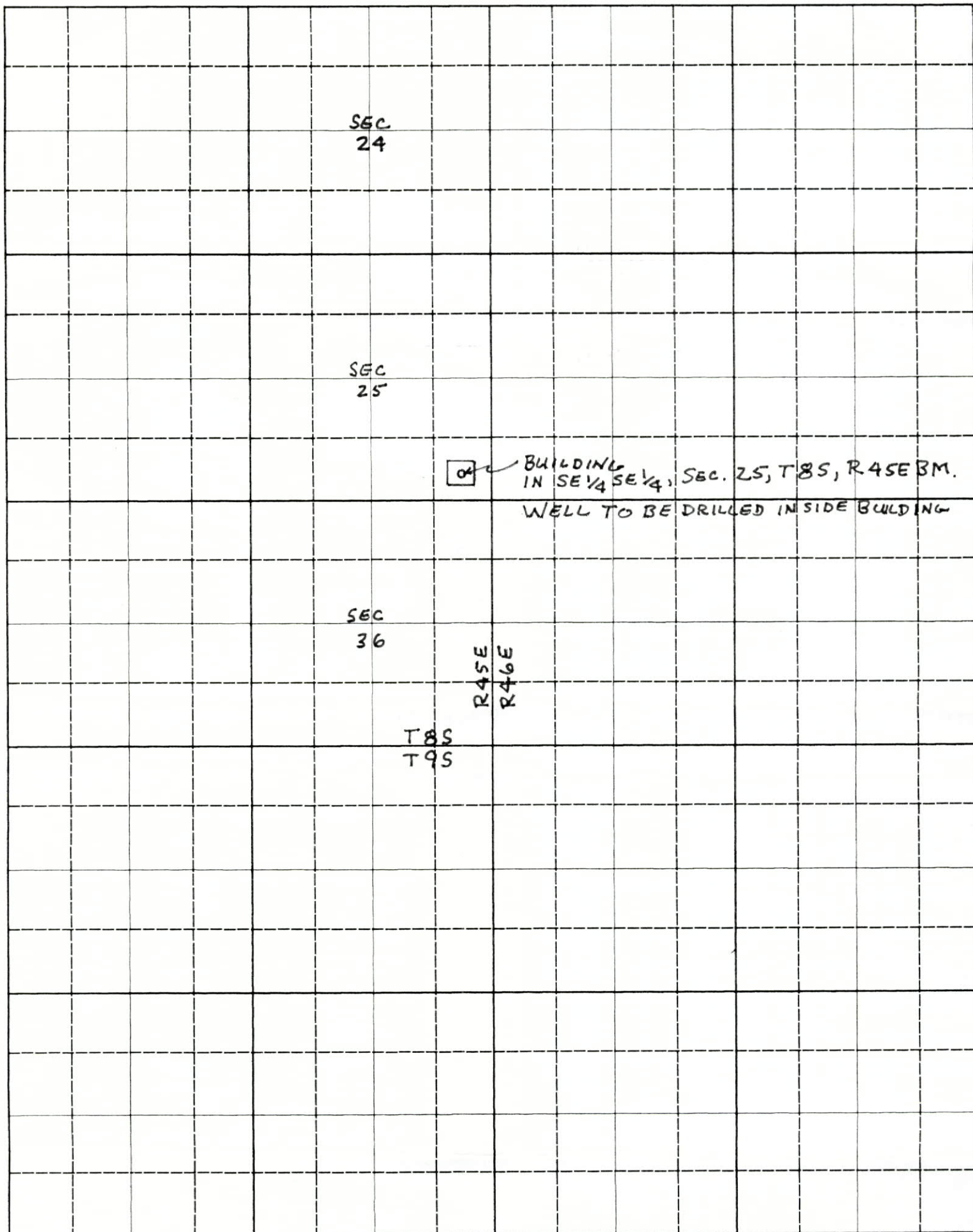


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

J. R. Simplot Company

By: Ben D. McCollum
(Applicant)
Ben D. McCollum, Sr. Vice President

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APR 15 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 28th day of
March, 19 85

The date of the last publication

being the 4th day of
April, 19 85

Subscribed and sworn to before

me this 5th day
of April, 19 85

Wendy D. Stude
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:

24-7164

J.R. SIMPLOT CO.

P.O. BOX 912, POCATELLO, ID
83201

Source: GROUNDWATER

Date Filed: 12-20-1983

Diversion Pt: SESE Sec 25 T 08S R
45E

Use: INDUSTRIAL (0.21 CFS)

In: SESE Sec 25 T 08S R 45E

27-7403

U.S. DEPT. OF AGRIC.

FOREST SERVICE, FEDERAL
BLDG., 324 25TH STREET,
OGDEN, UT 84401

Source: SPRING trib. to SINKS

Date Filed: 03-14-1985

Diversion Pt: NENW Sec 02 T 09S R
43E

Use: STOCKWATER STORAGE
(0.1 AF) STOCKWATER FROM
STORAGE (0.1 AF) STOCKWATER
(0.02 CFS)

In: NENW Sec 02 T 09S R 43E

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
APRIL 15, 1985.

KEN DUNN, Director

Published March 28 and April 4,
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. 24-7164

1. Owner: J.R. Simplot Company Phone No. 233-7500
Current Address: PO Box 912 Pocatello Id 83201
2. Accompanied by: Verlen Andrews EXAM. DATE: 6/23/87
Address: PO Box 1021 Afton, WY 83110 Phone No. (307) 886-3081
Relationship to Permit Holder: Asst. Maintenance Superintendent
3. Source: groundwater tributary to NA

B. OVERLAP REVIEW

1. Other water rights with same place of use: Simplot has others for use in mill, roads, etc. ☐ Copies Attached
2. Other water rights with same point of diversion: none ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



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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).

24-7164



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DEC 07 1990

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DEC 15 1990

24-7164

J.R. SIMPLOT CO.

P.O. BOX 912, POCA TELLO, ID 83201

Source: GROUNDWATER

Date Filed: 12/20/1983

Diversion Pt: SESE Sec 25 T 08S R 45E

Use: INDUSTRIAL (0.21 CFS)

In: SESE Sec 25 T 08S R 45E

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:

24-7164

J.R. SIMPLOT CO.

P.O. BOX 912, POCA TELLO, ID
83201

Source: GROUNDWATER

Date Filed: 12-20-1983

Diversion Pt: SESE Sec 25 T 08S R
45E

Use: INDUSTRIAL (0.21 CFS)

In: SESE Sec 25 T 08S R 45E

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 24-07164

Priority: December 20, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.21 CFS
6.4 AF

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

POCATELLO, ID 83201 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 20, 1983; and has submitted Proof of Beneficial Use on October 9, 1985. An examination indicates that the works have a diversion capacity of .540 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>
INDUSTRIAL	01/01 to 12/31	0.21 CFS	6.4 AF
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		SESE, Sec. 25, Township 08S, Range 45E CARIBOU COUNTY	
<u>PLACE OF USE:</u> INDUSTRIAL			
<u>TWN RGE SEC</u>			
08S 45E 25	NESE	SESE	

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. Industrial use is for workers in phosphate mill.

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 27TH day of NOVEMBER, 1990.

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Acting for R. Keith Higginson, Director

State of Idaho
Department of Water Resources

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APPROVED
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 24-07164

Date of Priority: December 20, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:

0.21 CFS
6.4 AF

Comes now J.R. SIMPLOT CO.
P.O. BOX 912
POCATELLO, ID 83201

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 24-07164, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
INDUSTRIAL	01/01 to 12/31	0.21 CFS	6.4 AF

LOCATION OF POINT(S) OF DIVERSION: SESE, Sec. 25, Township 08S, Range 45E
CARIBOU County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

08S 45E 25 NESE SESE

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Boise, Idaho, this 6th day of November, 19 90.

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DEC 07 1990

Russell L. Gamm
(Signature) Secretary

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 24-07164

FOR DEPARTMENT USE ONLY

Preliminary check by SC Fee ✓ \$20.00 Receipted by J.2. Date 11/14/90 #C018852

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 24-07164 with the following;

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. Industrial use is for workers in phosphate mill.

Witness my hand this 27TH day of NOVEMBER, 1990.

Acting for

R. Keith Higginson, Director

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DEC 07 1990

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, Idaho 83201

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 25 Township 8S

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

None *As per tele-con with Robt. Black 12-21-83 HWJ

4. Water will be used for the following purposes:

* 0.21 CFS Industrial

Amount 0.21 CFS for Industrial 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:

0.21 CFS

a. 0.21 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. * Well and pump

b. Height of storage dam _____ 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.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 200 feet.

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: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25 Township 8S

Range 45E B.M.

(2) Amount of power to be generated: NA horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered NA

(4) Name of municipality to be served NA, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: Culinary use for workers in phosphate mill.

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

[illegible]

Total number of acres to be irrigated

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

9. a. Who owns the property at the point of diversion
J. R. Simplot Company-Special Use Permit-
U. S. Forest Service Land

b. Who owns the land to be irrigated or place of use
Same as (a.)

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing Same as (a.)

~~Copy of Special Use Permit attached~~

10. Remarks	There will be only grey water effluent and septic system effluent from
-------------	--

water gained from well covered by this application. The effluent will be

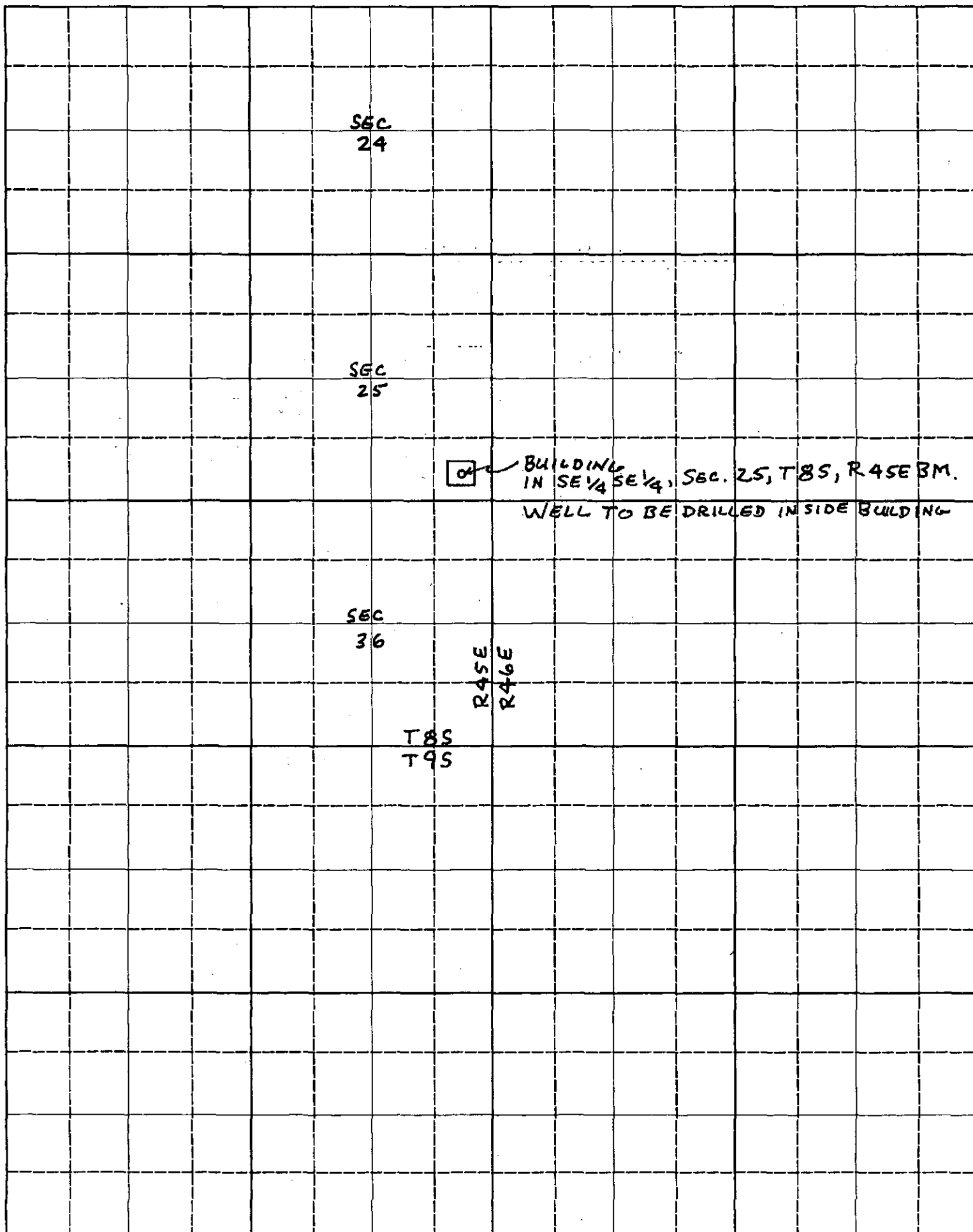
combined with industrial effluent (non-hazardous), and delivered to tailings

impoundment. No delivery to any live water. This disposal method has been approved

by Idaho Health and Welfare.

The well will be drilled by Thomas Drilling, Inc., of Afton, Wyoming.

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



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.

J. R. Simplot Company

By Ben D. McCollum
(Applicant)
Ben D. McCollum, Sr. Vice President

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Proposed Priority 12/20/83

Received by BP Date 12/20/83 Time 3:55
Preliminary check by HW Fee \$ 45.00
Received by BP Date 12/20/83 # 29778
Publication prepared by William County, Nev Date _____
Published in _____
Publication dates 3-28 & 4-4-85
Publication approved HW Date 4-09-85
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by HW tw

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. 24-7164, 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 _____, July 1, 1986.

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. Consumptive use of water under this permit shall not exceed 2.0 acre feet per day.

Witness my hand this 13th day of June, 1985.

D. Allen Sawyer
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) <u>70</u>	b. Region (3-4) <u>04</u>	c. Forest (5-6) <u>05</u>
d. District (7-8) <u>02</u>	e. User number (9-12) <u>4067</u>	f. Kind of use (13-15) <u>420</u>
g. State (16-17) <u>16</u>	h. County (18-20) <u>029</u>	k. Card no. (21) <u>1</u>

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
$SE\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}E\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$	Sec. 36	T8S	R45E
$SE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$	Sec. 19	T8S	R46E
$W\frac{1}{2}E\frac{1}{2}$, $NE\frac{1}{4}NW\frac{1}{4}$	Sec. 30	T8S	R46E
$W\frac{1}{2}E\frac{1}{2}$, $SE\frac{1}{4}SE\frac{1}{4}$	Sec. 31	T8S	R46E
$NW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$	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 19 82, 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 <i>David J. Dunn</i>	DATE <u>8/16/82</u>
ISSUING OFFICER	NAME AND SIGNATURE <i>Ray H. Carpenter</i>	TITLE <i>President & CEO</i>	DATE <u>8/17/82</u>

(CONTINUED ON REVERSE)

2700-4 (7/73)

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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.

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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 gullying 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	2 double bitted axes	5 canteens
5 pulaskis	10 headlamps	

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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.

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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.

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RECEIVED

APR 8 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 28th day of
March, 1985

The date of the last publication

being the 4th day of
April, 1985



Subscribed and sworn to before

me this 5th day
of April, 1985



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:

24-7164

J.R. SIMPLOT CO.

P.O. BOX 912, POCATELLO, ID
83201

Source: GROUNDWATER

Date Filed: 12-20-1983

Diversion Pt: SESE Sec 25 T 08S R
45E

Use: INDUSTRIAL (0.21 CFS)

In: SESE Sec 25 T 08S R 45E
27-7403

U.S. DEPT. OF AGR.

FOREST SERVICE, FEDERAL
BLDG., 324 25TH STREET,
OGDEN, UT 84401

Source: SPRING trib. to SINKS

Date Filed: 03-14-1985

Diversion Pt: NENW Sec 02 T 09S R
43E

Use: STOCKWATER STORAGE
(0.1 AF) STOCKWATER FROM
STORAGE (0.1 AF) STOCKWATER
(0.02 CFS)

In: NENW Sec 02 T 09S R 43E

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
APRIL 15, 1985.

KEN DUNN, Director

Published March 28 and April 4,
1985 in the Caribou County Sun.

MICROFILMED

November 29, 1990

J.R. SIMPLOT CO.
P.O. BOX 912
POCATELLO, ID 83201

RE: WATER RIGHT NO. 24-07164

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

DEC 07 1990



J. R. SIMPLOT COMPANY 915 EAST KARCHER ROAD NAMPA, IDAHO 83687
(208) 467-4886 FAX (208) 467-7202

DEVELOPMENT GROUP

November 13, 1990

RECEIVED
NOV 14 1990

Department of Water Resources

Jim Johnson
Water Rights Supervisor
State of Idaho
Department of Water Resources
1301 North Orchard Street, Statehouse Mail
Boise, Idaho 83720

Re: Permit No. 24-07164

Dear Jim:

Please find enclosed the signed application for amendment for the above referenced permit. The enclosed \$20.00 check is for your filing fee. If you have any questions or need any additional information please call me at 389-7359.

Sincerely,

Vic Conrad
Associate, Simplot
Land and Development

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DEC 07 1990

encl. amendment to permit 24-07164
J.R. Simplot Co. check no. 068331 for \$20.00

October 23, 1990

J.R. SIMPLOT CO.
P.O. BOX 912
POCATELLO, ID 83201

RE: PERMIT NO. 24-07164

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED
DEC 07 1990

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: September 14, 1990

RE: LICENSE EXAM REVIEW/24-7164

=====

This field exam was among a number of industrial/commercial use exams for which I delayed final recommendations because additional data or information was needed.

In this particular case, the examiner assigned an annual volume based on rate of flow. This amount appeared to be exceedingly high. The annual volume should be based on employee days and number of employees (including number of hours per day or shift etc.). The exam showed the number of employee days but not the number of employees. The IDWR examiners handbook tables of non-irrigation requirements lists a consumptive usage of 50 gpd (per person per shift) for construction workers and construction camps.

On this date I spoke with Vic Conrad of J.R. Simplot Co. to determine the number of employees at the Simplot-Smokey Canyon Mine site. Vic told me that there are 160 full-time employees at the site year round.

The volume calculation from the field exam should be revised and re-calculated as follows:

160 employees x 50gpd x 5 days/wk x 52 wks/yr x 1af/325,851gal/af
= 6.38 afa. or 6.40 afa

I recommend limiting volume to 6.40 afa and discharge to 0.21 cfs. The POD and POU should be licensed as shown by the field exam. No additional conditions, other than standard licensing conditons, are required.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

24-7164
Permit No.

Simp/OT
ESV 2/10/86

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

RECEIVED
OCT 23 1987

Department of Water Resources

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 Slaughterbeck (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent ALG 7-29-87 (Initial and date)
Exam Reviewed by Manager of Regional Office SM 7-30-87 (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. 24-7164

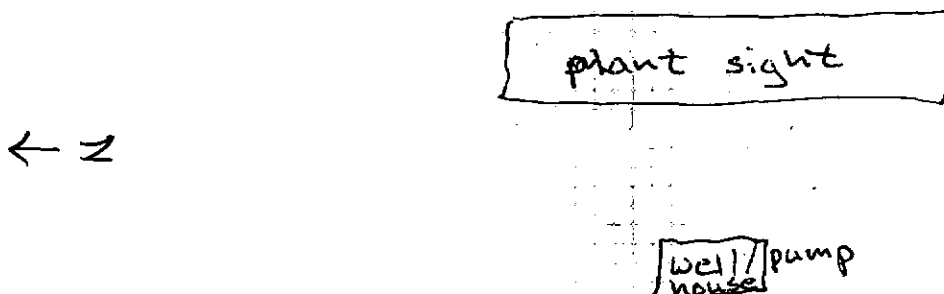
1. Owner: J.R. Simplot Company Phone No. 233-7500
Current Address: P.O. Box 912 Pocatello Id 83201
2. Accompanied by: Verlen Andrews EXAM. DATE: 6/23/87
Address: P.O. Box 1021 Afton, WY 83110 Phone No. (307) 886-3081
Relationship to Permit Holder: Asst. Maintenance Superintendent
3. Source: groundwater tributary to NA

B. OVERLAP REVIEW

1. Other water rights with same place of use: Simplot has others for use in mill, roads, etc. ☐ Copies Attached
2. Other water rights with same point of diversion: none
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



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DEC 07 1990

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).

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 possible

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$Q = \frac{15(8.814)(6.8)}{125 + (30)(2.308)}$$

$$Q = .54 \text{ cfs}$$

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:

$$.21 \text{ cfs} \times 1.9835 \text{ af/cfs} \times 4.5 \text{ days/week} \times 52 \text{ weeks/year} = 97.5 \text{ af}$$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Industrial

Period of Use
From 1/1 To 12/31

Rate of Diversion
Q (cfs) 21

Annual Volume
V (afa)

2. Recommended Amendments

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

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

- ☐ None
☐ Other

J. AUTHENTICATION

Field Examiner's Name

Carol Slaghterbeck

Signature

Carol Slaghterbeck

Certification Date

9/30/98

Field Report Preparation Date

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

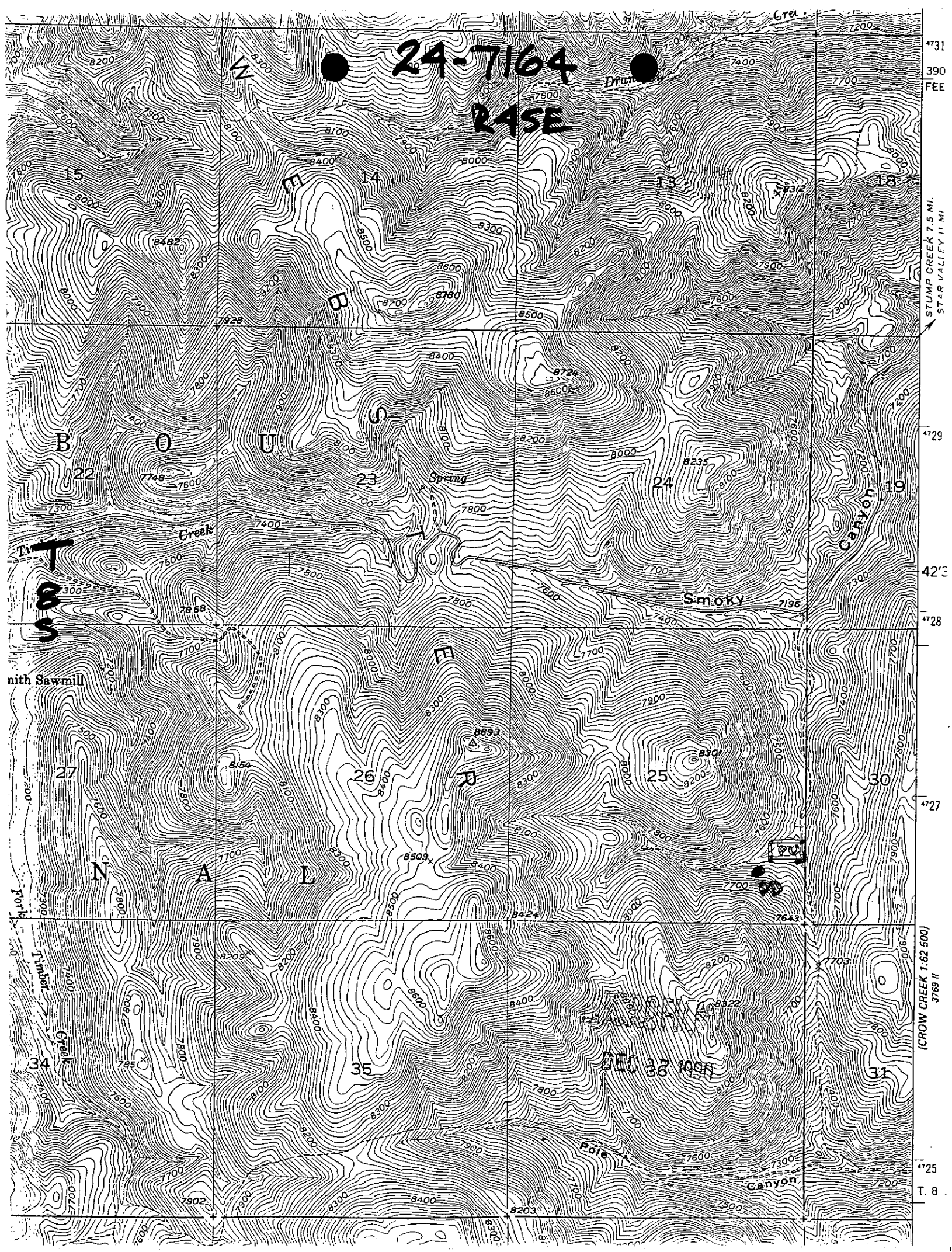
CONSULTANT SEAL

Steve McCleary

MICROFILMED

DEC 6 7 1990

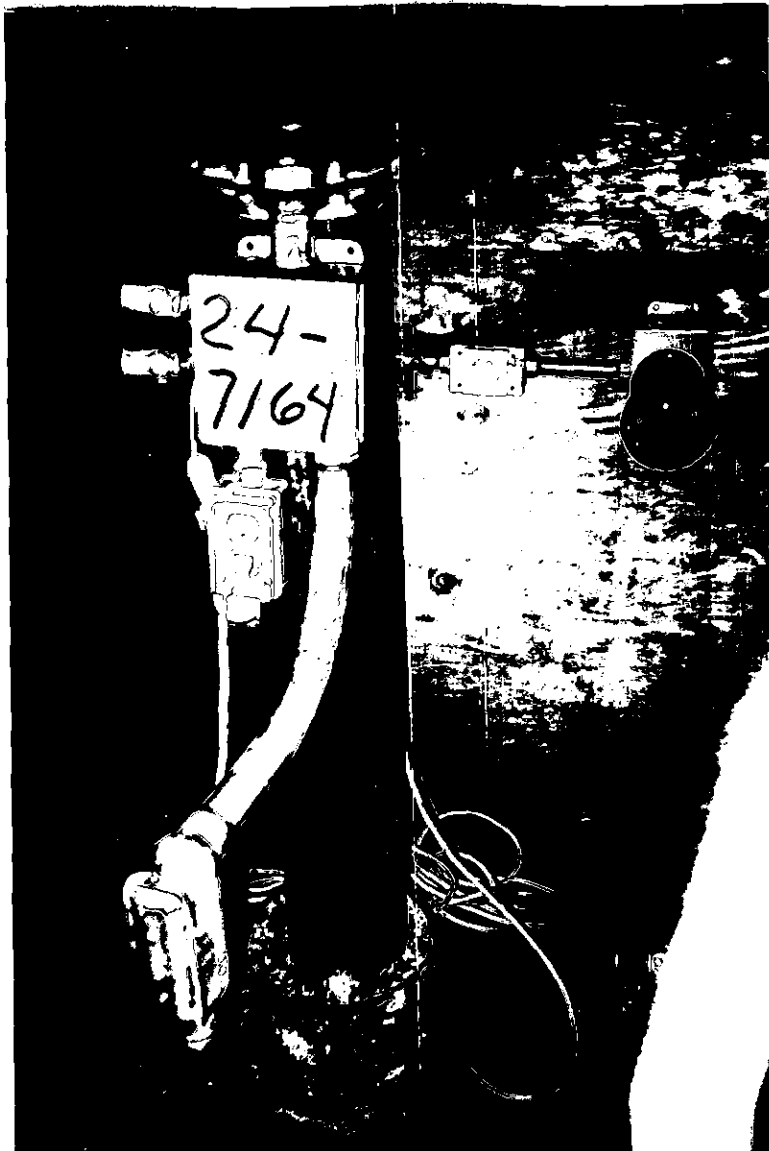
24-7164
R4SE



STUMP CREEK 7.5 MI.
STAR VALLEY 11 MI.

(CROW CREEK 1:62 500)
3789 ft

24-7164

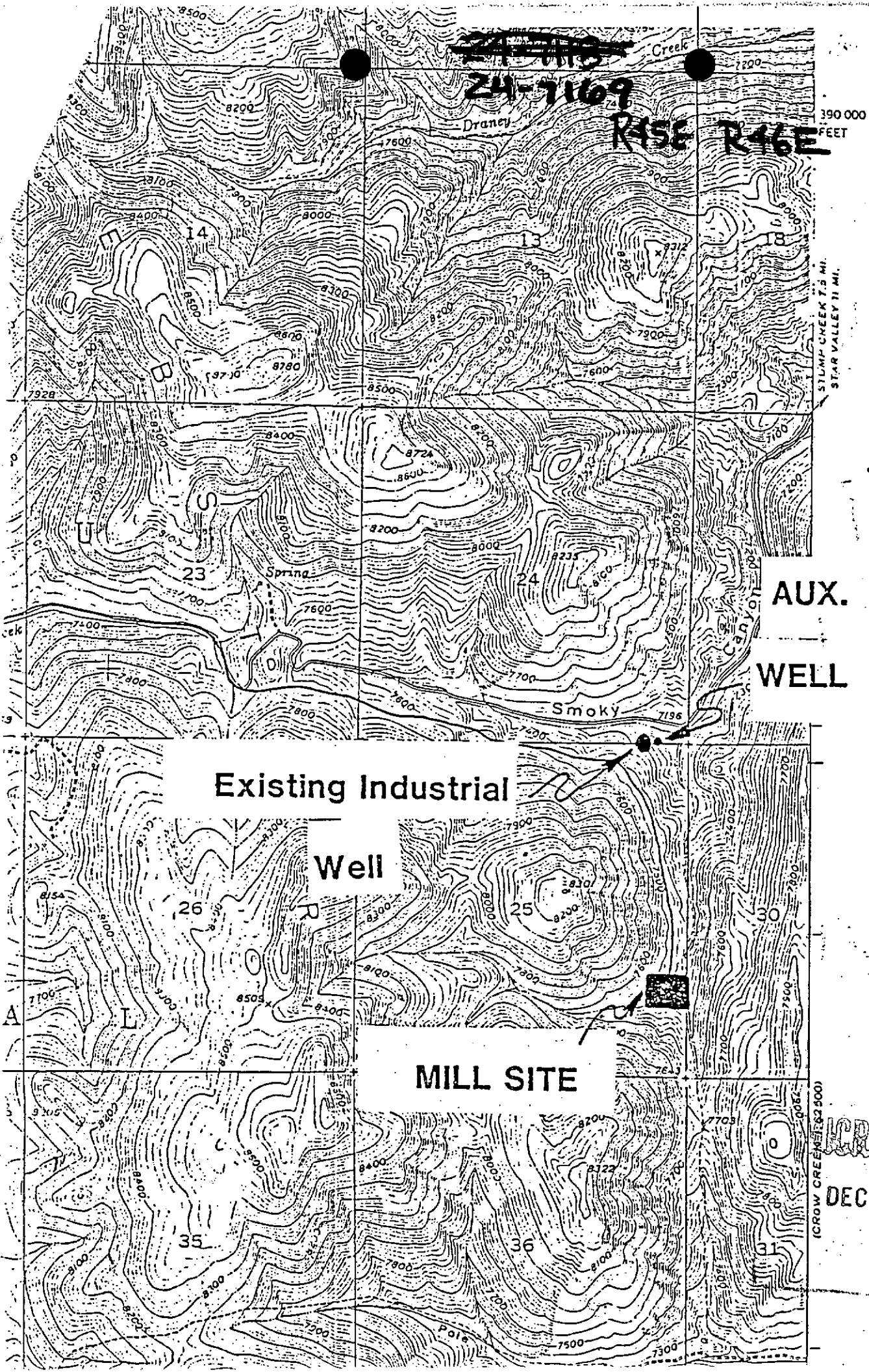


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DEC 17 1960



MICROFILMED

DEC 07 1990



T.8 S.

AUX.

WELL

Existing Industrial

Well

MILL SITE

MICROFILMED

DEC 07 1990

(CROW CREEK 1:25000)

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

FEB 24 1993

[illegible]

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

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED
FEB 19 1988
Department of Water Resources
Eastern District Office

1. Applicant J.R. Simplot Company
2. Address P.O. Box 1270 Afton, Wyoming 83110

☒ Well Owner () Well Operator () Other, specify _____

3. Water right permit no. 24-7164; Injection well permit no. _____

4. Proposed well location 1/4 SE 1/4 SE 1/4, or Gov't lot No. _____
Sec. 25, Twp. 8S, Rge. 4SE, County Caribou,
Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

() Domestic () Stockwater () Monitoring
() Irrigation ☒ Industrial () Municipal
() Injection () Other, Specify Replacement well

6. Well construction information:

() New well () Deepen ☒ Replace

Proposed surface diameter 8" Proposed depth 430 ft

Anticipated bottom hole temperature:

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

7. Anticipated construction start date Immediately

8. Well Driller (if known) Jack Cushman #94

Address Blackfoot, ID

Date 2/9/88 Applicant's signature [Signature]

Title Min. Superintendent

DEC 17 1990

ACTION OF IDWR

(X) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

Dated this 16th day of February, 1988.

Signed Ronald D. CarboTitle: Eastern Regional Manager

Received by da Fee \$100⁰⁰ Date 2-16-88

Receipt No. 46424 Construction start date 2-16-88

Construction start extension to DEC 07 1990

Extension approved by _____

4/86

RECEIVED

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 2-9-87
Receipt # 41037
Receipt by MD
Sent to S.O.

RECEIVED

FEB 27 1987

1. Permit No. 24-7164

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE of Water Resources

☒ 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:

June 1984

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

Bob Black

(Name)

P.O. Box 1012

Afton, Wyoming 83406

(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

Robert A. Graves Secretary
Signature of Permit Holder (and title, if appropriate)

copy returned

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

John V. Evans
Governor

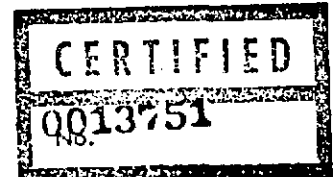
A. Kenneth Dunn
Director

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

24-7164
J.R. SIMPLOT CO.
P.O. BOX 912
POCATELLO, ID 83201

January 26, 1987

EXAMINATION FEE NOTICE



Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the Department, but you must within sixty (60) days of the date of this letter return to the Department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the Department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the Department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water right examiners will be available from this Department when examiners have been certified.

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If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

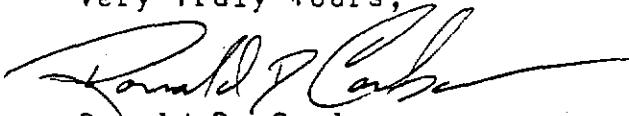
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401
Phone: 525-7161

Very Truly Yours,



Ronald D. Carlson
Eastern Regional Manager

Enclosures

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DEC 07 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 19, 1986

J.R. SIMPLOT
P.O. BOX 27
BOISE ID 83707

RE: Permit No. 24-7164

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

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
OCT 9 1985

Department of Water Resources

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. 24-7164

Name(s) of Permit Holder: J. R. Simplot Company

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

Attn: Ronald N. Graves Telephone No. 336-2110

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks Industrial and culinary (phosphate mill)

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

Ronald N. Graves

(Name)

P.O. Box 27, Boise, Idaho 83707

(Address)

336-2110

(Telephone Number)

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

J. R. SIMPLOT COMPANY

October 7, 1985

Date

Leonard C. Smith Senior Vice President
Signature of Permit Holder (and Title, if appropriate)

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Place
Stamp
Here

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

6/20/2017 10:00 AM
6/20/2017 10:00 AM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

J.R. SIMPLOT CO.
P.O. BOX 912
POCATELLO, ID 83201

JUNE 19, 1985

RE: PERMIT NO. 24-7164

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 GROUND WATER 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 GROUND WATER 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 FOR INTERFERENCE.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING 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 THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

MICROFILMED

RE: PERMIT 24-716

PAGE 01

JUNE

19, 1985

SINCERELY,

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

ENCLOSURE

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State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 24, 1985

RE: Permit No. 24-7164

Bob Whitkey, Jr.
P.O. Box 27
Boise, ID 83707

Dear Mr. Whitkey:

Pursuant to our telephone conversation this afternoon, enclosed you will find a copy of Permit No. 24-7164. We will also be sending a copy of this permit to the address shown thereon.

If we can be of further assistance, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:k
Enclosure

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State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 19, 1985

RE: Permit No. 24-7164

Carl Timpson
c/o J. R. Simplot Company
P.O. Box 1290
Afton, WY 83112

Dear Mr. Timpson:

Pursuant to our telephone conversation this afternoon, enclosed you will find a copy of Permit No. 24-7164. We will also be sending a copy of this water right to the address shown on the permit.

If we can be of further assistance, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:k
Enclosure

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWS

APPLICATION NUMBER: 24 7164

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: _____
_____ P.W. 3-25-85

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 4-15-85
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4-08-85
☒ 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
12-20-83 Date of priority recommended.
Special conditions of approval or cover letter. _____

app. not identified in S.F. suit

By: Ernest Carlsen
STATE OFFICE REVIEW:

Date: April 17, 1985

105,416

04 32

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APR 22 1985

☐ See attached sheet for more information.
By: KW

Date: 6/7/85

Department of Water Resources

MICROFILM ITEM

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

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

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

IDAHO STREAM CODE INDEX



United States
Department of
Agriculture

Forest
Service

Caribou National Forest
421 West 2nd South
Soda Springs, ID 83276

Reply to: 3500

Date: March 29, 1985

Ernest Carlsen
State of Idaho
Department of Water Resources
150 Shoup - Suite 15
Idaho Falls, ID 83402

RECEIVED

APR 2 1985

Department of Water Resources
Eastern District Office

Dear Mr. Carlsen,

I have reviewed Application for Permit No. 24-7164 by J.R. Simplot and have found no reason to contest the application. I appreciate your interest in letting us know about this matter,

Sincerely,

Anthony A. Varilone

ANTHONY A. VARILONE
District Ranger

AAV/sal

MICROFILMED



March 25, 1985

RE: Application for Permit No. 24-7164 SIMPLOT

U. S. Forest Service
Caribou National Forest
P.O. Box 635
Soda Springs, ID 83276

Gentlement

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 April 15, 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

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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 APRIL 15, 1985.

KEN DUNN, Dir.

Published 3/28 & 4/4/85.

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24-7164

J.R. SIMPLOT CO.

P.O. BOX 912, POCA TELLO, ID 83201

Source: GROUNDWATER

Date Filed: 12/20/1983

Diversion Pt: SESE Sec 25 T 08S R 45E

Use: INDUSTRIAL (0.21 CFS)

In: SESE Sec 25 T 08S R 45E

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:

24-7164

J.R. SIMPLOT CO.
P.O. BOX 912, POCA TELLO, ID
83201

Source: GROUNDWATER

Date Filed: 12-20-1983

Diversion Pt: SESE Sec 25 T 08S R
45E

Use: INDUSTRIAL (0.21 CFS)

In: SESE Sec 25 T 08S R 45E

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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

RECEIVED
DEC 20 1983

Department of Water Resources
Eastern District Office

December 19, 1983

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

Gentlemen:

Enclosed please find an application for permit to cover our drilling of a culinary well, also our check in the amount of \$45.00 for the application fee and a copy of the U.S. Forest Service Special Use Permit showing our right of occupancy of the land on which the well will be drilled.

We would appreciate your immediate attention to this application as the drilling of the well is critical to our completion of the Smoky Canyon Project.

Please address any comments or correspondence to:

Robert R. Black
J. R. Simplot Company
P. O. Box 912
Pocatello, Idaho 83204
(208-233-7500)

Sincerely,



Robert R. Black
Planning Geologist

RRB:ds

Encl.

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