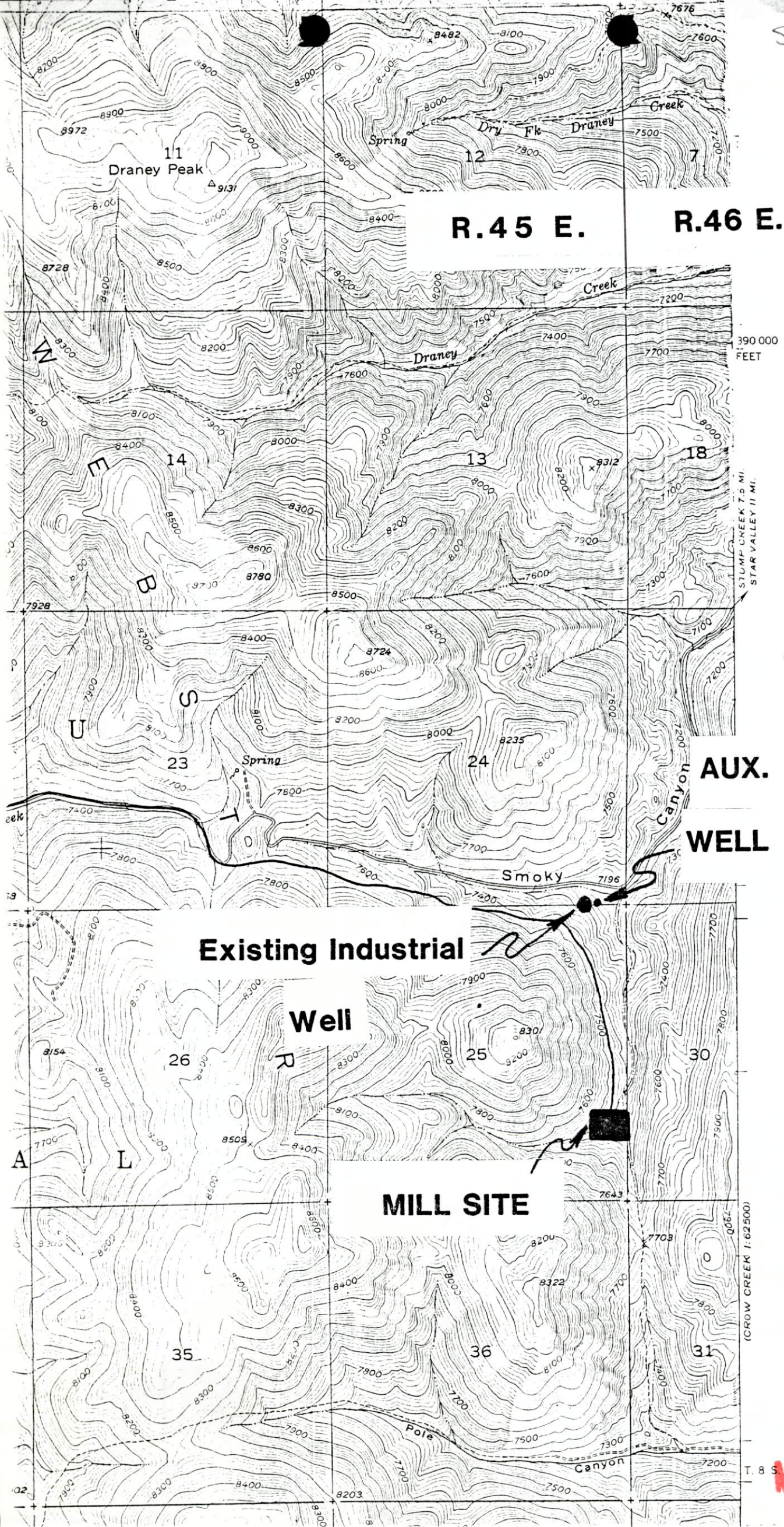


Simple Application



R.45 E.

R.46 E.

T.8 S.

AUX.

WELL

Existing Industrial

Well

MILL SITE

MICROFILMED

Affidavit of Publication

RECEIVED
AUG 15 1985
Department of Water Resources
Eastern District Office

County of Caribou }
State of Idaho } ss.

Mark Steele

being duly sworn on his oath,
states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho, pub-
lished weekly at Soda Springs in
said County that said newspaper
has been published in said County
uninterruptedly and continuously
for over seventy-eight consecutive
weeks, prior to the first publica-
tion of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping attached
in the regular and entire edition of
said newspaper and not in any

supplement thereof for 2
successive weekly issues thereof,
the date of the first publication

being the 25th day of

July, 1985

The date of the last publication

being the 1st day of

August, 1985

Mark Steele

Subscribed and sworn to before

me this 2nd day

of August, 1985

Clayton A. Steele

Notary Public, residing
at Soda Springs, Idaho

(SEAL)

My Commission expires the

1st day of March

1988.

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

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

24-7169

J.R. SIMPLOT CO.

P.O. BOX 912 POCATELLO, ID
83204

Source: GROUNDWATER

Date Filed: 06-27-1985

Diversion Pt: SESE Sec 24 T 08S R
45E

Use: MINING (0.20 CFS)

In: Sec 25 T 08S R 45E Sec 36 T 08S
R 45E Sec 30 T 08S R 46E Sec 31 T
08S R 46E

The permit(s) will be subject to all
prior water rights. Protests must be filed
with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho 83402 on or before
AUGUST 12, 1985.

Ken Dunn, Dir.

Published July 25 and Aug. 1, 1985 in
the Caribou County Sun.

MICROFILMED

RECEIVED

OCT 11 1985

Department of Water Resources
Eastern District Office

Affidavit of Publication

County of Caribou
State of Idaho

ss.

Mark Steele

being duly sworn on his oath,
states:

That he is Publisher
of the Caribou County Sun, a
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said County that said newspaper
has been published in said County
uninterruptedly and continuously
for over seventy-eight consecutive
weeks, prior to the first publica-
tion of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping attached
in the regular and entire edition of
said newspaper and not in any

supplement thereof for 2
successive weekly issues thereof,
the date of the first publication

being the 19th day of

September, 1985.

The date of the last publication

being the 26th day of

September, 1985.

[Signature]

Subscribed and sworn to before

me this 2nd day

of October, 1985

[Signature]

Notary Public, residing
at Soda Springs, Idaho

(SEAL)

My Commission expires the

1st day of March

19 88.

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been
filed to appropriate the public waters of
the State of Idaho and are being
readvertised to allow evaluation of the
public interest criteria under Section
42-203C, Idaho Code.

24-7169

J. R. SIMPLOT CO.
P.O. BOX 912, POCATELLO, ID
83204

Source: GROUNDWATER

Date Filed: 06-27-1985

Diversion Pt: SESE Sec 24 T 08S R
45E

Use: MINING (0.20 CFS)

In: Sec 25 T 08S R 45E Sec 36 T 08S
R 45E Sec 30 T 08S R 46E Sec 31 T
08S R 46E

The permit(s) will be subject to all
prior water rights. Protests are limited to
the public interest criteria under Section
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
October 7, 1985.

KEN DUNN

Director

Published Sept. 19 and 26, 1985 in
the Caribou County Sun.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

- Permit No. 24-7169
1. Owner: J.R. Simplot Company Phone No. (208) 233-7500
Current Address: PO Box 912 Pocatello Id 83204
2. Accompanied by: Verlen Andrews EXAM. DATE: 6/23/87
Address: PO Box 1021 Afton, WY Phone No. 307-886-3081
Relationship to Permit Holder: assistant maintenance superintendent
3. Source: groundwater tributary to NA

B. OVERLAP REVIEW

1. Other water rights with same place of use: NA
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: NA
_____ ☐ 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

pump
house

24-7169

main
pump

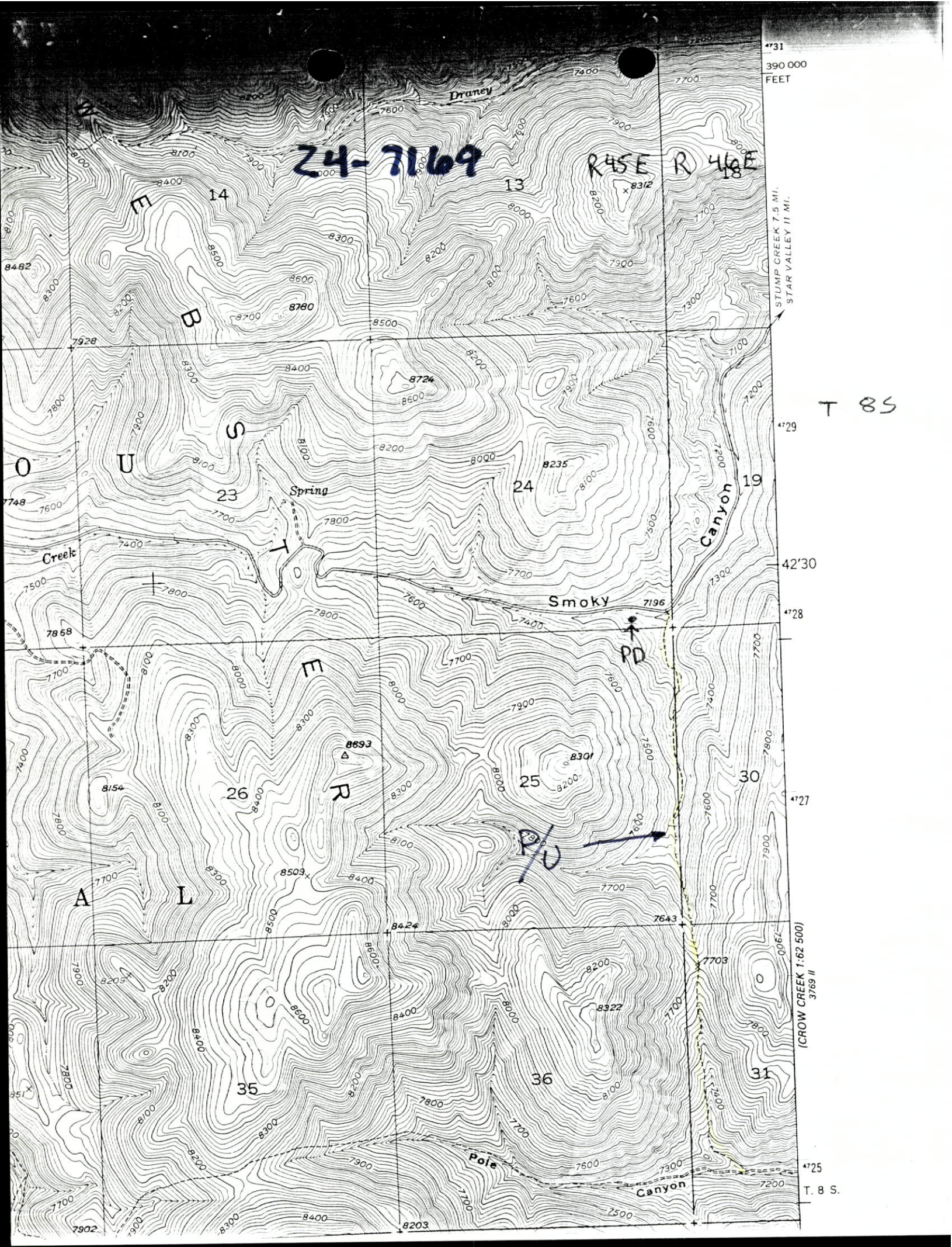
24-7113

Scale: 1" = No Scale

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

24-7169





24-7169

R45E R 46E

T 8S

PD

4731
390 000
FEET

STUMP CREEK 7.5 MI.
STAR VALLEY 11 MI.

4729

42'30

4728

4727

ICROW CREEK 1:62 500
3769 II

4725

T. 8 S.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 24-07169

Priority: June 27, 1985 Amount: 0.20 CFS 37.5 AFA

This is to certify, that J. R. SIMPLOT CO.
P.O. BOX 912

POCATELLO, ID 83204 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 27, 1985, and has submitted proof to the Department of Water Resources on December 10, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .200 cfs of water from a **GROUNDWATER** source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
INDUSTRIAL	01/01 to 12/31	0.20 CFS	37.5 AFA

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 24, Township 08S, Range 45E
CARIBOU County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

08S 45E 25	NENE	SENE	NESE
	SESE		
36	NENE	NWNE	SWNE
	SENE	NENW	NWNW
	SWNW	SENW	NESW
	NWSW	SWSW	SESW
	NESE	NWSE	SWSE
	SESE		
46E 30	NWNW	SWNW	NWSW
	SWSW		
31	NENE	NWNE	SWNE
	SENE	NENW	NWNW
	SWNW	SENW	NESW
	NWSW	SWSW	SESW
	NESE	NWSE	SWSE
	SESE		

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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MAY 09 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 24-07169

CONDITIONS/REMARKS:

4. Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.
5. Industrial use is for dust abatement and for monitoring existing industrial well in same proximity.

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 April, 1989.

Acting for the Director



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MAY 09 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant J. R. Simplot Company Phone (208) 233-7500

Post office address P. O. Box 912 Pocatello, ID 83204

2. Source of water supply Ground Water which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24 Township 8 S.

Range 45E. B.M. Caribou County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.2 cfs for Mining purposes from 1-1 to 12-31 (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:

a. 0.2 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. A 6" diameter submersible pump was installed in the existing monitor well (drilled per permit #24-7113).

The pump is set 500 feet deep in the well.

b. Height of storage dam None feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
10⁰ to 350⁰ (Month/Day) (Month/Day)

c. Proposed well diameter is 8" to 800" inches; proposed depth of well is 1000 feet.
6" to 1000'

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 — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 25 & 36 Township 8S

Range 45E B.M. and Section 30 & 31 T.8S., R.46 E. B.M.

(2) Amount of power to be generated: None horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered None

(4) Name of municipality to be served None, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: Well supplies water trucks with water - for dust control on existing roads.

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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

Total number of acres to be irrigated _____

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

N/A

9. a. Who owns the property at the point of diversion U. S. Government - Forest Service

b. Who owns the land to be irrigated or place of use None

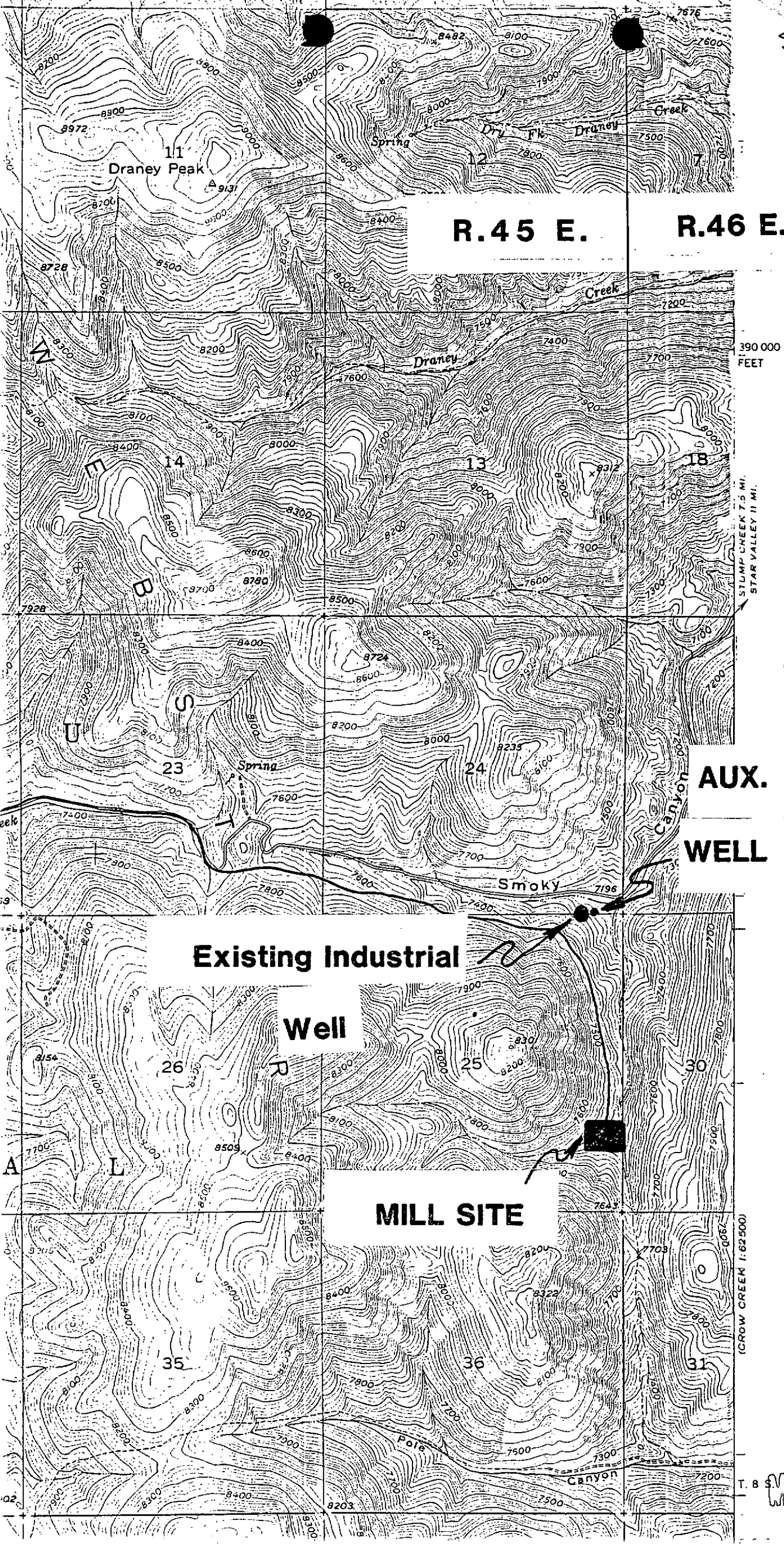
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Special Use Permit through USFS (copy attached).

10. Remarks This monitor well is located in same proximity as the existing industrial well permitted by the State of Idaho, Department of Water Resources,

Ident. No. 24-7113.

This is an amendment to permit the use of both the industrial well and the auxiliary well.

Simple Application



R.45 E.

R.46 E.

T.8 S.

AUX.

WELL

Existing Industrial

Well

MILL SITE

(CROW CREEK 1:62500)

T. 8 MICROFILMED

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

See attached location map - J.R.S. 2000 Scale

See attached location map - S.W.R.D. 2000 0001

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.

Len B. McCollum
(Applicant)

(Applicant):

Ben D. Mc Collum
President M&C Division

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Proposed Priority 6/27/85

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Received by CT Date 6-27-85 Time —
Preliminary check by HWS Fee \$ 30 # 33383
Receipted by CT Date 6-27-85
Publication prepared by CT Date 7-17-85
Published in Caribou County Sun
Publication dates 7-25 & 8-10-85 Read 9/19/85 9/26/85
Publication approved CW Date 8-15-85 & 10-17-85
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by EMC KW

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. 24-7169, 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 December 1, 19 86.
- 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. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another.
Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Witness my hand this 12th day of November, 1985.

J. New Sayton
Chief, Operations Bureau

United States Department of Agriculture
Forest Service

SPECIAL USE PERMIT

Act of June 4, 1897

This permit is revocable and nontransferable
(Ref. FSM 2710)

a. Record no. (1-2)	b. Region (3-4)	c. Forest (5-6)
70	04	05
d. District (7-8)	e. User number (9-12)	f. Kind of use (13-15)
02	4057	420
g. State (16-17)	h. County (18-20)	i. Card no. (21)
16	029	1

Permission is hereby granted to J. R. Simplot Company
of P.O. Box 27, Boise, Idaho 83707
hereinafter called the permittee, to use subject to the conditions set out below, the following described lands or improvements:

E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$	Sec. 25	T8S	R45E
SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{4}$	Sec. 36	T8S	R45E
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 19	T8S	R46E
W $\frac{1}{2}$ E $\frac{1}{2}$, NE $\frac{1}{2}$ NW $\frac{1}{4}$	Sec. 30	T8S	R46E
W $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 31	T8S	R46E
NW $\frac{1}{4}$ NE $\frac{1}{2}$ NE $\frac{1}{4}$	Sec. 6	T9S	R46E

This permit covers 750* acres and/or -- miles and is issued for the purpose of:

Mill site, stockpiles, waste dumps, service roads, warehouse facilities, offices, parking area, maintenance shops, processing plant and related facilities, and other improvements as approved for processing of phosphate rock from Federal Phosphate Lease I-012980.

* This is the amount of land which will be utilized when the mine is fully developed and will not be charged for until it is utilized.

1. Construction or occupancy and use under this permit shall begin within One months, and construction, if any, shall be completed within Forty-eight months, from the date of the permit. This use shall be actually exercised at least 365 days each year, unless otherwise authorized in writing.

2. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of Dollars (\$ 3377.00) for the period from July 26 19 82, to December 31, 1982, and thereafter annually on January 1 the amount due @30 per acre for the number of acres in use Dollars (\$ to be determined) :
Provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

3. This permit is accepted subject to the conditions set forth herein, and to conditions 13 to 51 attached hereto and made a part of this permit.

PERMITTEE	NAME OF PERMITTEE	SIGNATURE OF AUTHORIZED OFFICER	DATE
		<i>Charles D. Durr</i>	8/16/82
		TITLE <u>President & CEO</u>	
ISSUING OFFICER	NAME AND SIGNATURE	TITLE	DATE
	<i>David H. Carpenter</i>	<i>Acting Forest Supervisor</i>	8/17/82

(CONTINUED ON REVERSE)

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(7/71)

4. Development plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; *provided* that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

5. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

6. This permit is subject to all valid claims.

7. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

8. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

9. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the National Forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

10. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest road and trails caused by the permittee in the exercise of the privilege granted by this permit.

11. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

12. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

13. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

14. In case of change of address, the permittee shall immediately notify the forest supervisor.

15. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the forest supervisor but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

16. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

17. In the event of any conflict between any of the preceding printed clauses or any provisions thereof and any of the following clauses or any provisions thereof, the following clauses will control.

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18. (A-13) A late payment charge in addition to the regular fees shall be made for failure to meet the fee payment due date or any of the dates specified for submission of statements required for fee calculation. The late payment charge shall be \$15, or an amount calculated by applying the current rate prescribed by Treasury Fiscal Requirements Manual Bulletins to the overdue amount for each 30-day period or fraction thereof that the payment is overdue, whichever is greater. If the due date falls on a nonworkday, the late payment charge will not apply until the end of the next workday.

19. (B-2) By accepting this permit, the permittee hereby agrees to comply with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to the regulation of the United States Department of Agriculture (7 CFR, part 15) issued pursuant to that Act and hereby assures that in the operation and performance of this permit to take immediately any measures necessary to effectuate this requirement. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to a permittee by the United States Department of Agriculture, this assurance shall obligate the permittee or, in case of any transferee of such property, any transferee for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provisions of similar services or benefits. If any personal property is so provided, this assurance shall obligate the permittee for the period during which he retains ownership or possession of the property. In all other cases, this assurance shall obligate the permittee for the period during which the Federal financial assistance is extended to him by this permit. This assurance is given in consideration of the Federal financial assistance extended in this permit to the permittee of the United States Department of Agriculture. The permittee recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance. The permittee further agrees that the United States, in addition to any other rights and remedies provided by this assurance, the Civil Rights Act of 1964, or the regulations issued thereunder, shall have the right to enforce this agreement by suit for specific performance or by any other available remedy under the laws of the United States or the State in which the breach or violation occurs.

20. (B-4) The permittee shall perform all work with explosives in such a manner as not to endanger life or property. All storage places for explosives and flammable material shall be marked "DANGEROUS". The method of storing and handling explosives and flammable materials shall conform to recommended procedures contained in the "Blasters Handbook", published by E.I. du Pont de Nemours & Co., and in all Federal, State and local laws and regulations.

21. (B-8) The permittee shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of National Forest lands under this permit.

22. (B-11) The operation and maintenance of all sanitation, food-service and water-supply methods, systems and facilities shall comply with the standards of the local department of health and the United States Public Health Service.

The permittee shall dispose of all garbage and refuse in a place and manner specified by the Forest officer in charge.

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23. (B-18) The permitted area will be maintained to present a clean, neat and orderly appearance. Trash, debris, unusable machinery, improvements, etc., will be disposed of currently. Building materials, firewood, etc., will be neatly stacked.

24. (B-24) The permittee shall carry on all operations in a workman-like manner, having due regard for the safety of employees; and shall safeguard with fences, barriers, fills, covers, or other effective devices, pits, cuts, and other excavations which otherwise would unduly imperil the life, safety, or property of other persons.

25. (B-31) Natural phenomena in the Forest, such as avalanches, rising waters, high winds, falling limbs or trees, and other hazards, present risks to the permittee's property which the permittee assumes. The permittee has the responsibility of inspecting his site, right-of-way, and immediate adjoining area for dangerous trees, hanging limbs, and other evidence of hazardous conditions and, after securing permission from the Forest Service, of removing such hazards in order to protect his improvements.

26. (C-2) The permittee shall prepare site plans to show the location of all buildings, service areas, roads, and structures. Site plans will be drawn to a scale to be determined during joint discussion between the Forest Supervisor or his authorized representative and the permittee. The permittee is encouraged to consult with the Forest Service during the preparation of all site plans to ensure that they are adequate and to gain multiple use compliance. No construction shall be undertaken by the permittee prior to site plan approval.

27. (C-3) As a further guarantee of the faithful performance of provisions of clauses 10, 12, 35, 38, and 44 of this permit, the permittee agrees to deliver and maintain a surety bond in the amount of fifty thousand dollars (\$50,000.00). Prior to undertaking additional construction or alteration work not provided for in the above clause(s) or when the improvements are to be removed and the area restored, the permittee shall deliver and maintain a surety bond in an amount set by the Forest Service, which amount shall not be in excess of the estimated loss which the Government would suffer upon default in performance of this work. Should the sureties or the bonds delivered under this permit become unsatisfactory to the Forest Service, the permittee shall, within thirty (30) days of demand, furnish a new bond with surety, solvent and satisfactory to the Forest Service. In lieu of surety bond, the permittee may deposit into a Federal depository, as directed by the Forest Service, and maintain therein, cash in the amounts provided for above, or negotiable securities of the United States having a market value at time of deposit of not less than the dollar amounts provided above.

The permittee's surety bond will be released, or deposits in lieu of bond, will be returned thirty (30) days after certification by the Forest Service that priority installations under the development plan are complete, and upon furnishing by the permittee of proof satisfactory to the Forest Service that all claims for labor and material on said installations have been paid or released and satisfied. The permittee agrees that all moneys deposited under this permit may, upon failure on his part to fulfill all and singular the requirements herein set forth or made a part hereof, be retained by the United States to be applied as far as may be to the satisfaction of his obligations assumed hereunder, without prejudice whatever to any other rights and remedies of the United States.

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28. (C-4) The permittee shall prepare grading plans, profiles, and cross sections to show precise elevations, excavations, and other details related to the installation of buildings, structures, or improvements on the permitted-use area. Such plans shall include provisions for drainage, retaining structures, seeding, and planting, to be made for the prevention and control of erosion on the permitted area and the National Forest lands adjacent to the permitted area, insofar as the latter may be influenced by the permitted use.

29. (C-6) All plans and specifications for buildings shall be prepared by an architect licensed in the State in which the building will be located. The plans shall be in accordance with the Idaho Building Code. Building plumbing shall be in accordance with the National Plumbing Code. The electrical system shall be in accordance with the National Electrical Code. Other systems shall be designed in accordance with recognized standards.

Plans shall be submitted to the Forest Service for approval prior to beginning of construction.

The permittee shall submit to the Forest Service a certification by the architect or engineer who inspected construction that the building has been constructed in accordance with the approved plans before the building is approved for use.

30. (C-9) No storage or transportation of water on the National Forest lands covered by this permit shall be made until the facilities have been constructed in accordance with the approved plans and specifications, the permittee has submitted certification thereof by a registered professional engineer, and the permittee has received written approval from the Forest Service.

31. (D-1) The permittee shall pack out or otherwise remove from National Forest land all unburnable refuse resulting from operations under this permit.

32. (D-2) No waste or byproducts shall be discharged if it contains any substances in concentrations which will result in substantial harm to fish and wildlife, or to human water supplies.

Storage facilities for materials capable of causing water pollution, if accidentally discharged, shall be located so as to prevent any spillage into waters, or channels leading into water, that would result in substantial harm to fish and wildlife or to human water supplies.

33. (D-4) The permittee shall take reasonable precautions to protect, in place, all public land survey monuments, private property corners, and Forest boundary markers. In the event that any such land markers or monuments are destroyed in the exercise of the privileges authorized by this permit, depending on the type of monument destroyed, the permittee shall see that they are reestablished or referenced in accordance with (1) the procedures outlined in the "Manual of Instructions for the Survey of the Public Land of the United States," (2) the specifications of the county surveyor, or (3) the specifications of the Forest Service.

MICROFILMED

Further, the permittee shall cause such official survey records as are affected to be amended as provided by law.

34. (D-7) The permittee shall be responsible for the prevention and control of soil erosion and gulying on the area covered by this permit and land adjacent thereto, and shall provide preventive measures as required by specifications attached to and made a part of this permit.

35. (D-9) All earth cut or fill slopes favorable to revegetation or other areas on which ground cover is destroyed in the course of construction, will be revegetated to grasses or other suitable vegetation as required by the Forest Supervisor.

36. (D-11) Seeding or planting will be done at a time of the year, in a manner, and with species which the District Ranger considers offer the best chance of success and will be repeated annually until such areas are accepted in writing by the District Ranger as satisfactorily revegetated and stabilized.

37. (D-17) All National Forest timber cut or destroyed in the construction of the permitted improvements shall be paid for at current stumpage rates for similar timber in the National Forest. Young-growth timber below merchantable size will be paid for at current damage-appraisal value; and all slash and debris resulting from the cutting or destruction of such timber shall be disposed of as necessary or as the Forest Service may direct.

38. (E-4) Unless sooner terminated or revoked by the Regional Forester in accordance with the provisions of the permit, this permit shall expire and become void on December 31, 2007, but a new permit to occupy and use the same National Forest land may be granted provided the permittee will comply with the then-existing laws and regulations governing the occupancy and use of National Forest lands and shall have notified the Regional Forester not less than six months prior to said date that such new permit is desired.

39. (F-7) The permittee shall install fire extinguishers and firefighting apparatus of types, of capacities, in numbers, and at locations approved by the Forest Supervisor. This equipment shall be in readiness at all times for immediate use, and shall be tested each year, at such times as may be required by the Forest Supervisor.

40. (F-11) A muffler or spark arrester satisfactory to the Forest Service shall be maintained on the exhausts of all trucks and tractors or other internal combustion engines used in connection with this permit.

41. (F-13) During the fire season, as determined by the Forest Service, the permittee shall furnish and maintain in serviceable condition a fire-tool box, and fire tools to be used only for suppression of Forest fires. The tool box shall be located at the site and will contain the following tools:

7 shovels
5 pulaskis

2 double bitted axes
10 headlamps

5 canteens

MICROFILMED

42. (F-23) The permittee will pay the United States for all damage to Federal property or resources and for all Federal fire suppression costs resulting directly or indirectly from the permittee's use and occupancy of the area covered by the permit, regardless of whether the permittee is negligent or otherwise at fault.

43. (G-8) The permittee shall provide maintenance so that at the termination of this permit, the road will be in a condition equal to that normally prevailing on roads of like standard, and unless otherwise agreed to, leadoff drainage and water barriers to prevent erosion will be constructed on the road as directed by the Forest Service

43. (G-9) Roads constructed under authority of this permit shall be subject to control by the permittee except:

1. They shall at all times be open to use by Forest Service employees on official business.
2. The Forest Service may issue permits authorizing use of the roads to other parties who own resources or lands served by the road: Provided, that such use will not materially interfere with the use by the permittee; and Provided further, that such parties will be required to bear proportionate maintenance costs under a written agreement with the permittee herein, or in accordance with arrangements specified by the Forest Service.

45. (X-3) Nothing in this permit shall be construed to imply permission to build or maintain any structure not specifically named on the face of this permit, or approved by the Forest Service in the form of a new permit or permit amendment. Additional structures requiring specific approval shall include, but are not limited to: signs, fences, nameplates, mailboxes, newspaper boxes, boathouses, docks, pipelines, and television antenna.

46. (X-6) This permit is subject to the rights and privileges granted in mineral, oil, or gas leases covering this land which have been issued by an authorized agency of the United States, and this permit does not authorize the prevention or obstruction of the reasonable exercise of the rights and privileges granted by said mineral, oil, or gas leases.

47. (X-17) If, during excavation work, items of substantial archeological or paleontological value are discovered, or a known deposit of such items is disturbed, the permittee will cease excavation in the area so affected. He will then notify the Forest Service and will not resume excavation until written approval is given.

48. (X-29) No signs or advertising devices shall be erected on the area covered by this permit, or highways leading thereto, without prior approval by the Forest Service as to location, design, size, color, and message. Erected signs shall be maintained or renewed as necessary to neat and presentable standards.

MICROFILMED

49. (X-42) The permittee in the exercise of the privileges granted by this permit, shall require that his (its) employees, sublessees, contractors, subcontractors, or renters and their employees comply with all applicable conditions of this permit and that the conditions of this permit be made a part of all subleases, contracts, subcontracts, or rental agreements.

50. (X-49) This permit shall not be exclusive. The Forest Service reserves the right to use or permit others to use any part of the permitted area for any purpose, provided such use does not interfere with the rights and privileges hereby authorized.

51. (X-81) This permit confers no right to the use of water by the permittee.

MICROFILMED

Affidavit of Publication

AUG 21 1985

Department of Water Resources
Eastern District Office

County of Caribou
State of Idaho

ss.

Mark Steele

being duly sworn on his oath,
states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho, pub-
lished weekly at Soda Springs in
said County that said newspaper
has been published in said County
uninterruptedly and continuously
for over seventy-eight consecutive
weeks, prior to the first publica-
tion of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping attached
in the regular and entire edition of
said newspaper and not in any

supplement thereof for 2
successive weekly issues thereof,
the date of the first publication

being the 25th day of
July, 1985

The date of the last publication
being the 1st day of
August, 1985

Subscribed and sworn to before

me this 2nd day
of August, 19 85

Notary Public, residing
at Soda Springs, Idaho

(SEAL)
My Commission expires the
1st day of March

19 88

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

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

24-7169

J.R. SIMPLOT CO.

P.O. BOX 912 POCATELLO, ID
83204

Source: GROUNDWATER

Date Filed: 06-27-1985

Diversion Pt: SESE Sec 24 T 08S R
45E

Use: MINING (0.20 CFS)

In: Sec 25 T 08S R 45E Sec 36 T 08S
R 45E Sec 30 T 08S R 46E Sec 31 T
08S R 46E

The permit(s) will be subject to all
prior water rights. Protests must be filed
with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho 83402 on or before
AUGUST 12, 1985.

Ken Dunn, Dir.

Published July 25 and Aug. 1, 1985 in
the Caribou County Sun.

MICROFILMED

RECEIVED

OCT 11 1985

Department of Water Resources
Eastern District Office

Affidavit of Publication

County of Caribou
State of Idaho

ss.

Mark Steele

being duly sworn on his oath,
states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho, pub-
lished weekly at Soda Springs in
said County that said newspaper
has been published in said County
uninterruptedly and continuously
for over seventy-eight consecutive
weeks, prior to the first publica-
tion of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping attached
in the regular and entire edition of
said newspaper and not in any

supplement thereof for 2
successive weekly issues thereof,
the date of the first publication

being the 19th day of

September, 1985

The date of the last publication

being the 26th day of

September, 1985

Subscribed and sworn to before

me this 2nd day

of October, 19 85

Notary Public, residing
at Soda Springs, Idaho

(SEAL)
My Commission expires the

1st day of March

19 88

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been
filed to appropriate the public waters of
the State of Idaho and are being
readvertised to allow evaluation of the
public interest criteria under Section
42-203C, Idaho Code.

24-7169

J. R. SIMPLOT CO.
P.O. BOX 912, POCATELLO, ID
83204

Source: GROUNDWATER

Date Filed: 06-27-1985

Diversion Pt: SESE Sec 24 T 08S R
45E

Use: MINING (0.20 CFS)

In: Sec 25 T 08S R 45E Sec 36 T 08S
R 45E Sec 30 T 08S R 46E Sec 31 T
08S R 46E

The permit(s) will be subject to all
prior water rights. Protests are limited to
the public interest criteria under Section
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
October 7, 1985.

KEN DUNN

Director

Published Sept. 19 and 26, 1985 in
the Caribou County Sun.

MICROFILMED

April 25, 1989

J. R. SIMPLOT CO.
P.O. BOX 912
POCATELLO, ID 83204

RE: PERMIT NO. 24-07169

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAY 09 1989

March 20, 1989

J. R. SIMPLOT CO.
P.O. BOX 912
POCATELLO, ID 83204

RE: PERMIT NO. 24-07169

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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MAY 09 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use: _____

b) Other water rights with same point of diversion: _____

c) Analysis:

MICROFILMED

MAY 09 1989

RECOMMENDED AMOUNTS

10 day
correction of
use -

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
24-7169	6-27-85	0.20 cfs	6-27-85	12-10-1985	0.20 cfs

4. Permit Holder: J. R. Simplot Company

Address: P.O. Box 912, Pocatello, ID 83204

5. Source: groundwater tributary to —

6. Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Industrial	1-1	12-31	0.20 cfs	37.5 AFA

Allowable Maximums: 0.20 cfs 37.5 AEA

7. Point(s) of Diversion: ✓

No.	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County
			SE	SE	24	8S	45E	Caribou

8. Place(s) of Use ☒

[illegible]

9. Recommended Conditions/Remarks:

Industrial use is for dust abatement and for monitoring existing industrial well in same proximity.

R09

MICROFILMED

MAY 09 1985

10. 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 AMEND USE

11. Examiner's Signature

Checked in Regional Office by

Approved in State Office by

other AMEND USE
NO charge since
Date _____
use was obvious
Date _____
on permit.
Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

Permit No.

24-7169
Simplot

RECEIVED

OCT 23 1987

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index CDS 6/25/87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index CDS 6/25/87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 6/23/87 Carol Slaughter (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent SL 7-27-87 (Initial and date)
Exam Reviewed by Manager of Regional Office SM 6-30-1987 (Initial and date)
Exam Date Entered in Computer _____ (Initial and date)
Exam sent to State Office 10/21/87 (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 24-7169

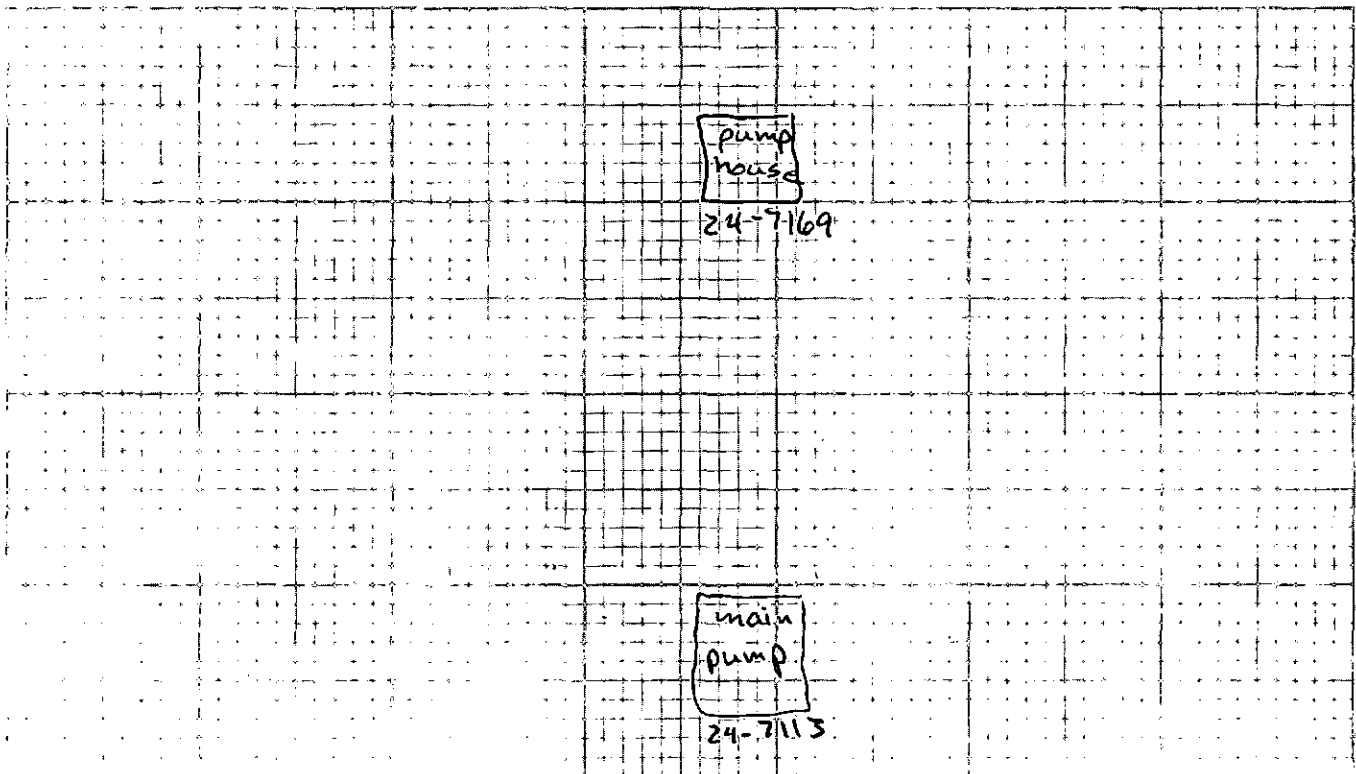
1. Owner: J.R. Simplot Company Phone No. (208) 233-7500
Current Address: PO Box 912 Pocatello ID 83204
2. Accompanied by: Verlen Andrews EXAM. DATE: 6/23/87
Address: PO Box 1021 Afton, WY Phone No. 307-886-3081
Relationship to Permit Holder: assistant maintenance superintendent
3. Source: groundwater tributary to NA

B. OVERLAP REVIEW

1. Other water rights with same place of use: NA
☐ Copies Attached
2. Other water rights with same point of diversion: NA
☐ 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" = No Scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
place(s) of use (required).
- ☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

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

monitor to measure big well; can be used in an emergency to water road (from trucks), but usually isn't hooked up
30 hp submersible pump
well depth unknown, no well log in office

☐ 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
none found					

*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
			SE	SE	24	8S	45 E	Caribou	USGS

6. Place(s) of Use:

Indicate Method of Determination USGS

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	
8S	46E	25	X			X								X				X	
		36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
		30						X	X			X	X						
		31	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

P/U is incorrect -
Sec. 25 & 36 are
in 8S, 45E
Sec. 30 & 31 are
in 8S, 46E.
see permit
3/14/89.

Do not use this space

[illegible]

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Mining/Industrial	1/1	12/31	.2	37.5
Totals:				

☐ 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

Field Examiner's Name Carol Slaughterbeck
Signature Carol Slaughterbeck
Certification Date 4/30/1988
Field Report Preparation Date 7/7/87

Steve McLernan

CONSULTANT SEAL

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

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:

no measurements were possible

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

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:

(assigned amt)

$0.3967 \text{ af/day} \times 4.5 \text{ days/week} \times 21 \text{ weeks (dest cont)} = 37.5 \text{ af/yr}$

24-7169



24-7169

R45E R46E

390 000
FEET

STUMP CREEK 7.5 MI.
STAR VALLEY 11 MI.

T 8 S

42'30

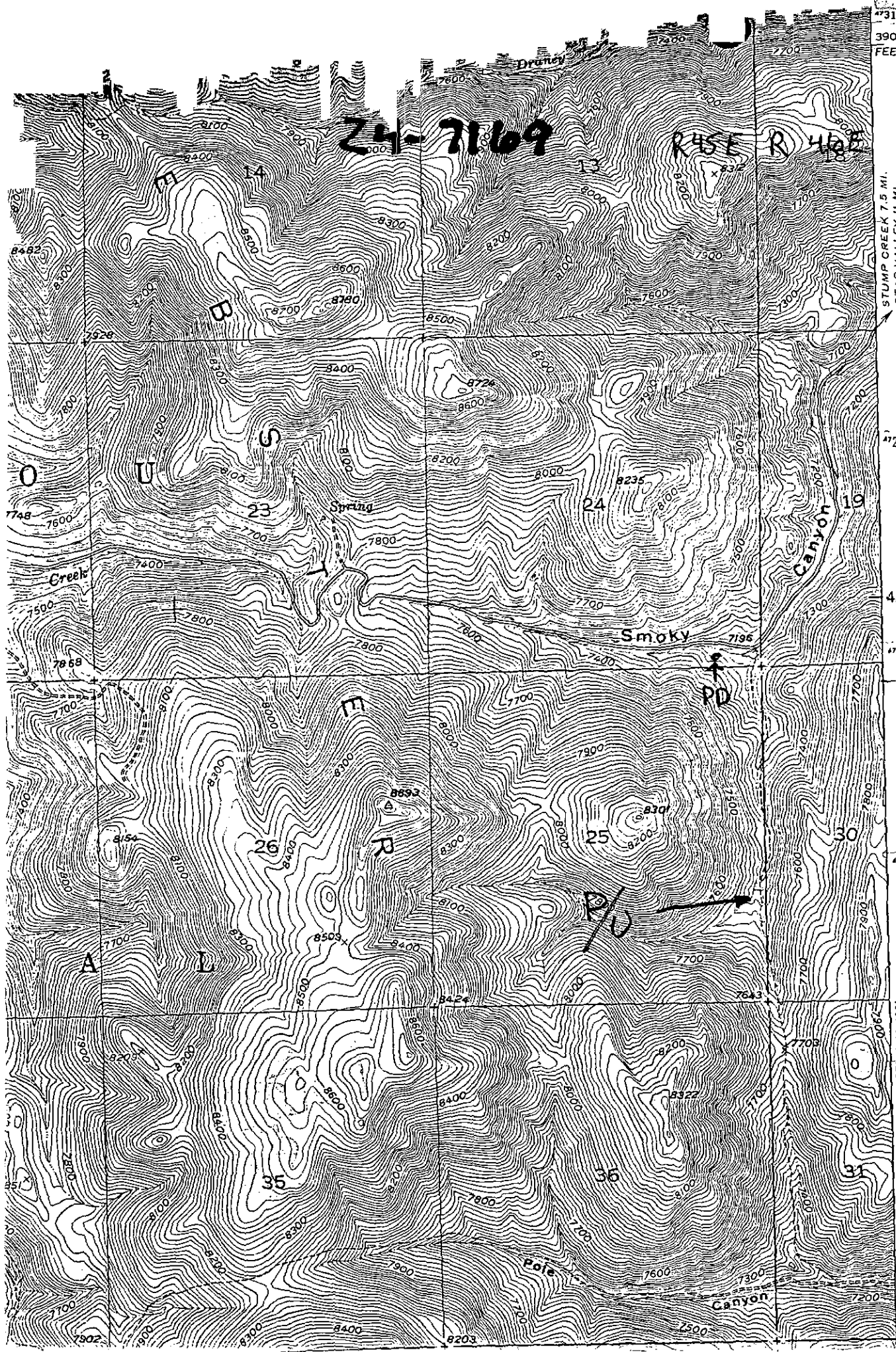
42'28

42'27

ICROW CREEK 1:52 500
3769 II

42'25

T. 8 S.



4/86

FEB 9 1987

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 50.00
Date 2-12-87
Receipt # 41038
Receipt by MD
Sent to S.O. _____

RECEIVED

FEB 27 1987

1. Permit No. 24-7169

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: J. R. Simplot Company

3. Post Office Address: P.O. Box 27, Boise, Idaho 83707

Telephone No. (208) 336-2110

4. Source of Water: Groundwater

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (acres) Other/Remark Industrial

6. Total rate &/or volume for which proof is submitted .2 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

July 1984

8. Person to contact to accompany the department representative during the field examination:

Bob Black

(Name)

MAY 09 1989

P.O. Box 1012, Afton, Wyoming 83110

(Address)

(208) 225-9861

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

J. R. SIMPLOT COMPANY

February 5, 1987
Date

By Russell L. Shaw Secretary
Signature of Permit Holder (and title, if appropriate)

copy retained

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 2, 1986

J.R. SIMPLOT COMPANY
P.O. BOX 912
POCATELLO ID 83201

RE: Permit No. 24-7169

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

MICROFILMED

MAY 09 1989

INTER-DEPARTMENT MEMO — 1

FROM Linda Smith

TO File No. 24-7169

SUBJECT Proof of Beneficial Use

DATE January 27, 1986

Proof of Beneficial Use for Water Right No. 24-7169 was inadvertently misplaced and not found again until January 27, 1986. The actual date of receipt was probably the middle of December.

MICROFILMED

Linda D. Smith
SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
JAN 27 1986
see memo of 1/27/86
Department of Water Resources
pu

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 24-7169

Name(s) of Permit Holder: J.R. SIMPLOT COMPANY

Post Office Address: PO. BOX 912 POCATELLO, IDAHO 83201

Telephone No. 208-233-7500

Source of Water: WELL

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks OCCASIONAL INDUSTRIAL; (DUST SUPPRESSION)

Indicate the date water was first diverted and beneficially used under this permit: JULY 1984

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

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

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

ROBERT R. BLACK

(Name)

P.O. BOX 1290 AFTON, WYOMING 83110

(Address)

307-886-9861

(Telephone Number)

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

12-5-85
Date

Robert R. Black
Signature of Permit Holder (and Title, if appropriate)

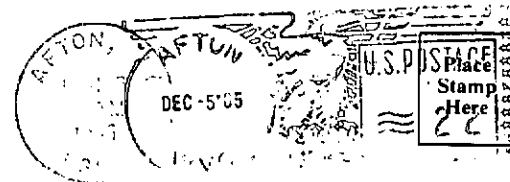
MICROFILMED

2-21-86
JH

J.R. SIMPLOT COMPANY

P.O. BOX 912

POCATELLO, IDAHO 83201



Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
NOVEMBER 14, 1985

J. R. SIMPLOT CO.
P.O. BOX 912
POCATELLO, ID 83204

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 24-7169

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH 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.

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 THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

DRT: SC
ENCLOSURES

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

247169

INITIAL REVIEW BY: HWJ

APPLICATION NUMBER: Simplex

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☒ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No
☒ Yes ☐ No*
☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

In form for advertising. _____

Final date for protests: _____

Protests received. If yes, record information on 4th page of application. _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8-15-85 & 10-11-85
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 01
☒ 6-27-85 Date of priority recommended.
Special conditions of approval or cover letter. _____

MICROFILMED

app not identified in S.F. suit

RECEIVED

OCT 2 8 1985

STATE OFFICE REVIEW:

By: Ernest C. Cullen

Date: Aug 20 1985

105, 216

04 09E

RECEIVED

AUG 27 1985

☐ See attached sheet for more information.

By: KW

Date: 11/5/85

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

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lot (R)

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lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

5-18-10

October 7, 1985

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

RE: Application for Permit No. 24-7169 SIMPLOT

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on September 19 and 26, 1985.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

MICHAEL DAVIS
Office Secretary

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 11, 1985

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 7, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

10-07-85

MICROFILMED

PUBLIC NOTICE

First Time Published

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following applications have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

24-7169

J. R. SIMPLOT CO.
P.O. BOX 912, POCA TELLO, ID
83204

Source: GROUNDWATER

Date Filed: 06-27-1985

Diversion Pt: SESE Sec 24 T 08S R
45E

Use: MINING (0.20 CFS)

In: Sec 25 T 08S R 45E Sec 36 T 08S
R 45E Sec 30 T 08S R 46E Sec 31 T
08S R 46E

The permit(s) will be subject to all prior water rights. Protests are limited to the public interest criteria under Section 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 October 7, 1985.

KEN DUNN

Director

Published Sept. 19 and 26, 1985 in
the Caribou County Sun.

NOTICE OF APPLICATION
FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

24-7169-

J. R. SIMPLOT CO.

P.O. BOX 912, POCA TELLO, ID 83204

Source: GROUNDWATER

Date Filed: 06/27/1985

Diversion Pt: SESE Sec 24 T 08S R 45E

Use: MINING (0.20 CFS)

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Sec 31 T 08S R 46E

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KEN DUNN

Director

Published 9/19 and 9/26/85.

MICROFILMED

August 13, 1985

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

RE: Application for Permit 24-7169

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on July 25 and August 1, 1985.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

CHERYL THOMPSON
Secretary

MICROFILMED

July 30, 1985

RE: Application for Permit No. 24-7169 SIMPLOT

U.S. Forest Service
Caribou National Forest
Federal Bldg., Suite 294
250 So. 4th
Posatello, ID 83201

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is August 12, 1985, and we are required to take final action shortly thereafter.

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

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 17, 1985

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 12, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 12, 1985.

KEN DUNN, Dir.

Published 7/25 & 8/1/85.

MICROFILMED

24-7169

J. R. SIMPLOT CO.

P.O. BOX 912, POCA TELLO, ID 83204

Source: GROUNDWATER

Date Filed: 06/27/1985

Diversion Pt: SESE Sec 24 T 08S R 45E

Use: MINING (0.20 CFS)

In: Sec 25 T 08S R 45E Sec 36 T 08S R 45E Sec 30 T 08S R 46E
Sec 31 T 08S R 46E

First Time Published

**NOTICE OF APPLICATION FOR
WATER RIGHT**

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

24-7169
J.R. SIMPLOT CO.
P.O. BOX 912 POCA TELLO, ID
83204

Source: GROUNDWATER
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R 45E Sec 30 T 08S R 46E Sec 31 T
08S R 46E

The permit(s) will be subject to all
prior water rights. Protests must be filed
with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho 83402 on or before
AUGUST 12, 1985.

Ken Dunn, Dir.
Published July 25 and Aug. 1, 1985 in
the Caribou County Sun.

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J. R. SIMPLOT COMPANY / P.O. BOX 912 / POCA TELLO, IDAHO 83201
(208) 232-6620 (PLANT) / (208) 233-7500 (DIVISION OFFICES)

MINERALS & CHEMICAL DIVISION

June 25, 1985

Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83401

Gentlemen:

Enclosed please find an application for permit to utilize our existing monitor well as an auxiliary water supply. Also enclosed is a check in the amount of \$30, for the application fee, and a copy of the U.S. Forest Service Special Use Permit showing our right of occupancy of the land where the well is located.

Please address any comments or correspondence to:

Dennis L. Facer
J. R. Simplot Company
P. O. Box 912
Pocatello, ID 83204
Phone: (208) 233-7500

Sincerely,
J. R. SIMPLOT COMPANY

Dennis L. Facer
Planning Engineer

DLF/kh

Enclosures (3)

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