



FEB 21 1990

RECEIVED

POD

POU

T95 R24E

Sec 21

NW SE NE

(RUPERT SE)
5269 11 SE

RUPERT NW, IDAHO

N42° E W113° 37' 30"

1984

ADVANCE PRINT

tained
Idaho

94025

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 19 1993

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-084517

1. Owner: MART PRODUCE, INC Phone No. 436-0611

Current Address: P.O. Box 34 RUPERT, ID 83350

2. Accompanied by: TONY ALVARADO EXAM. DATE: 6/30/92

Address: _____ Phone No. _____

Relationship to Permit Holder: EMPLOYEE

3. Source: GROUND WATER tributary to _____

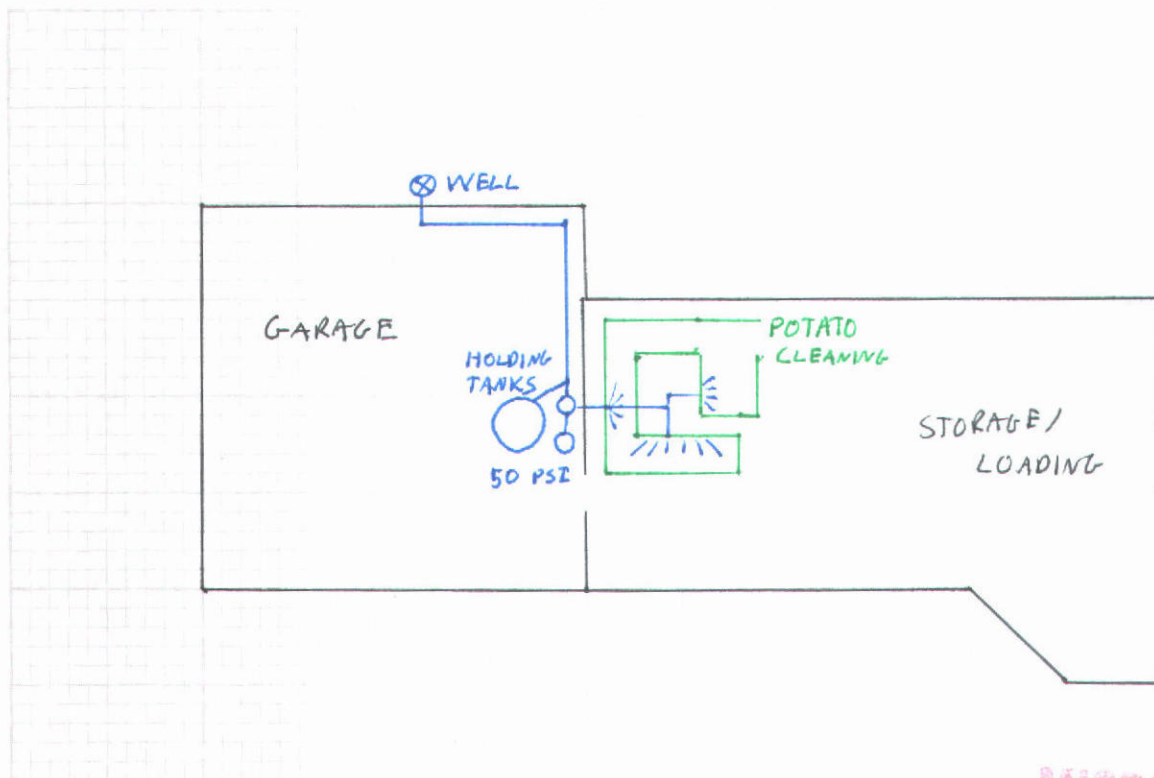
B. OVERLAP REVIEW

1. Other water rights with same place of use: - NONE ☐ Copies Attached

2. Other water rights with same point of diversion: - NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 30'

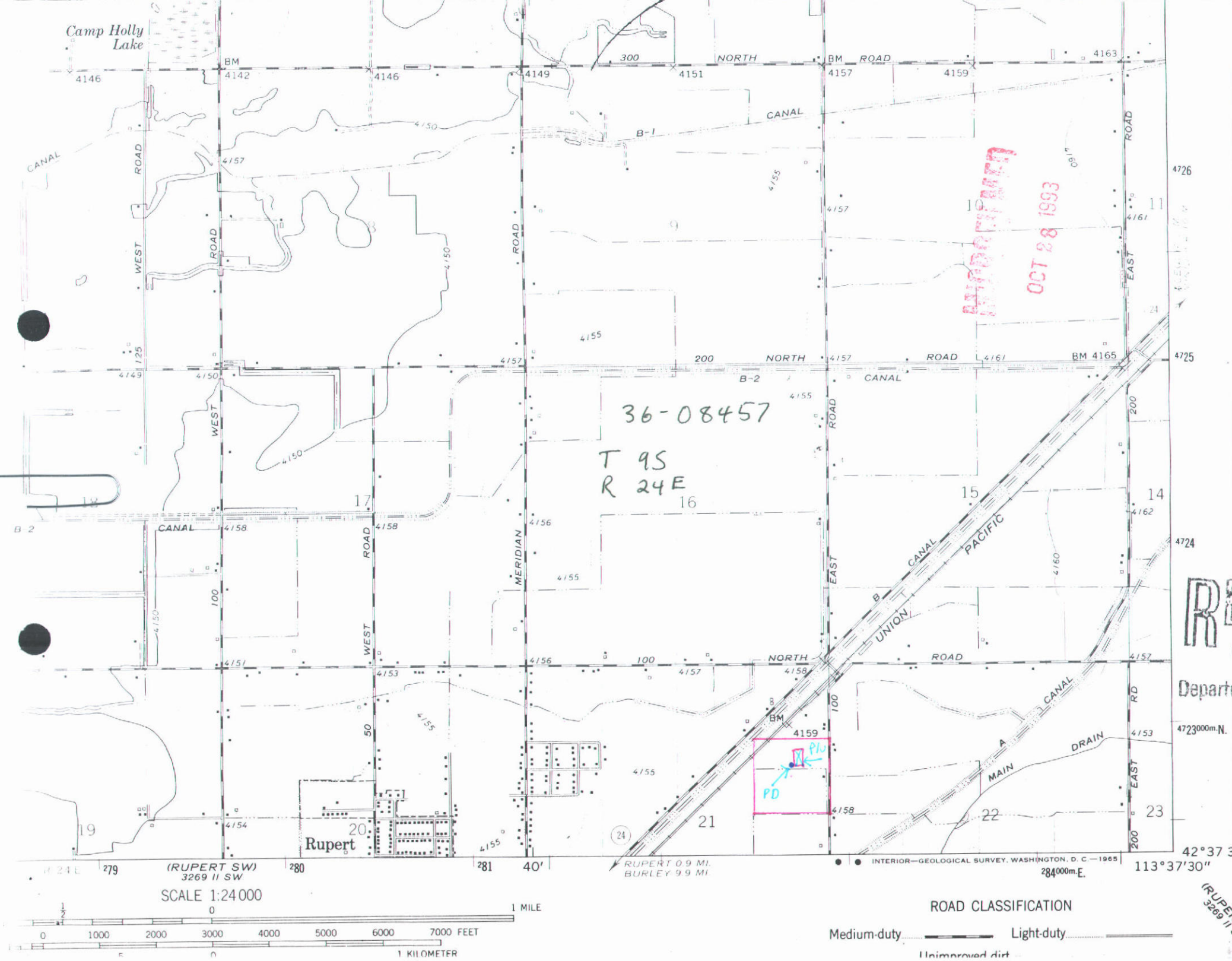
2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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OCT 28 1993



MART PRODUCE

36-08457



MICROFILMED

OCT 28 1993

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.
Lannette Sellers being first
duly sworn, deposes and says that she is the
Clark of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of
The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated October 19, 1989, and ending
with the issue dated October 26, 1989.
Lannette Sellers

STATE OF IDAHO

COUNTY OF

On this 3rd day of November in the year of 1989, before me,
a Notary Public, personally appeared Lannette Sellers
known or identified to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Robert Mabe
Notary Public for Idaho

Residing at Burley, ID

My commission expires: 7/4/93

Cost of Publication 25.92

Notary Fee 1.50

Total Cost 26.42

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NOV 14 1989

Department of Water Resources
Southeast Region Office

89-586

NOTICE OF APPLICATION
FOR WATER RIGHT

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

36-08457

MART PRODUCE INC.

P.O. BOX 34

RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: NWSNE Sec 21 T 09S R 24E

Use: COMMERCIAL (.190 CFS)

Date Filed: 9/20/1989

In: T09S R24E S21 SENE

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 NOVEM-
BER 6, 1989.

R. Keith Higginson, Director

Published in the South Idaho Press on Octo-
ber 19 and 26, 1989.

OK
MB
11-21-89
MICROFILMED

FEB 21 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08457

Priority: September 20, 1989

Maximum Diversion Rate:

0.16 CFS

Maximum Diversion Volume:

8.6 AF

This is to certify, that MART PRODUCE INC

PO BOX 34

RUPERT ID 83350

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 20, 1989; and has submitted Proof of Beneficial Use on November 6, 1990. An examination indicates that the works have a diversion capacity of .160 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	01/01 to 12/31	0.16 CFS	8.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 21, Township 09S, Range 24E
MINIDOKA County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

09S 24E 21

SENE

CONDITIONS/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 a potato packing plant.

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 21ST
day of OCTOBER, 1993.

Acting for  R. Keith Higginson, Director

OCT 28 1993

RECEIVED
NOV 6 1990For Office Use Only
Amt. of Fee \$ 50.00
Date 11/6/90
Receipt No. 0018795-
Received by C. W. W. W.
MS 11-19-90

Department of Water Resources

STATE OF IDAHO
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. 36-08457 Telephone No. 436-0611Name(s) of Permit Holder(s): Mart Produce Inc.Post Office Address: P.O. Box 34 Rupert, ID 83350Source of Water: GroundwaterIf ground water, well driller's name: Sherman Couch Date drilled: 1979

Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other CommercialTotal rate and/or volume for which proof is submitted .19 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: 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 ☒ NoFee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Jim McBride 436-0611
Name Telephone No.70 No. 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.

11-2-90
DateJames L. McBride
Signature (and title if on behalf of a company or organization)**MICROFILMED**
DEC 11 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08457

Proposed Priority: September 20, 1989 Maximum Diversion Rate: 0.19 CFS

This is to certify, that **MART PRODUCE INC.**
P.O. BOX 34
RUPERT, ID 83350

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
COMMERCIAL	01/01 to 12/31	0.19 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSENE Sec. 21, Township 09S, Range 24E
MINIDOKA County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

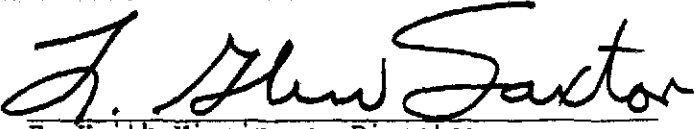
09S 24E 21 SENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 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 packing plant.

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

28th day of December, 1989

for 
R. Keith Higginson, Director

UNRECORDED

FEB 21 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Mart Produce Inc Phone 436-0611
Post office address P.O. Box 34 Rupert Idaho 83350
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 21 Township 9S Range 24E B.M. Minidoka County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.19 for Commercial purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 0.19 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 70' well w/ 5 HP pump
plumbed to spickets, restrooms, sprinkler system
etc.

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. Proposed well diameter is 8" inches; proposed depth of well is 70' 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 years (minimum 1 year).

FEB 21 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, plant facilities, bathrooms, fire sprinklers, processing equip etc. Potato-packing plant

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	
9S	24E	21				C													0

Total number of acres to be irrigated C

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? Mart Produce

b. Who owns the land to be irrigated or place of use? Mart Produce

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

FEB 21 1990

12. Remarks: Developed in 1979.
Officers are Jack Duncan (President), Rupert, ID. Vice Presidents
are John Hansen & Paul Duncan of Rupert, ID. Sec-Treasurer is
Jeff Harper of Paul, Idaho.



4725

4724

4723000mN

42° 37' 30"
113° 37' 30"

FEB 21 1990

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POD

POU

TGS R2YE

Sec 21

NW SE NE

(RUPERT SE)
3269 11 SE

tained
laho

94025

ADPANGLE LOCATION

RUPERT NW, IDAHO

N42° 7' 5" W113° 37' 5" E

1984

ADVANCE PRINT

[illegible]

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.

James L. McBride
Controller (Applicant)

Received by SG Date 9/20/89 Time 11:00 AM Preliminary check by check attached J. Estabrook
Fee \$ 30.00 Receipted by ADW # 5009261 Date 9/29/89
Publication prepared by M. Baldwin Date 10/4/89 Published in So. ID. Press
Publication approved M. Baldwin Date 11-21-89

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:

MICROFILMED

FEB 21 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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 21, 1993

MART PRODUCE INC
PO BOX 34
RUPERT ID 83350

RE: WATER RIGHT NO. 36-08457

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', with a horizontal line extending to the right.

fw JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

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OCT 28 1993

DATE: 10/13/93
PAGE: 1

Audit: 10/13/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 36-8457 Date 10-13-93 Brenda Chapman

NAME	Yes	No	Or Address Change?
PRIORITY DATE		☒	Advance? _____ Memo to Advance _____
		☒	Order to Reinstate Needed?
		☒	Incorrect Fee for rate recommended?
SOURCE		☒	Changes? Clarification of Originally Intended source _____
		☒	Notice of Intent to Void - Source change.
P/D		☒	Amendment Needed? _____
		☒	Overlap(s) _____
P/U		☒	Amendment Needed? _____
		☒	Overlap(s) _____
TOTAL CFS	☒		Disagree/Measurement <u>DON'T KNOW WAY</u>
		☒	<u>Examiner used 75' - but go with it.</u>
		☒	<u>75' @ 50 PSI = .16 (pump rated at 70 gpm)</u>
		☒	<u>Theoretical (8.8 x .70 x 5 HP) = .15</u>
		☒	<u>110 + 2.31 x 40 = .15</u>
		☒	Capacity <u>.16</u>
		☒	Allowable Amount: <u>Capacity of .16 CFS</u>
TOTAL VOLUME		☒	Disagree with Examiner's Calculations?
		☒	<u>ONLY 25% at full use - 8.6</u>
		☒	<u>.16 x 8 hrs x 250 x 3600 SEC = 43560 = 26.4</u>
		☒	<u>Not used at full capacity all of the time.</u>
		☒	Flow limit: <u>.16</u> x 250 x 1.9835 = <u>NA</u>
		☒	Season <u>250 DAYS per yr</u>
USES		☒	Change(s) in Nature of Use? _____
		☒	Amendment Needed? _____
REMARKS		☒	Multiple P/Ds in 1/4 1/4? _____
		☒	Special Overlap _____
		☒	Other _____
CONDITIONS		☒	Measuring/Locking Devices
		☒	W/Master Control
		☒	Irrigation Overlap <u>9-20-89</u> Water Dist
		☒	Water Quality <u>✓</u> App Rec'd
		☒	Exam Made
COMMENTS:	<u>Reduce rate to capacity -</u>		

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>Commercial</u>	<u>.16</u>	<u>8.6</u>	☒
_____	_____	_____	AMEND
_____	_____	_____	2ND AMEND

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 19 1993

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-0845K1

1. Owner: MART PRODUCE, INC Phone No. 436-0611

Current Address: P.O. BOX 34 RUPERT, ID 83350

2. Accompanied by: TONY ALVARADO EXAM. DATE: 6/30/92

Address: _____ Phone No. _____

Relationship to Permit Holder: EMPLOYEE

3. Source: GROUND WATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: - NONE

☐ Copies Attached

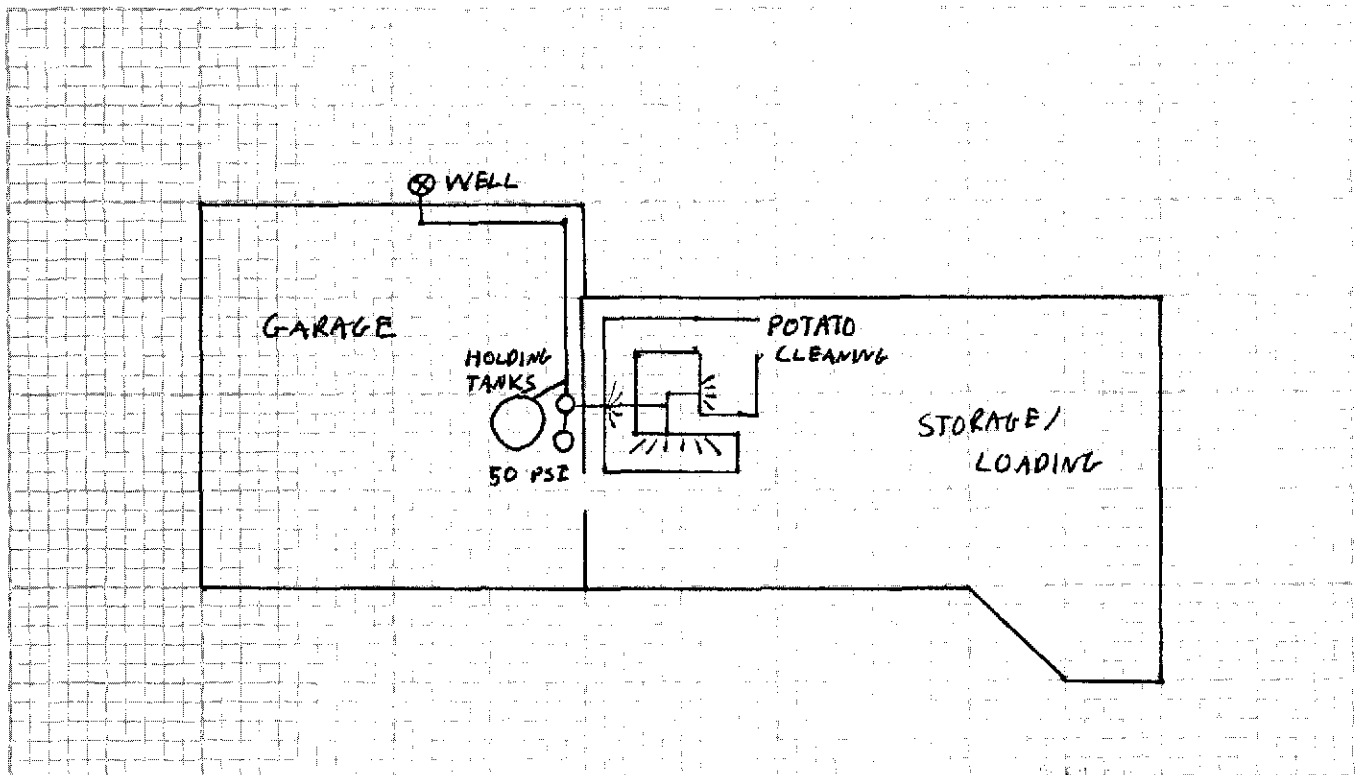
2. Other water rights with same point of diversion: - NONE

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 30'

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

OCT 28 1993

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

WATER IS DIVERTED TO TWO PRESSURE TANKS (50 PSI) AND A 13,000 GAL HOLDING TANK, THEN TO MECHANICAL WASHERS AND HAND SPRAYERS. THE WATER FROM THE HOLDING TANK IS USED DURING HIGH VOLUME PROCESSING WHEN WATER DEMAND EXCEEDS THE PUMP CAPACITY OF 70 GPM, AND IT IS USUALLY EMPTIED AFTER TWO DAYS OF THIS OPERATION. THE WATER IS USED TO CLEAN POTATOES + PACKING MACHINERY. THE PLANT OPERATES YEAR ROUND, 250 DAYS / YEAR

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	FRANKLIN ELEC.	5	2821138110	— SUBMERSIBLE —	

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SE	NE	21	9S	24E	MIMIDOKA	ORTHO QUAD

6. Place(s) of Use:

Indicate Method of Determination ORTHO QUAD

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	24E	21				C													C

Do not use this space

OCT 28 1993

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

THIS PUMP WAS RECENTLY INSTALLED AS A REPLACEMENT BY DAVE BAKER OF MITCHELL MACHINE-PUMP SERVICE. ACCORDING TO HIM, THE WATER LEVEL IN THE WELL IS 60 FT, THE PUMP SITS AT 110 FT, AND THE PUMP IS RATED AT 70 GPM (0.16 CFS)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$\text{THEORETICAL: } \frac{(8.8)(.7)(5\text{HP})}{(75\text{FT}) + (50\text{PSI} \cdot 2.31)} = 0.16 \text{ CFS}$$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses: - SEE REMARKS

$$0.16 \text{ CFS} \cdot \frac{8 \text{ hr}}{\text{DAY}} \cdot \frac{250 \text{ DAYS}}{\text{YEAR}} \cdot \left(\frac{5600 \text{ SEC}}{\text{HOUR}} \cdot \frac{1 \text{ AF}}{43560 \text{ FT}^3} \right) = 26.4 \text{ AFA} - \text{IF USE WAS CONTINUOUS}$$

ASSUMING 25% CONTINUOUS AND 75% INTERMITTENT USE (10% OF TIME) = 8.6 AFA
(AUTOMATED SPRAYERS) (HAND SPRAYERS)

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OCT 26 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

NO OVERLAPS

THERE WOULD BE GREAT DIFFICULTY IN MEASURING THE VOLUME OF USE FOR MART PRODUCE. THIS VOLUME CALCULATION ASSUMES 0.16 CFS CONTINUOUS, WHICH IS NOT USED CONTINUOUSLY, BUT NO LOGS WERE KEPT OF WHEN THE FULL RATE WAS BEING USED.

RECOMMEND THAT THEY BE LICENCED ACCORDING TO THEIR MAX. DIVERSION RATE OF 0.16 CFS AND NOT BY ANNUAL VOLUME

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>COMMERCIAL</u>	<u>1/1</u>	<u>12/31</u>	<u>0.16 cfs</u>	<u>8.6 afa</u>
Totals:			<u>0.16 cfs</u>	<u>8.6 afa</u>

2. Recommended Amendments

NO
NEEDED

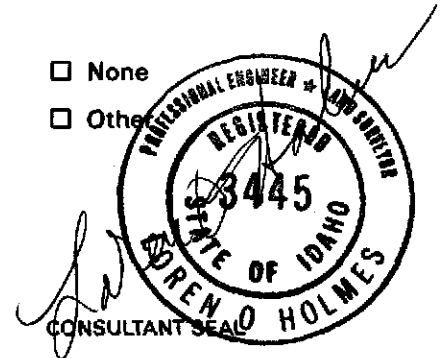
- ☒ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☐ None
☐ Other

J. AUTHENTICATION

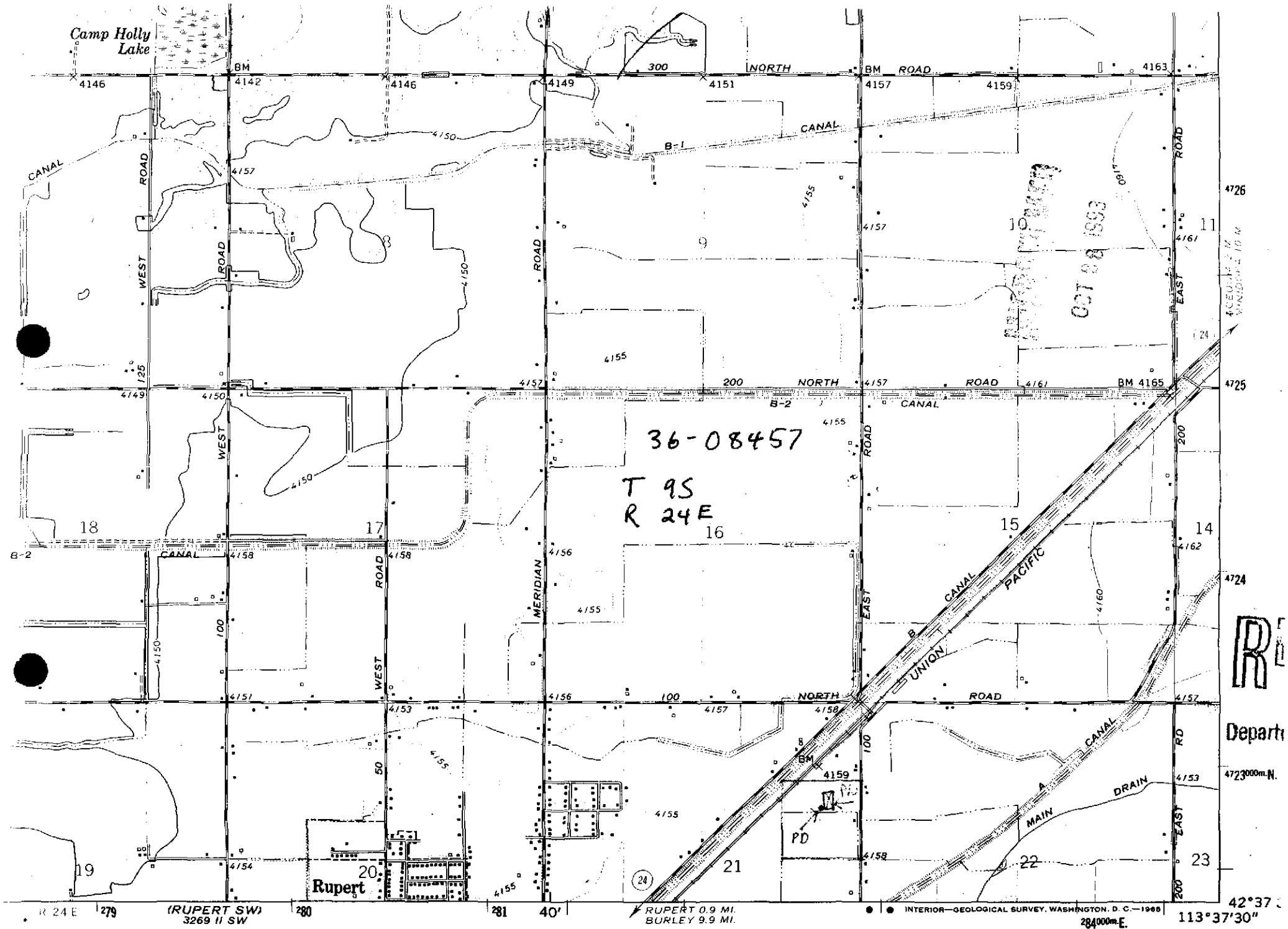
Field Examiner's Name MIKE HARSHBARGER
Signature Michael Harshbarger
Certification Date 3/31/93
Field Report Preparation Date 7/23/92



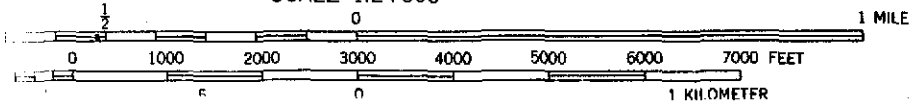
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

OCT 28 1993



SCALE 1:24000



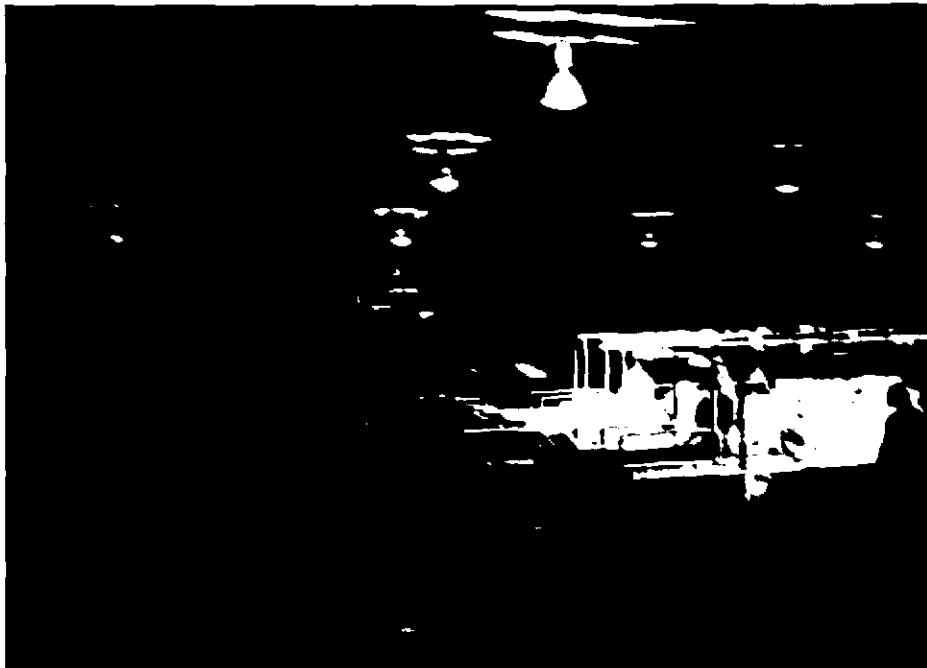
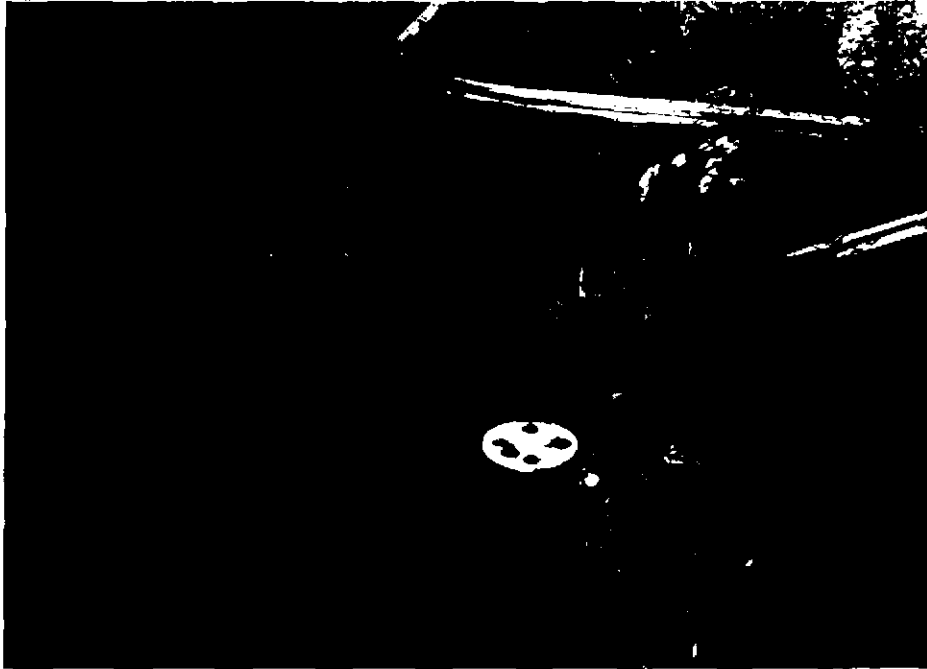
ROAD CLASSIFICATION

Medium-duty ——— Light-duty ———

Unimproved dirt ———

MART PRODUCE

36-08457



RECEIVED

OCT 28 1993

November 23, 1990

MART PRODUCE INC.
P.O. BOX 34
RUPERT, ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08457

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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DEC 11 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 36-8457

Date: 11-19-90

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
 1. well log in file 1979
 2. drilling permit NA
 NA 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:

- ☒ 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

138599
October 31, 1990

MART PRODUCE INC.
P.O. BOX 34
RUPERT, ID 83350

PROOF DUE NOTICE

RE: PERMIT NO. 36-08457

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

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DEC 11 1990

S T A T E O F 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

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 29, 1989

MART PRODUCE INC.
P.O. BOX 34
RUPERT, ID 83350

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P36-08457

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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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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FEB 21 1990

04-Oct-1989

Mart Produce, Inc.
c/o Jack Duncan, President
P.O. Box 34
Rupert, ID 83350

Re: Applications for Permit Nos. 36-08457, 36-08458

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 in the South Idaho Press on 10/19 & 10/26/89. 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 protests. The protests must be resolved before the applications are approved or denied. If the protest is 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 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

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FEB 21 1990

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss.

STATE OF IDAHO)

Lannette Sellers being first

duly sworn, deposes and says that he is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two (2)

consecutive weeks, commencing with the issue

dated October 19, 1989, and ending

with the issue dated October 26, 1989.

Lannette Sellers

STATE OF IDAHO

COUNTY OF

On this 3rd day of November in the year of 1989 before me,

a Notary Public, personally appeared Lannette Sellers

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Lanette Sellers
Notary Public for Idaho

Residing at Burley, ID

My commission expires 7/4/92

Cost of Publication 25.92

Notary Fee .50

Total Cost 26.42

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NOV 16 1989

Department of Water Resources
Southern Region Office

80-034
FOR WATER RIGHT

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

36-08457

MART PRODUCE INC.

P.O. BOX 34

RUPERT, ID 83450

Source: GROUNDWATER

Diversion Pt NWHENE Sec 21 T 09S R 24E

Use: COMMERCIAL (.190 CFS)

Date Filed: 8/20/1989

In: T09S R24E S21 SENE

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 NOVEMBER 6, 1989.

R. Keith Higinson, Director

Published in the South Idaho Press on October 19 and 26, 1989.

OK
MB
11-21-89

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FEB 21 1990

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

OCTOBER 4, 1989

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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 6, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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FEB 21 1990

NOTICE OF APPLICATION FOR WATER RIGHT

The Following appl[redacted]tion(s) have been filed [redacted] appropriate the public waters of the State of Idaho:

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FEB 21 1990

36-08457

MART PRODUCE INC.
P.O. BOX 34
RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: NWSENE Sec 21 T 09S R 24E

Use: COMMERCIAL (.190 CFS)

Date Filed: 9/20/1989

In: T09S R24E S21 SENE

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FEB 21 1990

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before NOVEMBER 6, 1989.

R. KEITH HIGGINSON, Director

Published 10/19/1989 & 10/26/1989

MICROFILMED

FEB 21 1990