

RECEIVED
JAN 23 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 22-07622

1. Owner: VIGORO FARM MARKET Phone No. 356-4313

Current Address: P.O. Box 460, REXBURG, ID 83440

2. Accompanied by: LEONIE CARLSON EXAM. DATE: 7-10-92

Address: SAME Phone No. _____

Relationship to Permit Holder: SECRETARY

3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: N/A

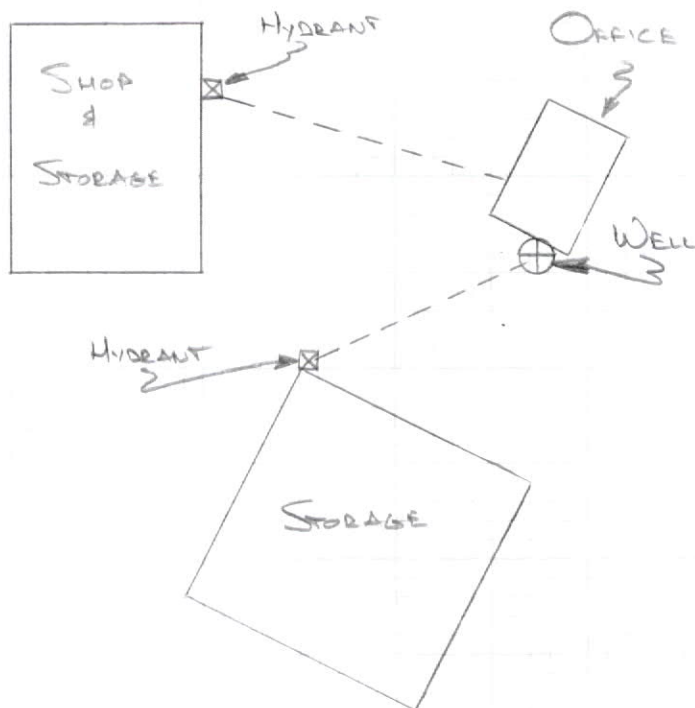
☐ Copies Attached

2. Other water rights with same point of diversion: N/A

☐ 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" = _____

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).

RECEIVED
JUN 07 1995

R39E

35

36

POINT OF
DIVERSION
PLACE OF
USE

T6N

2000 S. 4846

T6N

36

T5N

L-4

L-3

L-2

L-1

R39E

2000 W.

T5N

36

BRANCH

1400 W.

rtion
Dem

4845

SOUTH

4854

4845

2

11

12

22-07622

3200 S. 4850

JUN 07 1995

4845

4850

CANADA

REXBURG

92 CROP YEAR
NOT TO SCALE
MAP NUMBER G-6-L

R39E

R39L

Point of
Diversion

T6N

T5N

L-2

L-1

1427
T-996

T
5
2

412

NESE

1285
T-978

5.3

12.8

T-10

22-07622

35 36

L3

Place of
Use

L-3

234

L-4

NWSW

NESW

NWSE

15.6
HEL

SW SW
JUN 1998

SESW

2.2
W

3 4.0

45.5

1519

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07622

Priority: December 30, 1988

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

0.7 AF

This is to certify, that VIGORO INDUSTRIES

PO BOX 460

REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 30, 1988; and has submitted Proof of Beneficial Use on May 15, 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	04/01 to 09/15	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.03 CFS	0.7 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SENW), Sec. 1, Township 05N, Range 39E
MADISON County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

05N 39E 1 Lot 3(SENW)

PLACE OF USE:

DOMESTIC, same as COMMERCIAL use

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 an agricultural field sprayer shop.
6. Domestic use is for 1 office.

RECORDED

JUN 07 1995

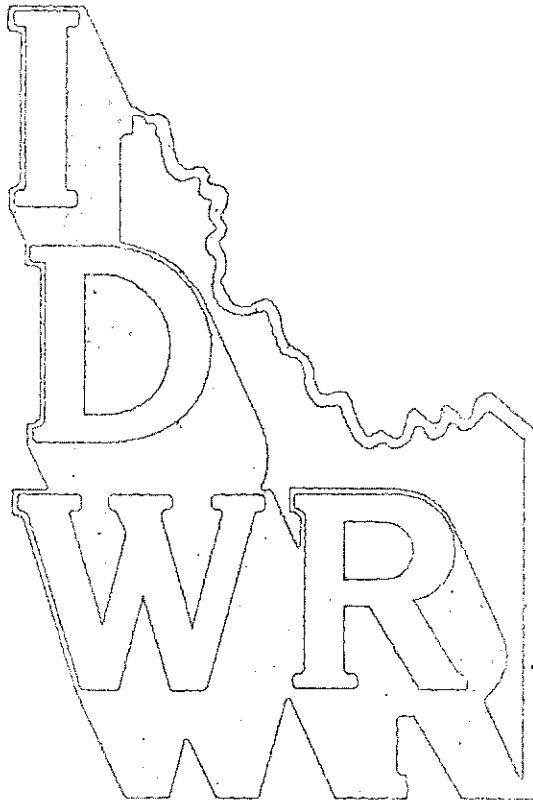
State of Idaho
Department of Water Resources

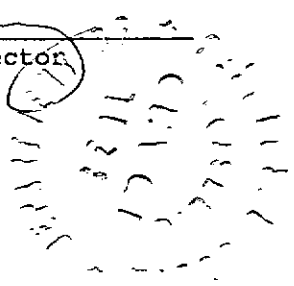
WATER RIGHT LICENSE

WATER RIGHT NO. 22-07622

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 31st
day of MAY, 1995.


Acting for KARL J. DREHER, Director




JUN 07 1995

RECEIVED
MAY 15 1990

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Am't. of Fee \$ _____

Date _____

Receipt No. _____

Received by _____

AS-531-90

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. 22-07622 Telephone No. 208-356-4313

Name(s) of Permit Holder(s): Vigoro Industries

Post Office Address: P.O. box 460 Rexburg, ID 83440

Source of Water: Ground Water

If ground water, well driller's name: Albert Brown Date drilled: Sept. 1984

Extent of Use:

Domestic X (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 .04 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: Oct. 1984

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

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

OR

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

Fee Enclosed: \$ 0 (See License Examination Fee Schedule)

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

Sid Jensen

Name

208-356-4313

Telephone No.

Rt3 South Highway Rexburg, ID 83440

Address

MICROFILMED

JUN 18 1990

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.

5/11/90

Date

Frank Schumacher

Signature (and title if on behalf of a company or organization)

Marketing Manager

Form 202
6/85

RECEIVED

DEC 15 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No.

APPROVED

DEC 30 1988

Department of Water Resources
Eastern District Office

To appropriate the public waters of the State of Idaho

Department of Water Resources
Eastern District Office

1. Name of applicant Vigoro Industries Phone (208) 356-4313
Post office address P. O. Box 460 Rexburg, Idaho 83440

2. Source of water supply Ground water which is a tributary of N/A

3. Location of point of diversion is SE ¼ of NW ¼ of _____ ¼, Govt. Lot 3
Sec. 1 Township 5N Range 39E B.M. Madison County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 cfs for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs ~~on one lot or common~~)

Amount 0.01 for Commercial purposes from Apr. 1 to Sept. 15 (both dates inclusive)

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) 0.05 cubic feet per second and/or (b) _____ acre feet per annum

- 6. Proposed diverting works:**

- a. Description of ditches, flumes, pumps, headgates, etc. Well 120' deep, 6" diameter,
1½ h.p. pump, 15 g.p.m.

- 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.

- EXISTS c. Proposed well diameter is 6" inches; proposed depth of well is 120 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).

WILLIAM L. FULTON

JUN 12 1989

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. 1 - office with 4 full time employees
- Other; describe fully. Water will be used to nurse field sprayers for the application of agricultural chemicals. Water loaded at Facility in sprayer.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
5N	39E	1								D									
										C									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Vigoro Industries

b. Who owns the land to be irrigated or place of use? N/A

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: _____

6. _____
7. _____

8. 12 7824

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

Range 39 E

• 2 Well location.

Section 1

Township 5 N

WATERED

Scale: 2 inches equal 1 mile.

JUN 12 1989

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.

Vigoro Industries
(Applicant)

Frank Schiemaier Marketing Mgr

Proposed Priority 12/30/88

Received by RB Date 12-30-88 Time 2:22 pm Preliminary check by HWS

Fee \$ 30⁰⁰ Received by HWS # E005400 Date 2-2-89

Publication prepared by RB Date 1-25-89 Published in Rexburg Standard-Tribune

Publication approved OW Date 3-13-89

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. 22-7622, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 90.

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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Witness my hand this 9th day of May, 1989.

J. Glen Saylor

MICROFILMED

JUN 12 1989

ACTION REQUIRED

FROM: H.W.J

TO: Vigoro Industries #22-7622

Corp. Officers;

Rdot. Van Patten - Sec. Treas
Gerard Wintrobottom - Assist. Sec.
Charles Sraton - President

RECEIVED

JUN 12 1989



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

May 31, 1995

VIGORO INDUSTRIES
PO BOX 460
REXBURG ID 83440

RE: WATER RIGHT NO. 22-07622

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

RECEIVED

JUN 07 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 22-07622 DATE 5/25/95



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE Advance? ☒ Advanced to: _____
 Order to reinstate needed? _____
 Incorrect fee for rate recommended? _____

SOURCE Changes or just clarification of originally ☒
 intended source? _____
 Notice of Intent to Void necessary? _____

POINT OF DIV Amendment needed? ☒ Keep at SENW (per Shelley)
Overlaps? ☒ Lot # is correct regardless of which
Y4Y4 is used.

PLACE OF USE Amendment needed? ☒
Overlaps? ☒

DIV RATE Permit (fee limits) ☒ .04 CFS
 Meas Q = Theo Q = .03 Recommend: .03
Commercial rate can not be increased.
Reduce domestic to .02 keep commercial @ .01
 Combined rates exceed capacity _____

ANNUAL VOLUME Volume Limit: _____ Season: Combined
Calculations: Domestic @ .6
Commercial @ .1
 Flow limit: _____ cfs x _____ x 1.9835 = _____
 Combined volumes exceed capacity/allowable _____

USES Change in Nature of Use or additional uses? ☒
 Amendment necessary? _____

ADDITIONAL INFO Supplemental Groundwater _____ PPU Scenario _____
Irr/Dom Combination _____ Shared G/W System _____

NEW REMARKS Multiple p/d(s) in 1/4 1/4? _____
YES Other Commercial use is for ...
Domestic use is for ...

NEW CONDITIONS Watermaster control - District _____
Measuring/Locking Devices _____
Irrigation Overlap _____
Other _____
Water Quality _____ Heat/Cool/Fish verified _____

COMMENTS: _____

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	Adjustment Memo Needed
<u>Commercial</u>	<u>.01</u>	<u>.1</u>		<u>NO</u>
<u>Domestic</u>	<u>.02</u>	<u>.6</u>		<u>YES</u>
<u>Total</u>	<u>.03</u>	<u>.7</u>		<u>✓</u>
			LICENSE	
			1ST AMEND LETTER	
			2ND AMEND LETTER	

RECEIVED
JAN 23 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 22-07622

1. Owner: VIGORO FARMERKAT

Phone No. 356-4131

Current Address: P.O. Box 460, REXBURG, ID 83440

2. Accompanied by: LENORE CARLSON

EXAM. DATE: 7-10-92

Address: SAME

Phone No. _____

Relationship to Permit Holder: SECRETARY

3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: N/A

☐ Copies Attached

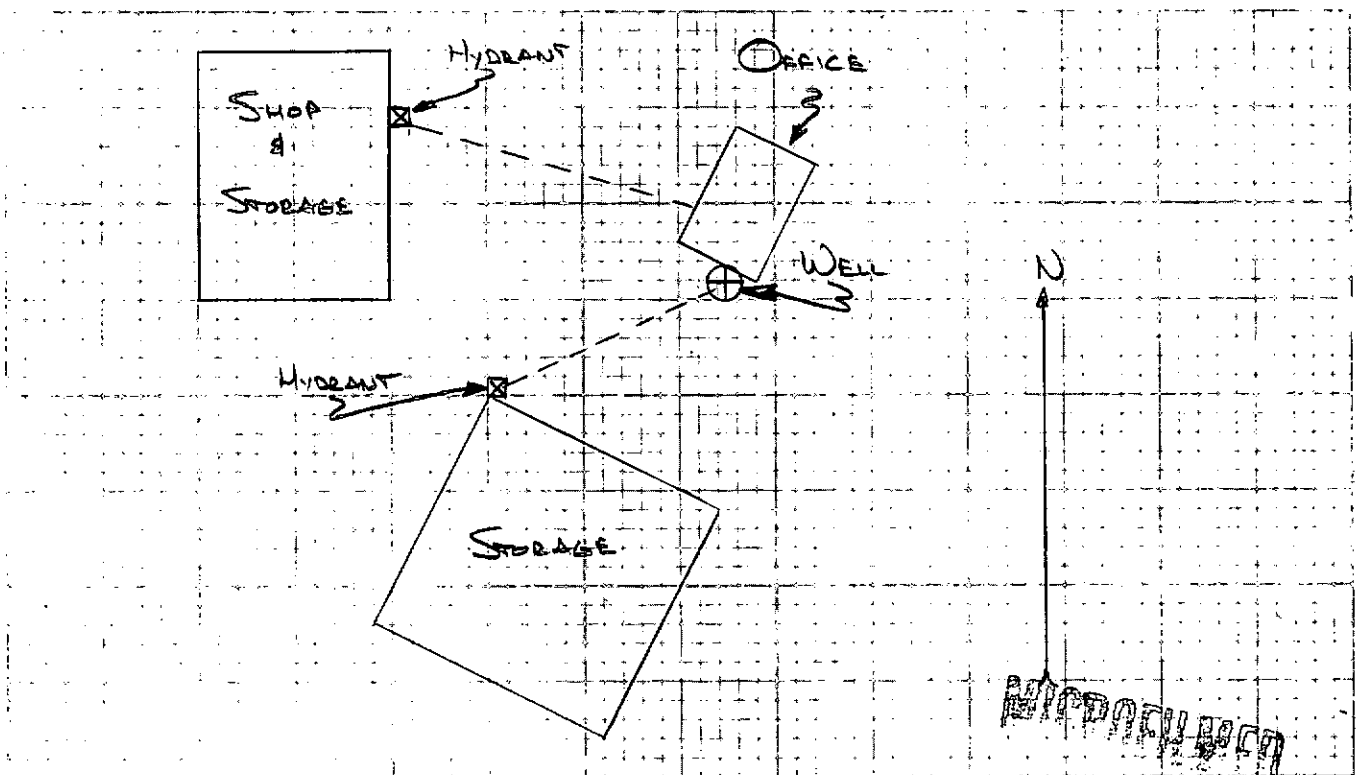
2. Other water rights with same point of diversion: N/A

☐ 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" = _____

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).

JUN 07 1995

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:

* Assume 25' to water, 1/2 horse pump, 70% efficiency,
40 PSI.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Recommend as per "small domestic" criteria → 0.02 cfs
No lawn irrigation, only restroom & handoffs 0.60 AFA

2. Alternate Method for Checking Purposes:

$$Q_{THEOR} = \frac{HP(8.814)EFF}{(2.308 \times PSI) + 25} = \frac{1/2(8.814)0.7}{(2.308 \times 40) + 25} = 0.03 \text{ cfs}$$

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:

As per "small domestic use w/o lawn" - 0.02 cfs

MEMORANDUM

TO: File 22-07622 / Vigoro Industries
FROM: Brenda Chapman
DATE: May 25, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

C. SYSTEM DESCRIPTION

1. Point of Diversion: The point of diversion location is questionable because of it being a "short" section. The recommendation is to keep it in the permitted SENW location.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Commercial	4-01 to 9-15	.01	.1
Domestic	1-01 to 12-31	.02	.6

The recommendation is being made to retain the domestic use, but reduce it. The commercial rate cannot be higher than the permitted rate for that use. Having just the commercial use would also result in extending the season of use beyond the permit limit for that use.

JUN 07 1995

R39E

35

36

POINT OF
DIVERSION
PLACE OF
USE

T6N

2000 S. 4846

T6N

36

T5N

L-4

L-3

L-2

L-1

R39E

2000 W.

1400 W.

REXBURG

BRANCH

SOUTH

22-07622

JUN 8 1995

3200 S. 4850

4850

4850

YELLOWSTONE

4850

4845

4854

rtom
em

4845

2

11

12

12

7

rtom
em

92 CROP YEAR
NOT TO SCALE
MAP NUMBER G-6-L

R39E

Point of
Diversion

T6N

L3

Place of
Use

T5N

L-2 NW

L-1

1427
T-996

T5N

41.2

NESE

L-4

NWSW

NESE

NWSE

15.6
HEL

22-07622

JUN SW SW

SESW

4.6

1519

June 4, 1990

VIGORO INDUSTRIES
P.O. BOX 460
REXBURG, ID 83440

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07622

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUN 15 1990

138402
March 31, 1990

VIGORO INDUSTRIES
P.O. BOX 460
REXBURG, ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 22-07622

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 June 1, 1990.

(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

RECEIVED

JUN 18 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) 334-7900
May 10, 1989

VIGORO INDUSTRIES
P.O. BOX 460
REXBURG, ID 83440

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

RE: PERMIT NO. 22-07622

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

MICROFILMED

JUN 12 1989

enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

JUN 1 1989

January 30, 1989

Vigoro Industries
P.O. Box 460
Rexburg, ID 83440

Application for Permit No. 22-07622

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 22-07622. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Rexburg Standard-Journal. The advertisement will be published two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

If the application is not protested, it 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 application 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.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

JUN 12 1989

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, Terry Weatherston being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the

Notice Of Application 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

Two consecutive issues, the first publication having been made on February 2, 1989 and the last publication having been made on February 9, 1989.

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 uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 10th day of February in the year of 1989, before me, a Notary Public, personally appeared Terry Weatherston, 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.

Charles M. Hark
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

RECEIVED

MAR 7

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

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

22-07622
VIGORO INDUSTRIES
P.O. BOX 460
REXBURG, ID. 83440
Source: GROUNDWATER
Diversion Pt: LOT 3 (SENW) Sec 1 T
05N R 39E
Use: DOMESTIC (.040 CFS) COM-
MERCIAL (.010 CFS)
Date Filed: 12/30/1988
In: T05N R39E S01 SENW

22-07626
ULTIMATE DIRECTION INC.
P.O. BOX 341
REXBURG, ID. 83440
Source: GROUNDWATER
Diversion Pt: SWSWNW Sec 17 T 06N
R 40E
Use: INDUSTRIAL (.040 CFS), COM-
MERCIAL (.040 CFS), DOMESTIC (.040
CFS)

Date Filed: 1/13/1989
In: T06N R40E S17 SWNW NWSW
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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before FEBRUARY 20, 1989.

R. KEITH HIGGINSON
Director

Publ. Feb. 2 and 9, 1989J.

MICROFILMED

JUN 12 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JANUARY 25, 1989

THE REXBURG STANDARD-JOURNAL
P.O. BOX 10
REXBURG, ID 83440

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 FEBRUARY 20, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

JUN 12 1984

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JUN 12 1989

Diversion Pt: LOT 3 (SENW) Sec 1 T 05N R 39E

Date Filed: 12/30/1988

MILK & FILMED

JUN 12 1989

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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before FEBRUARY 20, 1989.

R. Keith Higginson, Director

Published 2/02/1989 & 2/09/1989

MICROFILMED

JUN 12 1989