

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. T3S R33E

T7S, R23E

175, 125

5

4

10

MICROFILMED

MAR 12 1990

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MAR 12 1990

Scale: 2 inches equal 1 mile.

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.

Ernest Grain & Peter Johnson
(Applicant)

(Applicant)

Kip Peterson Asst. Sec. Treas.

AFFIDAVIT of PUBLICATION

RECEIVED

DEC 15 1989

State of Idaho,)
)SS.
County of Lincoln)

Department of Water Resources
Southern Region Office

Patty Spence C. Managa, being first duly sworn,
deposes and says that he is the printer (publisher) of the Lincoln County
Journal, a newspaper published every week in Shoshone, County of Lincoln,
State of Idaho, that said newspaper has been continuously and uninterruptedly
published for a period of seventy-eight consecutive weeks prior to the first
publication of the annexed notice, and is a newspaper qualified to publish
legal notices as provided by act of the 1919 session of the legislature of the
State of Idaho, know as House Bill 145; that the annexed advertisement was
published once

each week for 2x consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 6th day of Dec.
1989, and the date of the last publication was on the 13th
day of Dec., 1989.

Patty Spence

Subscribed and sworn to before me this 14
day of Dec, 1989.
(SEAL)

Norma DeVoe

NOTARY PUBLIC

LINCOLN COUNTY JOURNAL
Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice _____

Number of Insertions 2x

Lines tabular at _____ 6¢/Pica
351 Lines straight at 17.55 5¢/Pica
Subsequent lines at 14.04 4¢/Pica
TOTAL COST 31.59

COPY OF NOTICE (Paste Here)

Applying Water Right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

I.D. Dept. Water Res.
BILL TO T.F.

NOTICE OF APPLICATION FOR WATER RIGHT

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

36-08476

EVANS GRAIN & ELEVATOR CO.

P.O. BOX 515

RUPERT, IDAHO 83350

Source: GROUNDWATER

Diversion Pt.: SESESW Sec 5 T 07S R
23E

Use: COMMERCIAL (.200 CFS)

Date Filed: 11/06/1989

In: T07S R23E S05 SESW

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public in-
terest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources, 2148
4th Avenue East, Twin Falls, Idaho 83301
on or before DECEMBER 26, 1989.

R. Keith Higginson

Director

Pub: 12-6, 13

L10304

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight.....5¢/Pica

7-8 pt. per line tabular.....6¢/Pica

7-8 pt. per line successive

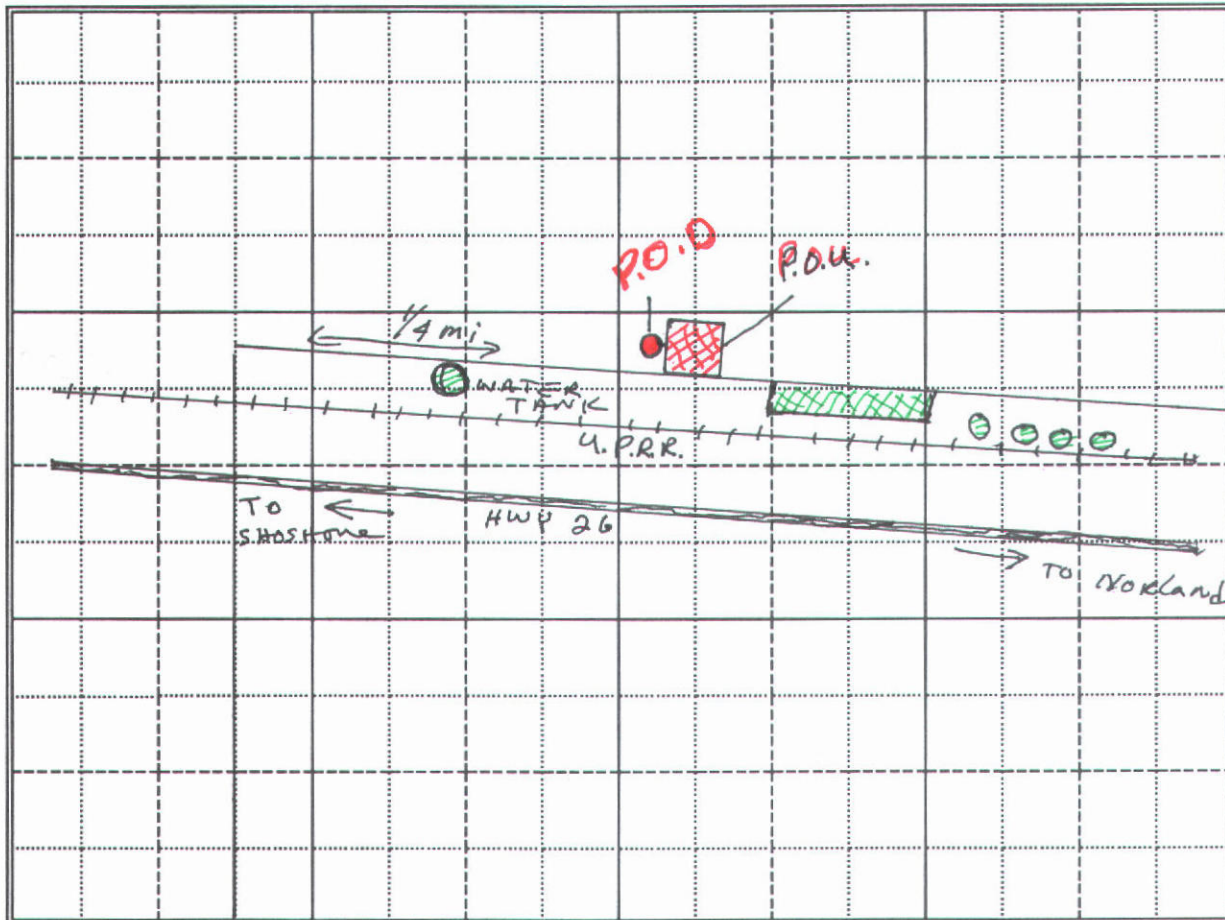
insertions.....4¢/Pica

No 3377

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10304
MAR 12 1990

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NOT TO SCALE

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	G.E.	1 1/2	GP 1175T120	SUBMERSIBLE WAYNE	1 1/2

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

NOV 14 1995

36-08476

P.O.U.



P.O.D.



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NOV 14 1995

P.O.U.

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~ORIGINAL APPLICATION~~	~~36-08476~~	~~EVANS GRAIN & ELEVATOR~~	~~0.2~~
FULL ASSIGNMENT	36-08476	KOCH AGRI-SERVICES	0.2

RECEIVED

JUL 10 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08476

Priority: November 6, 1989

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

0.1 AF

This is to certify, that KOCH AGRI-SERVICES
PO BOX 515

RUPERT ID 83550-0515

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 6, 1989; and has submitted Proof of Beneficial Use on March 12, 1990. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	06/01 to 11/30	0.01 CFS	0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 5, Township 07S, Range 23E
LINCOLN County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

07S 23E 5

SESW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Commercial use is for an office restroom.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 7th day of November, 1995.

Acting for


KARL J. DREHER, Director

RECEIVED

JUN 26 1995

For Office Use Only
\$25.00 Filing Fee
Receipt # 0033032
Date 6-29-95

RECEIVED

JUN 23 1995

Department of Water Resources
Southern Region

State of Idaho
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT
To change the ownership of a permit

RECEIVED

JUN 14 1995

Department of Water Resources
Southern Region

I, Evans Grain & Livestock Co., hereby assign to Koch Agri-Services
(Permit Holder)
of PO Box 515 Rupert ID 83350 436-0400
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 36-8476
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of Idaho.

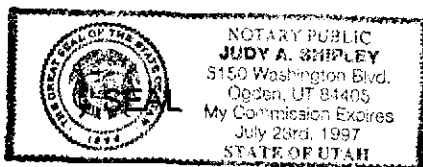
Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 9 day of June, 1995.

Brad Kaye - Corporate Sec/Treas.
Permit Holder(s)

State of ~~Idaho~~ UTAH)
County of Wilkes)
SS

On this 9th day of June, 1995, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



JUDY A. SHIPLEY
Notary Public

Judy A. Shipley
Signature

My commission expires: 7/23/97

JUL 19 1995

database updated 6/29/95 cz.

RECEIVED

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 50.00
Date 3/13/90
Receipt No. 005509
Received by C. Wong
APR 3 21 90

MAR 12 1990

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 36-08476 Telephone No. 436-0400

Name(s) of Permit Holder(s): EVANS GRABIN & ELEVATOR CO.

Post Office Address: Box 515 Rupert Idaho

Source of Water: Groundwater

If ground water, well driller's name: _____ Date drilled: 1979

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other Commercial

Total rate and/or volume for which proof is submitted 20 cfs 20 acre/feet

Show date water was first diverted and beneficially used under this permit: JUNE 1979

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

DAVE Smith 436-0400
Name Telephone No.

100 NORTH 100 EAST Rupert
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

APR 18 1990

3-8-90
Date

Allen Johnson agent for Evans Grabin Co.
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08476

Proposed Priority: November 6, 1989 Maximum Diversion Rate: 0.20 CFS
This is to certify, that EVANS GRAIN & ELEVATOR CO.

P.O. BOX 515
RUPERT, ID 83350

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

COMMERCIAL

01/01 to 12/31

0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESEW

Sec. 5, Township 07S, Range 23E
LINCOLN County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

07S 23E 5

SESW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1991.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Commercial use is for a grain elevator.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

6th day of March, 1990.

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

MAR 12 1990

KIMMID

RECEIVED

Form 202
6/85

NOV 6 1989

STATE OF IDAHO

Ident. No. 36-08476

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant EVANS GRANT Elevator Co. Phone 436-0400

Post office address P.O. Box 515 Rupert Id 83350

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

3. Location of point of diversion is SW 1/4 of SE 1/4 of SE 1/4 Govt. Lot _____

Sec. 5 Township 7 S Range 23 E B.M. Lincoln County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 20 for COMMERCIAL purposes from JAN 1 to DEC 31 (both dates inclusive)

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

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

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

5. Total quantity to be appropriated is (a) 20 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. PUMP & WELL

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

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

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 YEAR years (minimum 1 year).

MICROFILMED

MAR 12 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. COMMERCIAL - GRAIN ELEVATOR (restrooms,
equipment washing)

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	23E	5												C					

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? EVANS GRAIN Co

b. Who owns the land to be irrigated or place of use? EVANS GRAIN Co

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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MAR 12 1990

77S, RZ3E

MAR 12 1990

Ernest Louis J. Olson
(Applicant)
Loren Foster.
K. O. Anderson Asst. Sec. Treas.

Received by me Date 11/6/89 Time 11:30 Preliminary check by JF Stanton
Fee \$ 30⁰⁰ Receipted by Adm # 5010369 Date 11/6/89
Publication prepared by M. Baldwin Date 11-15-89 Published in Lincoln Co. Journal
Publication approved T. Jasper Date 12-18-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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MAR 12 1990

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NOV 21 1989

Department of Water Resources
Southern Region Office

S. Region
5/89

Application No. 36-08476 36-08477
37-08573

ADDITIONAL INFORMATION REQUIREMENTS
FOR APPLICATIONS IN THE NAME OF A CORPORATION,
COMPANY, OR PARTNERSHIP

In reviewing the application for compliance with the requirements of the Department's Rules and Regulations for Water Appropriations, we have determined that the following information is required to make the Application complete for processing.

- 1) If the Application is filed in the name of a corporation, the names and addresses of its directors and officers shall be provided. If the application is filed by or in behalf of a partnership or joint venture, the application shall provide the names and addresses of all partners and shall designate the managing partner, if any. (Rule 3,3,2,1)

Because the required information does not appear in the legal notice, we are proceeding with advertising of your Application. If the required information is received within ten days of the second publication date, no additional delay should be incurred in processing.

7. Name, Title, and Address of (Officers and Directors, If a Corporation or Cooperative), (Partners, If a Partnership),
(Individual, If a Proprietorship)

NAME	TITLE	ADDRESS
Robert P. Evans	President	P.O. 9097 Ogden, Utah 84409
D.R. Curtis	General Manager	P.O. Box 515 Rupert, Idaho 83350
Richard Schreck	SEC./Treas.	P.O. Box 9097 Ogden, Utah 84409

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MAR 12 1990

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NOV 21 1989

Department of Water Resources
Southern Region Office

AFFIDAVIT of PUBLICATION

RECEIVED

DEC 15 1989

State of Idaho,)
)SS.
County of Lincoln)

Department of Water Resources
Southern Region Office

Patty Spence, being first duly sworn,
deposes and says that he is the printer-(publisher) of the Lincoln County
Journal, a newspaper published every week in Shoshone, County of Lincoln,
State of Idaho, that said newspaper has been continuously and uninterruptedly
published for a period of seventy-eight consecutive weeks prior to the first
publication of the annexed notice, and is a newspaper qualified to publish
legal notices as provided by act of the 1919 session of the legislature of the
State of Idaho, know as House Bill 145; that the annexed advertisement was
published once

each week for 28 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 6th day of Dec
19 89, and the date of the last publication was on the 12th
day of Dec, 19 89.

Patty Spence
Subscribed and sworn to before me this 14
day of Dec, 19 89.
(SEAL)

Norma De Voe
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL
Shoshone, Idaho
COST OF PUBLICATION

Number of Lines in Notice _____
Number of Insertions 28

_____ Lines tabular at _____ 6¢/Pica
351 Lines straight at 17.53 5¢/Pica
_____ Subsequent lines at 14.24 4¢/Pica
TOTAL COST 51.59

COPY OF NOTICE (Paste Here)

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO

NOTICE OF APPLICATION FOR WATER RIGHT

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

36-08476
EVANS GRAIN & ELEVATOR CO.
P.O. BOX 515
RUPERT, IDAHO 83350
Source: GROUNDWATER
Diversion Pt.: SESESW Sec 5 T 07S R
23E

Use: COMMERCIAL (.200 CFS)
Date Filed: 11/06/1989
In: T07S R23E S05 SESW

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public in-
terest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources, 2148
4th Avenue East, Twin Falls, Idaho 83301
on or before DECEMBER 28, 1989.

R. Keith Higginson
Director
L10304

Pub: 12-6, 13

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

Nº 33377
MICROFILMED

MAR 12 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 7, 1995

KOCH AGRI-SERVICES
PO BOX 515
RUPERT ID 835500515

RE: WATER RIGHT NO. 36-08476

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

NOV 14 1995

B/U FIELD EXAM REVIEW
Cindy Zimmerman

Permit #: 36-8476 Name: Koch Agri-Services Date: 11/1/95
App Rcd 11/6/89 Priority 11/6/89 Examined 6/6/95 ✓ Lots

	Chng	Same	
NAME	___	<u>✓</u>	Or Address Change?
SOURCE	___	<u>✓</u>	Clarify source _____ Prelim. Order to Void - Source change.
P/D	___	<u>✓</u>	Amendment Needed? _____ -P39, P38 Overlap(s) _____
P/U	___	<u>✓</u>	Amendment Needed? _____ -P41, P38 Overlap(s) _____ *P/D & P/U Amend? P37, P38 (See paragraph list for governmental agencies)
RATE	<u>✓</u>	<u>✓</u>	Permit/fee limits: <u>0.2</u> / <u>0.2</u> Measured Q= _____ cfs/Theoretical Q= <u>0.03</u> cfs <u>1 toilet = 4 to 5 gpm = 0.01 cfs (per Examiner's Handbook)</u> (HP) $\frac{8.8 \times 0.70 \times 1.5}{250 + (2.31 \times 30)} = \frac{9.24}{319.3} = 0.03 \text{ cfs}$ <u>✓</u> Recommended capacity <u>0.03</u> cfs <u>✓</u> Recommended rate <u>0.01</u> cfs
VOLUME	<u>✓</u>	___	Season of Use: (___/___) <u>6/1-11/30 = 183 days</u> Calculations: $(1 \text{ day worker} \times 15 \text{ gpd} \times 183 \text{ days}) \div 325,850$ $= 2,745 \div 325,850 = 0.0084 \approx 0.01 \text{ AF}$ Flow limit: <u>0.01</u> x 183 x 1.9835 = <u>3.6</u> AF <u>✓</u> Recommended volume <u>0.1</u> AF
USES	___	<u>✓</u>	Same Nature of Use? _____ -P46 Amendment Needed? _____
REMARKS	___	<u>✓</u>	Multiple p/d's in $\frac{1}{4}$? <u>Commer. use = office restroom.</u>
CONDITIONS	___	___	Measuring (R01)/Locking (R02) Devices Watermaster Control (R04) - WD # _____ Irrigation rate/volume overlap Irrigation water overlap (065) (If gw use sw) Water Quality/Other _____
PRIORITY	Due <u>4/1/91</u> Rc'd <u>3/13/90</u> Receipt# <u>CO15509</u> Fee OK? <u>(Yes)</u> /No Order to Reinstate Needed? Yes/ <u>(No)</u> Done? _____ If Yes, Advanced? Yes/No to: _____		

COMMENTS: _____

USE	CFS	DIV VOL	Adjustment Memo ☒
<u>Common</u>	<u>0.01</u>	<u>0.1</u>	LICENSE: <u>P49</u>
			#1 AMEND LTR: P46 or
			P39/P41/P37 & P38
<u>TOTAL</u>	<u>0.01</u>	<u>0.1</u>	#2 AMEND LTR: P42/P47

NO SRBA

MEMORANDUM

DATE: November 2, 1995
TO: File No. 36-08476
FROM: Cindy Zimmerman *CZ*.
SUBJECT: Review of Beneficial Use Field Report

=====

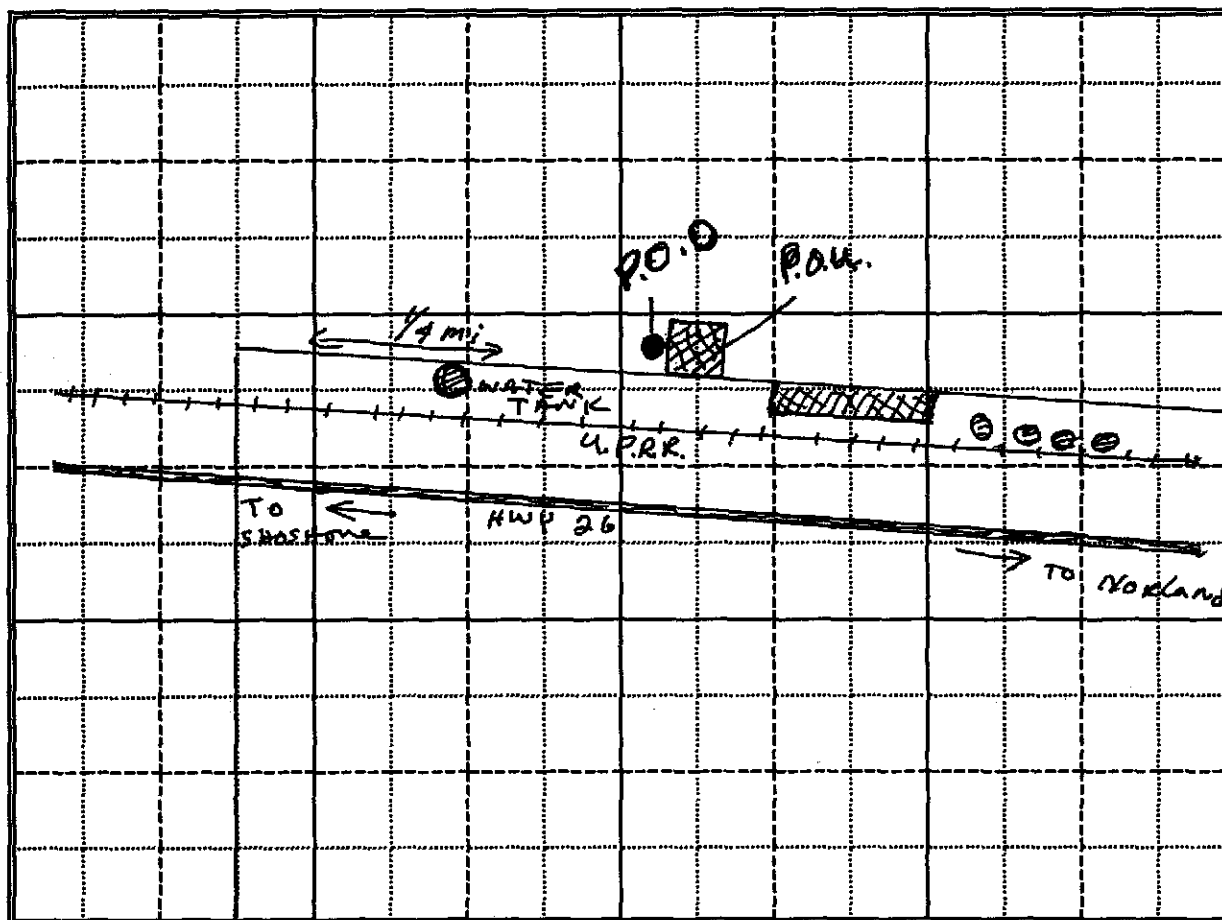
The following adjustments were made on the field report to reflect departmental standards:

1. Annual Volume.
 - a. Commercial use = (# of people x gpd x days) ÷ 325,850
= (1 x 15 x 183) ÷ 325,850
= 2,745 ÷ 325,850
= ~~0.008~~ ≈ 0.1 AF.

NOV 14 1995

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NOT TO SCALE

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	G.E.	1 1/2	GP 1175T220	SUBMERSIBLE WAYNE	1 1/2

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

E. NARRATIVE/REMARKS/COMMENTS

THIS SYSTEM CONSISTS OF A 6in well supplying water to 1 ea (one) Bathroom. Water is pumped by a 1 1/2 hp unit into a 20 gal Pressure tank. that kicks on @ 20 Lbs PSI + off @ 50 Lbs P.S.I.

This unit is active for about 2 months during harvest Time, + for Bathroom use only. (no equipment washing done at this station.)

1 employee works for 8-10 hrs a day, 5 days per week.

Have conditions of permit approval been met? ☒ yes ☐ no

APPROVED
DATE 4/19/95

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$$\frac{8.8 \times H.P. \times EFF}{T \Delta H}$$

$$\frac{8.8 \times 1.5 \times .70}{250 + 30 \times 2.31} = \frac{9}{319} = .03 \text{ cfs system capacity}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>commercial</u>	<u>06-01</u>	<u>11-30</u>	<u>.01</u>	<u>.003 afa*</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.01</u>	<u>.003 afa*</u>

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATIONField Examiner's Name Dallas Tryon Date 06-13-95

Reviewer _____ Date _____

SEAL

* Adjustments made during the review of this right for license approval.
See memo for additional information. *cto*

APPROVED

NOV 14 1995

P.O.U.

P.O.D.

P.O.U.

6 8 95

6 8 95

6 8 95



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

JULY 3, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KOCH AGRI-SERVICE
PO BOX 515
RUPERT ID 83550-0515

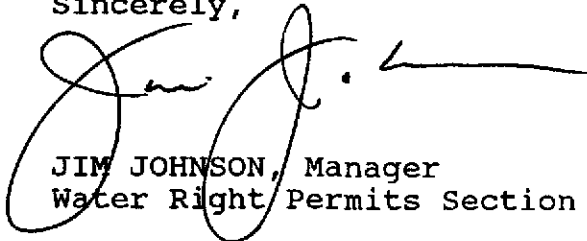
RE: Permit Nos. 36-08476 and 36-08477

Dear Sir,

This letter is to confirm that the assignments of ownership on the above referenced water rights are satisfactory. We have modified our computer records to reflect these changes in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,



JIM JOHNSON, Manager
Water Right/Permits Section

JJ:rl

RECEIVED
JUL 19 1995

JUL 19 1995

DATE: 06/30/95
PAGE: 1

Audit: 11/15/89 BALDWIN 12/15/89 BALDWIN 12/18/89 CURTIS 02/27/90 CURTIS
03/02/90 CURTIS 04/13/90 CURTIS 06/19/95 ABATES 06/30/95 CZIMMERM

Facsimile Cover Sheet

To: Cindy Zimmerman
Company: _____
Phone: _____
Fax: 208-327-7866

From: DEBRA G. HAIFLEIGH
Company: KOCH INDUSTRIES, INC. - LEGAL
DEPT

Phone: (316) 832-5808
Fax: (316) 832-5803

Date: 6-29-95
Pages including this
cover page: 2

NOTE: If any pages are not received or legible, please call CINDY NAIL at
316-832-8139 as soon as possible.

Comments: I hope this is what you need
Cindy

RECEIVED
JUL 19 1995

Name of Entity: KOCH AGRICULTURE COMPANY, INC.

Group: Agriculture

Incorporation - Date: 52/10/03

Annual Meeting Date: March, 1st Wednesday

Former name(s): MATADOR CATTLE COMPANY (THE) (name change 91/04/05)

Registered Agent: The Corporation Trust Company
1209 Orange Street
Wilmington, Delaware 19801

Stock Authorized: 10,000 shares common at \$1,000 each par

Stock Issued: 9,700 shares - Koch Industries, Inc. (\$9,700,000)

Directors: S. V. Varner, W. W. Hanna, F. Lynn Markel

Officers:

Chairman of the Board	S. V. Varner
President and Chief Executive Officer	Larry Angell
Vice President	R. C. Kilmer
Vice President	Donald L. Cordes
Vice President	John Meetz
Secretary	H. Allan Caldwell
Treasurer	F. Lynn Markel
Asst. Secretary	Nancy J. Smith
Asst. Secretary	D. G. Haifleigh
Asst. Treasurer	Paul E. Nold
Asst. Treasurer	G. D. Neill
Asst. Treasurer - Tax	G. E. Hartwig

Foreign Qualifications: KS 66/04/06 (1); MT 66/04/26; NM 74/02/05;
TX 52/10/24.

Attachment: (a) Agent: H. Allan Caldwell

April 13, 1990

EVANS GRAIN & ELEVATOR CO.
P.O. BOX 515
RUPERT, ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08476

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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APR 18 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 36-8476

Date: 3/21/90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater
NO 1. well log in file 1979
2. drilling permit
1 A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- NO Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

<u>NA</u>	

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
March 6, 1990

EVANS GRAIN & ELEVATOR CO.
P.O. BOX 515
RUPERT, ID 83350

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P36-08476

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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MAR 12 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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MAR 12 1990

*Evans Grain & Elev.
Kimona*

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. E. Stanton DATE 11-14-81 APPLICATION NUMBER 36-08476

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Field check by _____
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

names & addresses of company officers

Date Requested 11-14-81

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No ~~Publication dates & paper~~, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 12/26/89
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist 01-P05
☐ Yes ☒ No Special conditions of approval or cover letter below.

Date of priority recommended 11/6/89 See below for additional information
By Loren O. Palmer Date 2/7/90

STATE OFFICE REVIEW P05, P23 P16 46

By kw See below for additional information
Date 2/22/90

ADDITIONAL INFORMATION

App. in TRUST area- DCM I

15-Nov-1989

Evans Grain & Elevator Co.
Attn: Kip Anderson, Asst. Sec/Treas.
P.O. Box 515
RUPERT ID 83350

Re: Applications for Permit Nos. 36-08476, 36-08477, 37-08573

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned the above referenced identification numbers. Please refer to these numbers in all further correspondence.

This office will be advertising the applications: (Kimama) in the Lincoln County Journal and the (Bliss) in the Gooding County Leader on 12/6 & 12/13/89; (Rupert) in South Idaho Press on 12/7 & 12/14/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the applications are protested you will be sent a copy of the protest. The protests must be resolved before the application is approved or denied. If the protests are not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the applications are not protested, they will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks. Please see attached list for additional information requirement.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

FILED

MAR 14 1990

S. Region
5/89

Application No. 36-08476

ADDITIONAL INFORMATION REQUIREMENTS
FOR APPLICATIONS IN THE NAME OF A CORPORATION,
COMPANY, OR PARTNERSHIP

In reviewing the application for compliance with the requirements of the Department's Rules and Regulations for Water Appropriations, we have determined that the following information is required to make the Application complete for processing.

- 1) If the Application is filed in the name of a corporation, the names and addresses of its directors and officers shall be provided. If the application is filed by or in behalf of a partnership or joint venture, the application shall provide the names and addresses of all partners and shall designate the managing partner, if any. (Rule 3,3,2,1)

Because the required information does not appear in the legal notice, we are proceeding with advertising of your Application. If the required information is received within ten days of the second publication date, no additional delay should be incurred in processing.

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MAR 12 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

NOVEMBER 15, 1989

LINCOLN COUNTY JOURNAL
P.O. BOX 704
SHOSHONE, ID 83352

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. 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 26, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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MAR 12 1990

36-08476

EVANS GRAIN & ELEVATOR CO.
P.O. BOX 515
RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SESESW Sec 5 T 07S R 23E

Use: COMMERCIAL (.200 CFS)

Date Filed: 11/06/1989

In: T07S R23E S05 SESW

INDEXED
MAR 14 1990

SHONI LEGAL

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

38-08476
EVANS GRAIN & ELEVATOR CO.
P.O. BOX 515
RUPERT, IDAHO 83350
Source: GROUNDWATER
Diversion Pt.: SESESW Sec 5 T 07S.R

23E

Use: COMMERCIAL (.200 CFS)

Date Filed: 11/06/1989

In: T07S R23E S05 SESW

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public in-
terest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources, 2148
4th Avenue East, Twin Falls, Idaho 83301
on or before **DECEMBER 28, 1989.**

R. Keith Higginson
Director
L10304

Pub: 12-6, 13

OK
12/4/89

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MAR 14 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before DECEMBER 26, 1989.

R. Keith Higginson, Director

Published 12/06/1989 & 12/13/1989

RECEIVED

MAR 12 1990

3/79

IDENT. NO. 36-08476

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]