLS, IDAHO

Date: 7-12-66

PUMP RECORD

Written By: [illegible]

Name: Quality Pack 1ST

Location of Pump: HAGER (North Well)

Make of Pump: Johnston

Serial No.: JV-14028

Well Depth: 164'

Casing Size I.D.: 20" OD

Static Water Level: 37'

Well Test:

Driver: Elec. T. H.P. 200 Frame No.: 6285XY Make: G.E.

Model: [illegible] Serial No.: [illegible] R. P. M.: 1775 Volts: 440 / 1231 Amps

Upper Brg. #: Lower Brg. #: C.D.:

N.R.R.: Yes: No:

GEAR Drive: H.P.: Ratio: Frame No.:

Model: Make: Serial No.:

N.R.R.: Yes: No: C.D.:

Discharge Head: A Base Dia: [illegible]" Register Dia: 4½" Discharge Size: 10"

Tube Nipple Size & Length: 2½" x [illegible]

Head Shaft Size: 1 15/16 Length: [illegible] 7/8 K. W. Size & Length: 3/8 x 9" Oil or Water:

Length of Head Shaft from Top of Clutch to Top of Shaft:

Column Total Length: 95' Col. Size & Length: 10" x 20' Straight or Taper:

Tube Size & Length: [illegible]-½" x [illegible] Tube R☐ or L☐ Shaft Size: 1 15/16 Shaft Length: 92'

Shaft Threads Per Inch:

Make Bowls: Johnston No. Stages: 3 Size OD.: 16 CMC Impeller Dia.: 11 3/4

Tube Stickup: Shaft Stickup:

Tube Threads Per Inch:

Suction: 4 S Size: [illegible]" Length: 6" No. Thds. Per Inch:

Strainer: [illegible] S Size: [illegible] Type: CONE

Miscellaneous

ONE " To " Tap Bearing off bowl

ONE " " " " AT Top of

Fills Printing:

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JUN 14 2001

ESTIMATE SHEET

P-160-A 10M 11/65-CBP

JOHNSTON PUMP COMPANY

PASADENA, CALIFORNIA

SIZE 14

INQUIRY NO.

QUOTED BY Hpw

PAGE

DATE 3-15-66

CUSTOMER Pacific Pump

DEALER Booster Pump Co.

APPLICATION

WELL I. DIA. INCHES

HEAD ABOVE FEET

HEAD BELOW FEET

COL. FRICT. LOSS FEET

TOTAL HEAD FEET

WHAT IS REQUIRED:

PUMP CAPACITY: 3210 GPM 82 HEAD 1760 RPM PUMP SETTING FT.

NO. UNITS LIQUID SP. GRAVITY VISC.

PUMP BOWL ASSEMBLY CURVE NO. EFF. % RPM

STAGES X Ft. = LAB. HD. FT. GPM / 3960 X HEAD / EFF. X SPEC. GR. = HP

IMPELLER DATA A. THRUST K X TDH X SP. GR. = LBS. SHAFT LOSS = HP (SECT. 2C)

MATERIALS AFFECTING PERFORMANCE B. SHAFT WT/FT X LENGTH FT. = LBS.

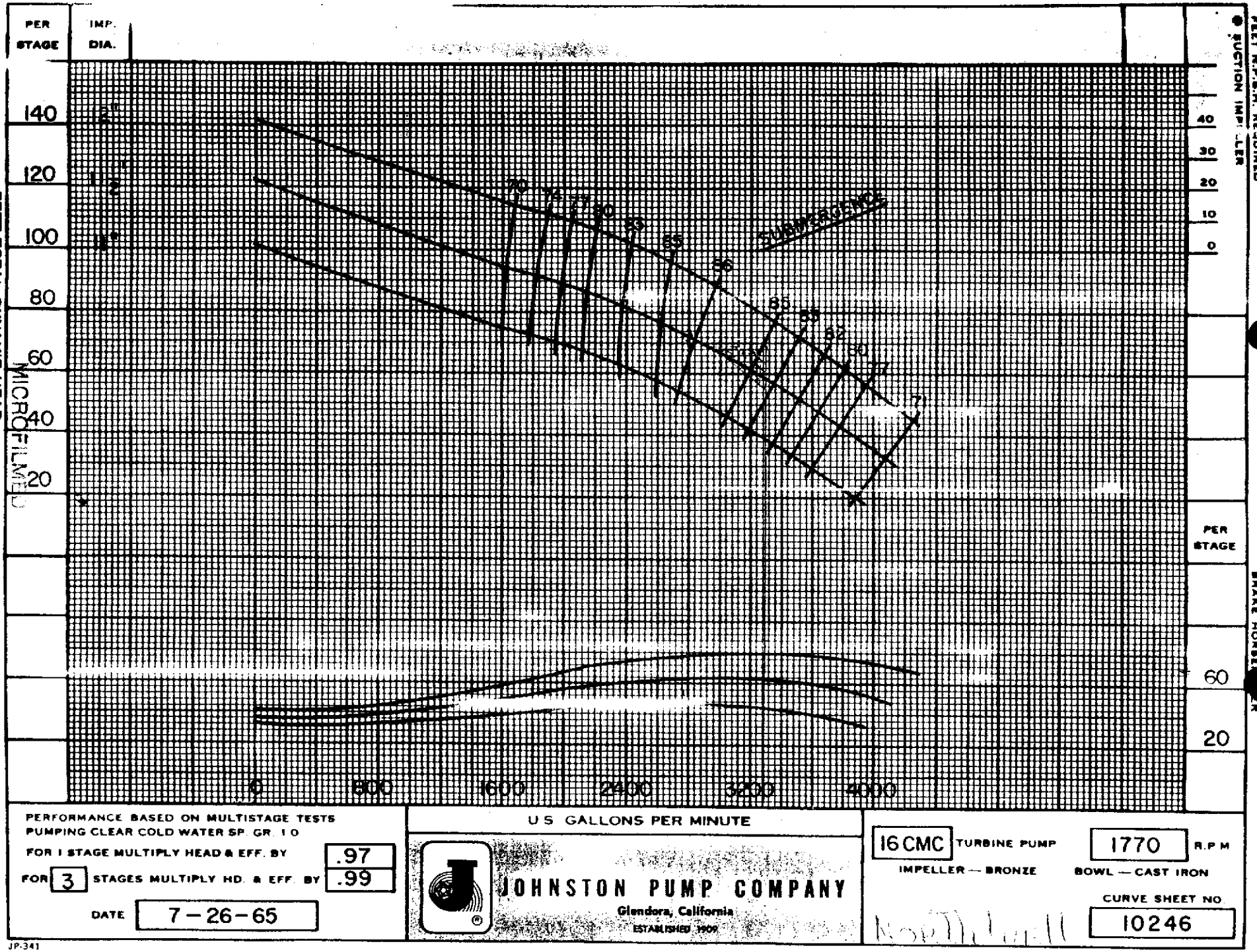
C. A + B = TOTAL THRUST = LBS. X .0075 HP LOSS/100 RPM/1000 LBS. = THRUST LOSS HP

TOTAL HP

QUAN.	UNIT	DESCRIPTION	LIST PRICE	% DISC.	NET PRICE	WEIGHT
1	ELECTRIC MOTOR	H.P. 100 · PHASE 3 · CYCLES 60 · VOLTS 4/10 · R.P.M. 1760 · V.S.S. · V.H.S. ✓				
	DIMENSION BD = 16	ENCLOSURE DP · N.R.R. No · THRUST STD · W-TT				
	COUPLING					
	MOTOR STARTER	NEMA SIZE / NEMA ENCLOSURE · H.P. · VOLTS · P.B. DATA				
	GEAR DRIVE	MAKE · MODEL · RATIO · TYPE OF CLUTCH				
	FLEXIBLE SHAFT ASSEMBLY	WATSON-SPICER MODEL · LONG · FLANGES · BORE × KEYWAYS · BORE × KEYWAYS				
1	DISCHARGE HEAD ASSY.	TYPE AB 16½ × 10 · SURFACE ✓ · UNDERGRD. · OIL · WATER X · COMP FLG				
5	FT. COL. ASSEMBLY	OIL · WATER X · COLUMN SIZE 10 · TUBE SIZE · SHAFT SIZE 1½				
1	PUMP BOWL ASSEMBLY	SIZE 16 · TYPE CHC · NO. STAGES 1 · IMP. DIA. F				
	FT. SUCTION PIPE	SIZE · T.B.E · T.O.E.				
	SUCTION STRAINER	SIZE · CONE · BASKET				
	FT. DISCH. PIPE	SIZE · T.B.E. · T.O.E.				
	GAUGE & FITTINGS	AND · FT. OF AIRLINE · GALVANIZED · OTHER				
1	Add For Bkl.					
1	F. L. D.					
1	F. L. A.					
1	[illegible]					
1						

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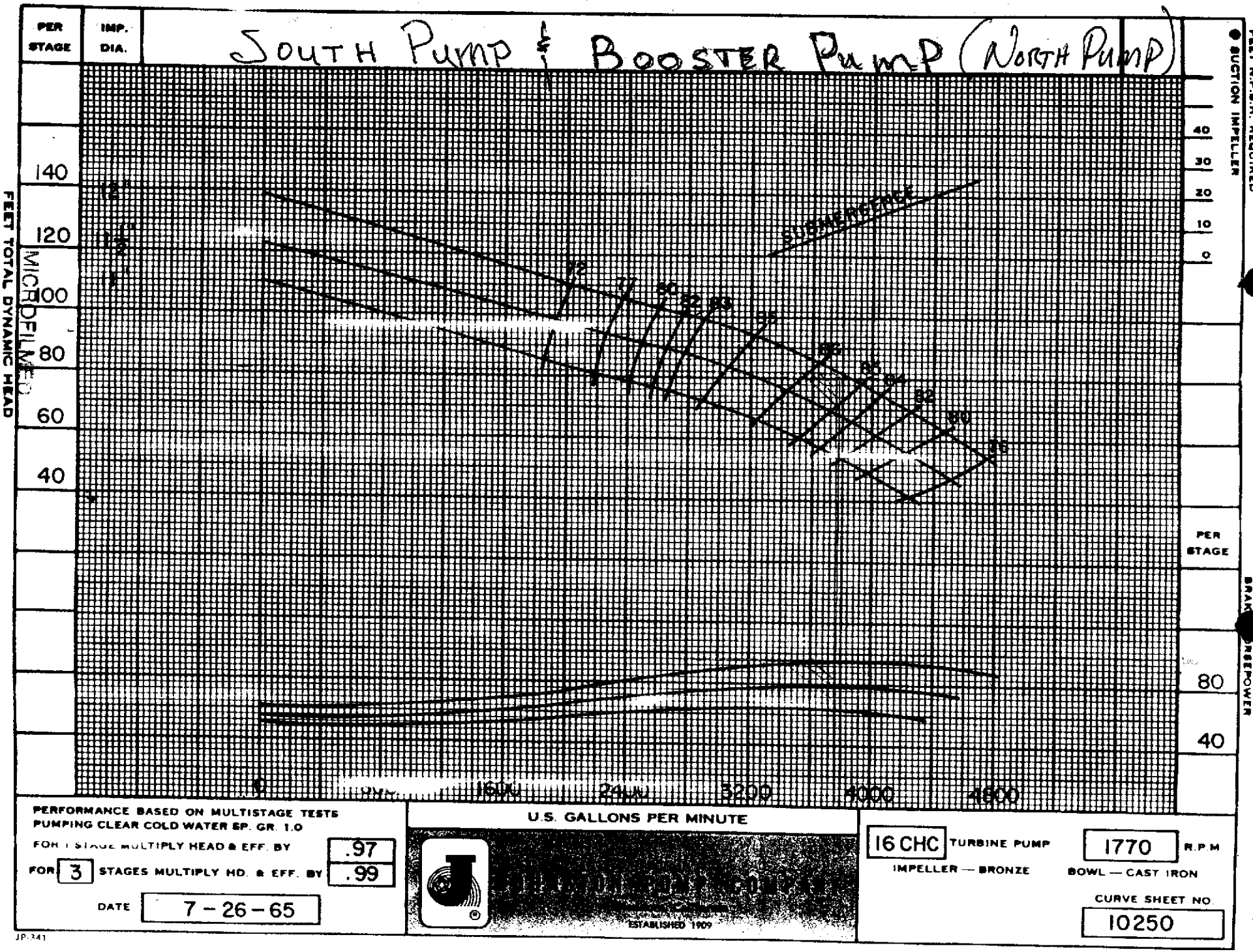
JUN 14 2001



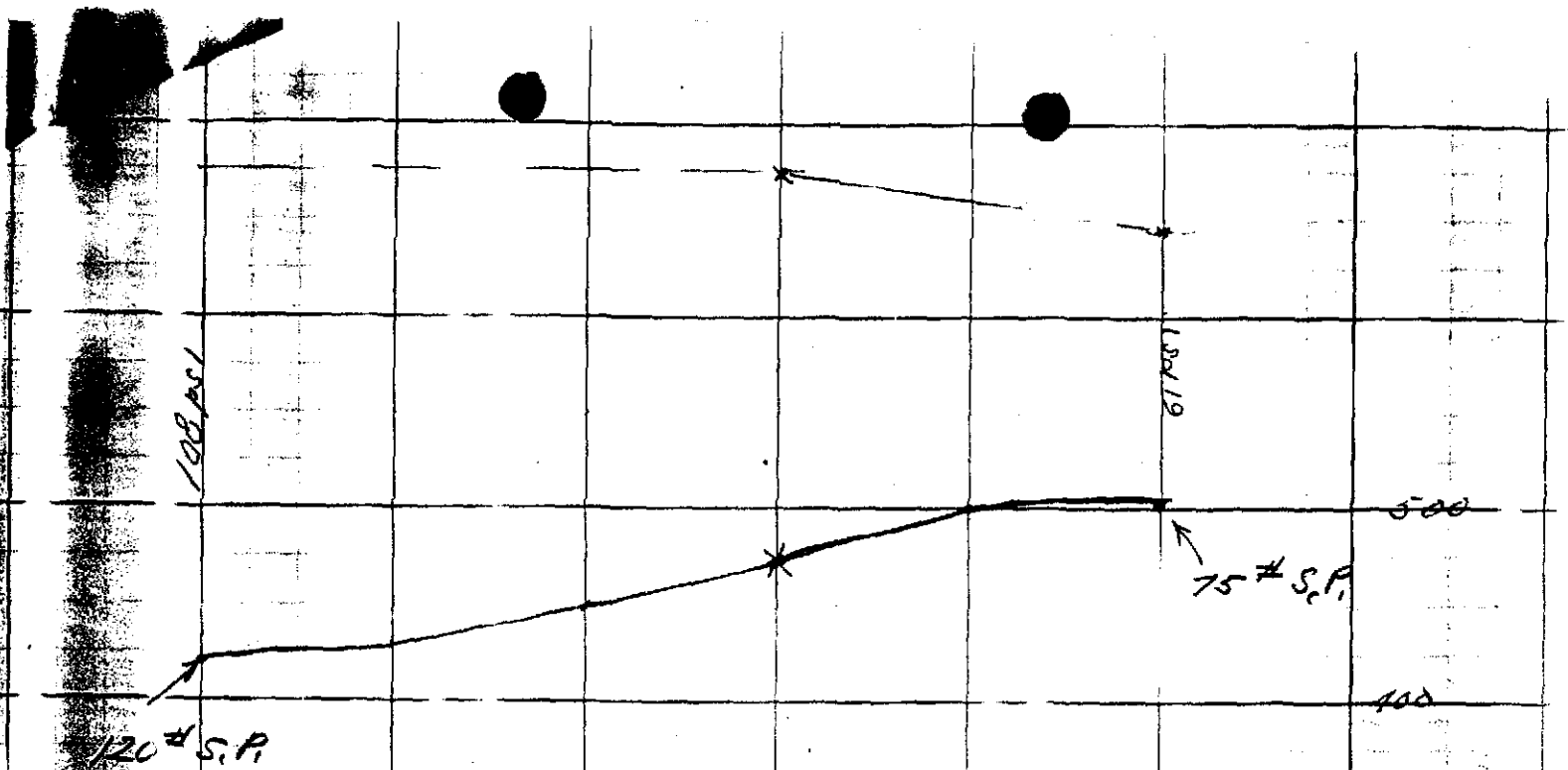
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JUN 14 2001

JP-341

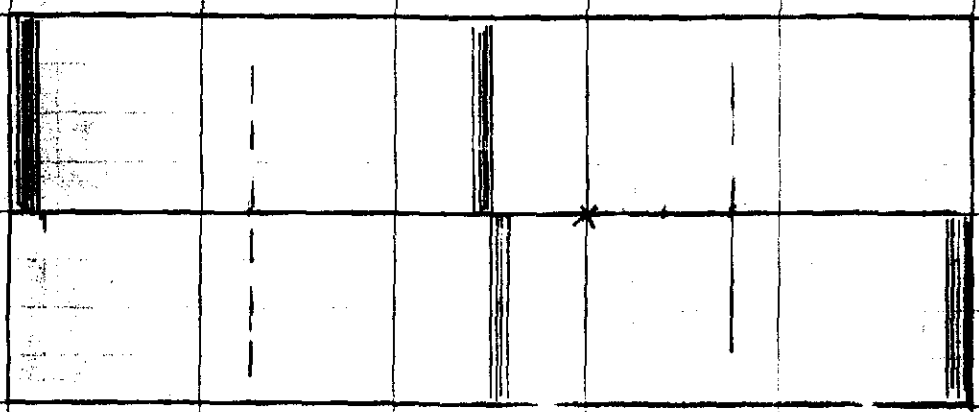
Supersedes Page 94 Dated April 6, 1964



Supersedes Page 55 Dated April 6, 1964



Pipe Distr. O.K.



Water Requirement

4 - 5 Line Irrigation

@ 660 gpm = 264 gpm

Pump in Well 3-6CLC

Will deliver 2640 @ 270' TDH

Column Friction 6

Suction Lift 60'

Pressure Head 204 = 88 psi

270

Quality Pac
South Well

MICROFILMED
JUN 2001

JOHNSTON PUMP COMPANY

IDAHO FALLS, IDAHO

PUMP RECORD

Date: April 2, 1966

Written By: Dennis Jessop

Name: Quality Park

Location of Pump: 2 miles North of Homer 1 mile East (South well)

Make of Pump: Johnston

Serial No.: JY 14029

Well Depth: 159'

Casing Size I.D.: 20"

Static Water Level: 60'

Well Test:

Driver: Electric H.P. 200 Frame No.: 6285VY Make: GE

Motor: 5K6285XC699 Serial No.: [illegible] R. P. M.: 1775 Volts: 440

Upper Brg. #: 6228226 Lower Brg. #: 28922334P20 C.D.:

N.R.S.: Yes: No: X

GEAR Drive: H.P.: Ratio: Frame No.:

Model: Make: Serial No.:

N.R.: Yes: No: C.D.:

Discharge Head: Base Dia: 20" Register Dia: Discharge Size: 16"

Tube & Nipple Size & Length: 2½" x 59½"

Head Shaft Size: Length: K. W. Size & Length: Oil or Water: Oil

Length of Head Shaft from Top of Clutch to Top of Shaft:

Column Total Length: 95' Col. Size & Length: 10" x 20' Straight or Taper: Straight

Tube Size & Length: 2½" x 5' Tube R□ or L□ Shaft Size: 1 7/16" Shaft Length: 20'

Shaft Threads per Inch:

Make Bowls: Johnston No. Stages: 3 Size OD.: 16-C~~2~~ I C/C Impeller Dia.: 11½"

Tube Stickup: 1' Shaft Stickup: 20" ~~C.A.~~ Mill

Tube Threads Per Inch:

Suction: Size: None Length: No. Thds. Per Inch:

Strainer: Size: 10" Type: Cone Mesh

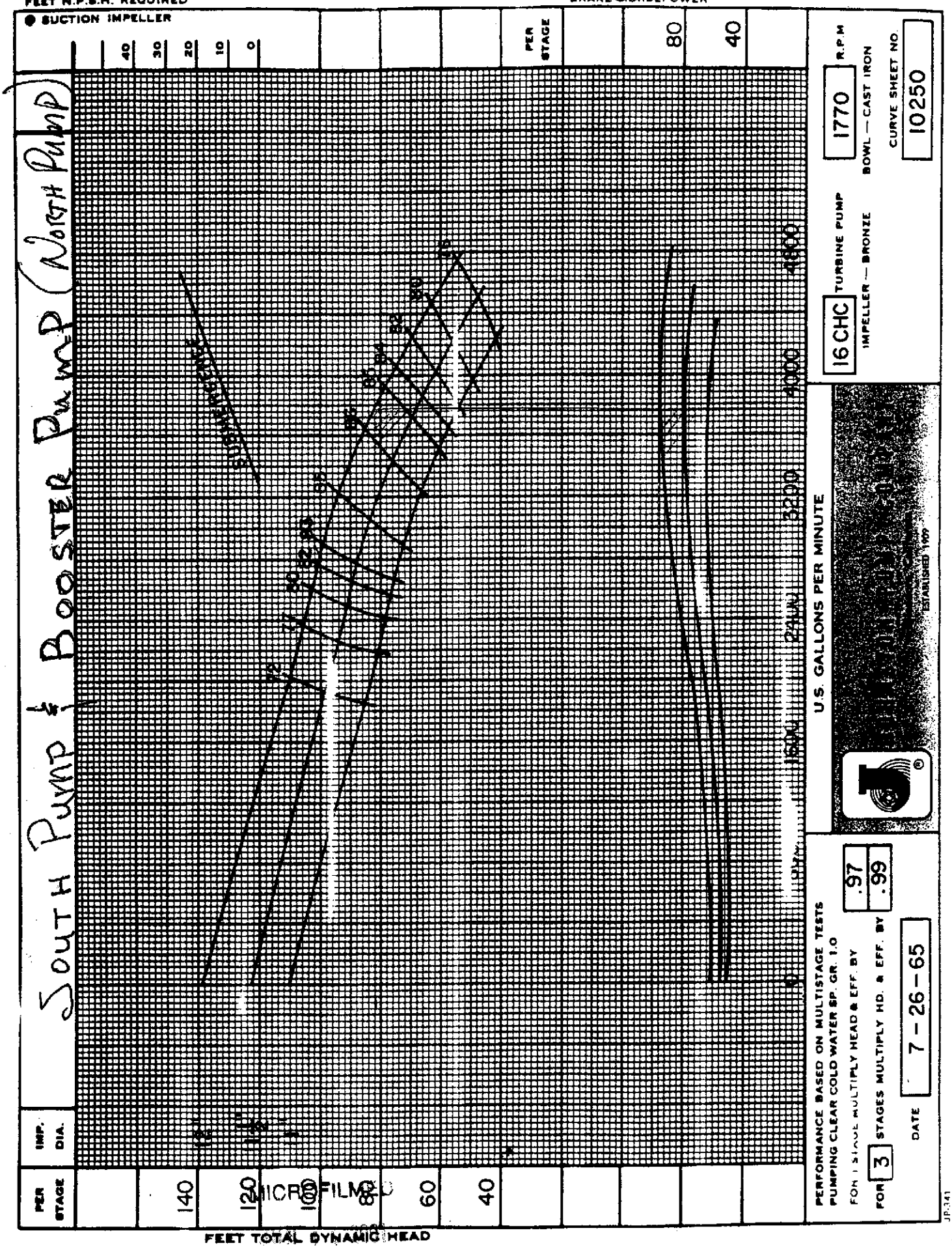
Miscellaneous:

10 to 12 thread Impeller Boundry at bowl and Tube Nipple

Falls Printing

MICROFILMED

JUN 14 2001



MICROFILMED

July 13, 1973

Quality Pak
P.O. Box 282
Rexburg, Idaho 83440

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 33139/31-2430 and has found the following:

Quantity of water diverted: 4.63 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 4.63 cfs

The maximum quantity diverted shall not exceed 957 acre feet per year.

Beneficial use: Irrigation of 319 acres within the N½ (252) Sec. 3, Twp. 7N, Rge. 36 E.B.M. and E½NE¼ (67), Sec. 4, Twp. 7N, Rge. 36E.B.M.

Point of diversion: NE¼NW¼ (Lot 3) Sec. 3, Twp. 7N, Rge. 36 E.B.M.

Priority date established: August 25, 1966

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

EDF:bjg

31 2430

July 25, 1973

Re: Permit No. 33139/31-2430

Quality Pak
P.O. Box 282
Rexburg, Idaho 83440

Gentlemen:

Enclosed please find a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

bjg

Enclosure

31 2430

RECEIVED
JUL 30 1973
Department of Water Administration
Eastern District Office

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33139/31-2430 Priority August 25, 1966 Amount 4.63 cfs

THIS IS TO CERTIFY, that QUALITY PAK of Rexburg, Idaho, has complied with the terms and conditions of Permit No. 33139/31-2430 issued pursuant to Application for Permit dated August 25, 1966, and has submitted proof to the Department of Water Administration on July 23, 1971, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity of 4.63 cfs, and that the water has in fact been applied to a beneficial use; a right to the use of water from a ground water source tributary of _____, is hereby confirmed in the following amounts:

Amount 4.63 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 4.63 cfs of water be diverted at any one time, said waters to be diverted within the NE¼NW¼ (Lot 3) of Sec. 3, Twp. 7 N, Rge. 36 E, B.M.

319 acres

in the county of Jefferson; and that the amount of water so diverted and to which such right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can actually be beneficially used and shall not exceed 957 acre feet per year or _____ 3.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	3	31½	31½	31½	31½	31½	31½	31½	31½									252
			(lot 1)	(lot 2)			(lot 3)	(lot 4)											
7N	36E	4	40			27													67
			(lot 1)																

Total number of acres irrigated 319

59.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of July, 19 73.

Director

RECORDED

TR 3220
31-2430

September 10, 1985

Mr. Golden Linford
Quality Farms
Rt. #3, Box 433-B
Rexburg, ID 83440

Dear Mr. Linford:

Enclosed is a completed application for transfer. Please review the application carefully and if you feel it is in proper form, sign the application in the presence of a notary and return to this office with the statutory filing fee of $50.00.

If you have any questions, please feel free to contact me.

Very truly yours,

STEVE McCORMICK, P.E.
Water Resource Engineer

SM:cw

Enclosure

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 31-2430

Notice is hereby given that Quality Farms, Inc., Rexburg, Idaho, has applied to the Department of Water Resources to change the point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 31-2430 and is recorded as follows:

AMOUNT: 4.63 cfs PRIORITY August 25, 1966

POINT OF DIVERSION: NE1/4NW1/4, Sec. 3, T. 7N, R. 36E, B.M., Jefferson County:

The water is used to irrigate 319 acres within NENE (Lot 1), ~~NWNW~~ NE (Lot 2), S1/2 NE1/4, NENW (Lot 3), NWNW (Lot 4), S1/2NW1/4, Sec. 3, NE1/4NE1/4, SE1/4NE1/4, Sec. 4, T. 7N, R. 36 E.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW1/4NE1/4, Sec. 4, NE1/4NW1/4, Sec.3, T. 7N, R. 36E, B.M., Jefferson County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402, on or before November 12, 1985.

A. Kenneth Dunn

Director

Published in the Rigby Star, Rigby, Idaho, October 24, and October 31, 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

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

OCTOBER 16, 1985

The Rigby Star
P. O. Box 37
Rigby, Idaho 83442

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 NOVEMBER 12, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

CONVERSATION MEMORANDUM

DATE October 15, 1985

FILE 31-2430 Transfer

NAME OF PARTY

EMPLOYEE Keith C. Wilson

RE: ~~Ownership of Land~~

October 10, 1985 - Requested copy of last years tax notice. Informed that the land was leased so a copy of the lease agreement was requested.

October 15, 1985- 1. Golden Linford left copy of Lease Agreement.

2. Contacted Jefferson County assessors office to determine owners of land. BLM owns NENW Sec. 3, T7N, R36E. Gaenell Anderson and William Reed Flint own all other lands under this transfer.

3. BLM informed me that the NENW Sec 3 T7N R36E was sold to Linford Farms last year.

4. In conversation with Golden Linford I learned that he is still paying for the BLM land and will not receive title until the land is paid for.

Keith C Wilson

NOTICE OF CORRECTION

Notice is herby given that Application for Transfer No. 31-2430 in the name of Quality Farms, Inc., Rexburg, Idaho was advertised incorrectly on October 23 and 30, 1985. The original place of use was advertised as being within the NENE (Lot 1), NWNW (Lot 2), S½NE¼, NENW (Lot 3), NWNW (Lot 4), S½NW¼, Sec. 3, NE¼NE¼, SE¼NE¼, Sec. 4, T. 7N, R. 36E.

WHEREAS, the original place of use is within the NENE (Lot 1), NWNE (Lot 2), S½NE¼, NENW (Lot 3), NWNW (Lot 4), S½NW¼, Sec 3, E½NE¼, Sec. 4, T. 7N, R. 36E.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402, on or before December 16, 1985.

A. Kenneth Dunn

Director

Published in the Jefferson Star November 27 and December 4, 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

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

NOVEMBER 20, 1985

The Rigby Star
P. O. Box 37
Rigby, Idaho 83442

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 DECEMBER 16, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

PLE[redacted] FURNISH SERVICE(S) INDICATED BY CHEC[redacted] BL[redacted](S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address where delivered

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO. 7252

INSURED NO.

1 SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

Judy Mortensen

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

JUL 2

3 SHOW WHERE DELIVERED (*only if requested*)

31 2430

c56—16—71548-11 347-106 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

REXBURG, ID 83440
JUL 2
—PM
1971



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

RETURN TO

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83

31 2430

POD Form 3811 Apr. 1969 e55—16—71649-11

Form 222a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: KEITH C. WILSON

1. Right number 31-2430 Applicant Quality Farms, Inc
2. Type of right: ☐ Decree ☑ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☑ Add diversion point(s) ☐ Change place of use
   ☐ Other _____
4. Check:
   - a. ☑ Source ☑ Priority ☑ Amount ☐ Purpose ☑ Period of use
   - b. ☑ Description of original point of diversion.
   - c. ☐ Description of original place of use.

PROTEST DATE
11/12/85, 12/16/85

5. Amount of land &/or water transferred:
   - (a) ☑ All of right.
   - N/A b. ☐ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   - ok ☑ Check description of point(s) of diversion.
   - N/A d. ☐ Check description of place of use.
   - ok ☐ Check map (shows p.d. and p.u. after transfer).
   - ok ☑ Check for correct signature, notarization, and fee.
   - N/A g. ☑ Check proof of ownership of right &/or land from which water is transferred.
   - (h) ok ☑ Check for expansion in use of right. Comments NONE

10-10-85 Requested copy of last years Tax Notice
10-15-85 See ATTACHED SHEET

   - N/A i. ☑ Check for existing water rights from same source, on land water is being transferred to.
     Right number(s) _____
   - ok ☑ Is use within a Watermaster District? ☐ Yes ☑ No
     If yes, what district? _____

FINAL PROCESSING REVIEW BY: Ernest Calvin

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☑ Yes ☐ No
3. Protest received? ☐ Yes ☑ No

RECOMMENDED ACTION

1. ☑ Approve
2. ☐ Deny
3. Conditions* _____
4. By BRC Date 1/6/86
   Jim 1-15-86

MICROFILMED

RECEIVED
JAN 17 1986
Department of Water Resources

** All uses within Watermaster Districts require special conditions.*

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

January 20, 1986

RE: Transfer of Water Right No. 31-2430

Quality Farms, Inc.
Rt. 3, Box 433-8
Rexburg, ID 83440

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3220).

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

Form 238-7
9/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

USE TYPEWRITER OR BALLPOINT PEN

RECEIVED
JUN 11 1992
Department of Water Resources
Eastern District Office

1. WELL OWNER

Name Quality Farms

Address 2120 W 4200 S Rexburg Id 83440

Owner's Permit No. 31 91E-011-002

2. NATURE OF WORK

WR #31-2430

☐ New well ☒ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
_____ inches	_____ inches +	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

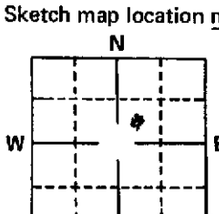
Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number		From	To
_____	perforations	_____ feet	_____ feet
_____	perforations	_____ feet	_____ feet
_____	perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No
Manufacturer's name Deepened well
Type _____ Model No. _____
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth _____ Material used in seal: ☐ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____
Lot No. _____ Block No. _____
County Jefferson
SW ¼ NE ¼ Sec. 4, T. 7 N/S, R. 36 E/W.

7. WATER LEVEL

Static water level 60' feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature ____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
16"	92	154	sand some rock gravel clay	✓	
	154	168	Gray Basalt	✓	
	168	170	Broken Basalt	✓	
	170	173	Blue Basalt	✓	
	173	175	Broken Basalt	✓	
	175	183	Blue Basalt	✓	
	183	185	Loose Basalt cinders	✓	

RECEIVED
JUN 15 1992
Department of Water Resources

10.

Work started 5/91 finished 5/91

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Kendle Well Drilling & Pump Co
Irving & Corlean Kendle
301 E Anderson St.
Idaho Falls, ID 83401

Firm No. 38
Date 6/9/92
Signed by (Firm Official) Irving Kendle
and
(Operator) Irving Kendle

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

m 235-1

Drilling Permit No. [redacted]
Water Right Permit No. [redacted]
Injection Permit No. ~~[redacted]~~

31-2430 ✓

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

MAR 1 [illegible]
Department of Water Resources
Eastern District Office

Applicant (please print) Quality Farms, Inc

Mailing Address 2120 West 4200 South, Rexburg 83440

Telephone 356-7220

(✓) Well Owner ( ) Well Operator ( ) Other, specify

Proposed well location SW 1/4 NE 1/4, or Gov't Lot No.

Sec. 4, Twp. 7N, Rge. 36E, County Jefferson

Street Address of Well Site

Lot, block and subdivision

4. **Proposed use of well:**

( ) Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diverstion rate of 0.04 cfs and a diversion volume of 2500 gpd.

(✓) Non-Domestic: Any beneficial use not included within the definition of domestic.

( ) Injection

( ) Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells:

5. **Well construction information:**

A. ( ) New well (✓) Deepen ( ) Replace - See Condition 9

B. Proposed Surface Diameter 14 Proposed Maximum Depth 100'

C. Anticipated bottom hole temperature:

(✓) 85°F or less (Cold water well)
( ) 85°F to 212°F (Low temp. geothermal well)
( ) 212° or more (Geothermal well)

6. **Construction Start Date** 11 February 1991

7. **Anticipated Well Driller** Woodell Well Drilling
NOTE: The actual well driller must be identified prior to drilling.

8. **Applicant's signature** Helen C Kinder Date 3/12/91

Title President Quality Farms Inc
(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

is Permit is Approved. Date 19 March 1991.

approved, this permit authorizes the constuction or modification of a well subject to the following conditions. READ CAREFULLY!

ENERAL CONDITIONS:

The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.

This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.

The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.

Approval of this drilling permit does not authorize trespass on the land of another party.

This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

This drilling permit does not represent a right to divert and use the water of the State of Idaho.

If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

ECIFIC CONDITIONS:

Dennis M Owen — Water Resource Agent

ignature of Authorized Department Representative — Title

eceipt No. EC15827 Receipted by LK Fee 200.00 Date 3/19/91

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Quality Pak

Post office address P. O. Box 382, Rexburg, Idaho Phone

Person to contact Virgil Valentine Phone

2. Source of water supply: Groundwater [x] Surface water [ ]

(name spring, stream, etc.)

Tributary to

3. Water will be used for the following purposes:

Amount 8.0 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from April 1 to October 1
(mo.-day) inclusive (mo.-day)

Amount c.f.s. for
AF/Annum (nature of use)

Period of Use: from to
(mo.-day) inclusive (mo.-day)

Amount c.f.s. for
AF/Annum (nature of use)

Period of Use: from to
(mo.-day) inclusive (mo.-day)

Other uses:

Permit No. 33139/31-2430

Examination for B/U

4. Total amount to be appropriated:

Max Rate of Diversion 8.0 cubic feet per second and annual volume AF/Annum.

5. Location of Point(s) of Diversion:

Township 7 N/S, Range 36 E/W, B.M., Section 3, Subdivision NE ¼ NW ¼, Jefferson County

Township N/S, Range E/W, B.M., Section, Subdivision ¼ ¼, County

Township N/S, Range E/W, B.M., Section, Subdivision ¼ ¼, County

Other Points of Diversions:

Description of diverting works: 200 h.p. pump - approximately 50' deep

Measuring device required: yes [ ] no [x]

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	3	40	40	40	40	40	40	40	40									320
		4	40			40													80

Lot 1 Lot 2 Lot 3 Lot 4

31 2430

TOTAL ACREAGE 400

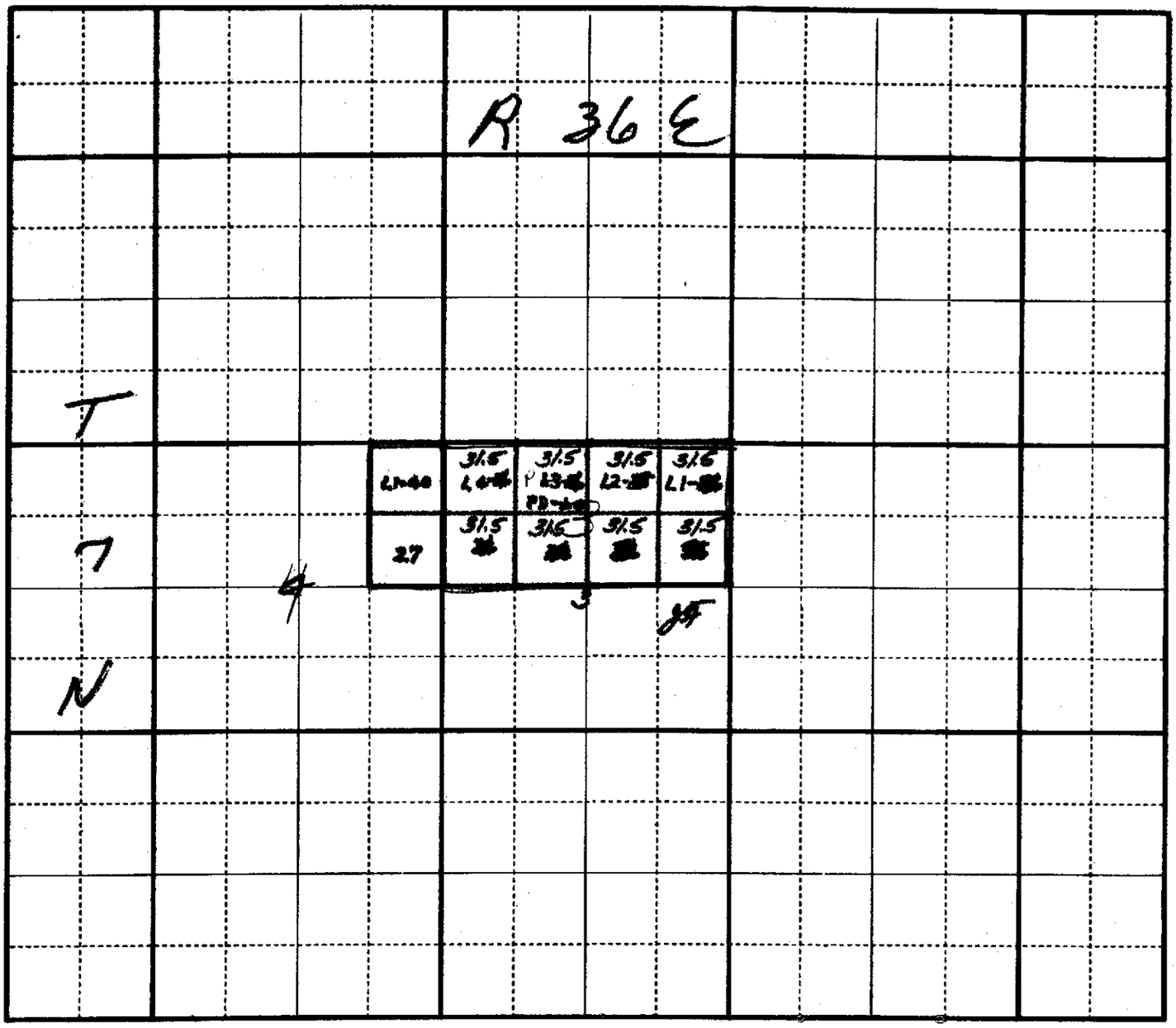
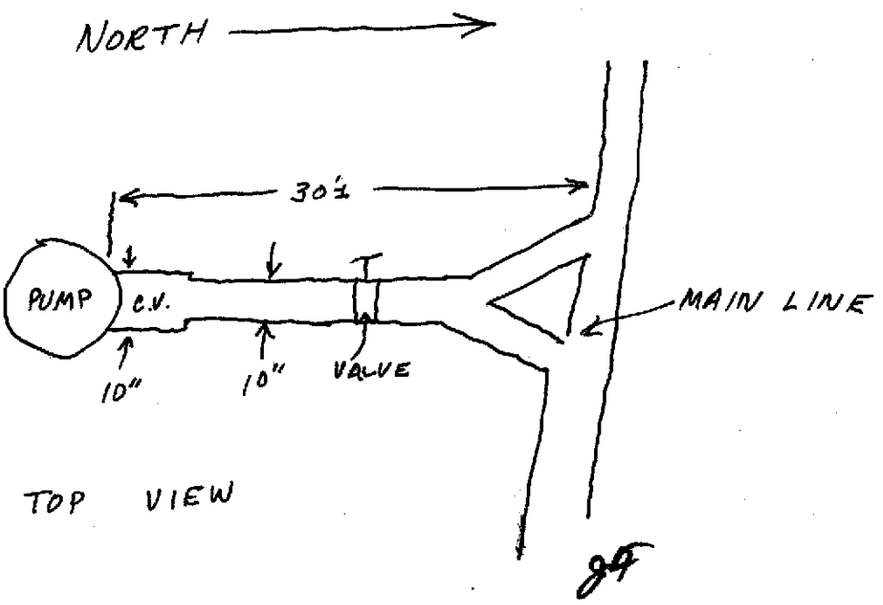


Diagram of System



DATE OF EXAM Sept 15, 1972

ACREAGE
Found ~~354~~ 319
Recommended ~~354~~ 319

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q= 4.63 c.f.s. V= ~~[illegible]~~ 957 AF/Ann. from April 1 to October 1
Domestic Q=____ c.f.s. V=____ AF/Ann. from ____ to ____
Livestock Q=____ c.f.s. V=____ AF/Ann. from ____ to ____

Is water co-mingled? yes____ no ✓

Name source: N/A
twp.____ N/S, Rge____ E/W, B.M., Sec.____, Sub.____ ¼____ ¼____ County

Exchange? yes____ no ✓

Name source exchanged with: N/A
twp.____ N/S, Rge____ E/W, B.M., Sec.____, Sub.____ ¼____ ¼____ County

Point of injection: N/A
twp.____ N/S, Rge____ E/W, B.M., Sec.____, Sub.____ ¼____ ¼____ County

Point of exchange: N/A
twp.____ N/S, Rge____ E/W, B.M., Sec.____, Sub.____ ¼____ ¼____ County

Total Q measured 4.63 CFS Method of measurement ____

Total Q recommended 4.63 CFS Meter No.____ Type____ Condition ____

Total V recommended ~~[illegible]~~ 957 AF/ANN

Recommended Amendments:

P.D. ____
Place of Use ____
Other ____
None ✓

MEASUREMENT CALCULATION:
Pitot tube readings on 2 pivot lines
#1 - NE¼ Sec 3 - Mean PSI = 40 Total discharge 1267.8 GPM = 2.82 CFS
#2 - NW¼ Sec 3 - Mean PSI = 35 Total discharge 810.2 GPM = 1.81 CFS
See attached sheets of data on nozzle sizes, ¼ spacings & models of both pivots Total 4.63 CFS
Acreage check on pivots: $\frac{\pi (1320)^2}{43560}$ = 126 Ac. Irr./Pivot

SYSTEM DESCRIPTION:
200 HP D.E. Motor Serial # BBJ216152 with Johnston Vertical pump no Serial number 10" discharge north to buried main line east and west. Radius of pivots is 1320'.

REMARKS:
System shown by Mr. Virgil Valentine Mgr.

Examiner's Signature John Fenbauer Date Sept 15, 1972
Checked by Norman C. Young, P.E. Date Nov. 17, 1972
Approved by ____ Date ____

31 2430

Zriality Park

Plot centered in NW¼ S[redacted] Twp 7N R. 36E

Model	Nozzle	GPM
20	7/64	1.89
20	1/8	2.44
20	5/32	3.78
20	11/64	4.57
20	13/64	6.30
20	7/32	7.20
20	7/32	7.20
20	7/32	7.20
30	13/64 x 1/8	9.15
30	7/32 x 1/8	10.20
30	7/32 x 1/8	10.20
30	7/32 x 1/8	10.20
30	7/32 x 1/8	10.20
30	7/32 x 1/8	10.20
30	7/32 x 1/8	10.20
30	7/32 x 1/8	10.20
70	1/4 x 3/16	17.70
70	1/4 x 3/16	17.70
70	9/32 x 3/16	20.30
70	9/32 x 3/16	20.30
70	9/32 x 3/16	20.30
70	9/32 x 7/32	22.60
70	9/32 x 7/32	22.60
70	5/16 x 7/32	25.40
70	5/16 x 7/32	25.40
70	5/16 x 7/32	25.40
70	11/32 x 7/32	28.70
70	11/32 x 7/32	28.70
70	11/32 x 7/32	28.70
70	11/32 x 7/32	28.70
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	9/32 x 3/16	20.30
		810.23

$\bar{X}$ = 35 PSI

31 2020

(1) -- Quality Pak Quot Centered in NE¼ S.3 Twp 7N R36E

Model	Nozzle	GPM
20	1/8	2.66
20	5/32	4.10
20	3/16	5.84
20	7/32	7.79
20	7/32	7.79
30	3/16 x 1/8	8.83
30	7/32 x 1/8	11.10
30	7/32 x 1/8	11.10
30	7/32 x 1/8	11.10
30	7/32 x 1/8	11.10
30	7/32 x 1/8	11.10
70	1/4 x 3/16	16.70
70	9/32 x 3/16	20.30
70	9/32 x 3/16	20.30
70	9/32 x 7/32	22.60
70	9/32 x 7/32	22.60
70	5/16 x 7/32	25.40
70	5/16 x 7/32	25.40
70	11/32 x 7/32	28.70
70	11/32 x 7/32	28.70
70	11/32 x 7/32	28.70
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
70	3/8 x 7/32	31.60
80	3/8 x 7/32	41.40
80	3/8 x 7/32	41.40
80	3/8 x 7/32	41.40
80	13/32 x 7/32	46.60
80	13/32 x 7/32	46.60
80	13/32 x 7/32	46.60
80	13/32 x 7/32	46.60
80	13/32 x 7/32	46.60
80	13/32 x 7/32	46.60
70	11/32 x 7/32	36.50

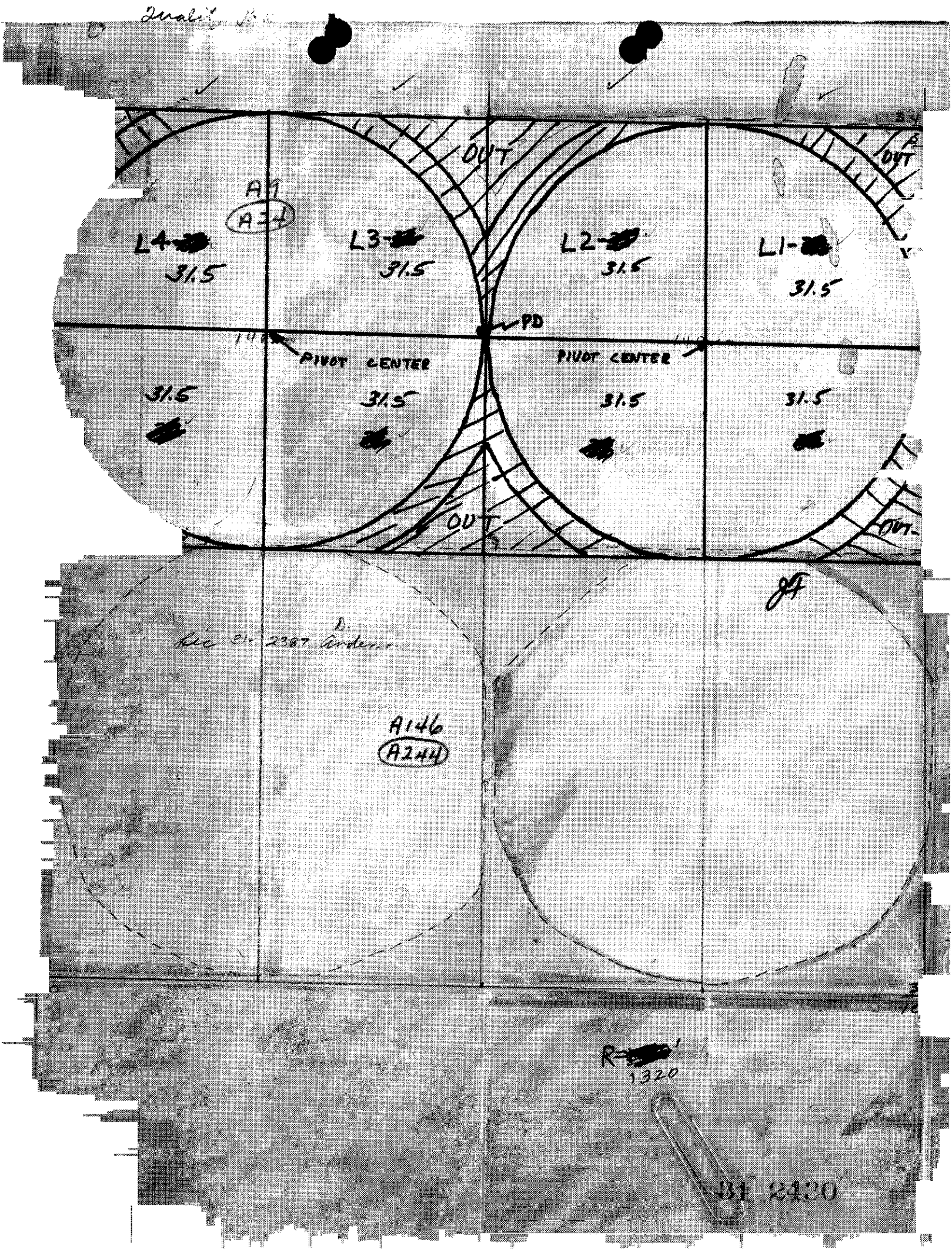
31 2010

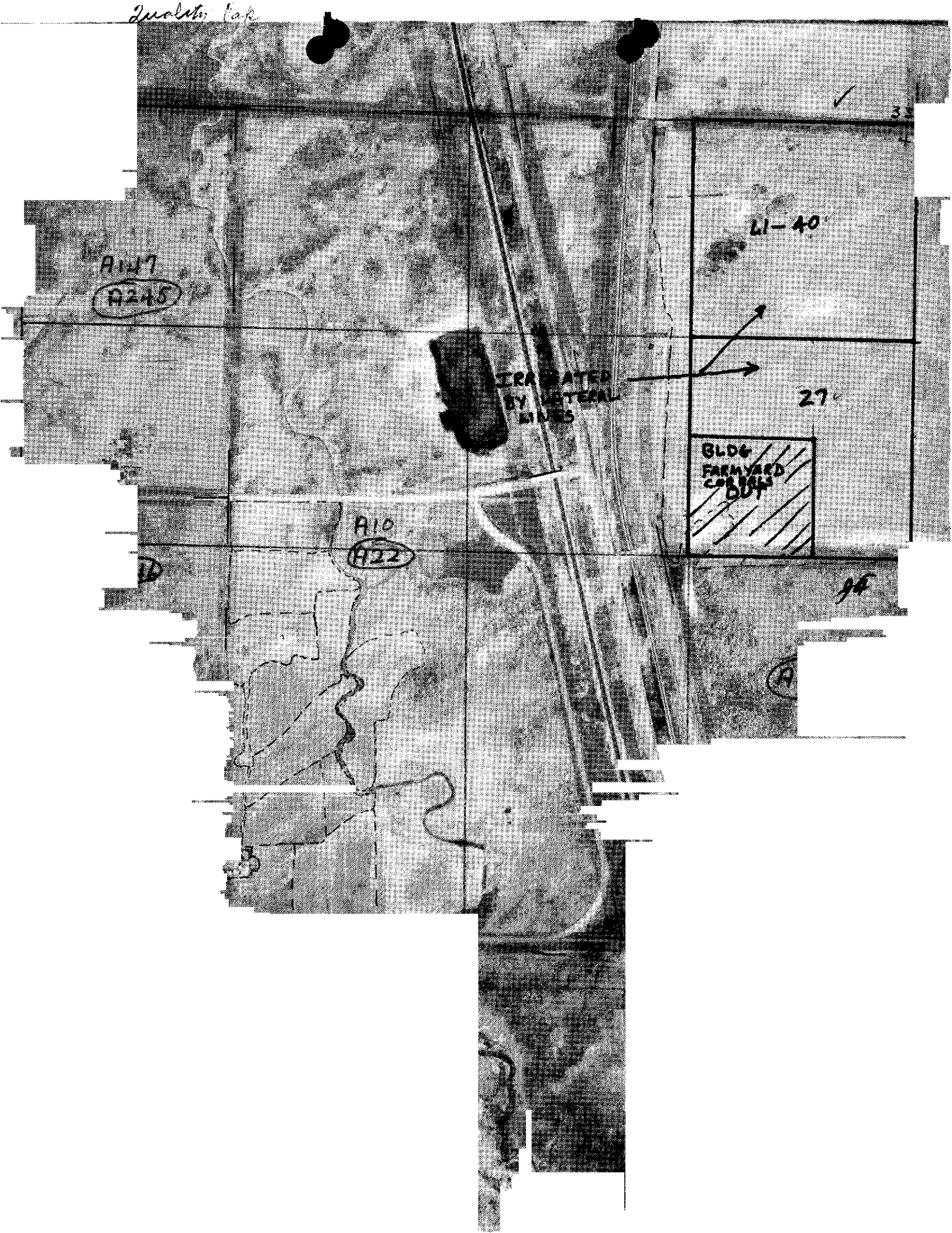
(2) Quality Pak — Pt centered in NE¼ S.3 Twp 7N R. 36E

Model	Nozzle	GPM
80	$\frac{13}{32} \times \frac{7}{32}$	46.60
80	$\frac{13}{32} \times \frac{7}{32}$	46.60
70	$\frac{11}{32} \times \frac{7}{32}$	46.60
95	$\frac{9}{16} \times \frac{5}{16} \times \frac{1}{4}$	103.00
		1267.8

JH

$\bar{X}$ = 40 PSI


OUT
OUT
A9
(A24)
L4
31.5
L3
31.5
L2
31.5
L1
31.5
PD
PIVOT CENTER
PIVOT CENTER
31.5
31.5
31.5
31.5
OUT
OUT
A146
(A244)
R=
1320


Quadrant Lake
A147
A245
IRRIGATED BY LATERAL MILES
L1-40
27
BLDG FARMYARD
A10
A22
D
A

August 2, 1971

Re: Permit No. G-33139/31-2430

Quality Pak
P.O. Box 382
Rexburg, Idaho 83440

Gentlemen:

We acknowledge receipt of the affidavit 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 from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that someone may show him the system.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

31 2430

July 16, 1971

Re: Permit No. G-33139/31-2430

Quality Pak
P.O. Box 382
Rexburg, Idaho 83440

Gentlemen:

Please be advised that before the Department can accept the enclosed proof of beneficial use affidavit, it will be necessary for the notary public to affix his seal to the affidavit.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: B/U affidavit

31 2430

July 13, 1971

Re: Permit No. G-33139/31-2430

Quality Pak
P.O. Box 382
Rexburg, Idaho 83440

Gentlemen:

Pursuant to your letter of July 6th, we are enclosing a copy of the above referenced permit for your review. We wish to remind you that proof of beneficial use of water must be received by the Department on or before September 12, 1971; otherwise the permit will lapse and be of no further force or effect.

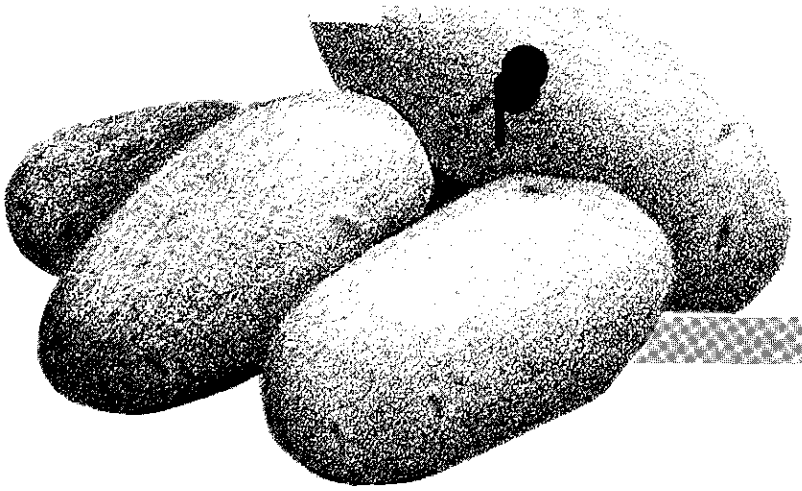
If we may be of further assistance, please feel free to contact us at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosure

31 2430



Quality Pak

PHONES: Long Distance 208-356-5430; Local 356-5761

REXBURG, IDAHO

July 6, 1971

Dept. of Water Admin.
Annex 2 - Statehouse
Boise, Ida. 83707

Gentlemen:

We are trying to determine which well the enclosed pertains to as we have a Permit No. G 33139 here on NE¼ of NW¼ of Sec 3, Twp 7N Rge 36E.

The above was approved Sep. 12, 1966. Please advise if you can identify as it has been some time since our last well was completed.

Very truly yours,

Quality Pak , Box 382,

Rexburg, Ida.

The above mentioned well has been in use for some five years.

BRANDS: OVENKING • HOSTESS • RUSPUD • VIKING

PACKED IN ALL SIZE CONTAINERS • ALL SIZES AND COUNT • BAGS OR CARTONS

July 1, 1971 CERTIFIED MAIL #22883

Re: Permit No. G-33139/31-2430

Quality Pak
P.O. Box 382
Rexburg, Idaho 83442

Gentlemen:

One of the conditions of approval of your water Permit No. G-33139/31-2430 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before September 12, 1971. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

31 2430

April 5, 1971

Re: Permit No. G-33139/31-2430

Quality Pak
Box 382
Rexburg, Idaho 83442

Gentlemen:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Since proof of beneficial use of water is not required until September 12, 1971, the Department will notify you sixty days in advance of the due date as to further requirements.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

31 2430

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse – Annex 2
Boise, Idaho 83707
(208) 384-2215

R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

March 29, 1971

Re: Permit No. G-33139/31-2430

Quality Pak
Post Office Box # 382
Rexburg, Idaho 83442

ATTENTION: Golden C. Linford

Dear Mr. Linford:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until September 12, 1971. However, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Rigby Star, Rigby, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Dorian Clay
enc

Dorian Clay
Appropriation Examiner

DC:CM

This affidavid was mailed several days ago - possibly it had not reach your office at the time this letter was mailed. If you still haven't received it and don't in the next day or so please let us know -

Quality Pak.

31-2430

March 29, 1971

Re: Permit No. G-33139/31-2430

Quality Pak
Post Office Box # 382
Rexburg, Idaho 83442

ATTENTION: Golden C. Linford

Dear Mr. Linford:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until September 12, 1971. However, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Rigby Star, Rigby, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:CM

31 2430

January 25, 1971

Re: Application for Permit No G-33139/31-2430

Quality Pak
Post Office Box # 382
Rexburg, Idaho 83442

ATTENTION: Golden C. Linford

Dear Mr. Linford:

The legal notice for the above-referenced permit is being published in the Rigby Star, Rigby, Idaho on February 4, 1971 and February 11, 1971.

You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the above-mentioned newspaper upon payment of the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

31 2430

January 25, 1971

Re: Application for Permit No. G-33139/31-2430

The Rigby Star
Post Office Box # 37
Rigby, Idaho 83442

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by ~~Quality Pak, GOLDEN C. LINFORD Box #382, Rexburg, Idaho~~, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enc: Legal Notice

31 2430

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Quality Pak, P.O. Box 382, Rexburg, Idaho has received an approved Permit No. G-33139/31-2430 issued by the Idaho Department of Water Administration authorizing the diversion ~~of/~~ of 8.0 cubic feet per second ~~acre feet per/annum~~ of water from a ground water source.

The priority to be established under this permit is August 25, 1966 and the permit was approved September 12, 1966.

Water is to be diverted by well and pump from a point within the NE¼NW¼, Sec. 3, T. 7 N. R. 36 E. B. M., Jefferson County to be used for irrigation in the N½, Sec. 3; E½NE¼, Sec. 4, T. 7 N. R. 36 E. B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before September 12, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Rigby Star, Rigby, Idaho
on February 4, 1971 and February 11, 1971.

Permit No. 31-2430

Director:

You are hereby authorized to have the above notice published at my expense in the Rigby Star of Rigby, Idaho; published in the county in which the works are situated.

Quality Pak By
Golden C. Linford
(Signature)

Box 382
(Address)

1/20/71
(Date)

Rexburg, Idaho

31 2430

October 21, 1970

Re: Permit No. G-33139/31-2430

Quality Pak
P.O. Box 382
Rexburg, Idaho

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: order
advertising package

31-2430
33139

Date Rec. 7-9-68

Please fill out the thr[illegible]ers on this [illegible], that I hav[illegible]al and return to us.

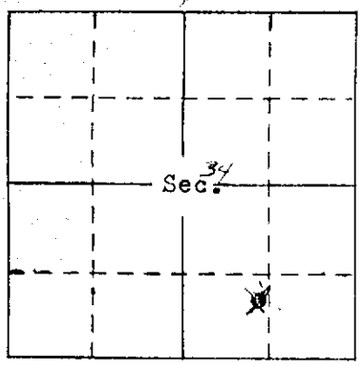
Thanks

REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name Quality Pak (Max Macrinsen)
Address Rexburg Idaho
Owner's Permit No. 31-2430 (G 33139 33139)
NATURE OF WORK (check): Replacement well ☐
New well ☑ Deepened ☐ Abandoned ☐
Water is to be used for: Irrig
METHOD OF CONSTRUCTION: Rotary ☐ Cable ☑
Dug ☐ Other ____ (explain)
CASING SCHEDULE: Threaded ___ Welded ___
20 "Diam. from 0' ft. to 6' ft.
___ "Diam. from ___ ft. to ___ ft.
___ "Diam. from ___ ft. to ___ ft.
___ "Diam. from ___ ft. to ___ ft.
Thickness of casing: ____ Material:
Steel ☑ concrete ☐ wood ☐ other ☐ (explain)
PERFORATED? Yes ☐ No ☑ Type of perforator used: ____
Size of perforations: ___ " by ___ "
___ perforations from ___ ft. to ___ ft.
___ perforations from ___ ft. to ___ ft.
___ perforations from ___ ft. to ___ ft.
___ perforations from ___ ft. to ___ ft.
WAS SCREEN INSTALLED? Yes ☐ No ☑
Manufacturer's name ____
Type ____ Model No. ____
Diam. ___ Slot size ___ Set from ___ ft. to ___ ft.
Diam. ___ Slot size ___ Set from ___ ft. to ___ ft.
CONSTRUCTION: Well gravel packed? Yes ☑
No. ☐ size of gravel ____ Gravel placed from ___ ft. to ___ ft. Surface seal provided? Yes ☐ No ☐ To what depth? ___ ft. Material used in seal: ____
Did any strata contain unusable water? Yes ☐
No. ☑ Type of water: ____
Depth of strata ___ ft. Method of sealing strata off: ____
Surface casing used? Yes ☑ No. ☐
Cemented in place? Yes ☐ No ☑

Locate well in section



LOCATION OF WELL: County Jefferson
SW ¼ of SE ¼ Sec. 34 T. 8 N/S R. 36 E/W

Size of drilled hole: 20" Total depth of well: 154' Standing water level below ground: 60 Temp. Fahr. ___ ° Test delivery: ___ gpm or ___ cfs Pump? ☐ Bail ☑
Size of pump and motor used to make test: ____
Length of time of test: ___ Hrs. ___ Min.
Drawdown: ___ ft. Artesian pressure: ___ ft. above land surface ___ Give flow ___ cfs or ___ gpm. Shutoff pressure: ____
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing? Yes ☐ No ☑

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	4	Top Soil	
4	8	Gray Lava	
8	60	Gray Lava	
60	65	Red cinders	Yes
65	70	gray Lava	
70	83	gray Lava	
83	87	Loose Rock	
87	95	gray Lava	
95	96	Cinder rock	
96	100	black Lava	
100	120	black Lava	
120	122	Cinders black Lava	
122	125	black Lava	
125	145	black Lava	
145	150	Opening with Lavarock	

Work started: March 68
Work finished: June 68
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: Irving E. Kendle Well Drilling
Address: 301 E. Anderson St. Idaho Falls, Ida.
Signed by: Irving E. Kendle
License No. 38 Date: July 7, 68

Use other side for additional remarks

31-2430
33139

31

September 26, 1966

Re: Permit No. G-33139

Quality Pak
Box 382
Rexburg, Idaho

Dear Mr. Mortensen:

We enclose Permit No. G-33139 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-10788 which was issued covering payment in the amount of $ 14.00 for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit
receipt

M. RUSSELL BOSCH
Office Manager

MRB:ejw

The enclosed receipt covers Permit G-33138 and G-33139. The $14.00 covers $7.25 and $6.75 respectively.

MRB

33139