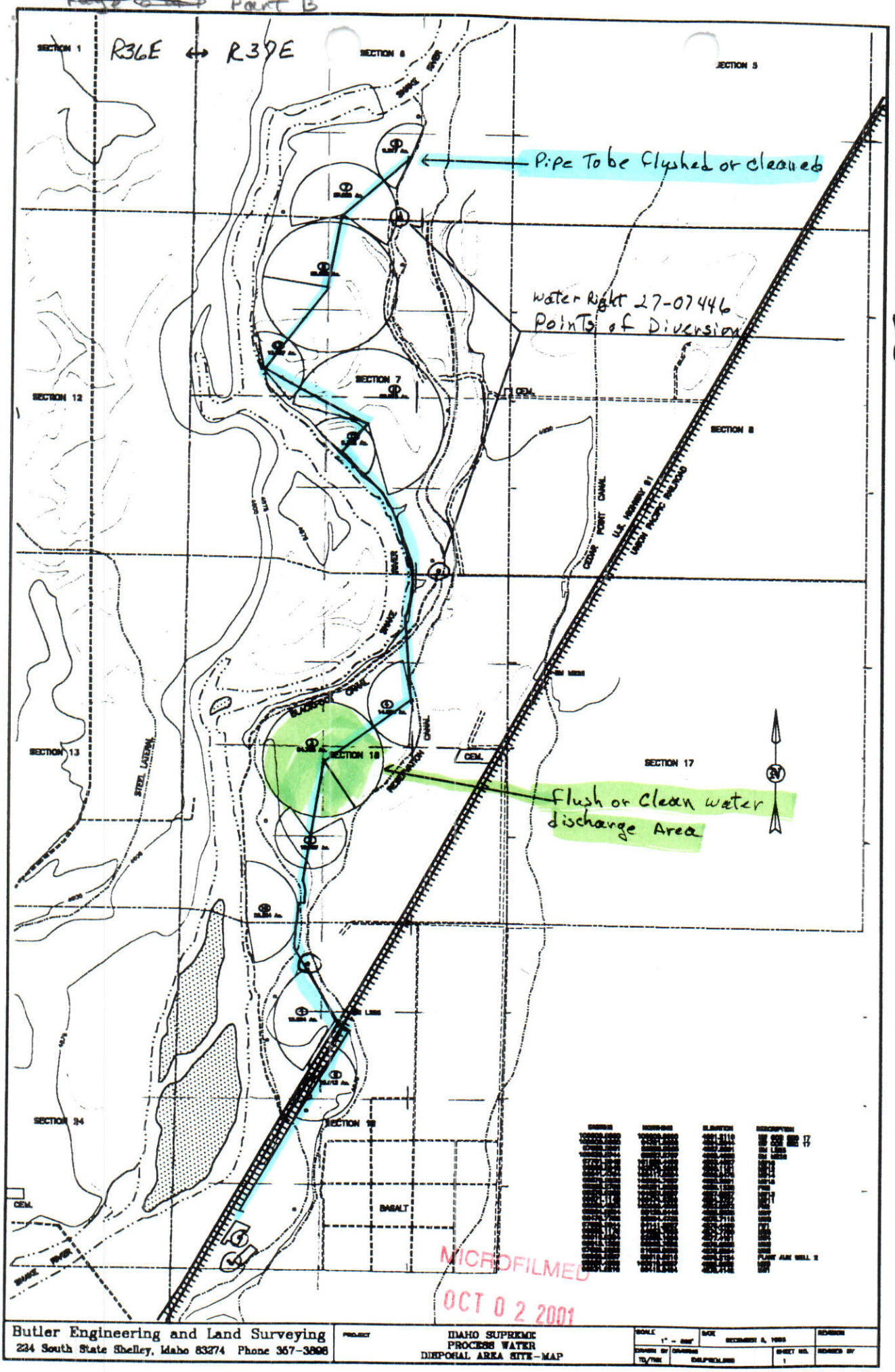
~~Page 8 of 9~~ Part B



Butler Engineering and Land Surveying
224 South State Shelley, Idaho 83274 Phone 357-3896

PROJECT: IDAHO SUPREME PROCESS WATER DISPOSAL AREA SITE-MAP

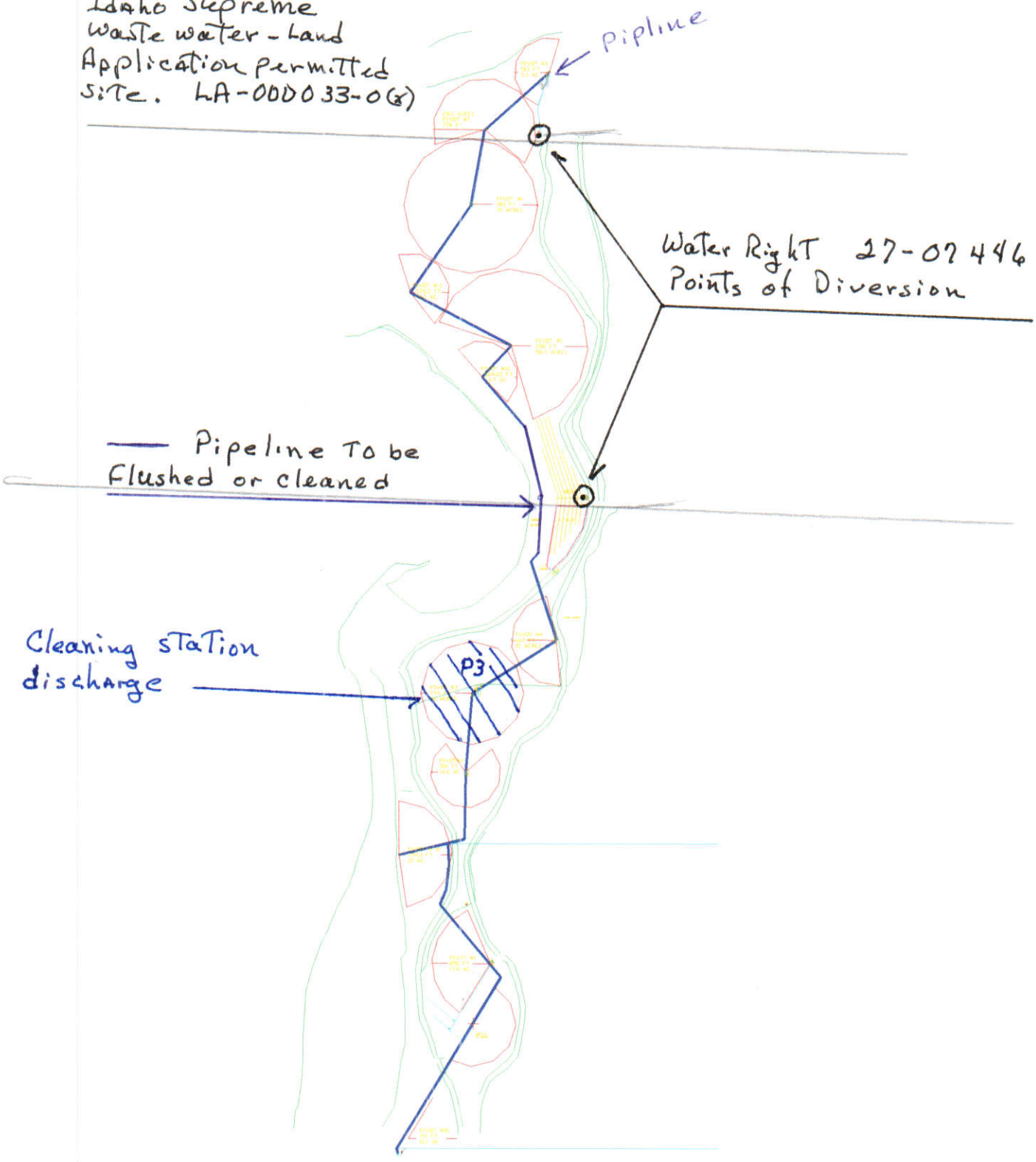
SCALE: 1" = 800'
DATE: DECEMBER 6, 1995
DRAWN BY: TS/TMK
CHECKED BY: DALPRIDGE
SHEET NO. 1
REVISION
REVISED BY

T 68843

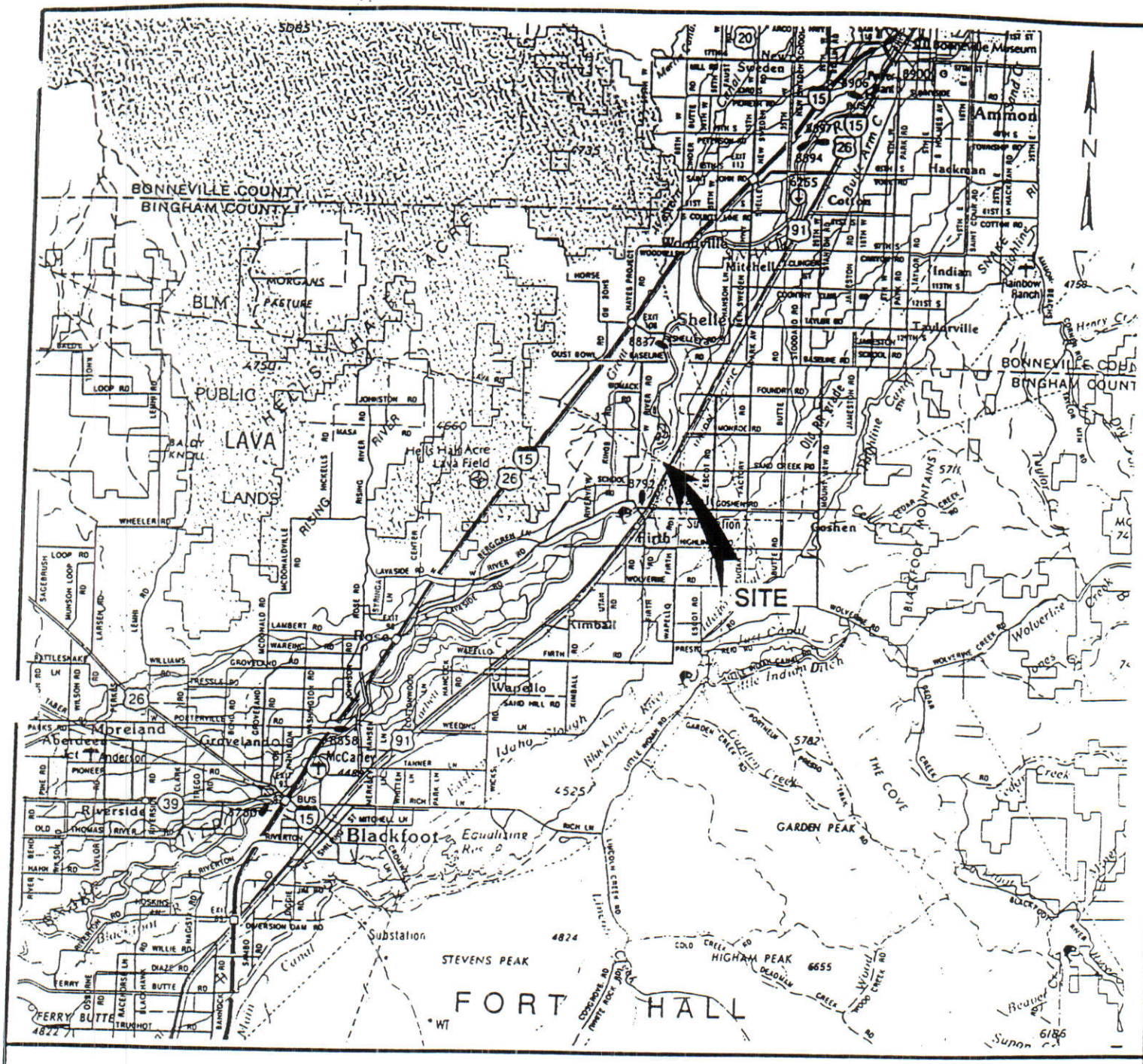
Page 5 of 7

PIPELINE LAYOUT

Idaho Supreme
waste water - Land
Application permitted
site. LA-000033-0(x)



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0 1 2 3 4 5 6

MILES

T 6884 3

ATTACHMENT 25 OF 31

FIGURE 1 - Site Location Map

PROJECT NUMBER: 565009	IDAHO SUPREME POTATOES, INC.
DATE: Aug 1996	
DWG: QH / DWG NO: 565009F1	FIRTH, IDAHO
PROJECT MANAGER: DB	
REVISED:	CASCADE EARTH SCIENCES, LTD Oregon – Washington – Idaho

(SOURCE: Delorme Mapping, 1992 Idaho Atlas and Gazetteer)

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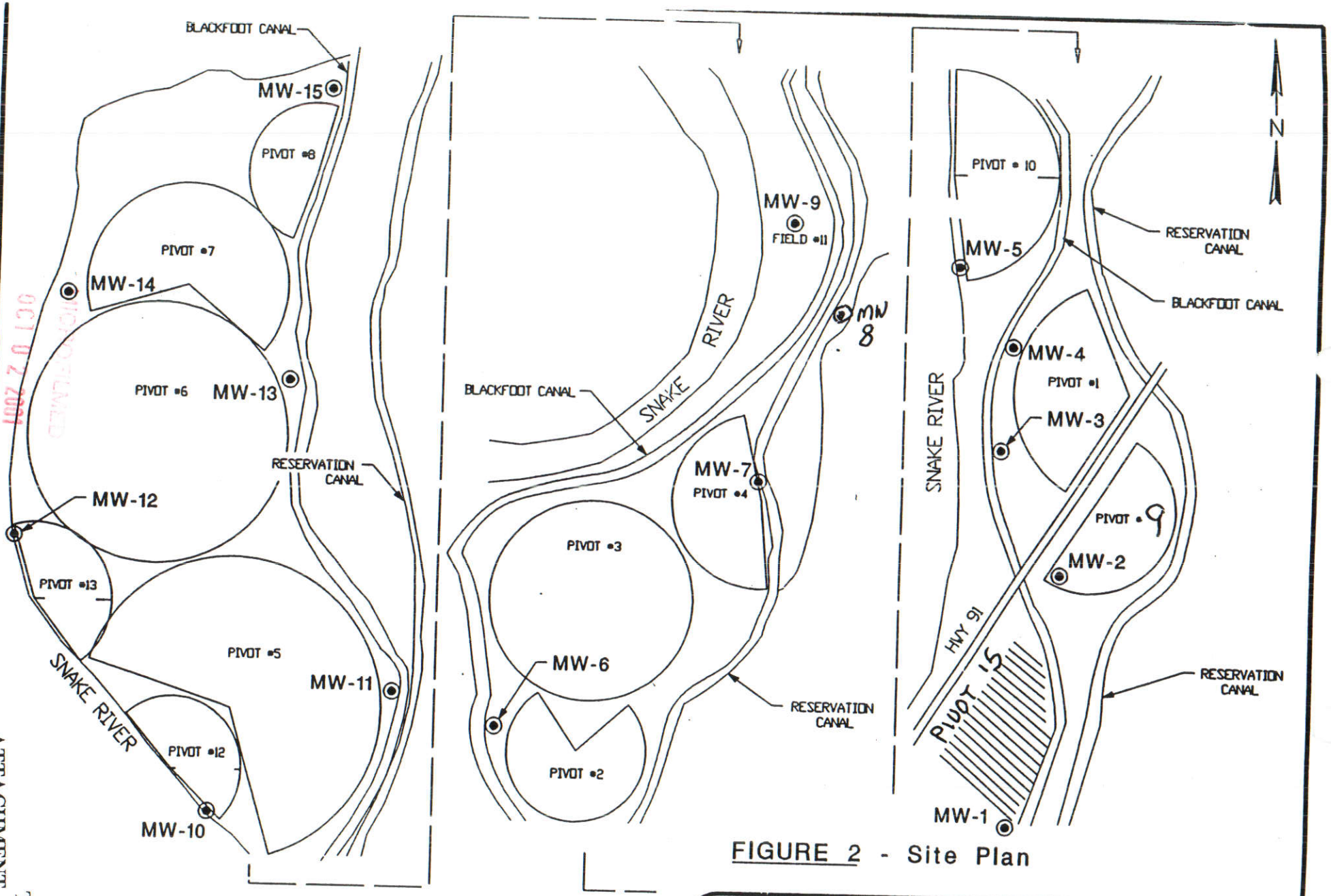


FIGURE 2 - Site Plan

EXPLANATION

Monitoring Well Location

0 500 FEET

SCALE

(LOCATIONS ARE APPROXIMATE)

PROJECT NUMBER: 665006	IDAHO SUPREME POTATOES, INC.
DATE: 2/26/97	
DWG. DJM / DWG NO: 665006F1	FIRTH, IDAHO
PROJECT MANAGER: DB	
REVISED:	CASCADE EARTH SCIENCES, LTD Oregon – Washington – Idaho

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ATTACHMENT 2b OF 31

T 68843

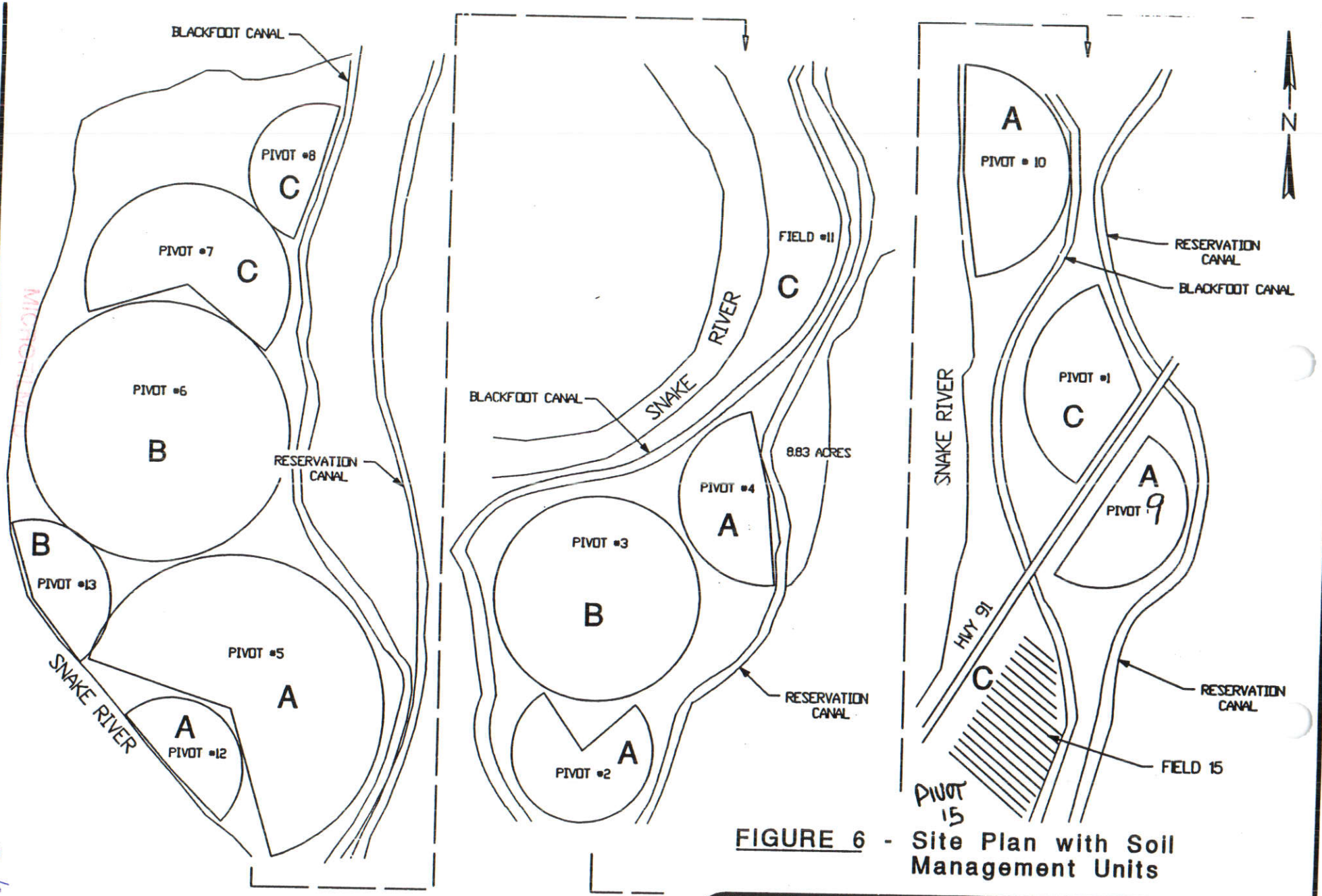


FIGURE 6 - Site Plan with Soil Management Units

EXPLANATION

Soil Management Unit

0 500 FEET

SCALE

(LOCATIONS ARE APPROXIMATE)

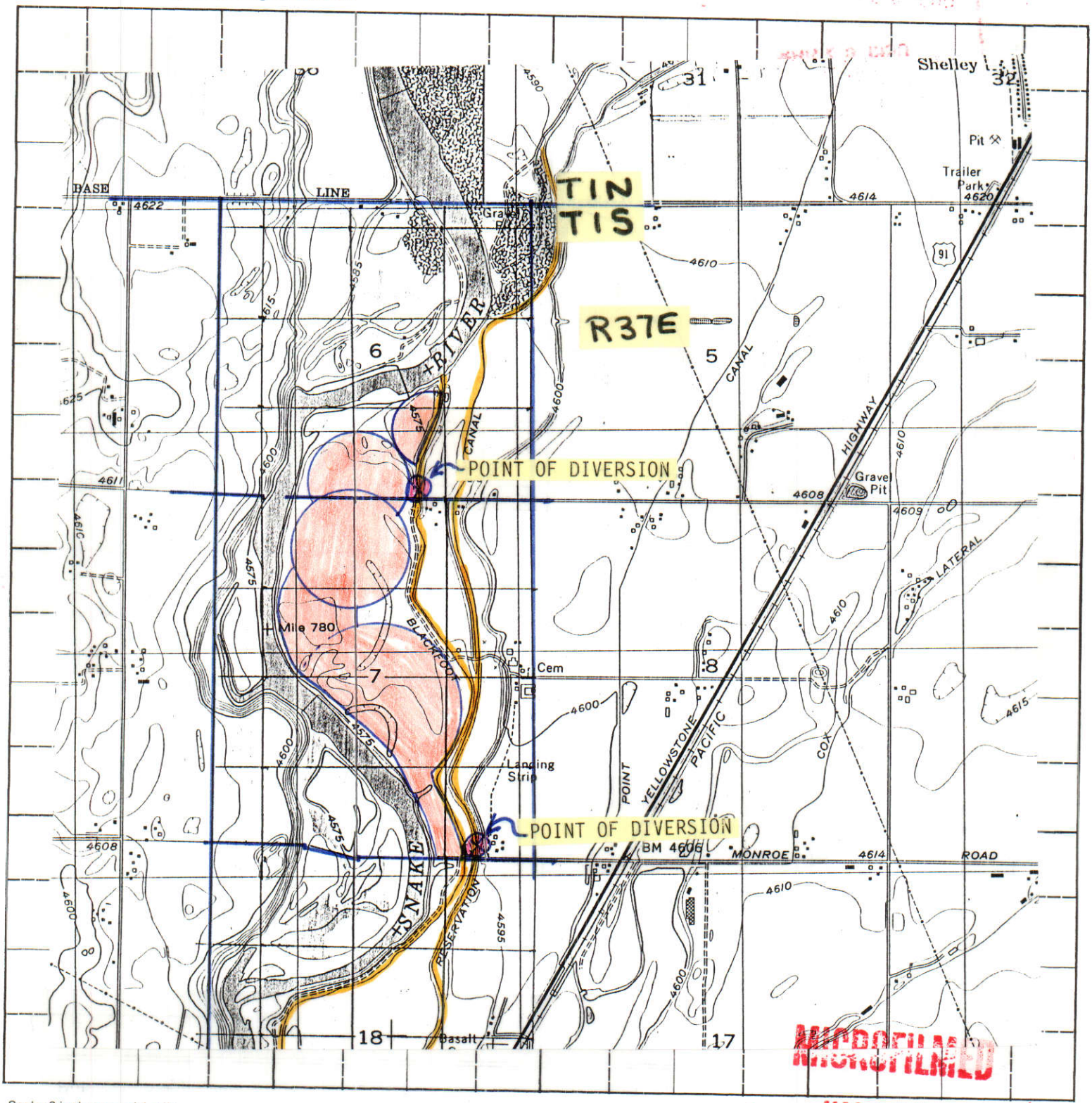
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DATE: 2/26/97	
DWG. DJM / DWG NO: 665006F7	FIRTH, IDAHO
PROJECT MANAGER: DB	
REVISED:	CASCADE EARTH SCIENCES, LTD Oregon – Washington – Idaho

OCT 02 2001

ATTACHMENT 27 OF 31

T 6989

13. 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.

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MAR 26 1990

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.

Wayne E. Allen Corp Sec.
(Applicant)

RECEIVED
FEB 1 3 2001
Department of Water Resources
Eastern Region

DEPT. OF WATER RESOURCES
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718
(208) 525-7161
Fax: (208) 525-7177

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 68343

IDAHO SUPREME POTATOES, INC., c/o GIL DAYLEY, P.O. Box 246, Firth, Idaho, 83236, has filed Application No. 68843 to change the nature of use to the following water rights within BINGHAM County"

Right No. 27-7446
Priority: 11/7/88
Source: GROUND WATER, GROUND WATER
Use: IRRIGATION (217 acres)
4.34 CFS 868.0 AFA
Total Amount: 4.34 CFS 868.0 AFA
Point(s) of Diversion: L9, SWSE, S6, T01S, R37E
SESE, S7, T01S, R37E
Place of Use: S6, T01S, R37E; S7, T01S, R37E.

The purpose of the transfer is to change a portion of the above rights as follows:
The applicant intends to dry up 2 acres of irrigation and use 5-acre feet per year of water to flush their waste transfer lines during the non-irrigation season. This is mandated by IDEQ permit.
Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N. Skyline Drive, Suite A, Idaho Falls, Idaho, 83402, together with a protest fee of $25.00 for each application on or before February 19, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

(4912)
Pub.: 2/1, 8

MICROFILMED
OCT 0 2 2001

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)
ss
State of Idaho)

I, Jacqueline Graham do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said newspaper 2 consecutive weeks the first publication having been made on the 1st day of Feb 2001, and the last publication having been made on the 8th day of Feb 2001; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

Jacqueline Graham

On this 8th day of Feb, in the year of 2001, before me a Notary Public of the State, personally appeared Jacqueline Graham, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that the executed the same.

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:
June 19, 2004
Affidavit Processing Fee.....$5.00

//// IRRIGATED

PIVOT IRR.

NO IRR OUTSIDE PIVOT AREAS

BASICALLY FRESH WELL WATER

SYSTEMS ARE SEPARATE

WASTE WATER FROM PLANT

FRESH WELL WATER

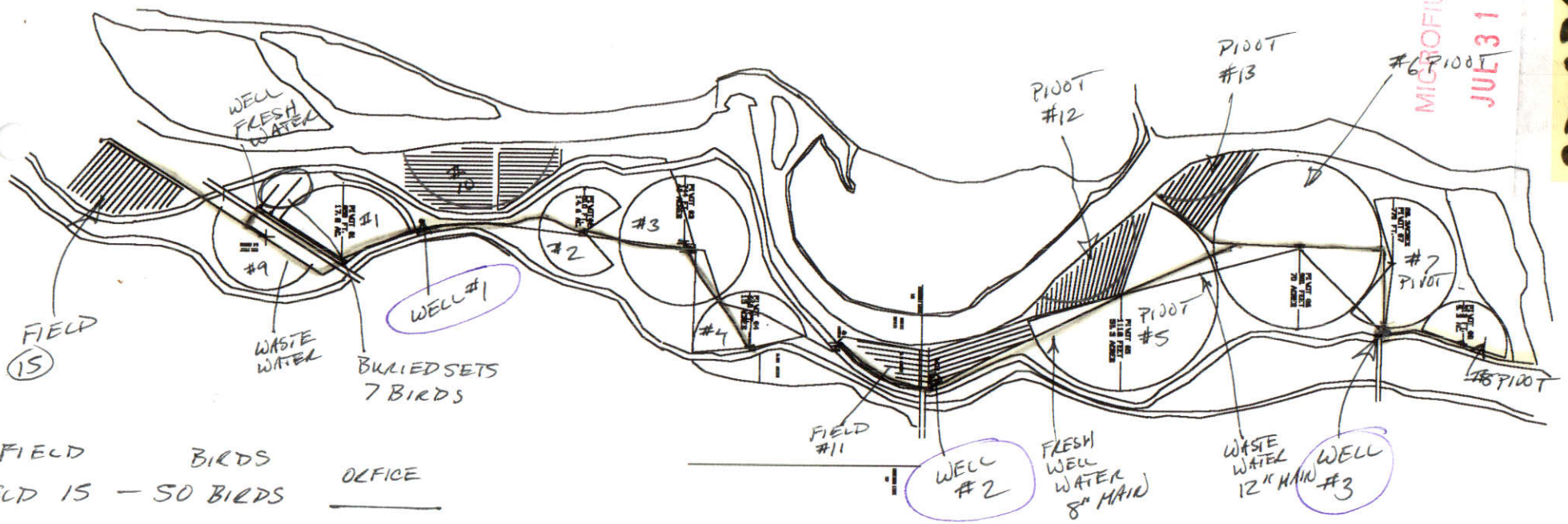
* BUT CAN CO-MINGLE

T 5 S

R 37 E

MICROFILMED JUL 31 1998

27-07446



FIELD	BIRDS				
FIELD 15 — 50 BIRDS			OFFICE		
#1 PIVOT	850'	6 TOWER	LOW PRESSURE	25 ACRES	NO END GUNS
#2 PIVOT	510'	3 TOWER	"	19 ACRES	"
#3 PIVOT	744'	8 TOWER	"	46 ACRES	"
#4 PIVOT	660'	4 TOWER	"	16 ACRES	"
#5 PIVOT	1118'	7 TOWER	"	57 ACRES	"
#6 PIVOT	981'	6 TOWER	"	72 ACRES	"
#7 PIVOT	720'	5 TOWER	"	28 ACRES	"
#8 PIVOT	513'	3 TOWER	"	10 ACRES	"
#9 PIVOT	620'	4 TOWER	"	19 ACRES	"
#10 PIVOT	—	5 TOWER	"	24 ACRES	"
#12 PIVOT	—	4 TOWER	"	13 ACRES	"

#13 PIVOT 4 TOWER 12 ACRES NO END GUN

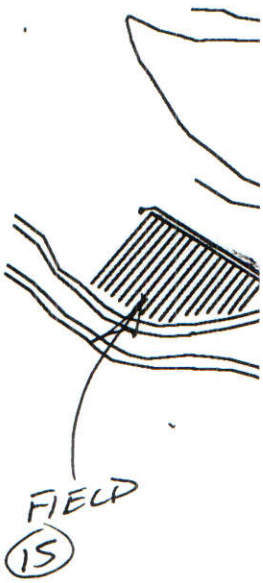
FIELD #11 HAND LINES (LATERAL OFF MAIN)

21 SECTIONS (42 BIRDS)

//// IRRIGATE

PIVOT.

NO IRR OUTS

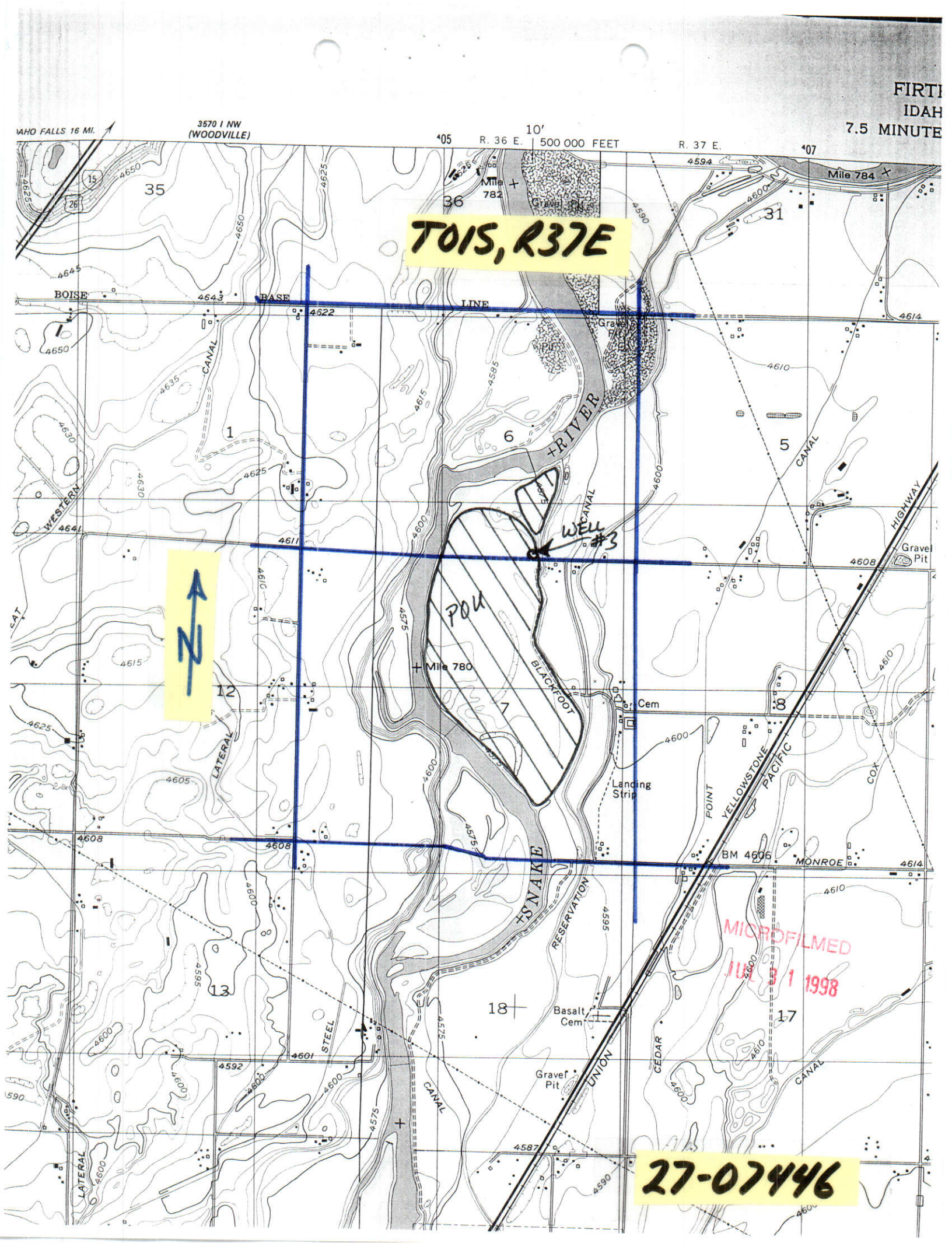


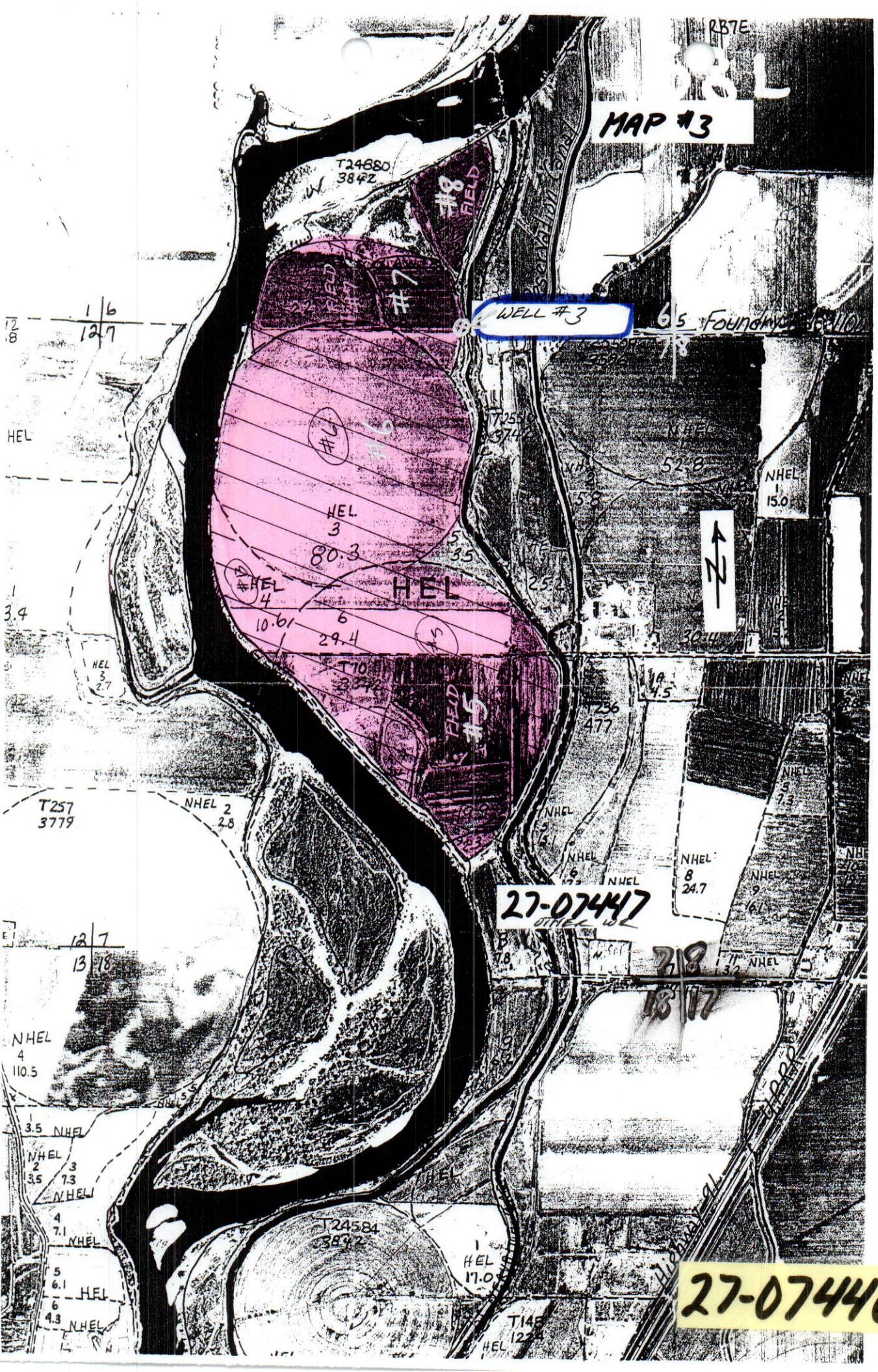
FIELD

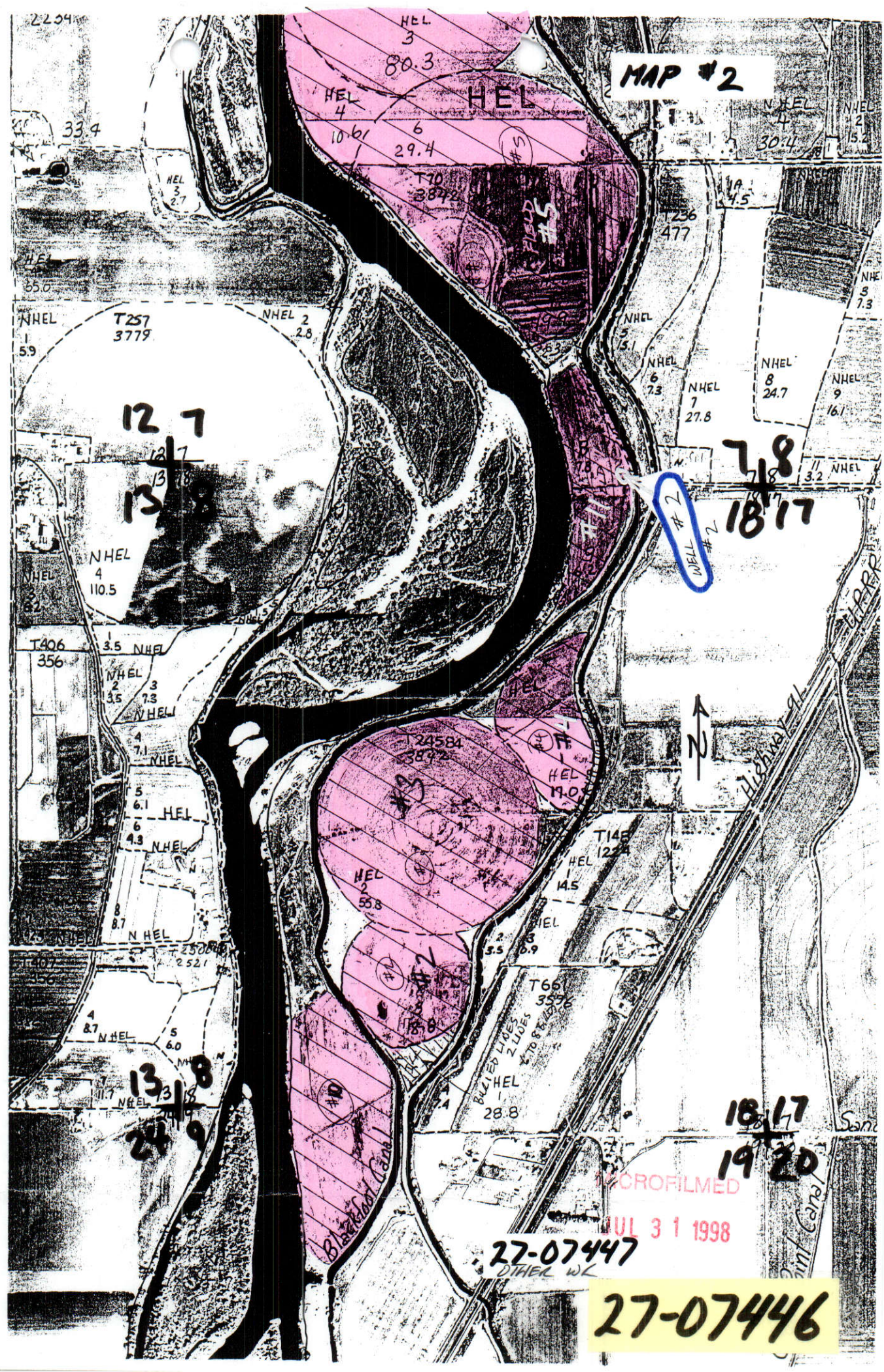
FIELD 15 — S

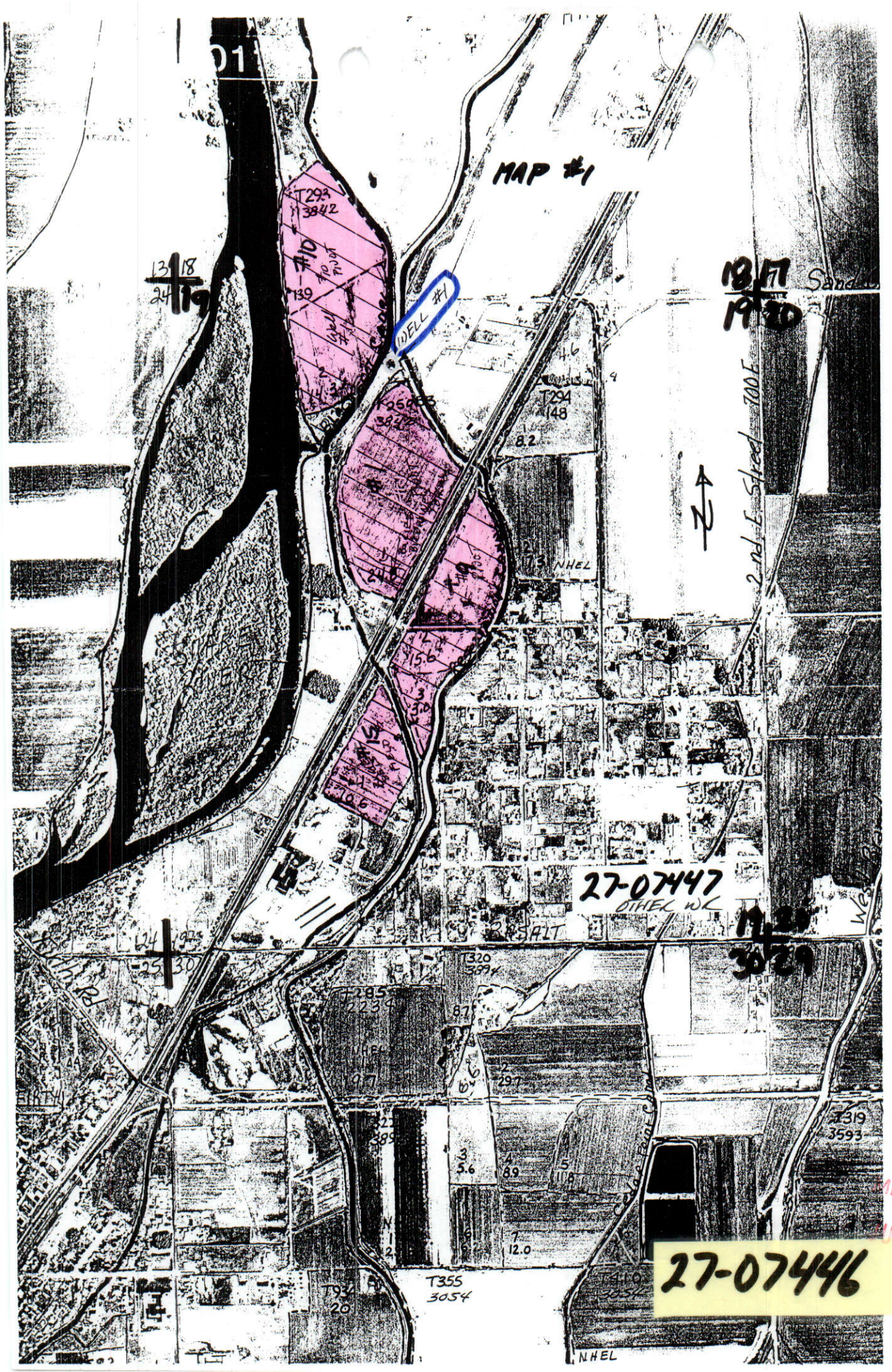
#1	PIVOT	85
#2	PIVOT	510
#3	PIVOT	744
#4	PIVOT	660
#5	PIVOT	1118
#6	PIVOT	981
#7	PIVOT	77
#8	PIVOT	51
#9	PIVOT	62
#10	PIVOT	___
#12	PIVOT	___

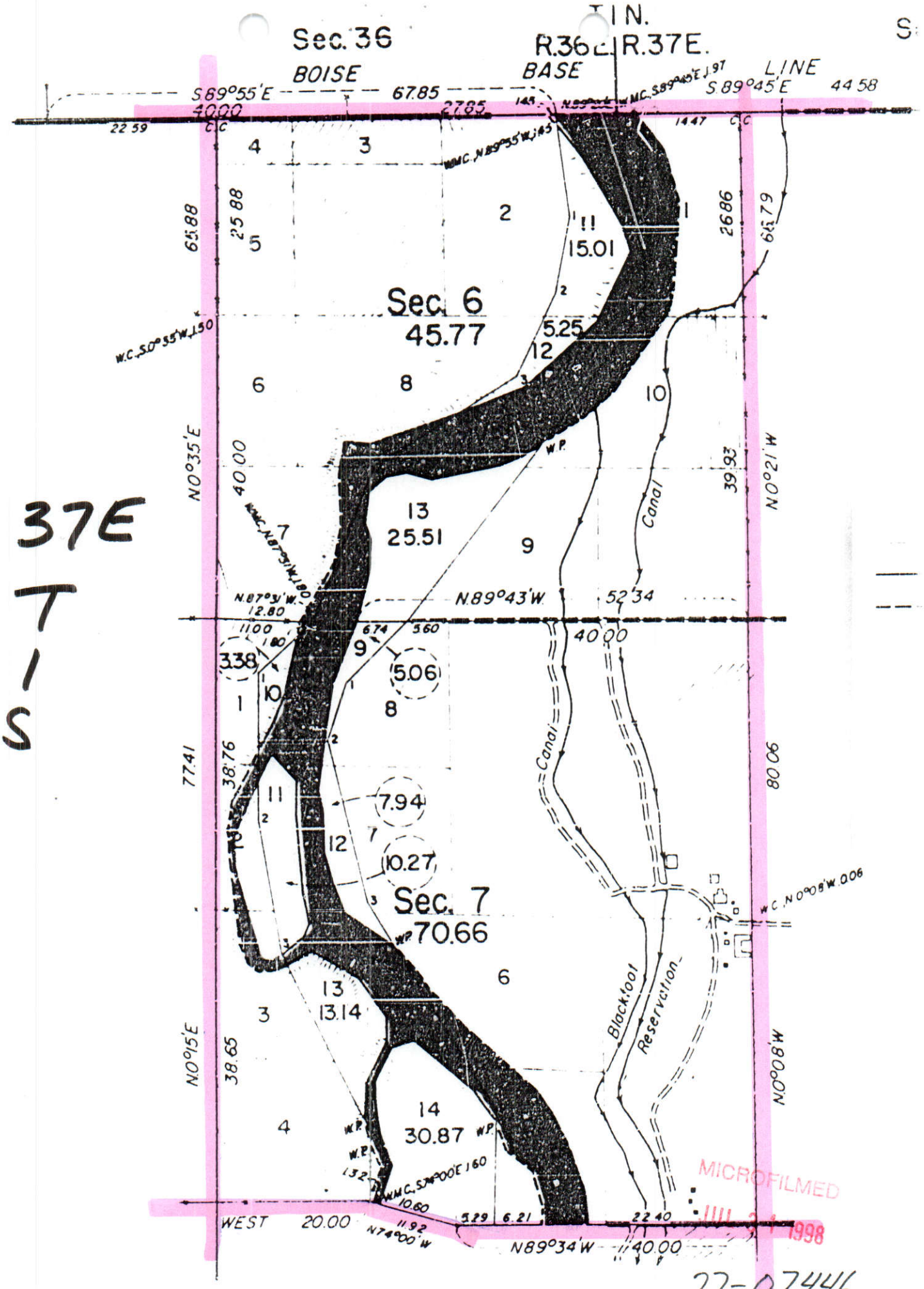
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FIRTI
IDAH
7.5 MINUTE
IDAHO FALLS 16 MI.
3570 I NW
(WOODVILLE)
10'
R. 36 E.
500 000 FEET
R. 37 E.
T01S, R37E
BOISE BASE LINE
Mile 782
Mile 784
Mile 780
Gravel Pit
Pit
CANAL
WELL #3
POW
RIVER
BLACKFOOT
SNAKE
WESTERN
LATERAL
STEEL
UNION
PACIFIC
YELLOWSTONE
HIGHWAY
COX
POINT
CEDAR
RESERVATION
Landing Strip
Basalt Cem
BM 4606
MONROE
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JUL 31 1998
27-07446

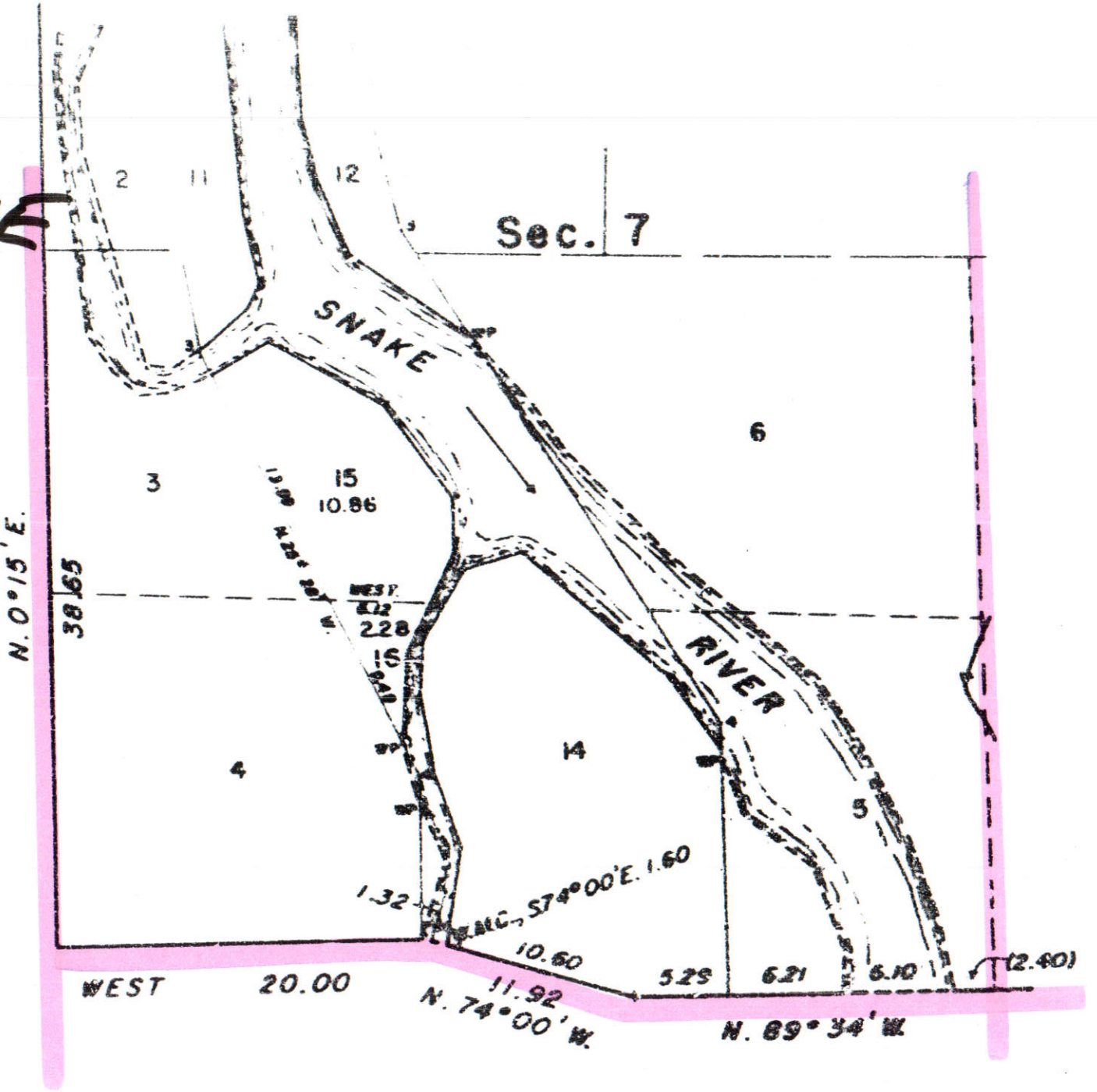

MAP #3
R37E
T24880
3842
#8 FELD
#7
22 FELD
WELL #3
#6
#5
FELD
HEL
3
80.3
HEL
4
10.6
29.4
T10
3842
T257
3779
NHEL 2
2.8
NHEL
4
110.5
T24584
3842
HEL
17.0
T148
1224
NHEL
1
15.0
52.8
25.2
30.4
4.5
T236
477
NHEL
8
24.7
NHEL
9
16.1
27-07447
OTHER WL
27-07446
R37E
T 1S
MICROFILMED
JUL 31 1998


MAP #2
HEL
3
80.3
HEL
4
10.6
1
6
29.4
T10
3842
33.4
HEL
3
2.7
HEL
65.0
NHEL
1
5.9
T257
3779
NHEL
2
2.8
12 7
13 8
NHEL
4
110.5
NHEL
3
8.2
T406
356
3.5 NHEL
NHEL
2
3.5
3
7.3
NHEL
4
7.1
NHEL
5
6.1
HEL
6
4.3
NHEL
8
8.7
N HEL
2520
2521
T407
356
4
8.7
NHEL
5
6.0
NHEL
7
11.7
NHEL
13 8
24 9
HEL
4
30.4
NHEL
2
15.2
1A
4.5
T236
477
NHEL
3
7.3
NHEL
5
5.1
NHEL
6
7.3
NHEL
7
27.8
NHEL
8
24.7
NHEL
9
16.1
7 8
18 17
WELL #2
NHEL
3.2
24584
3892
HEL
11.0
HEL
2
55.8
T148
1224
HEL
1
14.5
HEL
3
3.5
6.9
T66
3576
BULLED LINES
2 LINES
HEL
1
28.8
18 17
19 20
Blackfoot Canal
Highway 91
UPRR
MICROFILMED
JUL 3 1 1998
27-07447
OTHER WL
27-07446


MAP #1
IDELL #1
2nd St. Shed 700'
27-07447
OTHER WK
27-07446
MICROFILMED
JUL 31 1998


T 1 N.
R.36 E. R.37 E.
Sec. 36
BOISE BASE LINE
S 89°55' E 67.85
S 89°45' E 44.58
40.00
22.59
W.C. N 89°55' W 1.65
W.C. S 0°55' W 1.50
Sec. 6
45.77
15.01
5.25
25.88
65.88
26.86
65.79
N 0°35' E
40.00
N 0°21' W
39.93
W.P.
Canal
13
25.51
7
9
N 87°3' W 12.80
N 89°43' W
52.34
11.00
1.80
6.74
3.60
40.00
3.38
5.06
10
1
8
38.76
77.41
80.06
11
7.94
12
10.27
Sec. 7
70.66
W.C. N 0°9' W 0.06
Blacktool Reservation
13
13.14
6
3
38.65
N 0°15' E
N 0°08' W
14
30.87
4
W.P.
W.C. S 74°00' E 1.60
1.32
10.60
WEST 20.00
N 74°00' W
11.92
3.29
6.21
22.40
N 89°34' W
40.00
MICROFILMED
1998
R 37 E
T
1
S
27-07446

R37E
T-5



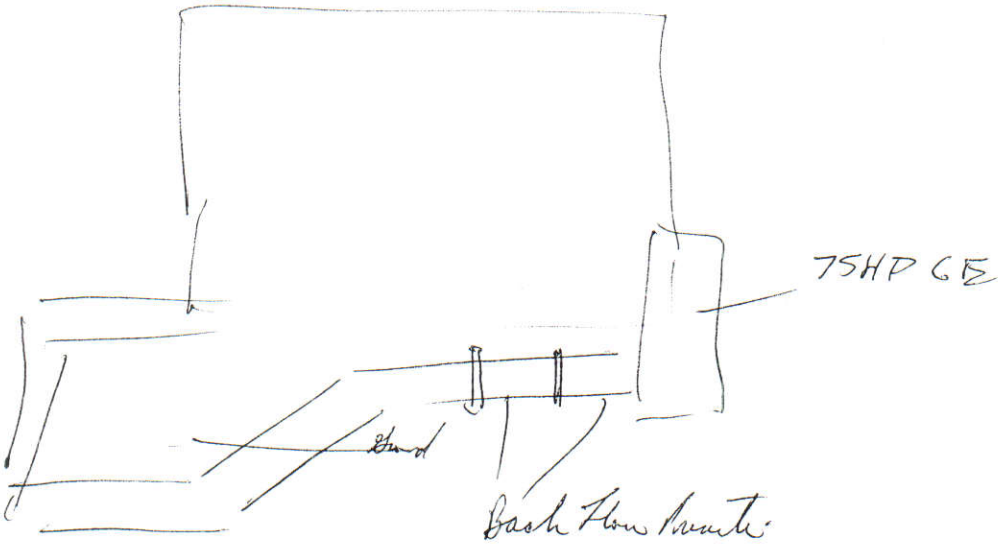
declination 18° East

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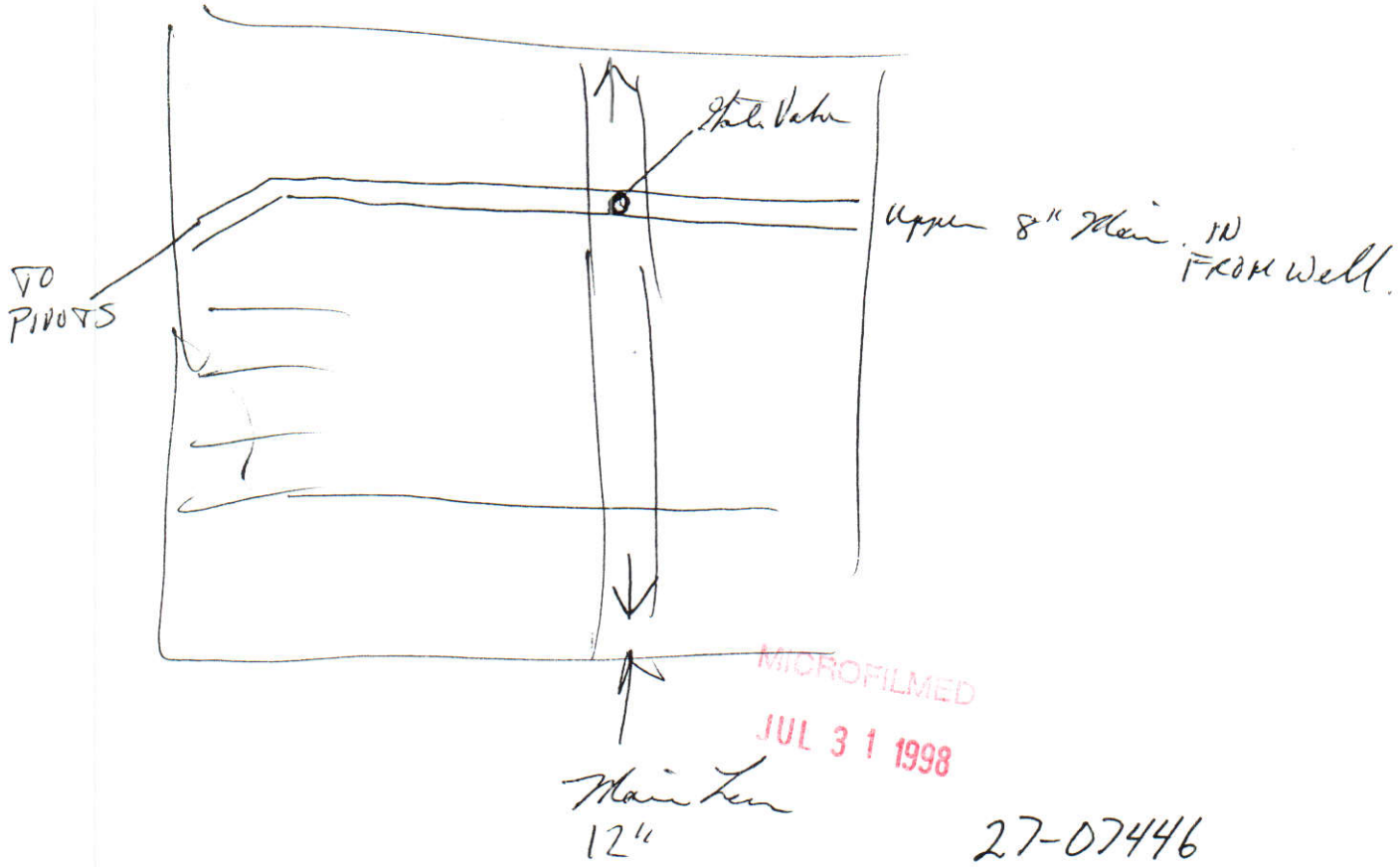
27-07446

27-07446

#2 well



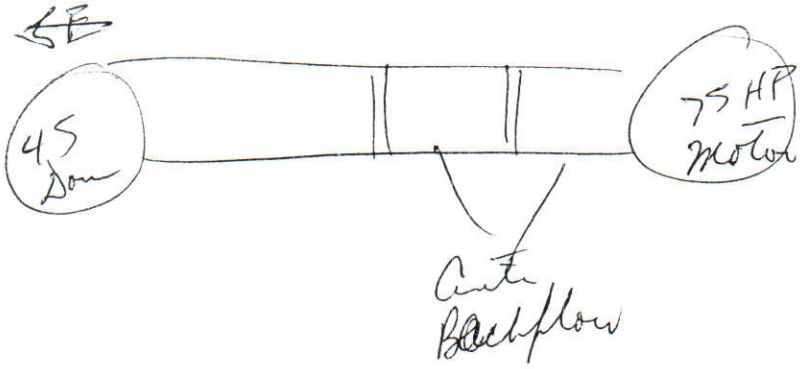
Fluoride Blend

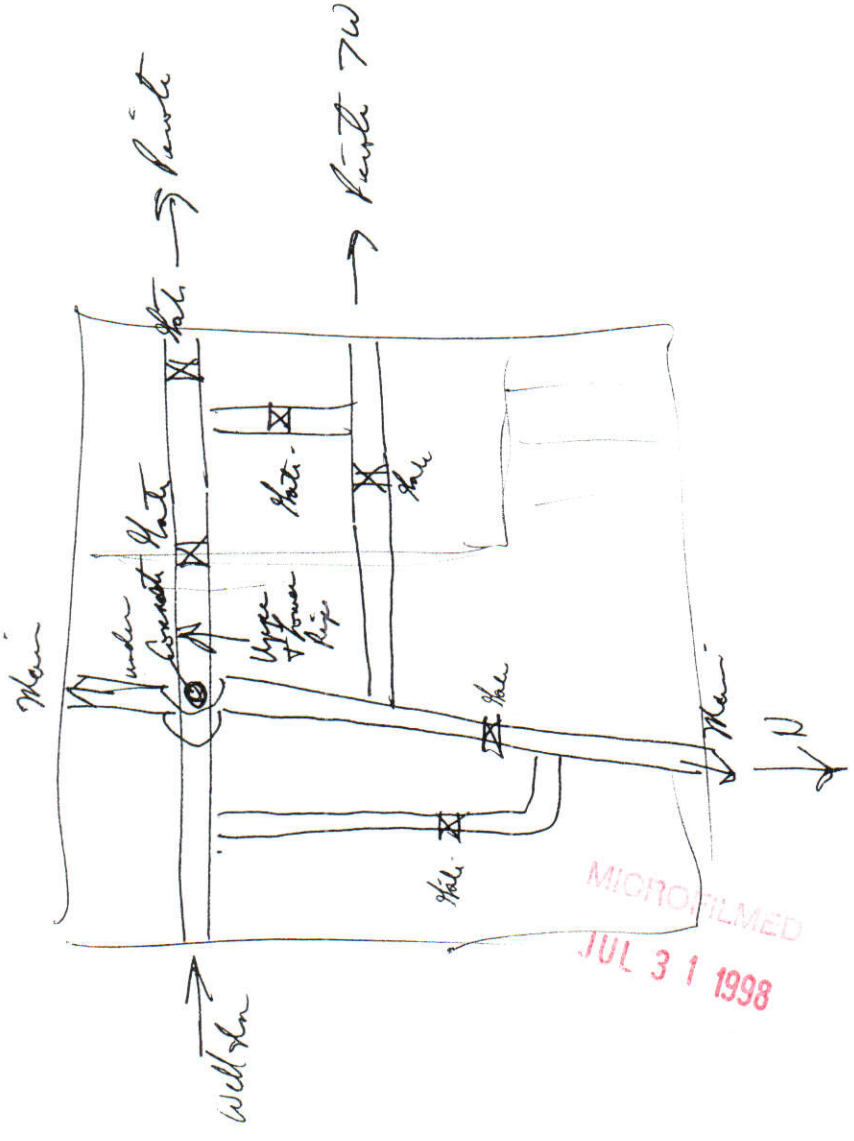


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JUL 3 1 1998

27-07446

Well #3





MICROFILMED
JUL 31 1998

27-07446

IDAHO SUPREME

IRRIGATION

1 of 10



VIEW SOUTH
PIVOT #9
FIELD #15
IN BACKGROUND



PIVOT #1

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JUL 31 1998

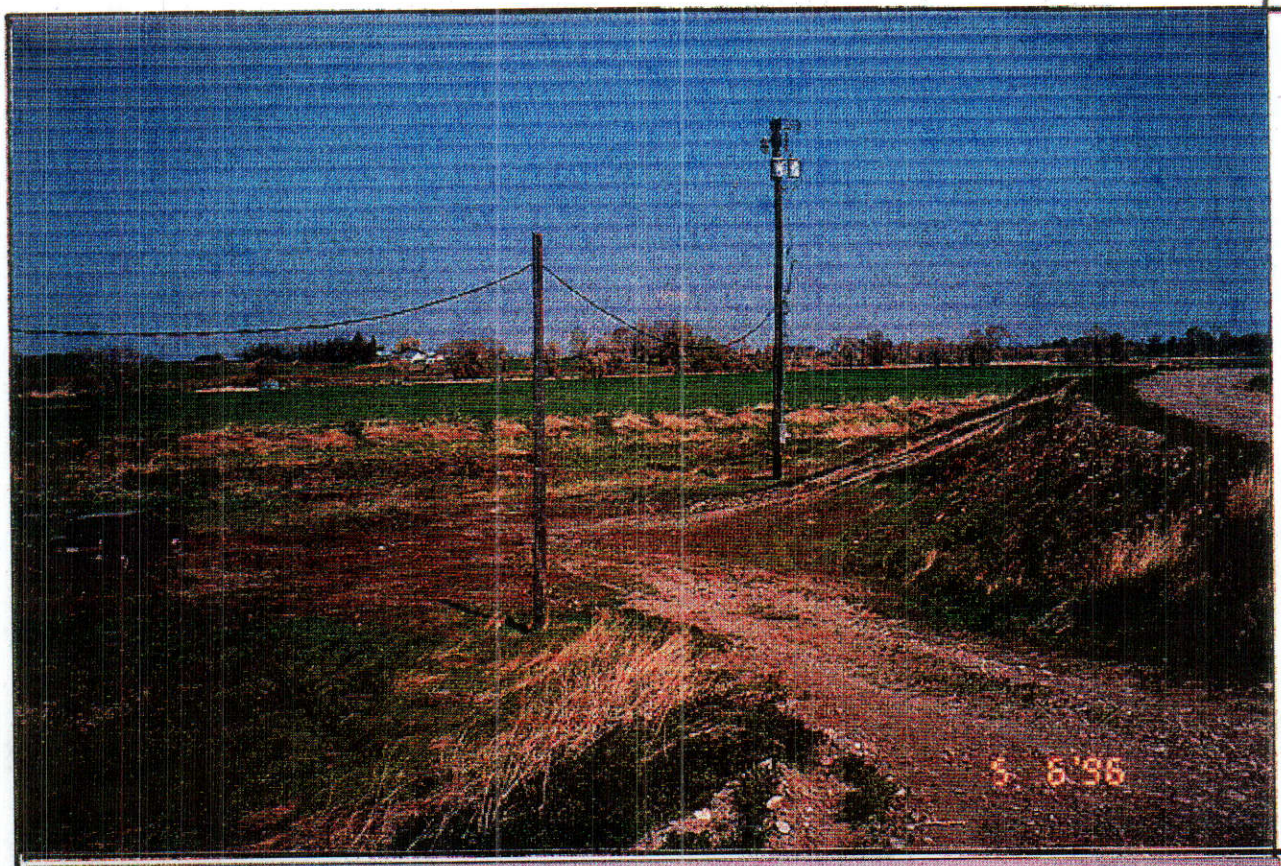
PERMIT NUMBER 27-07446

IDAHO SUPREME

IRRIGATION

2 of 10

PIVOT #10



PIVOT #2



MICROFILMED
JUL 31 1998

PERMIT NUMBER 27-07446

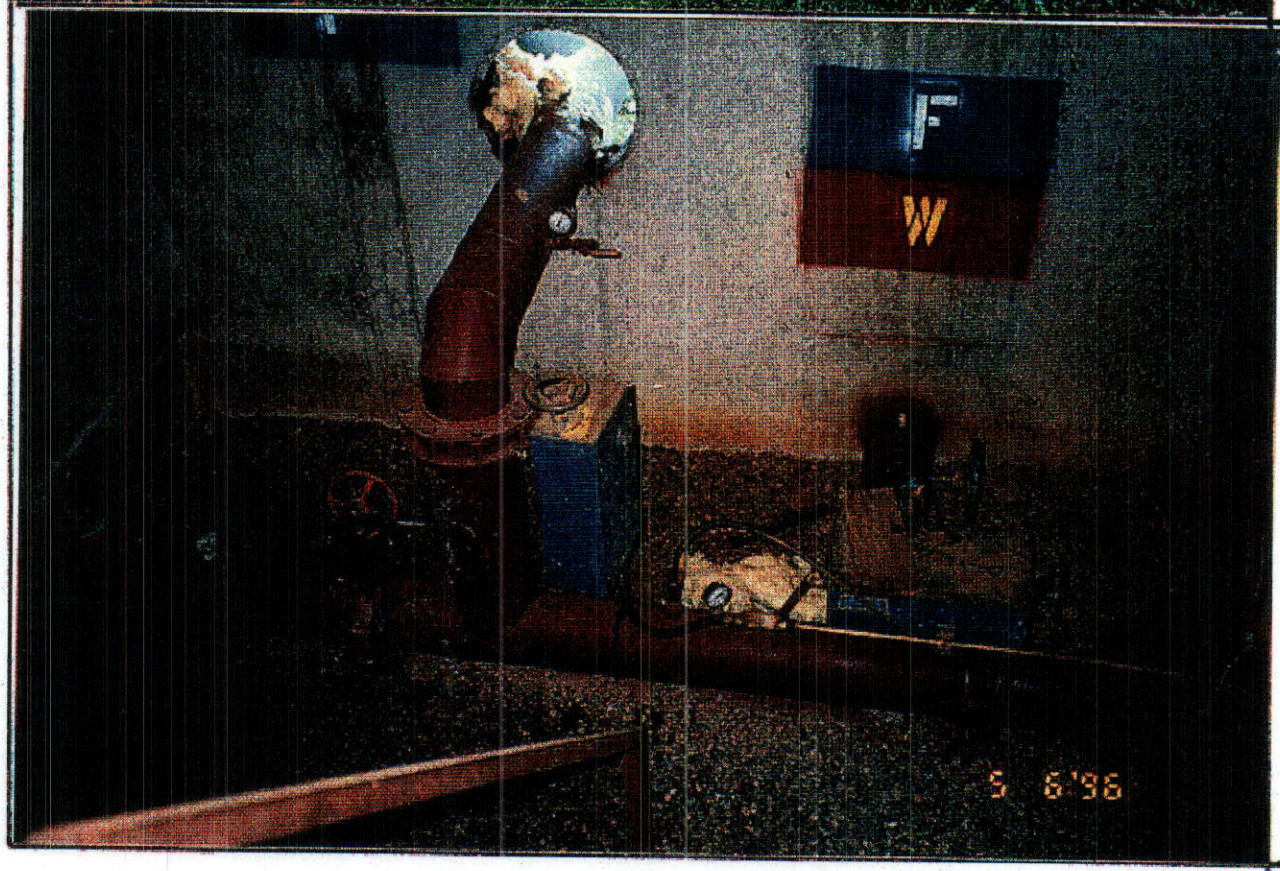
IDAHO SUPREME

IRRIGATION

3 of 10



WELL #1



WELL HOUSE #1

JUL 3 1 1998

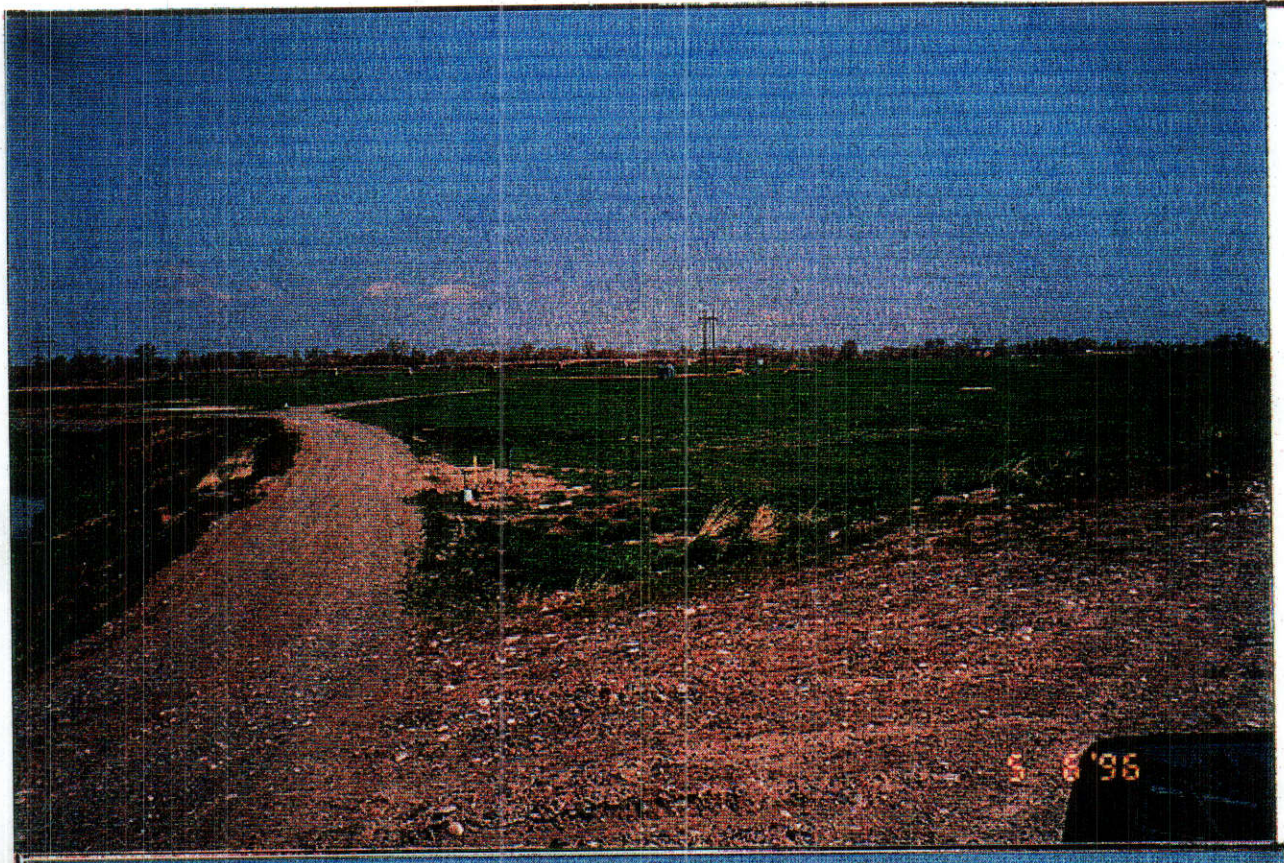
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IDAHO SUPREME

IRRIGATION

4 of 10

PIVOT #3



PIVOT #4



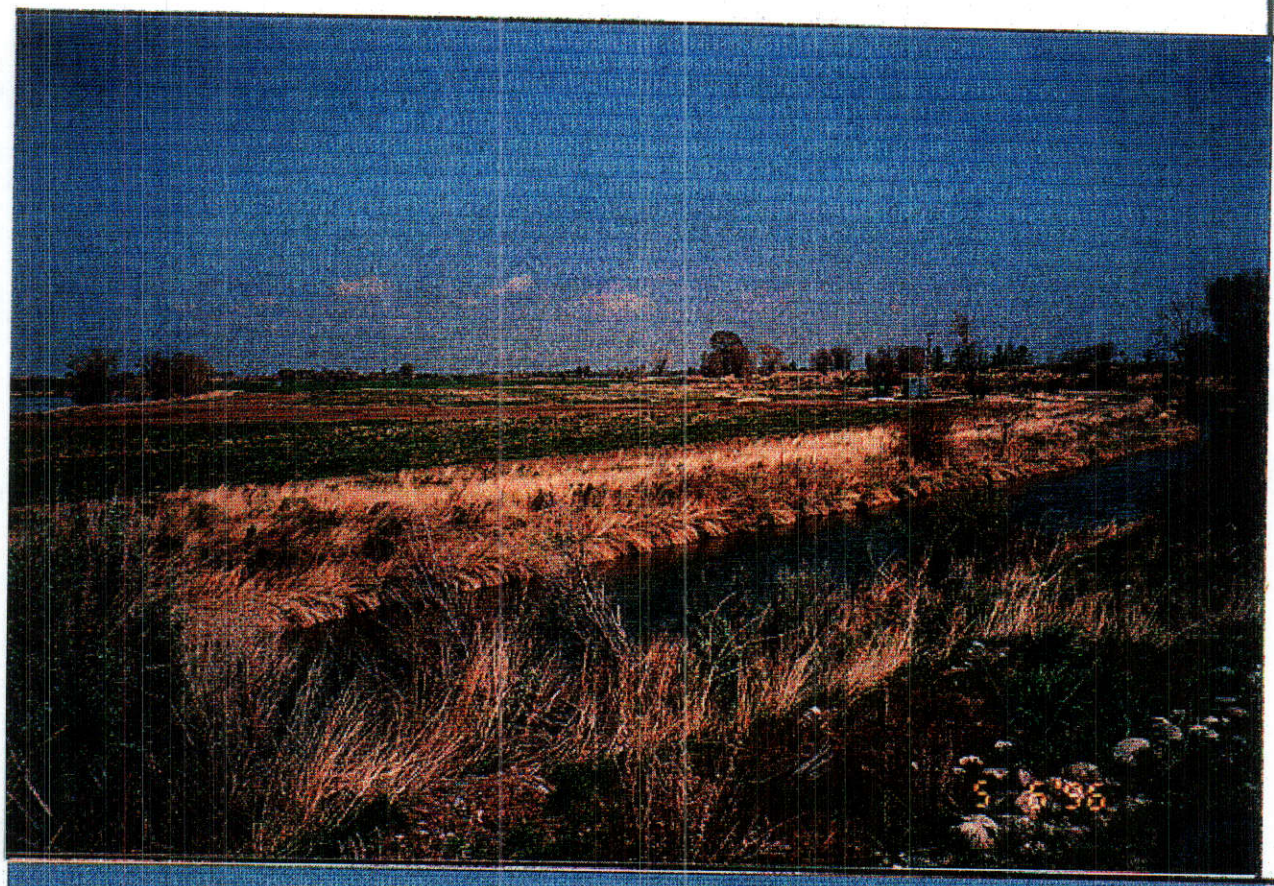
MICROFILMED
JUL 31 1998

PERMIT NUMBER 27-07446

IDAHO SUPREME

IRRIGATION

5 of 10



FIELD #11

WELL #2



PIVOT #12

MICROFILMED

JUL 3 1 1998

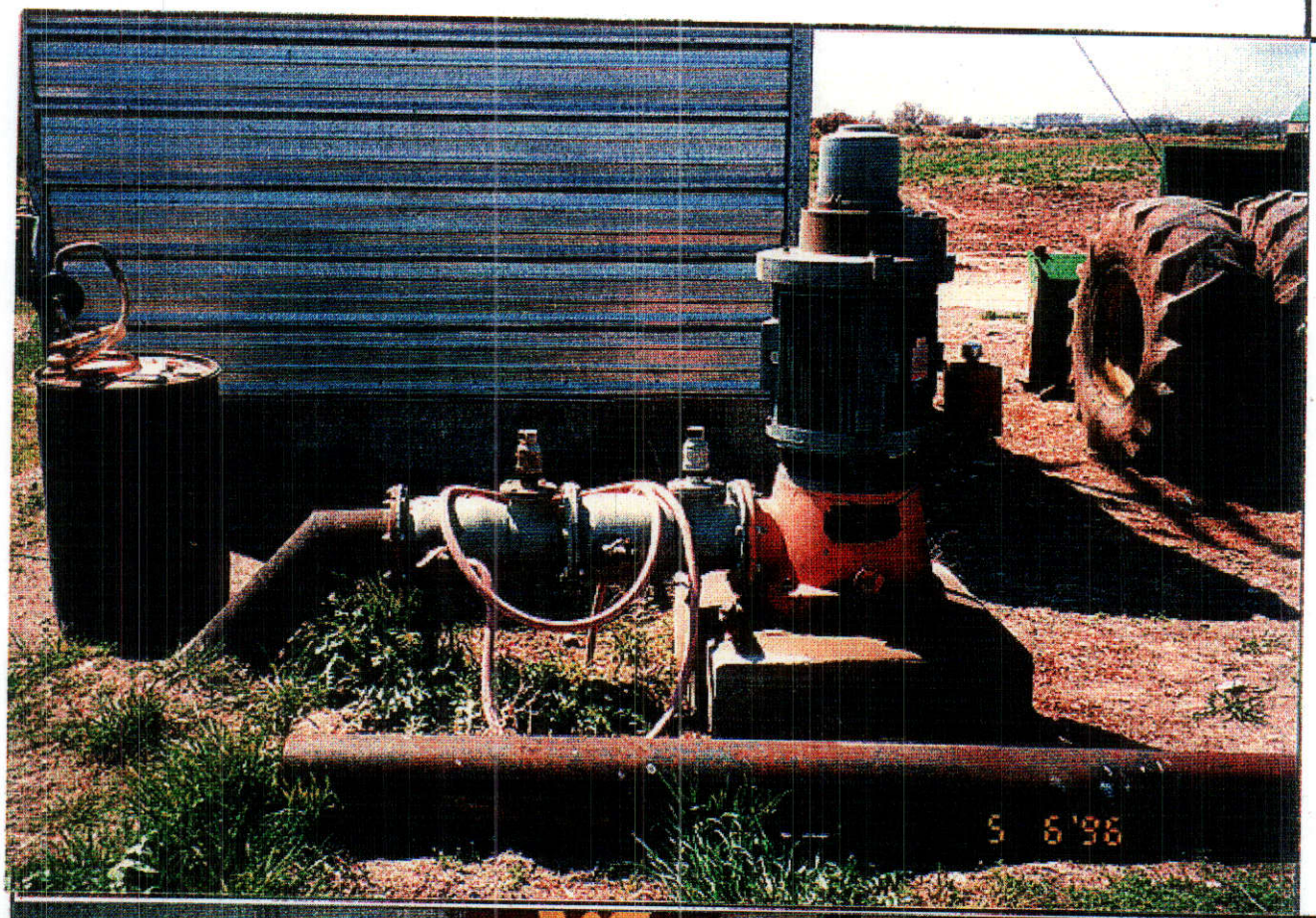
PERMIT NUMBER 27-07446

LUAHO SUPREME

WELL IRRIGATION

6 of 16

WELL #



WELL HOU
#2



MICROFILMED

JUL 3 1 1998

PERMIT NUMBER

27-07446

I. THO SUPREME

IRRIGATION

7 of 10

PIVOT #5



PIVOT #13



PERMIT NUMBER 27-07446

MICROFILMED

JUL 3 1 1998

IDAHO SUPREME

IRRIGATION

8 of 10

PIVOT #



PIVOT #



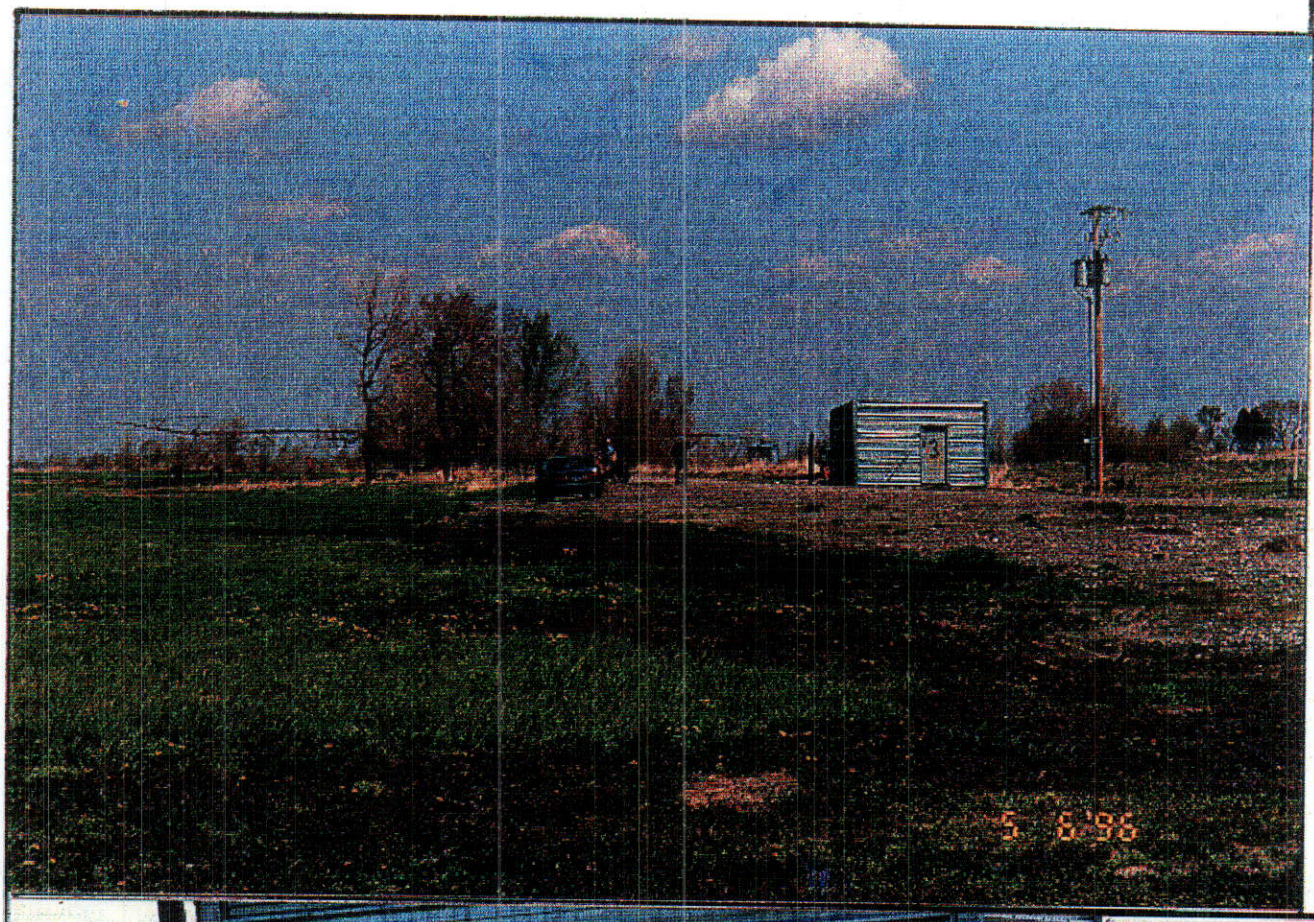
JUL 3 1 1998

PERMIT 27-07446

IDAHO SUPREME

IRRIGATION

9 of 10



BACKGROU
VIEW PIO
#8

WELL HOU
#3



WELL #3

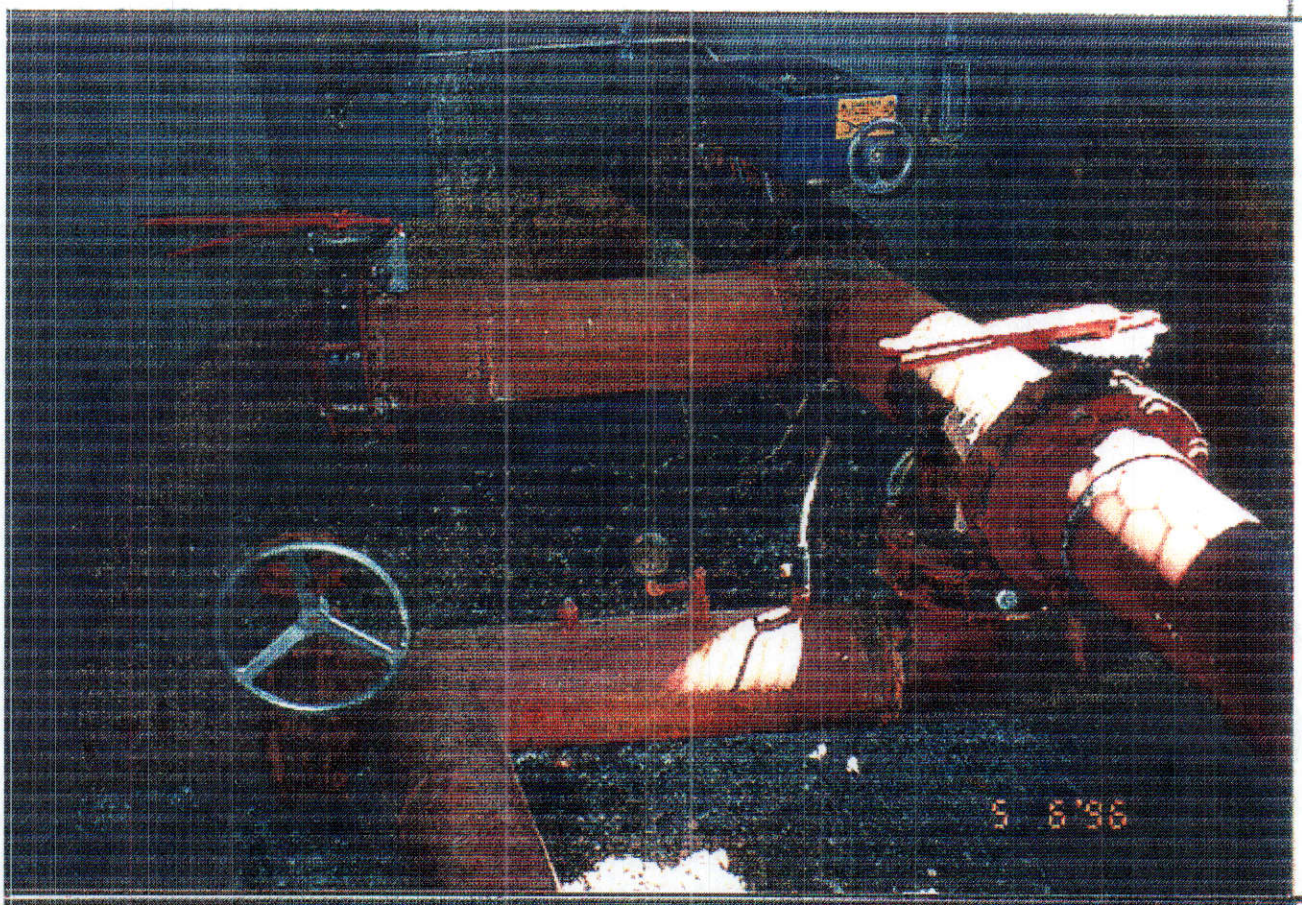
OFILMED
3 1 1998

PERMIT 27-07446

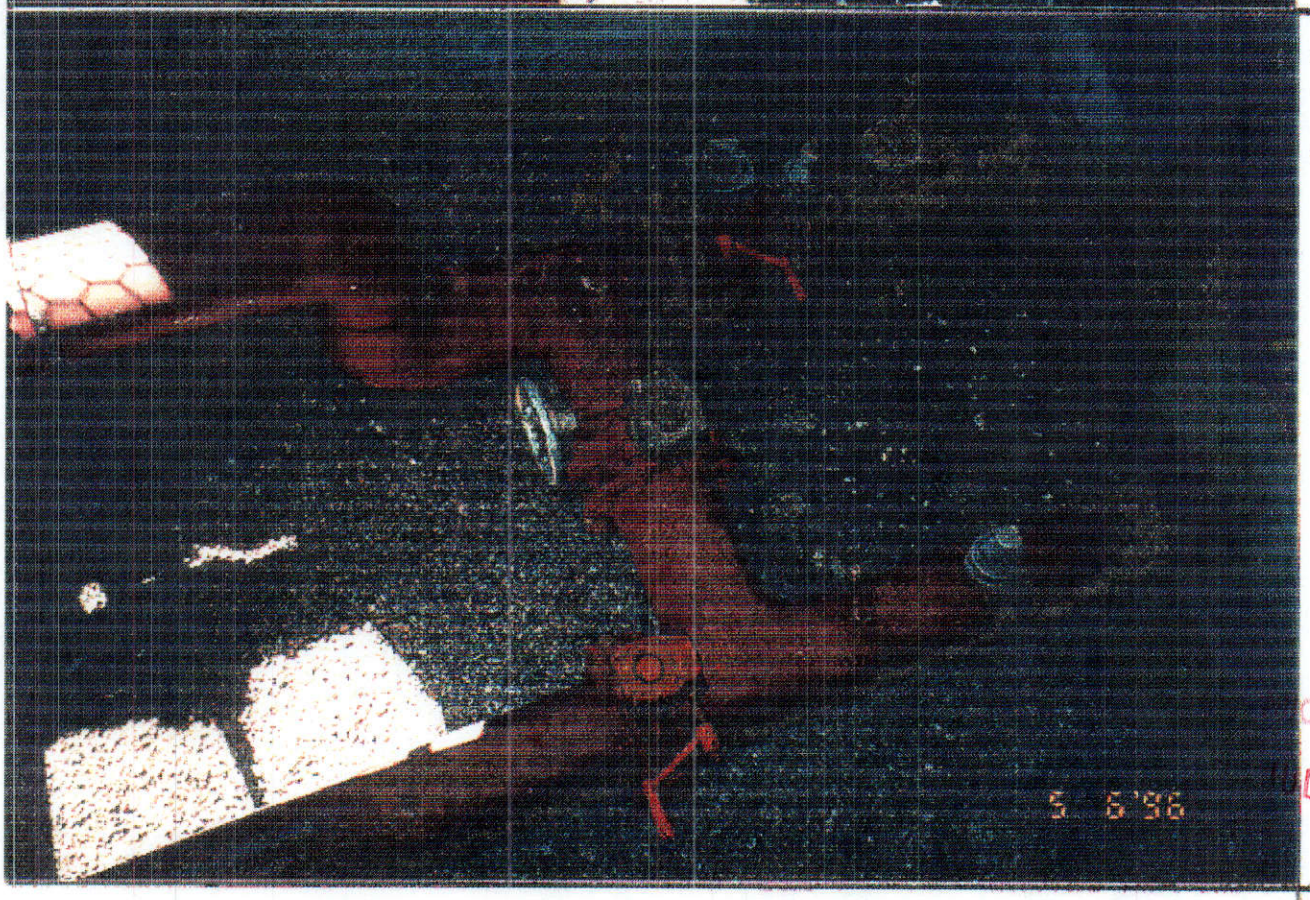
IDAHO SUPREME

IRRIGATION

10 of 10



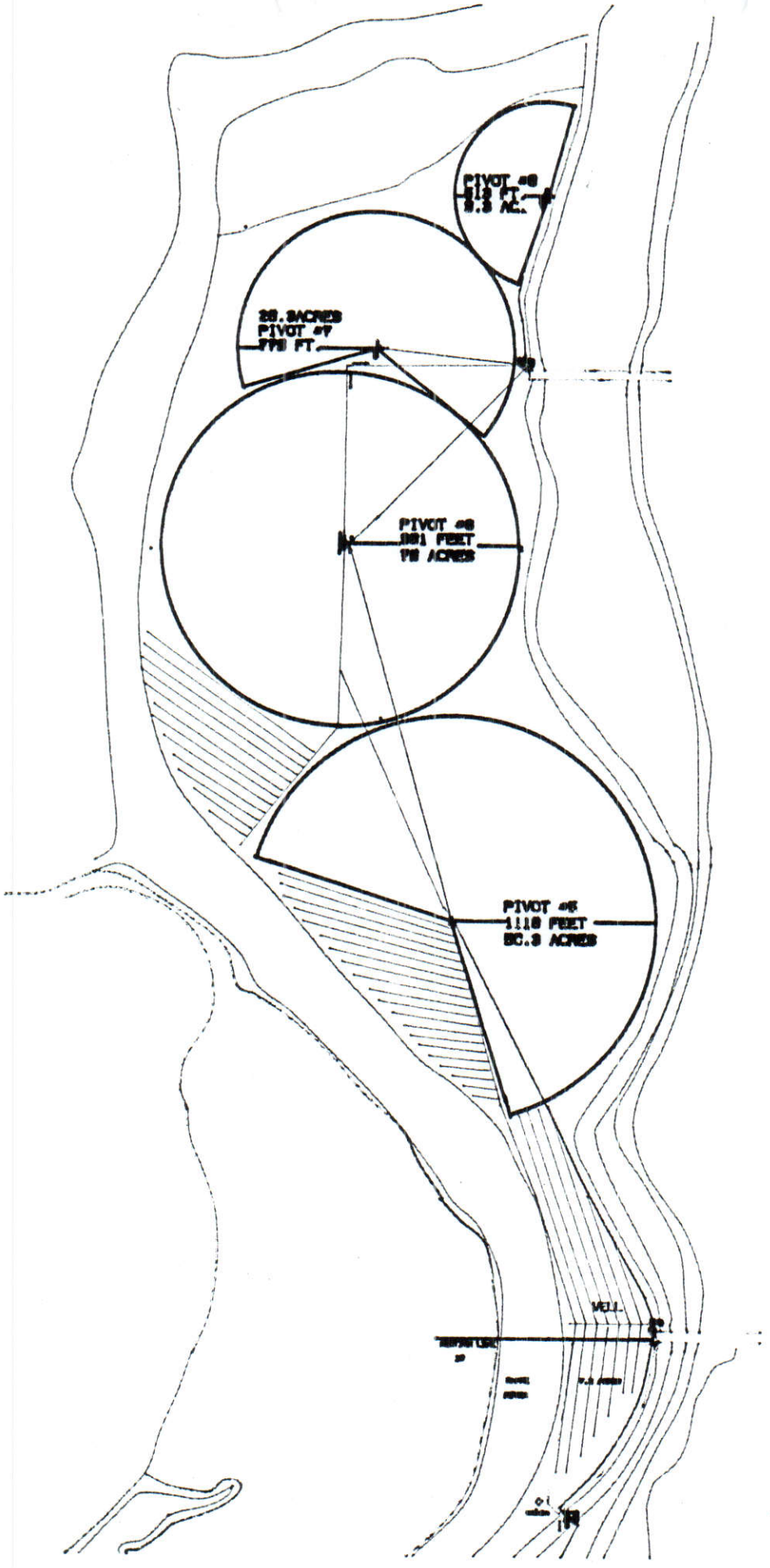
INTERIOR VIEW OF WELL HOU #3



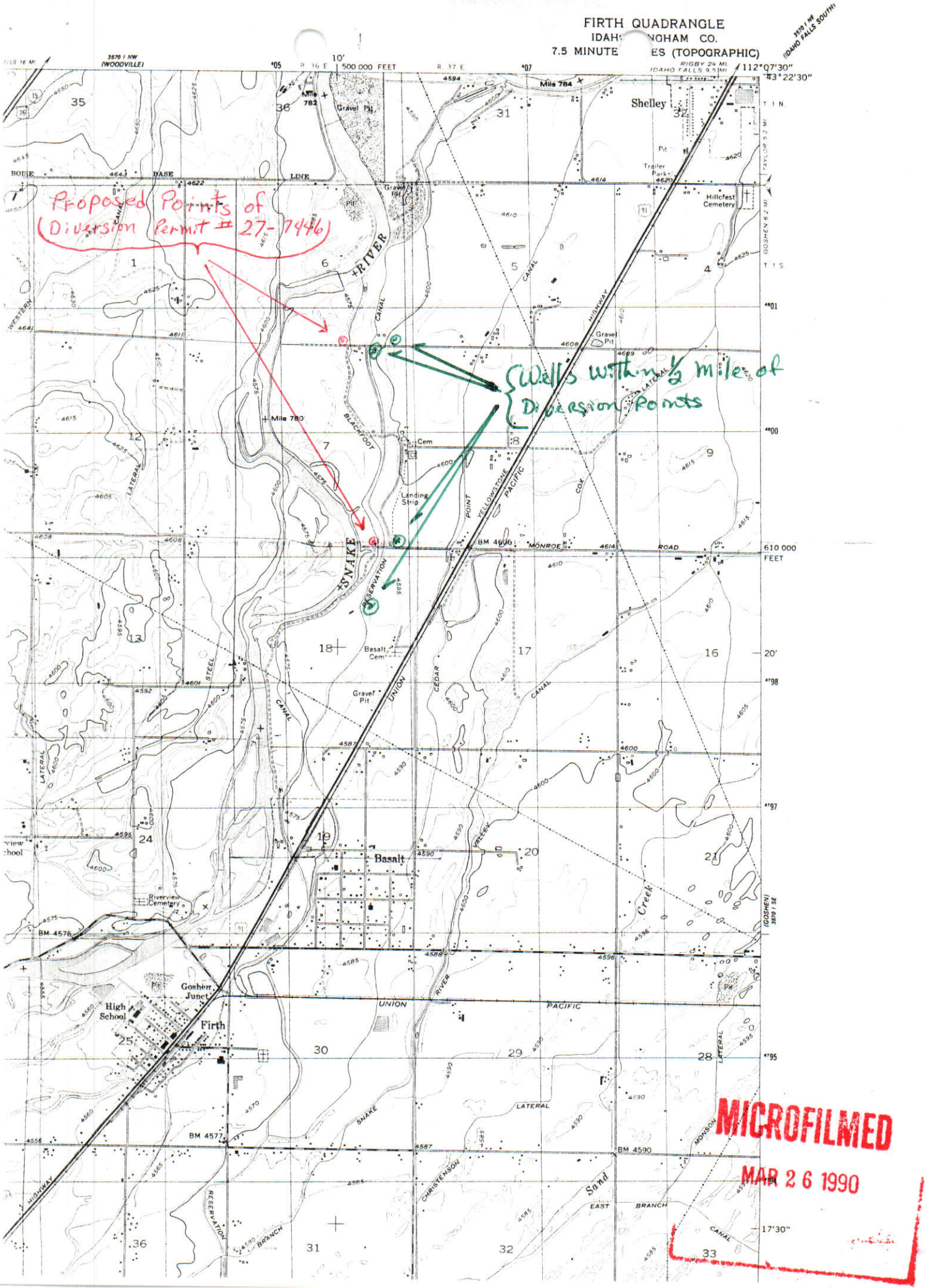
INTERIOR VIEW OF WELL HOU #3

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JUL 31 1998

PERMIT 27-07446

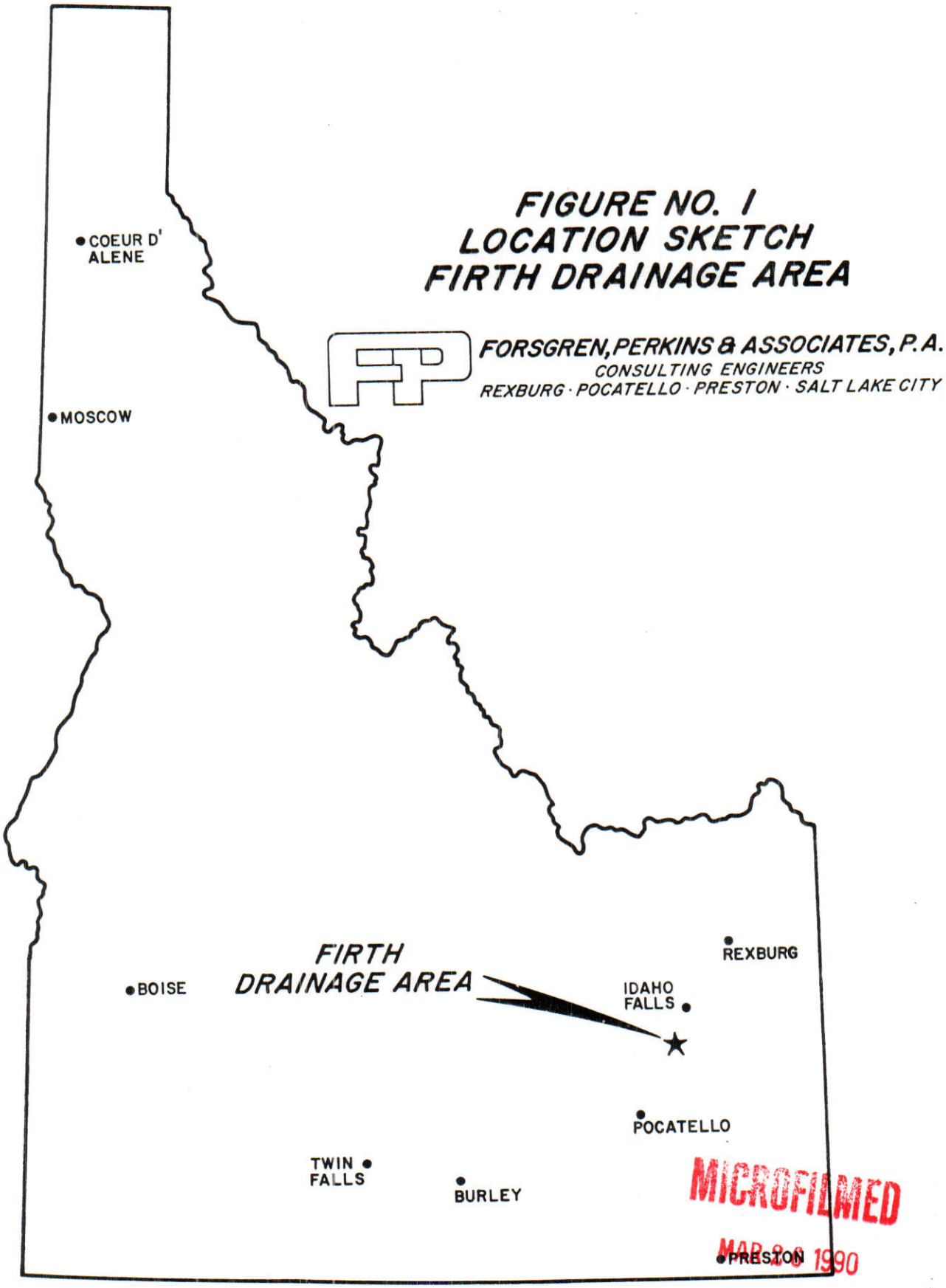


MICROFILMED
MAR 26 1990



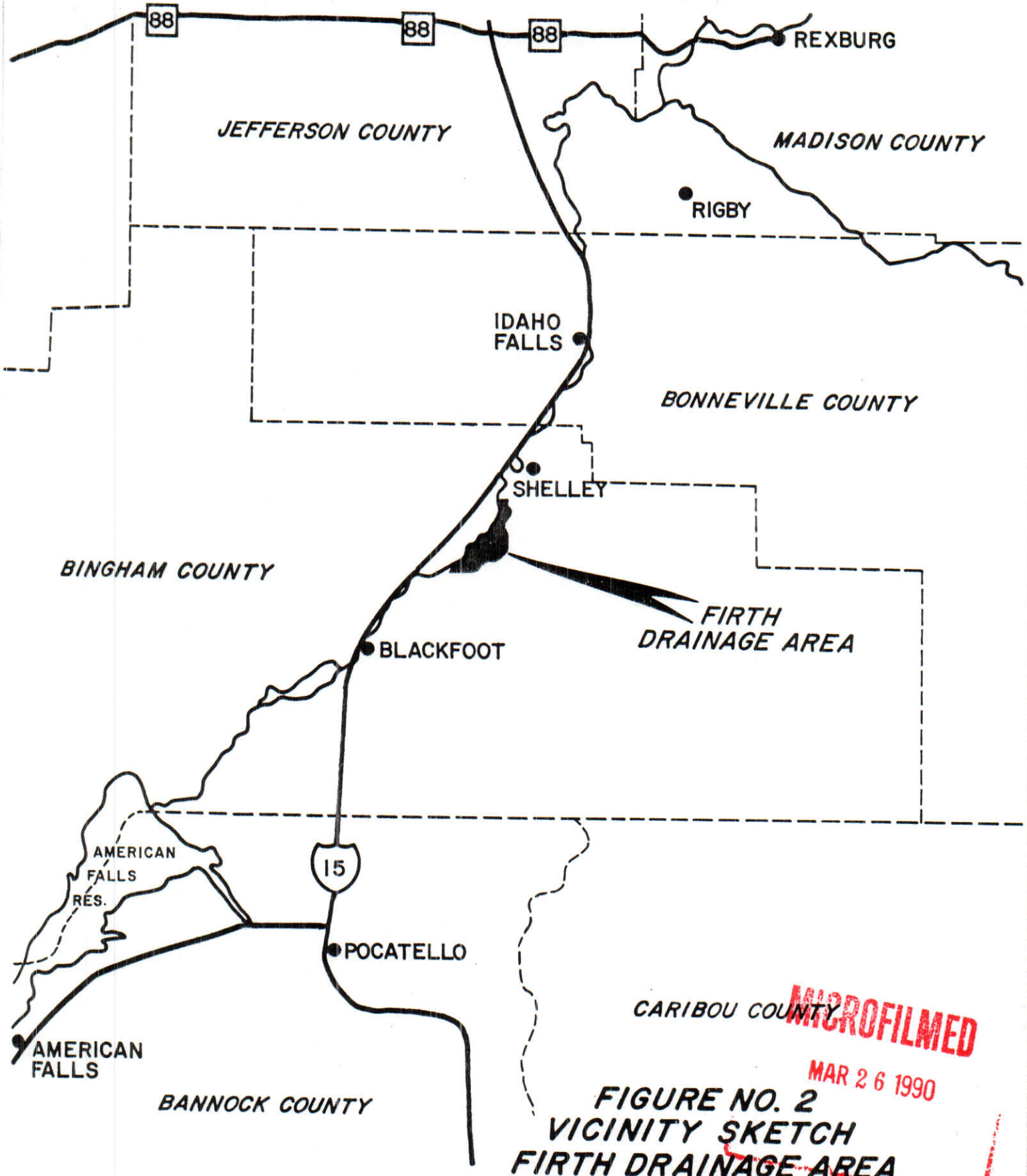
MICROFILMED
MAR 2 6 1990

FIGURE NO. 1
LOCATION SKETCH
FIRTH DRAINAGE AREA



FORSGREN, PERKINS & ASSOCIATES, P.A.
CONSULTING ENGINEERS
REXBURG · POCATELLO · PRESTON · SALT LAKE CITY

MICROFILMED
MAR 2 6 1990



MICROFILMED
MAR 2 6 1990

FIGURE NO. 2
VICINITY SKETCH
FIRTH DRAINAGE AREA

FORSGREN, PERKINS & ASSOCIATES, P.A.
CONSULTING ENGINEERS
REXBURG · POCATELLO · PRESTON · SALT LAKE CITY

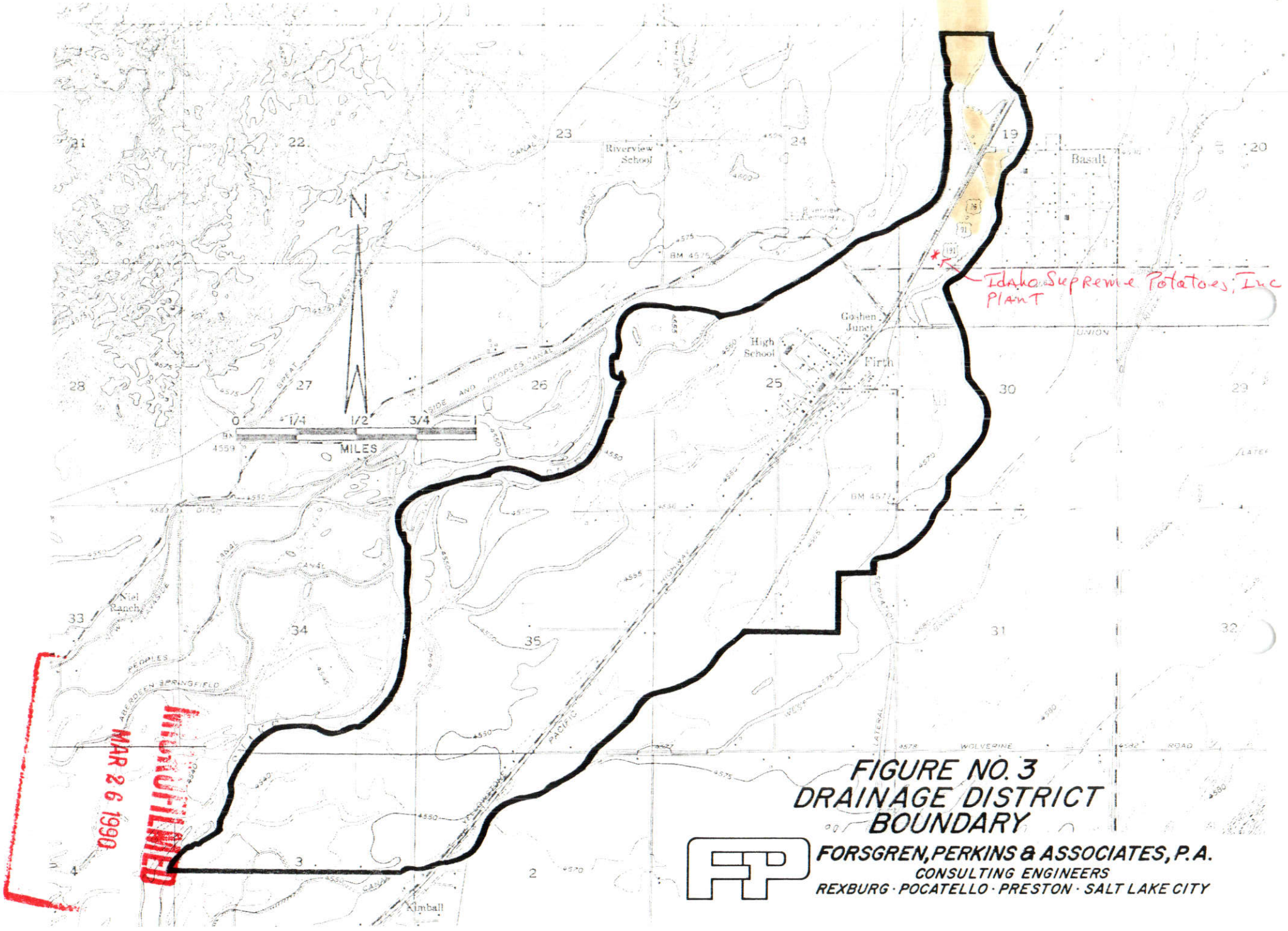


FIGURE NO. 3
DRAINAGE DISTRICT BOUNDARY

FORSGREN, PERKINS & ASSOCIATES, P.A.
CONSULTING ENGINEERS
REXBURG · POCATELLO · PRESTON · SALT LAKE CITY

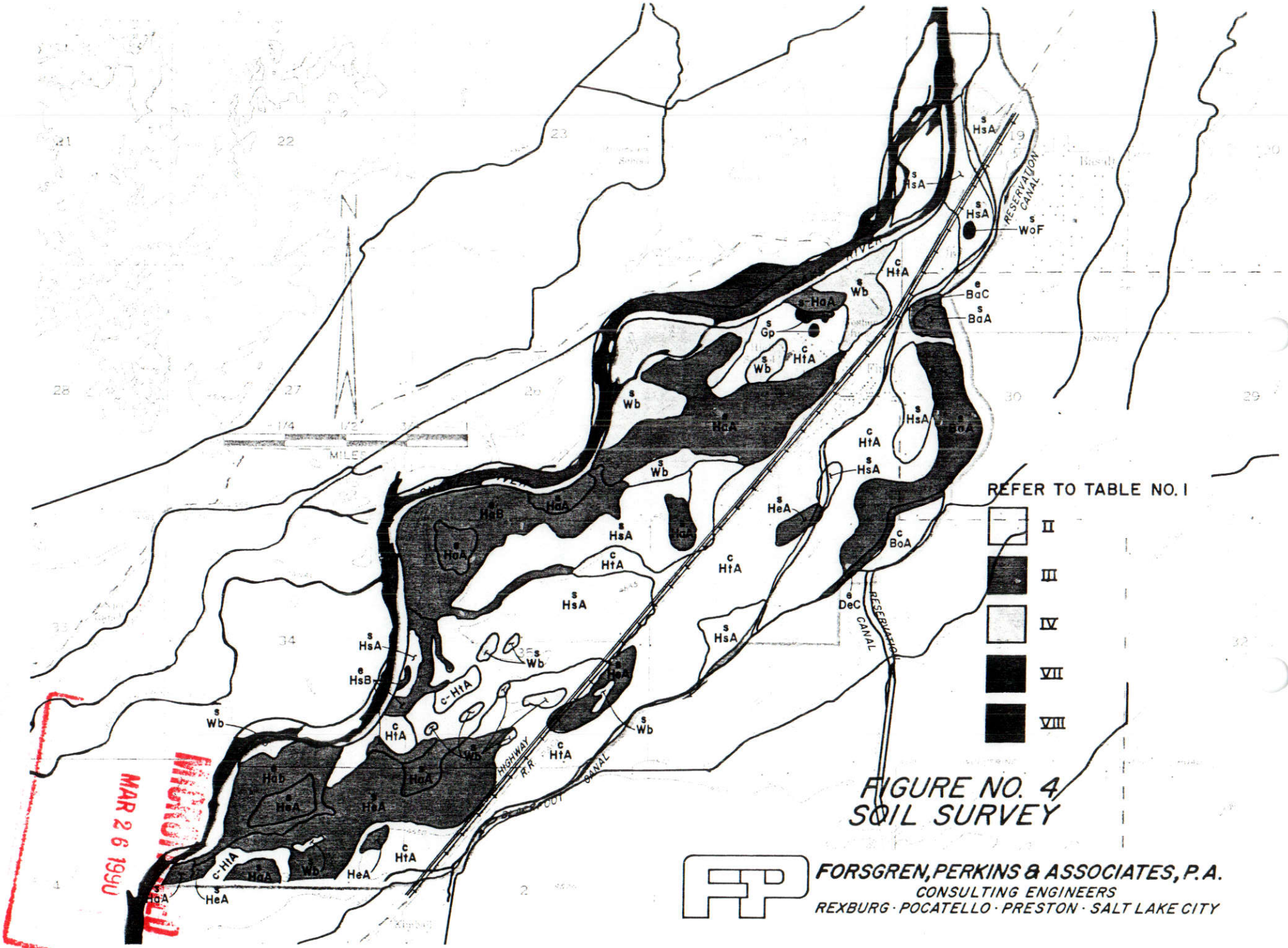


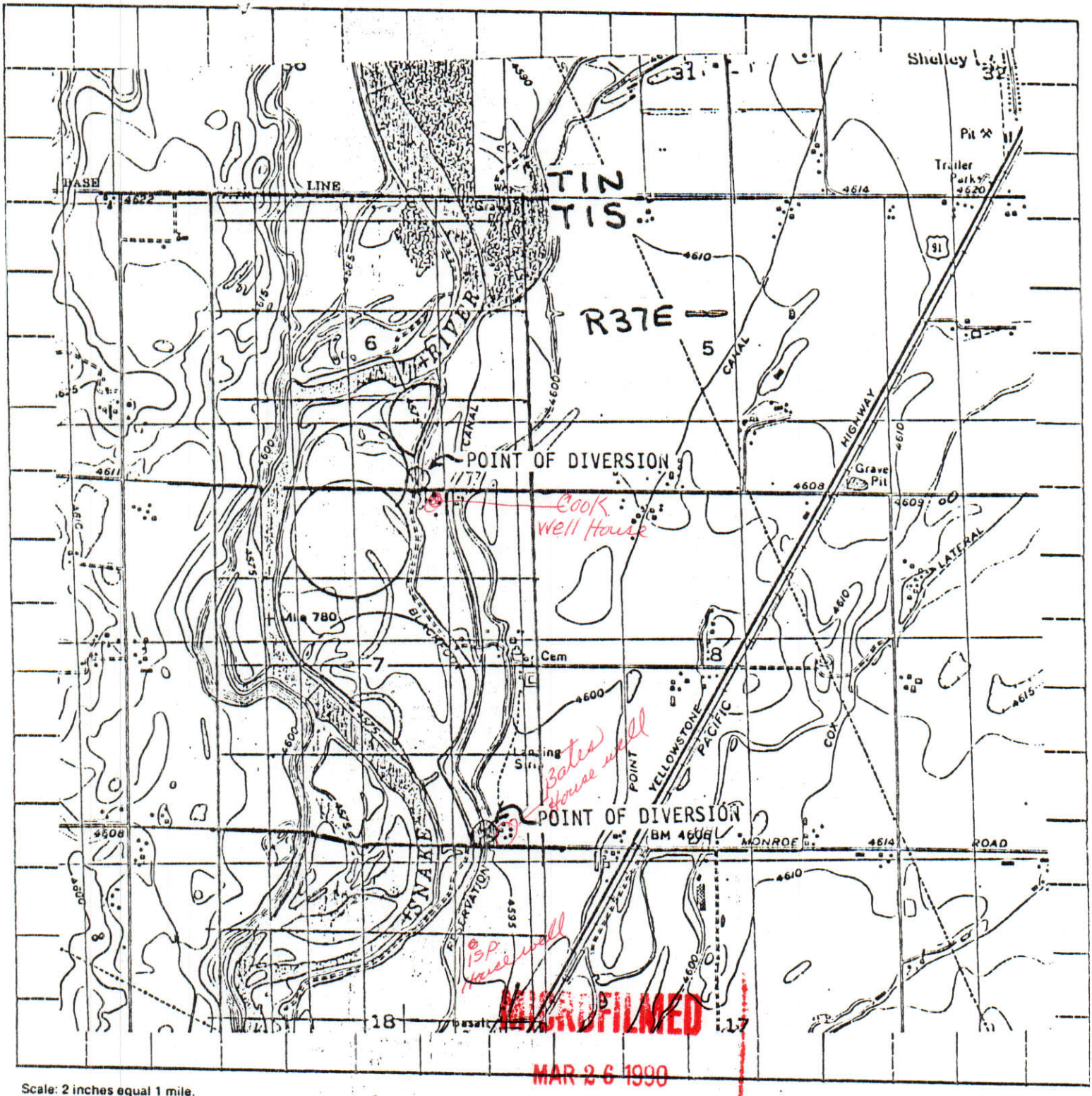
FIGURE NO. 4
SOIL SURVEY

FORSGREN, PERKINS & ASSOCIATES, P.A.
CONSULTING ENGINEERS
REXBURG · POCATELLO · PRESTON · SALT LAKE CITY

MAR 26 1990

Att No# 1

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



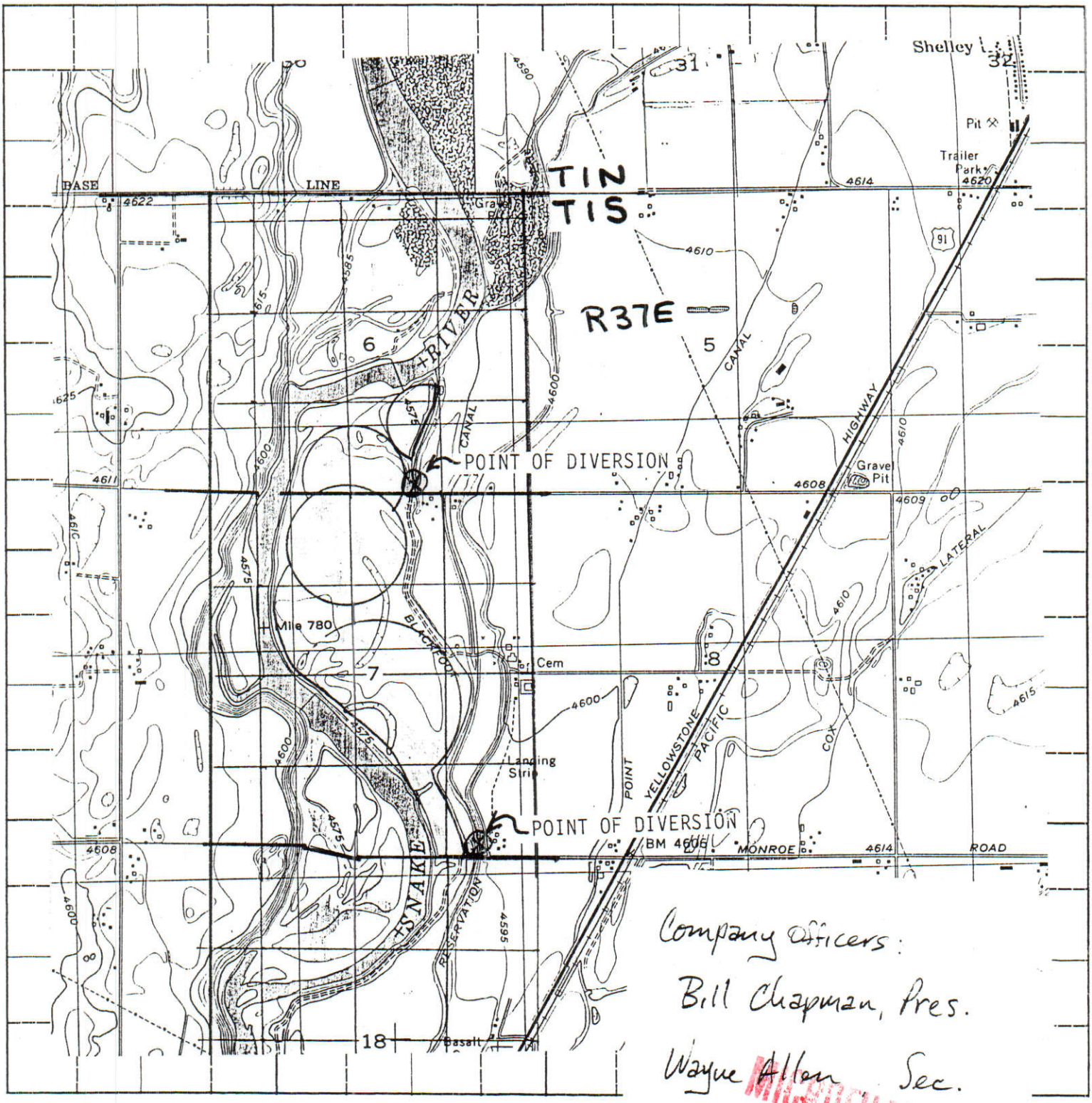
Scale: 2 inches equal 1 mile.

MICROFILMED
MAR 26 1990

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.

_____
(Applicant)

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



Company Officers:

Bill Chapman, Pres.

Wayne Allen Sec.

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application f
the State of Idaho as herein set forth.

MICROFILMED
MAR 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 68843

This is to certify that: IDAHO SUPREME POTATOES INC
C/O GIL DAYLEY
PO BOX 246
FIRTH ID 83236
(208)346-4100 x112

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
27-7446	WR/License	11/07/1988	4.34 cfs	868.0 af	217.0	217.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
27-7446	NO	NO	YES	NO	YES	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
27-7446	**27-7446**	4.34 cfs	864.8 af	215.0	215.0		N/A	N/A	N/A	N/A
TOTALS		**4.34 cfs**	**864.8 af**	**215.0**	**215.0**		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 22nd day of June, 2001

L. Glenn Saxton
Chief, Water Allocation Bureau

MICROFILMED

WATER RIGHT NO. 27-7446

As Modified by Transfer No. 68843

In accordance with the approval of Transfer No. 68843, Water Right No. 27-7446 is now described as follows.

Right Holder: IDAHO SUPREME POTATOES INC
PO BOX 246
FIRTH ID 83236

Priority Date: 11/07/1988

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	to 10/31	4.30 CFS	860.0 AF
INDUSTRIAL	11/01	to 03/31	1.34 CFS	4.8 AF
			4.34 CFS	864.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER		SESE	Sec. 7	Twp 01S	Rge 37E	BINGHAM County
GROUND WATER	Lot 9	SWSE	Sec. 6	Twp 01S	Rge 37E	BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 37E 6												15.0 L 9		5.0 L 10	25.0 L 13		45.0
01S 37E 7		25.0	30.0	2.0	25.0 L 8			30.0 L 7	5.0 L 6				5.0	35.0 L 6	10.0 L 5	3.0	170.0

Total Acres: 215

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 37E 6															X		
01S 37E 7		X			X			X	X					X	X		
01S 37E 18		X	X						X		X			X			
01S 37E 19		X	X		X			X	X			X					

WATER RIGHT NO. 27-7446
As Modified by Transfer No. 68843

CONDITIONS OF APPROVAL

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

2. The total instantaneous diversion of water from all points of diversion under Right 27-7446 shall not exceed 4.34 cfs, nor total combined annual volume of 864.8 af.

3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

4. Diversion of water for industrial use is limited to a total weekly volume of 0.22 af.

5. Industrial use under this approval provides water to flush waste from the delivery system and shall comply with applicable water quality standards of the Department of Environmental Quality.

6. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

7. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

8. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.

9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 22nd day of June, 2001

Chief, Water Allocation Bureau

Form I-222 November 30, 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 68843

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Idaho Supreme Potatoes Inc % Gil Daley Phone (208) 346-4100 ext 112

Post Office address P.O. Box 246 Firth, ID 83236

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use

   ☒ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes IDEQ LAP000033-02 requires flushing of main transfer lines to pivots + we need that flush water once a week for 2 hours during the non-irrigation season. We are crying up 2 acres for that purpose.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
27-07446 "B" (27-11776 A)	11/07/1988	1.34 cfs	Industrial	Nov 1 to March 31
				to
				to
				to

2. Total amount of water being transferred 1.34 * cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: * This is instantaneous flow for 2 hrs, once a week.

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
9		SW	SE	6	1S	37E	Bingham	
		SE	SE	7	"	"	"	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	37E	6															I		
		7		I			I			I	I					I	I		
		18		I	I						I		I			I			
		19		I	I		I			I	I			I					

T 68843

Total Acres _____

Transfer No 68243

PART 1

6. General Information:

a. Description of diversion system 2 wells & pump to flush delivery lines & pivots.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ✓ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
2 acres will not be irrigated. We only need 5 acre feet of water to fufill our flush needs thru the winter so only 2 acres was dried up.

d. Remarks:
The places of use reflect the pipeline location that brings the flush water thru the system.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

_____
For the Director

MICROFILMED

TRANS NO. 68843

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **27-07446**

STAGE: **LICENSE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	4.34 CFS	868.0 AF

SOURCE

GROUNDWATER

Priority: 11/07/1988

LOCATION OF POINT(S) OF DIVERSION: Lot 9(SWSE), Sec. 6, Township 01S, Range 37E
SESE , Sec. 7, Township 01S, Range 37E
BINGHAM County

PLACE OF USE:

IRRIGATION

			NE					NW					SW					SE					
			NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		SUM
01S	37E	6																							09-15		10-05		13-25					45.0
01S	37E	7				25		30		02	08-25						07-30		06-05								05	06-35	05-10		05				172.0
																																	TOTAL ACRES	217.0

CONDITIONS/REMARKS:

1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.

Transfer No. 77112

PART 2

10) To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.04 cfs for Irrigation purposes from 4/01 to 10/31
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
9		SW	SE	6	1S	37E	Bingham	
		SE	SE	7	"	"	"	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	37E	7																2	2

Total Acres 2

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount 4.30 cfs for Irrigation purposes from 4/01 to 10/31
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)

2. Point(s) of Diversion:

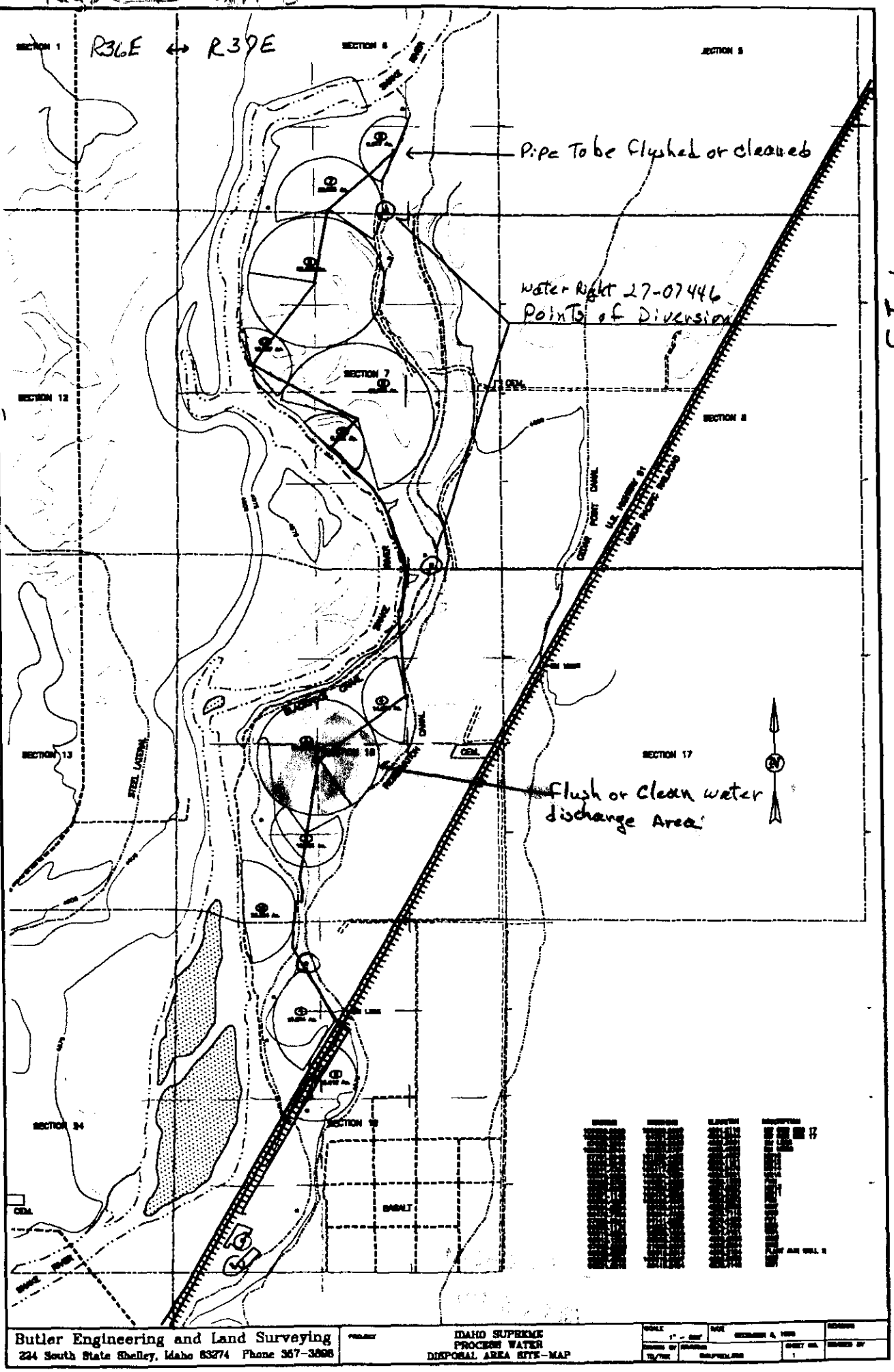
Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
9		SW	SE	6	1S	37E	Bingham	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	37E	6												15		5	25		45
														L-9		L-10	L-13		
		7		25	30	2	25			30	5								
							L-8			L-7	L-6				5	35	10	3	170
																L-6	L-5		

Total Acres 215

Part of Exhibit D

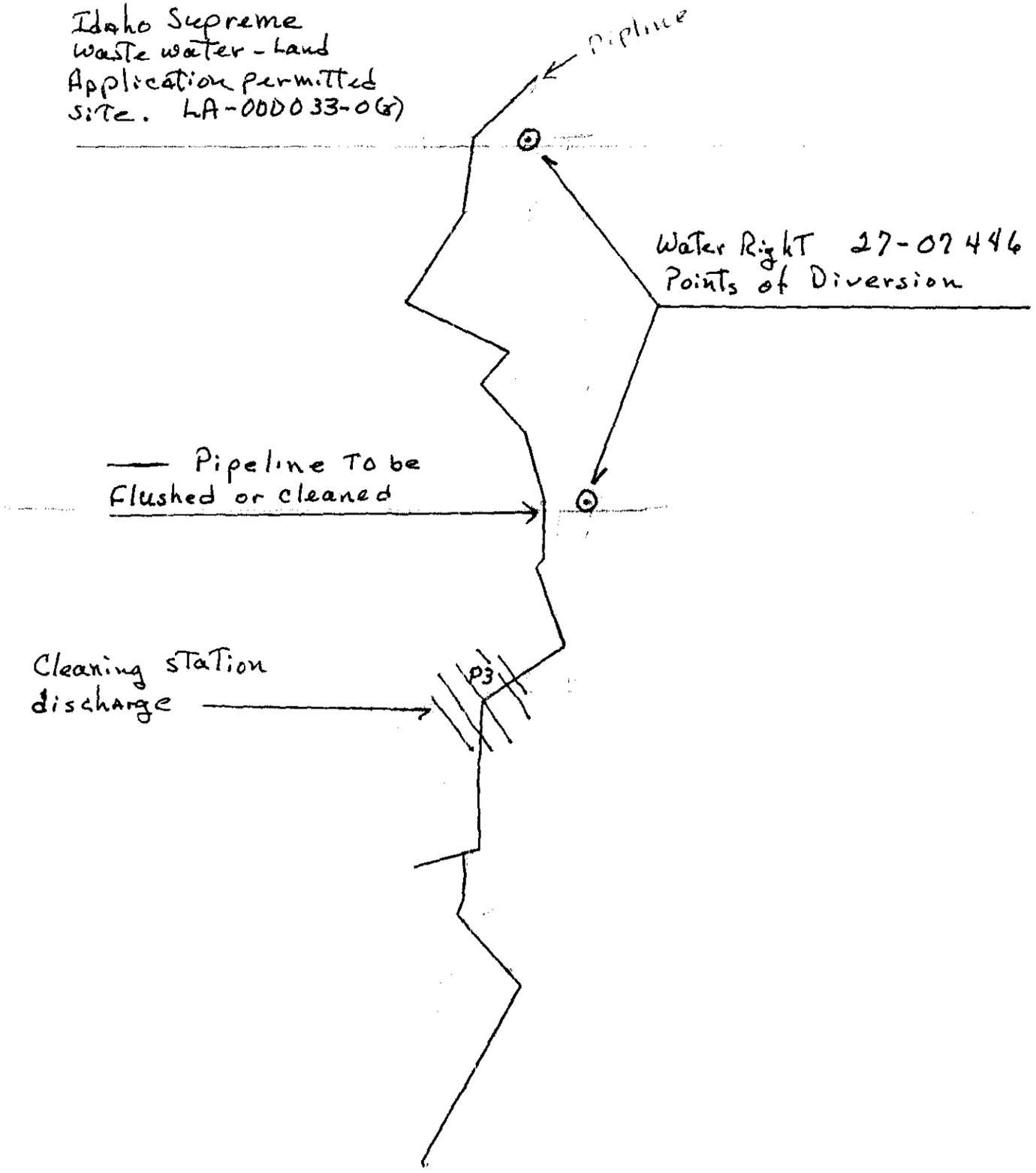


T15S R39E

Page 5 of 7

PIPELINE LAYOUT

Idaho Supreme
waste water - Land
Application permitted
site. LA-000033-01



T68843
page 6 of 7

Transfer No. 68343

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
Industrial	0.04cfs / 4.7	2hr/week	Nov. 1 to March 31
			to

2. Quantity and quality of return flows and location of discharge:
Return quality degraded - LAP00033-0x Flushwater. Location of discharge is pivot site # 3 which will spread water over 46 acres.

3. Describe effects on other water uses resulting from the proposed change:
1/ N.A.
2/ Even though 0.04 cfs is our basic rate, the actual use will be at 1.34 cfs for 2hrs/week over 5 months & utilize 4.7 af.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.
I understand that any willful misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant)

Subscribed and sworn to before me this 4 day of Jan, 20 01.

PAUL RAY BYINGTON
Notary Public
State of Idaho

Paul Ray Byington
(Notary Public)

My commission expires MY COMMISSION EXPIRES November 30, 2005
BONDED THR NOTARY PUBLIC UNDERWRITERS

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 31 attachments
Received by _____ Date _____ Protest filed by _____
Prelim. Check by KCW 1/16/01 Fee $100.00 _____
Receipted by Cheri Date 1-12-01 EC 216430
Published in Morning News Copies of protest forwarded by _____
Pub. Dates Feb 1 & 8th 2001 Hearing held by _____ Date _____
Watermaster recommendations requested on _____ Recommended for ☑ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

Attachment A (page 1 of 3)

RONALD SIMMONS
BINGHAM COUNTY ASSESSOR
501 N MAPLE #305
BLACKFOOT ID 83221-1700

RETURN SERVICE REQUESTED

ASSESSMENT NOTICE

2000

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
BLACKFOOT ID 83221
PERMIT NO 196

Tax Code 35-00

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	15.133 AC	11,849
5 DRY GRAZING	3.507 AC	18
19 WASTE	4.360 AC	
TOTAL:	23.000	11,867

Taxes are based on the valuation listed on this statement

JUNE 26, 2000

PARCEL #
RP 0497012

T1S R37E SEC 06
SESE E OF BLFT CANAL, W OF RES
CANAL; LOT 10 W OF RES CANAL
PROPERTY ADDRESS

	PRIOR YEAR	CURRENT YEAR
VALUE:		11,867 ESTIMATED
TAX:	PRIOR YEAR	

See back for details.

Mail To:
IDAHO SUPREME POTATOES INC
PO BOX 246
FIRTH ID 83236

DO NOT PAY ESTIMATE

RONALD SIMMONS
BINGHAM COUNTY ASSESSOR
501 N MAPLE #305
BLACKFOOT ID 83221-1700

RETURN SERVICE REQUESTED

ASSESSMENT NOTICE

2000

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
BLACKFOOT ID 83221
PERMIT NO 196

Tax Code 28-00

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	21.000 AC	17,743
5 DRY GRAZING	3.000 AC	103
19 WASTE	1.880 AC	
TOTAL:	25.880	17,846

Taxes are based on the valuation listed on this statement

JUNE 26, 2000

PARCEL #
RP 0497705

T1S R37E SEC 07
LOT 5 E OF RIVER, T-5259,2588
LESS T-8889
PROPERTY ADDRESS

	PRIOR YEAR	CURRENT YEAR
VALUE:	17,846 PRIOR YEAR	17,846 ESTIMATED
TAX:	234.88	234.88

See back for details.

Mail To:
IDAHO SUPREME POTATOES INC
PO BOX 246
FIRTH ID 83236

DO NOT PAY ESTIMATE

T 68843
ATTACHMENT 1 OF 31

Attachment A (Page 2 of 3)

RONALD SIMMONS
BINGHAM COUNTY ASSESSOR
501 N MAPLE #305
BLACKFOOT ID 83221-1700

RETURN SERVICE REQUESTED

ASSESSMENT NOTICE

2000

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
BLACKFOOT ID 83221
PERMIT NO 196

CATEGORY DESCRIPTION	Tax Code LOTS/ACRES 35-00	MARKET VALUE
1 IRRGTD AG	43.000 AC	33,719
5 DRY GRAZING	2.000 AC	10
19 WASTE	1.000 AC	
TOTAL:	46.000	33,729

Taxes are based on the valuation listed on this statement

JUNE 26, 2000

PARCEL #
RP 0497800

T1S R37E SEC 07
LOT 6

PROPERTY ADDRESS

	PRIOR YEAR	CURRENT YEAR
VALUE:	33,729 PRIOR YEAR	33,729 ESTIMATED
TAX:	453.76	453.76

See back for details.

Mail To:
IDAHO SUPREME POTATOES INC
PO BOX 246
FIRTH ID 83236

DO NOT PAY ESTIMATE

RONALD SIMMONS
BINGHAM COUNTY ASSESSOR
501 N MAPLE #305
BLACKFOOT ID 83221-1700

RETURN SERVICE REQUESTED

ASSESSMENT NOTICE

2000

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
BLACKFOOT ID 83221
PERMIT NO 196

CATEGORY DESCRIPTION	Tax Code LOTS/ACRES 35-00	MARKET VALUE
1 IRRGTD AG	119.000 AC	98,577
19 WASTE	3.323 AC	
TOTAL:	122.323	98,577

Taxes are based on the valuation listed on this statement

JUNE 26, 2000

PARCEL #
RP 0498702

T1S R37E SEC 07
LOTS 7,8,9,& 12
W2NE W OF BLACKFOOT CANAL
LESS RW

PROPERTY ADDRESS

	PRIOR YEAR	CURRENT YEAR
VALUE:	98,577 PRIOR YEAR	98,577 ESTIMATED
TAX:	1,326.26	1,326.26

See back for details.

Mail To:
COOK LAMOND
% IDAHO SUPREME POTATOES IN
PO BOX 246
FIRTH ID 83236

DO NOT PAY ESTIMATE

T 68843
ATTACHMENT 2 OF 31

Attachment A (. 9e30f3

RONALD SIMMONS
BINGHAM COUNTY ASSESSOR
501 N MAPLE #305
BLACKFOOT ID 83221-1700

RETURN SERVICE REQUESTED

ASSESSMENT NOTICE

2000

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
BLACKFOOT ID 83221
PERMIT NO 196

Tax Code 25-00

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	33.933 AC	26,570
5 DRY GRAZING	26.710 AC	442
TOTAL:	60.643	27,012

Taxes are based on the valuation listed on this statement

JUNE 26, 2000

PARCEL #
RP 0497601

T1S R37E SEC 06
LOT 9;LOT 13 WEST OF CANAL;
T-2665 LESS RW
PROPERTY ADDRESS

	PRIOR YEAR	CURRENT YEAR
VALUE:	27,012 PRIOR YEAR	27,012 ESTIMATED
TAX:	363.40	363.40

See back for details.

Mail To:
COOK LAMOND
% IDAHO SUPREME POTATOES INC
P O BOX 246
FIRTH ID 83236

DO NOT PAY ESTIMATE

T 68843
ATTACHMENT 3 OF 31

RECEIVED
DEC 2 7 2000
Department of Water Resources
Eastern Region

WASTEWATER-LAND APPLICATION PERMIT
Idaho Supreme Potatoes, Inc.
LA-000033-02

Idaho Supreme Potatoes, Inc. LOCATED AT 614 E. 800 N., Firth, ID 83236 AND in T1S R37E Sections 6,7,18,19 IS HEREBY AUTHORIZED TO CONSTRUCT, INSTALL AND OPERATE A WASTEWATER-LAND APPLICATION TREATMENT SYSTEM IN ACCORDANCE WITH THE WASTEWATER-LAND APPLICATION RULES (IDAPA 16.01.17), THE WATER QUALITY STANDARDS AND WASTEWATER TREATMENT REQUIREMENTS (IDAPA 16.01.02), THE GROUND WATER QUALITY RULE (IDAPA 16.01.11) AND ACCOMPANYING PERMIT. THIS PERMIT IS EFFECTIVE FROM THE DATE OF SIGNATURE AND EXPIRES ON MAY 4, 2005.

AUDREY COLE, REGIONAL ADMINISTRATOR
IDAHO DIVISION OF ENVIRONMENTAL QUALITY

Signed this 4 day of May, 2000

DIVISION OF ENVIRONMENTAL QUALITY
224 So. Arthur
Pocatello, ID 83204
(208) 236-6160 (phone)
(208) 236-6169 (fax)

POSTING ON SITE RECOMMENDED

B. Permit Contents, Appendices and References

		Page
A.	Permit Certificate	1
B.	Permit Contents, Appendices and Attachments	2
C.	Facility Information	3
D.	Site Specific Permit Conditions	4-6
E.	Monitoring Requirements	7-9
F.	Compliance Schedule For Required Activities	10-12
G.	Reporting Requirements	13-14
H.	Standard Permit Conditions: Procedures and Reporting	15
I.	Standard Permit Conditions: Modifications, Violation, and Revocation	16

Appendices

1.	Environmental Monitoring Serial Numbers	17-19
2.	Site Maps	20-21

References

I. Plan of Operation
II. Odor Management Plan
III. Waste Solids Management Plan

The Sections, Appendices, and References listed on this page are all elements of Wastewater-Land Application Permit LA-000033-02 and are enforceable as such. This permit does not relieve Idaho Supreme Potatoes, Inc., hereafter referred to as the permittee, from responsibility for compliance with other applicable federal, state or local laws, rules, standards or ordinances.

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C. Facility Information

Legal Name of Permittee	Idaho Supreme Potatoes, Inc.
Type of Waste to be Land Applied	Potato processing wastewater
Method of Treatment	Land irrigation
Type of Facility	Potato Processor
Facility Location	Firth, Idaho; 4,575 ft. Elevation
Legal Location	T1S R37E, Sections 19,18,7,6
County	Bingham
USGS Quad	Firth
Soils on Site	Silt loam and sandy loam over gravel subsoils
Aquifer Unit Name	East Snake River Aquifer
Depth to Ground Water	10-20 feet
Beneficial Uses of Ground Water	Domestic, agriculture, industrial
Nearest Surface Water	Snake River, 100 feet
Beneficial Uses of Surface Water	Snake River: Domestic, agricultural water supply, cold water biota, salmonid spawning, primary and secondary recreation Irrigation canals: Agricultural water supply
Facility Contact Person **Mailing Address** **Phone/Fax Number**	Duane Ball, Technical Service Asst.. P.O. Box 246 Firth, ID 83236 208-346-6841; 208-346-4104 fax
Facility Contact Person **Mailing Address** **Phone/Fax Number**	Wade Chapman, Business Manager. P.O. Box 246 Firth, ID 83236 208-346-6841; 208-346-4104 fax

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D. Site Specific Permit Conditions

1) The Permittee is allowed to apply wastewater and treat it on a land application site as prescribed in the table below, in accordance with all other applicable permit conditions and schedules, or as indicated in Section F. *Compliance Schedule For Required Activities*. These acreages are referenced in the site map in Appendix "2" which is incorporated by reference into this permit. The wastewater shall be managed substantially in accordance with the Plan of Operation, except where modified by this permit.

Category	Permitted Conditions
Type of Wastewater	Potato Processing Wastewater from plant
Application Site Area	371 acres
Application Season	365 days
Growing Season (GS)	April 1 through October 31
Non-Growing Season (NGS)	November 1 through March 31
Method of Treatment and Process Description	Wastewater from plant is land applied
Grazing	Grazing allowed under the following conditions: Less than 300 head, after final harvest but before November 15, no supplemental feed allowed, stubble height in accordance with DEQ "Handbook for Land Application of Municipal and Industrial Wastewater, April 1996."
Ground water	Ground water quality shall be in compliance with Ground Water Quality Standards, IDAPA 16.01.11.200, except as noted below. For those areas and constituents identified in the ground water investigation report (Report) as being degraded or in exceedance of standards, Permittee's compliance with the requirements of Compliance Activity CA-033-05 shall demonstrate Ground Water Quality Rule compliance.
Wastewater Loading - Nongrowing Season (NGS) (million gallons annually)	Available Water Capacity (AWC) plus NGS Evapotranspiration (ET) minus NGS Precipitation (P) for each Hydraulic Management Unit (HMU), except as allowed by Section F. Compliance Schedule for Required Activities, Item 2.

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D. Site Specific Permit Conditions

Category	Permitted Conditions
Wastewater Loading - NGS (ac-in/ac-yr)	AWC plus NGS ET minus NGS P for each Hydraulic Management Unit (HMU), except as allowed by Section F. Compliance Schedule for Required Activities, Item 2.
Monthly Growing Season (GS) Hydraulic Loading	Irrigation Water Requirement (See note 5, Section F. Compliance Schedule for Required Activities, Item 2.)
Seasonal (NGS and GS) average COD loading (lbs/acre/day)	50, except as allowed by Section F. Compliance Schedule for Required Activities, Item 2.
Nitrogen Loading (lbs/acre-yr)	150% of typical crop uptake, except as allowed by Section F. Compliance Schedule for Required Activities, Item 2.

2) Buffer zones from land application areas shall be provided as indicated in table below unless altered by compliance activity CA-0033-02.

Buffer Object	Required Buffer Distance
Dwellings	300 feet
Public access areas	50 feet
Natural surface water bodies	100 feet
Man-made irrigation conveyances	50 feet

3) All wastewater lines and pivots shall be cleaned, flushed or drained after use as necessary to prevent putrefaction of wastewater in the lines upon implementation of compliance activity, Section F, CA-033-07.

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E. Monitoring Requirements

1) The permittee shall monitor the operation and efficiency of all treatment facilities. The permittee shall monitor and measure parameters as stated in the Facility Monitoring Table in this section.

2) Samples shall be collected at times and locations that represent typical environmental and process parameters being monitored.

3) Appropriate analytical methods, as given in the DEQ "Handbook for Land Application of Municipal and Industrial Wastewater, April 1996," or as approved by the Department, shall be employed.

4) A description of approved sample collection methods; appropriate analytical methods and companion QA/QC protocol shall be included in the facility's Plan of Operation.

5) Unless otherwise agreed to in writing by the Department, data collected and submitted shall include, but not be limited to, the parameters and frequencies in the table below.

6) The monitoring wells shall be purged a minimum of three (3) casing volumes prior to obtaining a sample of the ground water. The depth to water or static water level shall be measured prior to pumping or sampling the ground water.

7) Each soil monitoring unit at a minimum shall be sampled as follows unless otherwise directed: subsamples shall be collected which are representative of the soil unit at three (3) depths, 0-12 inches, 12-24 inches, and 24-36 inches or refusal. These subsamples shall be composited by depth to yield three (3) samples per monitoring unit per season for analysis.

Field size(acres)	Subsamples required for each depth
15+	10
0-15	5

8) Composite samples shall consist of a minimum of 4 aliquots evenly spaced in time over a 24-hour period.

9) Sampling of domestic wells required in the table below is required only for those wells for which permission has been obtained to take samples.

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E. Monitoring Requirements

Facility Monitoring Table

Frequency	Monitoring Point	Description and Type of Monitoring	Parameters
Daily	Flow Meter	Recording of flow meter reading	Volume (million gallons) to each Hydraulic Management Unit
Monthly	Each crop	Calculate Irrigation Water Requirement	Volume (million gallons) to each Hydraulic Management Unit
Monthly	Effluent to Land Treatment sites	Composite samples (see Section E. Note 8 above)	Total-nitrogen (reported as total Kjeldahl nitrogen), nitrate+nitrite-nitrogen, total dissolved solids, chemical oxygen demand, total suspended solids, total dissolved solids, volatile dissolved solids, potassium, total phosphorus, chloride
Monthly	Flow meter or estimate	Supplemental irrigation water	Flow (MG) to each Hydraulic Unit (record monthly)
Three Times-Annually (March, July, and November)	Monitoring Wells	Grab sample of ground water	Water table elevation, water table depth, total iron, total manganese, chemical oxygen demand, nitrate-nitrogen, chloride, potassium, total dissolved solids, dissolved iron, dissolved manganese[1]

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[1]Analytical results are required for dissolved iron and/or manganese only if results for total iron and/or manganese exceed standards in IDAPA 16.01.11.200.01.b.

E. Monitoring Requirements

Frequency	Monitoring Point	Description and Type of Monitoring	Parameters
Annually (March)	Domestic Wells within 1/4 mile of all land application acreage	Grab sample of ground water	Total iron, total manganese, chemical oxygen demand, nitrate-nitrogen, chloride, potassium, total dissolved solids, dissolved iron, dissolved manganese[2]
Semi-Annually (May & September of first year only[3])	At source	Grab samples of supplemental irrigation water	Chloride, total dissolved solids, volatile dissolved solids, nitrate+nitrite-nitrogen
Semi-Annually (March and October)	* Asterisked Soil Monitoring Units (see Appendix 1 for unit descriptions)	Soil composite samples (see Section E. Note 7 above)	Electrical conductivity, potassium, nitrate-nitrogen, plant available phosphorus, ammonium-nitrogen, Note: DTPA-iron, DTPA-manganese and sodium absorption ratio shall be done in March 2001 and 2004 only.
Annually	Each Hydraulic Management Unit	Actual acreage utilized	Acres
Annually	One representative field of each crop type	Plant tissue analyses: composite sample of harvested portion.	Nitrate-nitrogen, total Kjeldahl nitrogen, ash, dry tons/acres
Annually	Each Hydraulic Management Unit	Calculate crop nitrogen and ash removal	Nitrogen and ash removed in lbs/acre-yr
Annually	Each Hydraulic Management Unit	Calculate COD loading for each month	Chemical oxygen demand applied in lbs/acre-month

[2]Analytical results are required for dissolved iron and/or manganese only if results for total iron and/or manganese exceed standards in IDAPA 16.01.11.200.01.b.

[3]Alternative dates for sampling supplemental irrigation water may be chosen by the permittee but must be near the beginning and end of the growing season.

E. Monitoring Requirements

Frequency	Monitoring Point	Description and Type of Monitoring	Parameters
Annually	Each Hydraulic Management Unit	Calculate nitrogen loading from fertilizer application	Fertilizer nitrogen applied in lbs/acre-yr
Annually	Each Hydraulic Management Unit	Calculate nitrogen loading from wastewater application	Nitrogen applied in lbs/acre-yr
March 2004 only	Monitoring Wells and Domestic Wells within 1/4 mile of treatment acreage	Grab samples of ground water	Bicarbonate + carbonate, sodium, calcium, magnesium, sulfate, total phosphorus

The reporting of monitoring results is described in Section G. Reporting Requirements.

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F. Compliance Schedule for Required Activities

1) The Activities in the following table shall be completed on or before the Completion Date unless modified by the Department in writing. All plans that are approved by the Department shall be incorporated by reference into this permit, shall be implemented by the permittee, and shall be enforceable as a part of this permit.

Compliance Activity Number **Completion Date**	Compliance Activity Description
CA-033-01 **4 months after permit issuance**	Install flow-measuring equipment and perform pump station calibrations as necessary to measure all sources of supplemental irrigation water and pipe flushing water.
CA-033-02 **6 months after permit issuance**	Submit for review and approval to DEQ a buffer zone plan. The plan shall show buffers for public access, dwellings, irrigation wells, private wells, irrigation ditches and permanent surface water. Any alternative buffers proposed shall include justification.
CA-033-03 **12 months after permit issuance**	Submit a final Plan of Operation based on actual day to day operations to replace the original plan of operation submitted during the application process.
CA-033-04 **4 months after permit issuance**	Develop and Implement an Odor Management Plan and revise as necessary to prevent nuisance odors.

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F. Compliance Schedule for Required Activities

Compliance Activity Number **Completion Date**	Compliance Activity Description
CA-033-05 1) **6 months after DEQ approval of the activities required in CA-033-09** 2) **To be Determined**	1) The Permittee shall submit to DEQ for review and approval a ground water investigation report (Report) that establishes site background water quality levels and identifies, by mapping, areas of ground water degradation and exceedances of the standards set forth in Ground Water Quality Rule (GWQR), IDAPA 16.01.11.200, as the result of Permittee's past wastewater land application practices. 2) For areas where ground water standards have been exceeded due to wastewater land application practices is identified in item 1), the Permittee shall submit to DEQ a Water Quality Improvement Plan (WQIP) which, at a minimum, includes the following items: a. A list of possible remedial actions using best management practices and/or best available technologies which will result in ground water quality that meets Ground Water Quality Standards and site background levels. b. An analysis of each alternative remedial action; c. Justification for the selected remedial action(s); d. A schedule for implementation of the selected remedial action(s) and expected time frame for ground water compliance; e. Offer to provide an alternate domestic water supply (meeting IDAPA 16.01.11, 200a,b, and c criteria) for any domestic well exceeding GWQR standards within the area identified in the Report; and f. Offer to provide an alternate water supply for any ground water user within the area identified in the Report whose beneficial use has been impaired.
3) **To be Determined**	3) For areas where ground water quality is degraded but GWQR standards are not exceeded due to wastewater land application practices as identified in item 1), preventative measures shall be implemented as provided in IDAPA 16.01.11.400.02. Once approved, the WQIP shall become a part of this permit and shall be enforceable as provided by applicable law. All work undertaken shall not deviate from the DEQ approved WQIP without prior written approval by the DEQ. With respect to the Report and the WQIP (Documents), if upon submittal further information is requested by the DEQ, Permittee shall submit such information to the DEQ within 30 days of the request, or within a time frame allowed by DEQ. The DEQ shall notify Permittee, in writing, of the DEQ's approval of the report. If Permittee does not submit an approvable Document, as determined by DEQ, within a reasonable time, Permittee shall be in violation of this Permit.

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F. Compliance Schedule for Required Activities

Compliance Activity Number **Completion Date**	Compliance Activity Description
CA-033-06 **as needed to comply with permit conditions**	Submit to DEQ, for review and approval a preliminary technical report for additional site improvements or additional land.
CA-033-07 **4 months after permit issuance**	Develop as necessary the capacity to flush, drain and/or clean all wastewater conveyance structures (and other storage or treatment structures if necessary) to prevent nuisance odor problems from this source.
CA-033-08 **24 months after permit issuance**	Submit a complete **NVDS (Non-Volatile Dissolved Solids)Assessment** to the Department for review and approval. This assessment shall determine the fate of NVDS in the land application system and perform a NVDS mixing zone analysis to determine an acceptable NVDS loading rate that will be protective of groundwater. *The mixing zone analysis shall incorporate the aquifer hydraulic testing results from requirement CA-033-09.* If results from above indicate the necessity of TDS loading reductions, the following shall be done: 1) identify the sources of NVDS in the waste stream and current loading rates; 2) evaluate the feasibility of isolation or removal of NVDS in the waste stream; and 3) propose management strategies and schedules to minimize NVDS in the wastewater.
CA-033-09 **6 months after permit issuance**	Submit to DEQ, for review and approval a ground water evaluation which: a) determines whether additional monitoring wells are needed to better characterize up and/or down gradient ground water conditions. b) determines the adequacy of the present monitoring well network, including location, well construction, monitoring and sampling. c) determines aquifer transmissivity/hydraulic conductivity at each monitoring well, d) conducts time of travel studies of both vadose zone and aquifer.
CA-033-10 **12 months after permit issuance**	Submit for Department review and approval a Waste Solids Management Plan. The Plan shall address current and planned disposal practices for tare, silt, sludge and rock/vine waste streams. The Plan shall demonstrate that current practices are adequate to protect ground and surface water and are not detracting from the efficient use of permitted hydraulic management units.

F. Compliance Schedule for Required Activities

Compliance Activity Number **Completion Date**	Compliance Activity Description
CA-033-11 At least six (6) months prior to permit expiration date	Meet with Department for pre-application conference. Submit application package of information to Department for permit renewal.

2) The following table indicates the hydraulic and constituent loading compliance schedule for existing acreage. Permit limits specified in the last column may be modified by DEQ if the permittee demonstrates (as determined by DEQ) that alternate loading rates are protective of ground water and prevent nuisance conditions.

Constituents/Site Loading Limits[1]	From Permit Issuance to 3/31/2002	From 4/01/2002 to 10/31/04	From 11/01/04 to Permit Expiration
WW[2] Loading - NGS[3] (MGA)	181	181	AWC[7] plus NGS[3] ET[7] minus NGS P[7] for each Hydraulic Management Unit (HMU)[7]
WW Loading - NGS (ac-in/ac-yr)[4]	18	18	AWC plus NGS ET minus NGS P for each Hydraulic Management Unit (HMU)[7]
Monthly GS[3] Hydraulic Loading[5]	Irrigation Water Requirement[5]	Irrigation Water Requirement[5]	Irrigation Water Requirement[5]
Seasonal (NGS and GS) average COD loading (lbs/acre/day)	110	50	50
Nitrogen Loading (lbs/acre-yr)	900	150% of typical[6] crop uptake	150% of typical[6] crop uptake

Table Notes:

1) The values in the table represent maximum limits of various constituents that may be applied.
2) WW = wastewater

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3) NGS = non-growing season, defined as November 1 through March 31. GS= Growing Season, defined as April 1 through October 31.

4) A WW hydraulic loading rate limit per acre is given in the event the permittee does not wish to utilize the entire acreage of a permitted hydraulic management unit. So long as the permittee stays below the total WW loading limit, WW may be applied to select portions of hydraulic management units so long as the WW hydraulic loading rate (ac-in/ac-yr) is not exceeded.

5) Monthly Growing Season (GS) hydraulic loading (wastewater, precipitation, & irrigation water) shall be no greater than the monthly irrigation water requirement as calculated in the DEQ "Handbook for Land Application of Municipal and Industrial Wastewater, April 1996" on page IV-6 and 7, using current climatic and ET data, or using 30 year average data. Whichever method is chosen must be applied consistently throughout the application year.

6) Typical crop uptake is defined as the median nitrogen crop uptake from the last three (3) years.

7) AWC=available water capacity, ET=evapotranspiration, P=precipitation.

AWC for the following HMUs:

MU-003301, MU-003307, MU-003308, MU-003311, MU-003315: 6 inches

MU-003302, MU-003304, MU-003305, MU-003309, MU-003310, MU-003312: 11.9 inches

MU-003303, MU-003306, MU-003313: 7.3 inches

ET for non-growing season = 3.4 inches, P for non-growing season = 4.9 inches

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G. Reporting Requirements

1) The permittee shall submit an Annual Wastewater-Land Application Site Performance Report ("Annual Report") prepared by a competent environmental professional no later than January 31 of each year which shall cover the previous year from November 1 through October 31. The Annual Report shall include an interpretive discussion of monitoring data (ground water, vadose zone, hydraulic loading, wastewater etc.) with particular respect to environmental impacts by the facility.

2) The required monitoring is described in *Section E. Monitoring Requirements*. All monitoring data generated by the facility as required by *Section E. Monitoring Requirements* shall be summarized and submitted to the Department as part of the Annual Report. Results of monitoring at frequencies greater than those prescribed in the Monitoring Requirements for parameters listed shall also be included in the summary.

3) Notice of Completion of any work described in Section F. Compliance Schedule for Required Activities (CA-033-01 through CA-033-10) shall be submitted to the Department within 30 days of activity completion. The status of all other work described in Section F. shall be submitted with the Annual Report.

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H. Standard Permit Conditions: Procedures and Reporting

1. The permittee shall at all times properly maintain and operate all structures, systems, and equipment for treatment, operational controls and monitoring, which are installed or used by the permittee to comply with all conditions of the permit or the Wastewater-Land Application Permit Regulations.

2. Wastewater(s) or recharge waters applied to the land surface must be restricted to the premises of the application site unless permission has been obtained from the Department authorizing a discharge into the waters of the State as stated in IDAPA 16.01.02.600.02.

3. Wastewater must not create a public health hazard or nuisance condition as stated in IDAPA 16.01.02.600.03. In order to prevent public health hazards and nuisance conditions the permittee shall:

   a. Apply wastewater as evenly as practicable to the treatment area;
   b. Prevent organic solids (contained in the wastewater) from accumulating on the ground surface to the point where the solids putrefy or support vectors or insects; and
   c. Not cause wastewater to pond in the fields to the point where the ponded wastewater putrefies or supports vectors or insects.

4. As a result of the land application of wastewater, ground water of the state must not contain contaminants exceeding those values as referenced under IDAPA 16.01.11.200a. b and c of the Ground Water Quality Rule, unless otherwise specified in this permit.

5. The permittee shall:

   a. Manage the wastewater land application treatment site as an agronomic operation where vegetative cover is grown and harvested or grazed to utilize the nutrients and minerals in the wastewater, and,
   b. Not hydraulically overload any particular areas of the wastewater land application treatment site.

6. If livestock are to be grazed, a grazing management plan shall be submitted to the Department for review and approval prior to grazing.

7. All waste solids, including dredgings and sludges, shall be utilized or disposed in a manner which will prevent their entry, or the entry of contaminated drainage or leachate therefrom, into the waters of the state such that health hazards and nuisance conditions are not created; and to prevent impacts on designated beneficial uses of the ground water and surface water. The permittee's management of waste solids shall be governed by the terms of the Department approved Waste Solids Management Plan, which upon approval shall be an enforceable portion of this permit.

8. If the permittee intends to continue operation of the permitted facility after the expiration of an existing permit, the permittee shall apply for a new permit at least six months prior to the expiration date of the existing permit in accordance with the Waste Water Land Application Permit Regulations.

9. The permittee shall allow the Director of the Idaho Department of Health and Welfare or the Director's[4] designee, consistent with Title 39, Chapter 1, Idaho Code, to:

   a. Enter the permitted facility,
   b. Inspect any records that must be kept under the conditions of the permit.
   c. Inspect any facility, equipment, practice, or operation permitted or required by the permit.
   d. Sample or monitor for the purpose of assuring permit compliance, any substance or any parameter at the facility.

10. The permittee shall report to the Director under the circumstances and in the manner specified in this section:

    a. In writing thirty (30) days before any planned physical alteration or addition to the permitted facility or activity if that alteration or addition would result in any significant change in information that was submitted during the permit application process.
    b. In writing thirty (30) days before any anticipated change which would result in non-compliance with any permit condition or these regulations.
    c. Orally within twenty-four (24) hours from the time the permittee became aware of any non-compliance which may endanger the public health or the environment at telephone numbers provided in the permit by the Director (see below)

       DEQ Central Office: (208) 373-0502
       Emergency 24 Hour Number 1-800-632-8000

    d. In writing as soon as possible but within five (5) days of the date the permittee knows or should know of any non-compliance unless extended by the Department. This report shall contain:

       i. A description of the non-compliance and its cause;
       ii. The period of non-compliance including to the extent possible, times and dates and, if the non-compliance has not been corrected, the anticipated time it is expected to continue; and
       iii. Steps taken or planned to reduce or eliminate reoccurrence of the non-compliance.

    e. In writing as soon as possible after the permittee becomes aware of relevant facts not submitted or incorrect information submitted, in a permit application or any report to the Director. Those facts or the correct information shall be included as a part of this report.

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[4] For purposes of this permit the Director's designee is the Administrator of the Division of Environmental Quality.

I. Standard Permit Conditions: Modifications, Violation, and Revocation

1. The permittee shall furnish to the Director within a reasonable time, any information including copies of records, which may be requested by the Director to determine whether cause exists for modifying, revoking, re-issuing, or terminating the permit, or to determine compliance with the permit or these regulations.

2. Both minor and major modifications may be made to this permit as stated in IDAPA 16.01.17.700.01 and 02 with respect to any conditions stated in this permit upon review and approval of the Department.

3. Whenever a facility expansion, production increase or process modification is anticipated which will result in a change in the character of pollutants to be discharged or which will result in a new or increased discharge that will exceed the conditions of this permit, or if it is determined by the Department that the terms or conditions of the permit must be modified in order to adequately protect the public health or environment, a request for either major or minor modifications must be submitted together with the reports as described in G. Reporting Requirements, and plans and specifications for the proposed changes. No such facility expansion, production increase or process modification shall be made until plans have been reviewed and approved by the Department and a new permit or permit modification has been issued.

4. Permits shall be transferable to a new owner or operator provided that the permittee notifies the Director by requesting a minor modification of the permit before the date of transfer.

5. Any person violating any provision of the Waste Water Land Application Permit Regulations, or any permit or order issued thereunder shall be liable for a civil penalty not to exceed ten thousand dollars ($10,000) or one thousand dollars ($1,000) for each day of a continuing violation, whichever is greater. In addition, pursuant to Title 39, Chapter 1, Idaho Code, any willful or negligent violation may constitute a misdemeanor.

6. The Director may revoke a permit if the permittee violates any permit condition or the Wastewater Land Application Permit Regulations.

7. Except in cases of emergency, the Director shall issue a written notice of intent to revoke to the permittee prior to final revocation. Revocation shall become final within twenty (20) days of receipt of the notice by the permittee, unless within that time the permittee request an administrative hearing in writing to the Director.

8. The Director shall notify the permittee in writing of any revocation hearing at least twenty (20) days prior to the date set for such hearing. The hearing shall be conducted in accordance with Title 67, Chapter 52, Idaho Code.

9. If, pursuant to Idaho Code ' 67-5247, the Director finds the public health, safety or welfare requires emergency action, the Director shall incorporate findings in support of such action in a written notice of emergency revocation issued to the permittee. Emergency revocation shall be effective upon receipt by the permittee. Thereafter, if requested by the permittee in writing the Director shall provide the permittee a revocation hearing and prior notice thereof. Such hearings shall be conducted in accordance with Title 67, Chapter 52, Idaho Code.

10. The provisions of this permit are severable and if a provision or its application is declared invalid or unenforceable for any reason, that declaration will not affect the validity or enforceability of the remaining provisions.

11. The permittee shall notify the Department at least six (6) months prior to permanently removing any permitted land application site from service. Prior to commencing site closure activities, the permittee shall: a) participate in a pre-site closure meeting with the Department; b) develop a site closure plan that identifies specific closure or cleanup tasks with scheduled task completion dates in accordance with agreements made at the pre-site closure meeting; and c) submit the completed site closure plan to the Department for review and approval within forty-five (45) days of the pre-site closure meeting. The permittee must complete the Department approved site closure plan.

12. The permittee shall take all necessary actions to prevent or eliminate any adverse impact on the public health or the environment resulting from permit noncompliance.

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Appendix 1
Environmental Monitoring Serial Numbers
Computerized Data Reporting Serial
Number Key

HYDRAULIC MANAGEMENT UNITS	ACRES	SERIAL NUMBER
Field 1	25	MU-003301
Field 2	19	MU-003302
Field 3	46	MU-003303
Field 4	16	MU-003304
Field 5	57	MU-003305
Field 6	72	MU-003306
Field 7	28	MU-003307
Field 8	10	MU-003308
Field 9	19	MU-003309
Field 10	24	MU-003310
Field 11	15	MU-003311
Field 12	13	MU-003312
Field 13	12	MU-003313
Field 15	15	MU-003315

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WASTEWATER SAMPLING POINTS	
Serial Number	Description
WW-003301	WW at discharge to fields
SW-003301	Supplemental irrigation at diversion to WLAP site

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Appendix 1
Environmental Monitoring Serial Numbers
Computerized Data Reporting Serial
Number Key

GROUND WATER SAMPLING POINTS	
Monitoring Well	Serial Number
MW-1	GW-003301
MW-2	GW-003302
MW-3	GW-003303
MW-4	GW-003304
MW-5	GW-003305
MW-6	GW-003306
MW-7	GW-003307
MW-8	GW-003308
MW-9	GW-003309
MW-10	GW-003310
MW-11	GW-003311
MW-12	GW-003312
MW-13	GW-003313
MW-14	GW-003314
MW-15	GW-003315

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Appendix 1

Environmental Monitoring Serial Numbers

Computerized Data Reporting Serial

Number Key

SOIL MONITORING UNITS	
Soil Monitoring Unit	**Common Field Name**
SU-003301	9, 15
SU-003302	14, 10
SU-003303	1, 2, 3, 4
SU-003304	11, 12, 13
SU-003305*	5
SU-003306*	6
SU-003307*	7
SU-003308*	8
SU-003309*	9
SU-003310*	10
SU-003311*	Field 11
SU-003312*	12
SU-003313*	13
SU-003315*	15
SU-003316*	1
SU-003317*	2
SU-003318*	3
SU-003319*	4

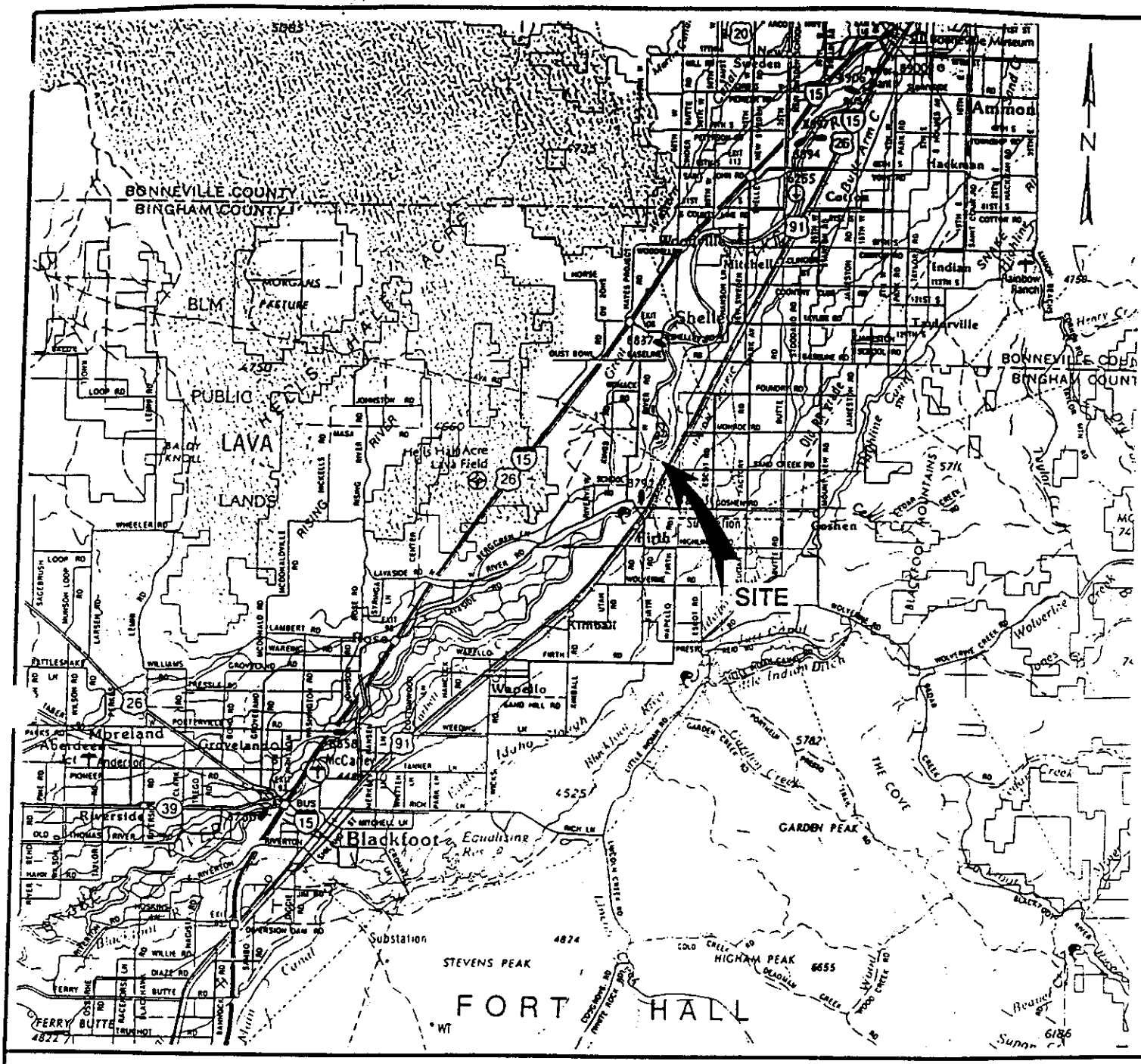
See section E. Monitoring Requirements for sampling information.

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Appendix 2
Site Maps

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FIGURE 1 - Site Location Map

PROJECT NUMBER: 565009	IDAHO SUPREME POTATOES, INC.
DATE: Aug 1996	
DWG. QH / DWG NO: 565009F1	FIRTH, IDAHO
PROJECT MANAGER: DB	
REVISED:	CASCADE EARTH SCIENCES, LTD Oregon - Washington - Idaho

(SOURCE: Delorme Mapping, 1992 Idaho Atlas and Gazetteer)

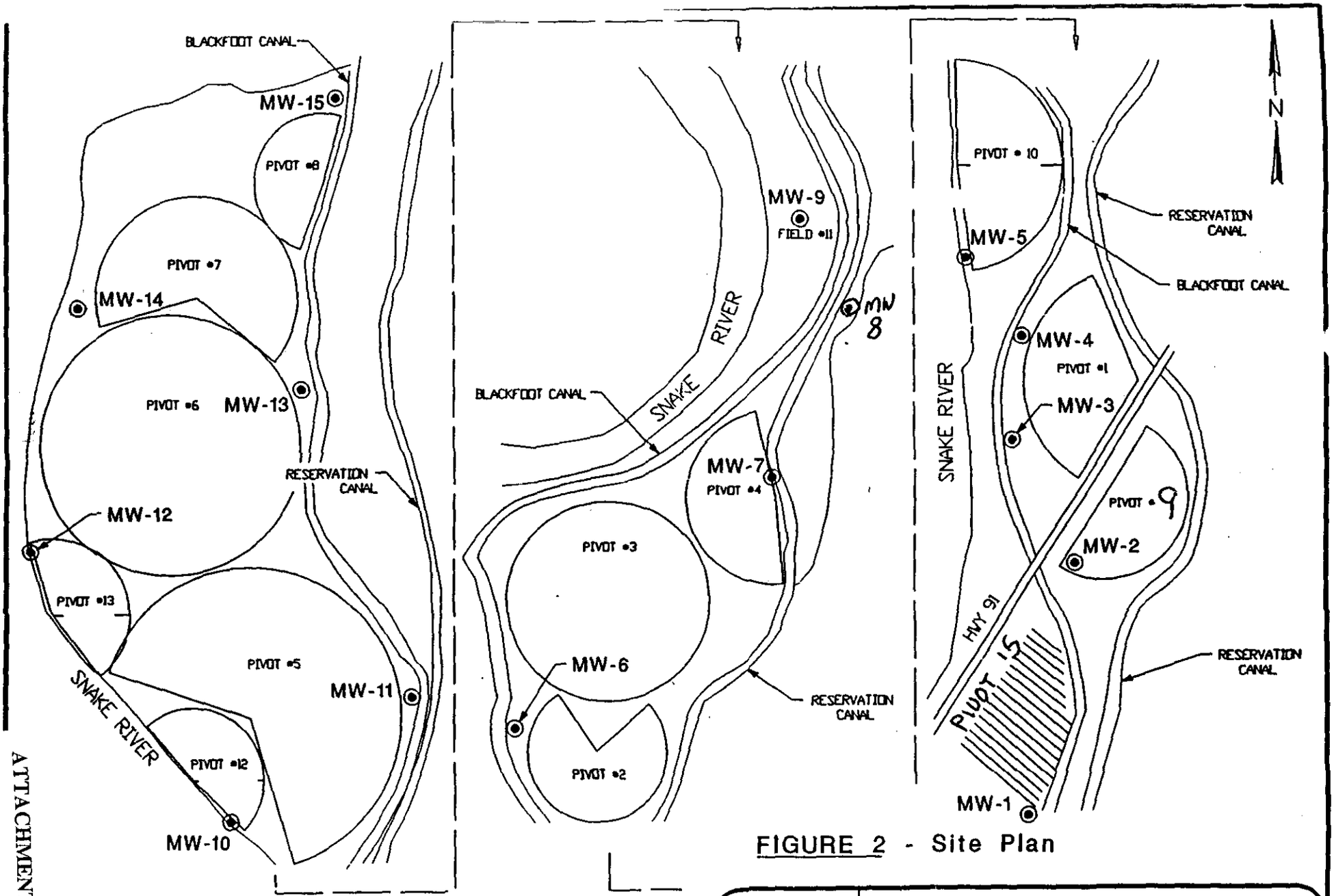


FIGURE 2 - Site Plan

EXPLANATION

Monitoring Well Location

0 500 FEET

SCALE

(LOCATIONS ARE APPROXIMATE)

PROJECT NUMBER: 665006	IDAHO SUPREME POTATOES, INC.
DATE: 2/26/97	
DWG. DJM / DWG NO: 665006F1	FIRTH, IDAHO
PROJECT MANAGER: DB	
REVISED:	CASCADE EARTH SCIENCES, LTD Oregon – Washington – Idaho

ATTACHMENT 2e OF 31

T 6843

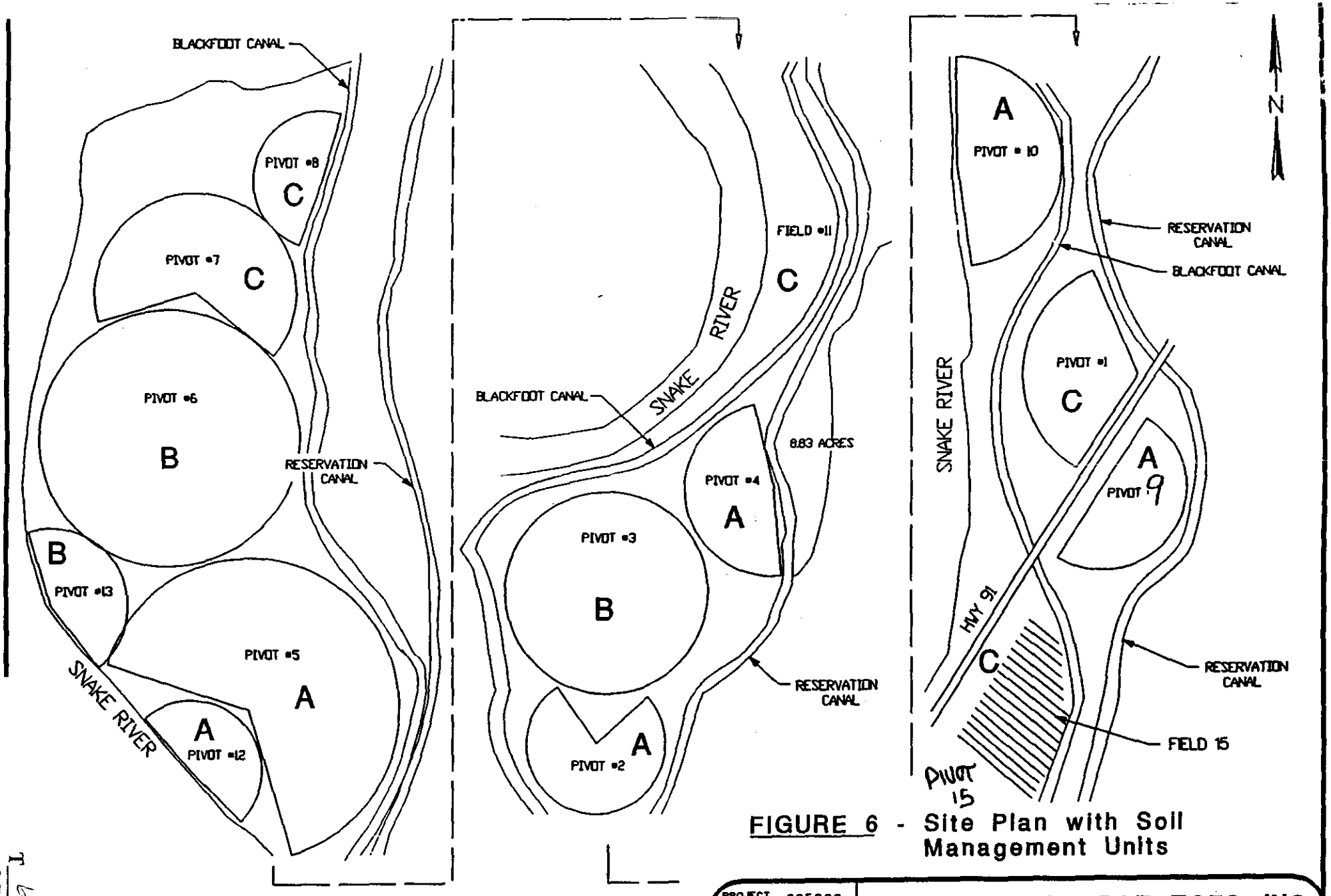


FIGURE 6 - Site Plan with Soil Management Units

EXPLANATION

Soil Management Unit

0 500 FEET

SCALE

(LOCATIONS ARE APPROXIMATE)

PROJECT NUMBER: 665006	IDAHO SUPREME POTATOES, INC.
DATE: 2/26/97	
DWG. DJM / DWG NO: 665006F7	FIRTH, IDAHO
PROJECT MANAGER: DB	
REVISED:	CASCADE EARTH SCIENCES, LTD Oregon – Washington – Idaho

ATTACHMENT 27 OF 31

T 6843

MODIFICATION OF LAND APPLICATION PERMIT
APPENDIX "3"
PERMIT NO. LA-000033-02

Permittee Name: **Idaho Supreme Potatoes, Inc.**

Effective date of this modification: **June 14, 2000**

Complete description of Modification

1. Appendix 1 modification. LA-000033-02, Appendix 1, Environmental Monitoring Serial Numbers.

The table for Wastewater Sampling Points is modified as follows to assign environmental monitoring serial numbers to two (2) additional supplemental irrigation wells used by the permittee to apply supplemental irrigation water to permitted hydraulic management units. Modifications are shown in ***bold italics***.

WASTEWATER SAMPLING POINTS	
Serial Number	Description
WW-003301	WW at discharge to fields
SW-003301	Supplemental irrigation at diversion to WLAP site – ***Well #1***
SW-003302	***Supplemental irrigation at diversion to WLAP site – Well #2***
SW-003303	***Supplemental irrigation at diversion to WLAP site – Well #3***

2. Requirements in LA-000033-02 Sch. E. (Monitoring Requirements) pertinent to the monitoring and sampling of supplemental irrigation water applied to the land application area shall apply to SW-003301 through SW-003303. This shall include grab samples from each source of supplemental irrigation water (SW-003301 through SW-003303) for parameters and at frequencies indicated in Sch. E.

The modification described above and referred to as Appendix 3 is hereby approved. This appendix to the permit is incorporated into and constitutes a part of permit LA-000033-02. This appendix must be attached to the permit. The permit is incomplete and unlawful under the Wastewater Land Application Permit Regulations without this appendix attached.

Signed,

Audrey Cole, Regional Administrator — Date: June 23, 2000

T 68843
ATTACHMENT 28 OF 31

STATE OF IDAHO
DIVISION OF
ENVIRONMENTAL QUALITY

224 South Arthur • Pocatello, Idaho 83204-3202 • (208) 236-6160

Dirk Kempthorne, Governor
C. Stephen Allred, Administrator

June 13, 2000

CERTIFIED MAIL

Duane Ball, Technical Services
Idaho Supreme Potatoes, Inc.
PO Box 246
Firth, ID 83236

RE: Idaho Supreme Potatoes, Inc. – Appendix 3 to Land Application Permit No. LA-000033-02

Dear Mr. Ball:

We are issuing the above referenced wastewater land application permit modification. The enclosed document is your official copy of the permit modification and demonstrates that you are authorized to operate the wastewater land application facility subject to certain specified requirements. It is an official part of permit LA-000033-02. It is mandatory that this document be attached to the permit for the permit to be both complete and final.

The effective date of Appendix 3 is June 14, 2000.

Sincerely,

Audrey Cole, Regional Administrator
Pocatello Regional Office, Division of Environmental Quality

Enc. Staff analysis
Appendix 3 – Permit Modification

CC. Mark Dietrich, Engineering Manager
Rick Huddleston, Wastewater Program Manager
WLAP file LA-000033-02, 2.1.3

STATE OF IDAHO
DIVISION OF
ENVIRONMENTAL QUALITY

224 South Arthur • Pocatello, Idaho 83204-3202 • (208) 236-6160

Dirk Kempthorne, Governor
C. Stephen Allred, Administrator

Memorandum

To: Audrey Cole, Regional Administrator

From: Tom Hepworth Tom H.

Date: 06/13/00 11:44 AM

Re: Staff Analysis of Idaho Supreme Potatoes, Inc. request for a permit modification to add environmental monitoring serial numbers for two (2) wells used for supplemental irrigation water

Purpose:

The purpose of this memorandum is to respond to a request from Idaho Supreme Potatoes, Inc. (ISP) for a minor permit modification to add environmental monitoring serial numbers for two (2) additional wells in use by ISP to add supplemental irrigation water to their permitted hydraulic management units.

Summary of Events:

Permit number LA-000033-02 was issued to ISP on May 4, 2000 and expires on May 4, 2005. On June 5, 2000, DEQ received correspondence from ISP that 1) indicated their completion of activities required in CA-033-01 and 2) requested DEQ to assign environmental monitoring serial numbers for two (2) wells used for supplemental irrigation water.

Discussion:

CA-033-01 is a compliance activity in LA-000033-02 that required ISP to install flow-measuring equipment and perform pump station calibrations as necessary to measure all sources of supplemental irrigation water pipe flushing water.

LA-000033-02 Sch. E (Monitoring Requirements) requires ISP to:

- record the flow (in million gallons) of supplemental irrigation water to each HMU, and
- collect and analyze grab samples of supplemental irrigation water for a variety of parameters.

ISP's June 5 correspondence indicates that they have completed the installation and calibration of flow-measuring equipment at three (3) wells used to supply supplemental irrigation water to wastewater land application fields. However, LA-000033-02 identified only one (1) source of supplemental irrigation water, which was assigned an environmental monitoring serial number (SW-003301). Therefore, the attached minor permit modification is necessary to enable ISP to accurately record and report flow measurements and laboratory analytical results from each separate source of supplemental irrigation water. The environmental monitoring serial numbers as assigned in the permit modification will allow DEQ to track the same information.

Recommendation:

Staff recommends the attached minor permit modification be issued for reasons and purposes as stated above.

CC: Mark Dietrich, Engineering Manager
Rick Huddleston, Wastewater Program Manager
WLAP file LA-000033-02, 2.1.2

T 6884 3
ATTACHMENT 31 OF 31

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 27-07446

Priority: November 7, 1988 — Maximum Diversion Rate: 4.34 CFS; Maximum Diversion Volume: 868.0 AF

This is to certify, that IDAHO SUPREME POTATOES INC
PO BOX 246
FIRTH ID 83236 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 7, 1988; and has submitted Proof of Beneficial Use on February 12, 1992. An examination indicates that the works have a diversion capacity of 5.850 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	4.34 CFS	868.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 9(SWSE), Sec. 6, Township 01S, Range 37E
SESE , Sec. 7, Township 01S, Range 37E
BINGHAM County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
01S	37E	6	Lot 9(SESW)	15	Lot 10(NWSE)	5	Lot 13(SWSE)	25	45
		7	NWNE	25	SWNE	30	SENE	2	
			Lot 8(NENW)	25	Lot 7(SENW)	30	Lot 6(NESW)	5	
			NESE	5	Lot 6(NWSE)	35	Lot 5(SWSE)	10	
			SESE	5					172

Total number of acres irrigated: 217

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 27-07446

CONDITIONS OF APPROVAL AND REMARKS

6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.

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 29TH day of JUNE, 1995.

Acting for KARL J. DREHER, Director

Form 217
11/91

RECEIVED
FEB 12 1992
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $ 200.00
Date 2-12-92
Receipt No. 0023196
Receipt by [illegible]

22362
ENTERED FEB 04 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 27-07446 Telephone No. 208-346-6841
2. Name(s) of Permit Holder(s): Idaho Supreme Potatoes Inc.
3. Mailing Address: P.O. Box 246 Firth, Id. 83236
4. Source of Water: ground water

   If **GROUNDWATER**, Well Driller's Name: Barrus Drilling Date Drilled: 5/4/1990

   OPTIONAL:
   Pump horsepower: 75 Pressure (psi): 75 Dynamic pumping level (ft.): _____
5. Extent of Use (as authorized by the permit):

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

   Irrigation 217 (No. of acres) Other _____
6. Total rate and/or volume for which proof is submitted 4.34 cfs **OR** _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

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

   OR

   Flow Measurement Port: Required? X Yes ___ No Installed? X Yes ___ No
8. Fee Enclosed: $ 200.00 (See License Fee Schedule on back of Instruction Sheet)
9. Person to contact to accompany the Department representative during field examination of the water system.

   Darwin C. Hopkins 346-6841
   Name Telephone No.

   P.O. Box 246, Firth, Id.
   Address
10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

2/4/92 Darwin C. Hopkins Physical Facilities Dir.
Date Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07446

Proposed Priority: November 7, 1988 Maximum Diversion Rate: 4.34 CFS
This is to certify, that **IDAHO SUPREME POTATOES INC.**
P.O. BOX 246
FIRTH, ID 83236
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	03/15 to 11/15	4.34 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 9(SWSE), Sec. 6, Township 01S, Range 37E
SESE Sec. 7, Township 01S, Range 37E
BINGHAM County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
01S	37E	6	LOT 9(SESW)	15	LOT 10(NWSE)	5	LOT 13(SWSE)	25	45
		7	NWNE	25	SWNE	30	SENE	2	
			LOT 8(NENW)	25	LOT 7(SENW)	30	LOT 6(NESW)	5	
			NESE	5	LOT 6(NWSE)	35	LOT 5(SWSE)	10	
			SESE	5					172

Total number of acres irrigated: 217

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **April 1, 1992.**
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

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MAR 2 6 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07446

CONDITIONS/REMARKS:

7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
8. The wells shall be constructed with non-perforated casing and sealed to a sufficient depth to prevent contamination of the ground water aquifer from the applicant's effluent, and also to prevent direct inflow to the wells from the Snake River.

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

19th day of March, 1990.

for R. Glen Saxton
R. Keith Higginson, Director

MICROFILMED
MAR 2 6 1990

$125.00

Form 202
6/85

Ident. No. [illegible]6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Idaho Supreme Potatoes Inc. Phone 346-6841

   Post office address P.O. Box 246, Firth Id 83236

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

3. Location of point of diversion is _____ ¼ of SW ¼ of SE ¼, Govt. Lot 9

   Sec. 6 Township 1S Range 37 E B.M. Bingham County; additional

   points of diversion if any: SE¼SE¼ Sec 7, T1S, R37E

4. Water will be used for the following purposes:

   Amount 4.34 (cfs ~~or acre-feet per annum~~) for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)

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

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

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

5. Total quantity to be appropriated is (a) 4.34 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Two wells mainline to four centerpivots and laterals with Sprinklers

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

   c. Proposed well diameter is 16" / 16" inches; proposed depth of well is 120 to 150 / 120 to 150 feet.

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (*minimum 1 year*).

RECEIVED
MAR 26 1990

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

   a. Hydropower; show total feet of head and proposed capacity in KW. _____

   b. Stockwatering; list number and kind of livestock. _____

   c. Municipal; show name of municipality. _____

   d. Domestic; show number of households. _____

   e. Other; describe fully. _____

9. Description of place of use:

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

   b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
														L9 L13		L10	L9 L13		
1S	37E	6												15		5	25		45
							L8 L9			L7 L12	L6 L12					L6	L5		
		7		25	30	2	25			30	5				5	35	10	5	172

Total number of acres to be irrigated 217

10. Describe any other water rights used for the same purposes as described above. Cedar Point canal

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

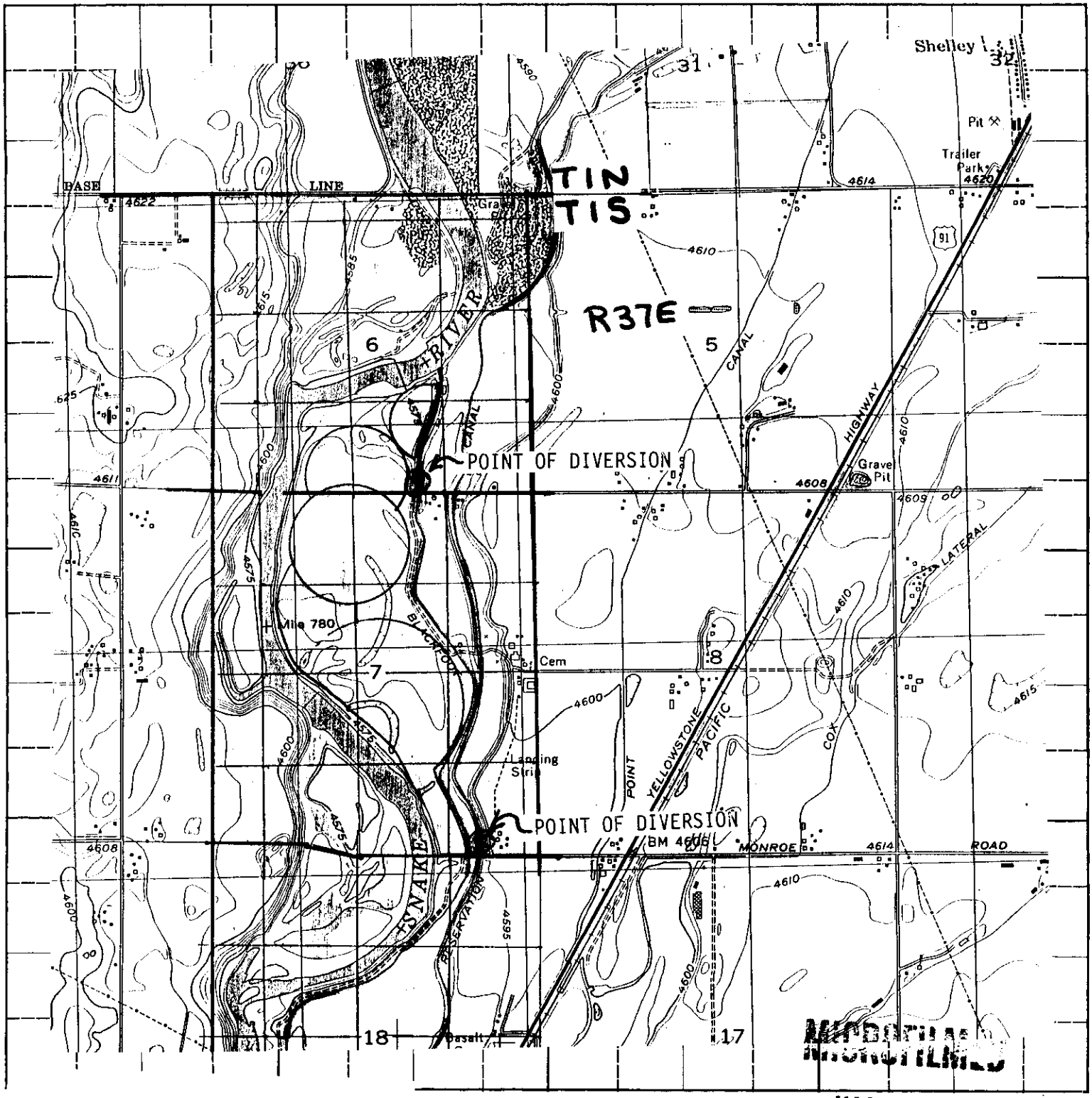
    b. Who owns the land to be irrigated or place of use? "

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

12. Remarks: _____

MICROFILMED
MAR 26 1990

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



MAR 2 6 1990

Company officers:

Bill Chapman, Pres.

Wayne Allen, Sec.

reby makes application for permit to appropriate the public waters of

Wayne E. Allen Corp Sec.

(Applicant)

Assisted By KCW 11-7-1988

Received by JS Date 11-1-88 Time 4:15 Preliminary check by HWJ

Fee $ 125.00 Receipted by JS # E00 38855 Date

Publication prepared by RB Date 10-19 & 26-89 Published in Warning News

Publication approved (RW) Date 11-06-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

   e. Other:

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MAR 2 6 1990

27-07408
JOLLEY, C. Boyd
607 N. 600 E
Firth, Id. 83
Source: GROUNDWATER
Diversion Pt: SWSW, Sec. 1, T. 02S, R. 36E.
Use: IRRIGATION (.720 CFS).
Date Filed: 5/28/1985.
In: T02S, R36E, S01, SWSW.
36.0 ACRES TOTAL.

27-07412
THOMPSON FARMS
493 South 1200 West
Pingree, Id. 83262
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 21, T. 03S, R. 34E.
Use: IRRIGATION (3.060 CFS).
Date Filed: 6/20/1985.
In: T03S, R34E, S21, NESE, SWSE, SESE, S22, NWSW, SWSW, S28, NENW.
153.0 ACRES TOTAL.

27-07413
CAPSON, Edwin
DRISCOLL, Michael A.
273 S. 1300 West
Pingree, Id. 83262
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 21, T. 02S, R. 36E.
Use: IRRIGATION (3.200 CFS).
Date Filed: 6/27/1985.
In: T02S, R36E, S21, NESE, NWSE, SWSE, SESE.
160.0 ACRES TOTAL.

27-07446
IDAHO SUPREME POTATOES, Inc.
P.O. Box 246
Firth, Idaho 83236
Source: GROUNDWATER
Diversion Pt: Lot 9 (SWSE), Sec. 6, T. 01S, R. 37E; SESE, Sec. 7, T. 01S, R. 37E.
Use: IRRIGATION (4.340 CFS).
Date Filed: 11/07/1988.
In: T01S, R37E, S06, Lot 9 (SESW), Lot 13 (SESW), Lot 10, (NWSE), Lot 9 (SWSE), Lot 13 (SWSE); S07, NWNE, SWNE, SENE, Lot 8 (NENW); Lot 9 (NENW), Lot 7 (SENW), Lot 12 (SENW), Lot 6 (NESW); Lot 12 (NESW), NESE, Lot 6 (NWSE), Lot 5 (SWSE), SESE.
217.0 ACRES TOTAL.

27-07447
IDAHO SUPREME POTATOES, Inc.
P.O. Box 246
Firth, Id. 83236
Source: GROUNDWATER
Diversion Pt: Lot 2 (NENW), Sec. 19, T. 01S, R. 37E.
Use: IRRIGATION (2.940 CFS).
Date Filed: 11/07/1988.
In: T01S, R37E, S18, NENE, Lot 8 (NWNE), SWNE, Lot 7 (SENW); NESW, Lot 6, (NESW), Lot 14, NESW), Lot 5, (SESW); Lot 18 (SESW); NWSE, SWSE; S19, NWNE, SWNE, NENW, Lot 2 (NENW); Lot 7 (NENW), SENW, Lot 3 (SENW), Lot 10, (SENW); NESW, Lot 4 (NESW), Lot 11 (NESW).
147.0 ACRES TOTAL.

27-07480
COUSIN, David L.
920 9th St.
Idaho Falls, Id. 83404
Source: SPRING Tributary: SINKS.
Diversion Pt: SESWNW, Sec. 9, T. 04S, R. 40E.
Use: STOCKWATER (.040 CFS).
Date Filed: 9/21/1989.
In: T04S, R40E, S09, SWNW.

35-08820
FELD FARMS
c/o Jeff or Todd Feld
P.O. Box B

RECEIVED
NOV 2 1989
Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
)ss
State of Idaho)

I, Ted Townsend do solemnly

swear that I am the Publisher of The Morning News which is a daily newspaper of general circulaton published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said

newspaper two consecutive weeks,

the first publication having been made on the

19th day of October, 19 89;

and the last publication having been made on the 27th day of October, 19 89; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

On this 27th day of October, in the year 1989, before me a Notary Public of said State, personally appeared

[signature]

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

[signature]
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My Commission expires
~~November 10, 1994~~
April 4, 1994

Affidavit Processsing Fee $5.00

MICROFILMED
MAR 2 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

June 25, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

IDAHO SUPREME POTATOES INC
C/O GIL DAYLEY
PO BOX 246
FIRTH ID 83236

RE: Transfer No.: 68843 - Water Right 27-7446 - Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Pamela S. Skaggs
for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on June 25, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 68843 - WATER RIGHT 27-7446

IDAHO SUPREME POTATOES INC
C/O GIL DAYLEY
PO BOX 246
FIRTH ID 83236

Kari Lynn Townsend

Kari Lynn Townsend
Secretary

EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 68843 DATE REVIEWED 6-19-01 JS

SPLIT ✓ POD ___ ADD POD ___ POU ✓ PERIOD ✓ or NATURE ✓ of USE

ALL OF RIGHT(S) (W=Water Right C=SRBA Claim R=SRBA Recommendation

W / 27-7446	/	/	/	/
/	/	/	/	/
/	/	/	/	/
/	/	/	/	/

PART OF RIGHTS(S)

		(Unchanged)	(Changed)
W / 27-7446	to	W / 27-11907	W / 27-11908
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/

Standard Season ___ to N/A Standard Volume 4.0 / 3.0

(1) ✓ Priority (2) ___ Use (3) ___ Season/W61 (4) ___ Rate (5) ___ Volume

(6) ✓ Source (7) ✓ P/D (8) ___ P/U (9) ✓ Proof/Owner per region (10) ✓ Map

(11) NA Water District Bingham GW D.ist. WM/Rcvd ___ (12) Yes Pertinent Conditions (13) No Expansion Reduced D.v. + C.U. Vol.

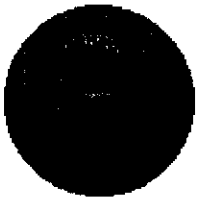
(2) 2 Acres out of IRR to provide for IND. use during winter months.
(3) IND use = Non IRR season 11-1 to 3-31
(5) Vol. for IND use limited to 4.8 afa or .22 af in any 7 day period.
(8) Add IND POU

.04 X 152 Days = 12.1 afa maximum .22af/wk
IND use = 1.34 cfs = 601.4 gpm x 120 min x (152 days/7) or 21.7 times = 4.8 afa
IRR use: 2 acres x 4.0 = 8.0 cfa C.U. Vol: 2 x 3.0 = 6 afa < 4.8 afa

Conditions/Remarks 048, 049, 050, B164, 067, W284, 106, T07, T08
Limit to weekly volume.

WRs for Update Comments — N/A —

Database Updated to Reflect Final Action 6-22-01 JS



Idaho Secretary of State
Business Entity Search

IDAHO SUPREME POTATOES, INC.
P.O. BOX 246
FIRTH, ID 83236

Type of Business:	CORPORATION, GENERAL BUSINESS
Status:	GOODSTANDING, ANREPT SENT 09 May 2001
State of Origin:	IDAHO
Date of Origination/Authorization:	15 Jul 1982
Current Registered Agent:	WILFORD CHAPMAN P.O. BOX 246 FIRTH, ID 83236
Filing Number:	C-70404
Number of Authorized Stock Shares:	100,000
Date of Last Annual Report:	08 Jun 2001
Related Documents:	15 Jul 1982 - INCORPORATION (B/J INDUSTRIES, INC.) 14 Aug 1989 - 1989 ANNUAL REPORT 31 Aug 1990 - MERGER (MERGED WITH IDAHO SUPREME POTATOES, INC.) 26 Oct 1990 - NAME CHANGE (IDAHO SUPREME POTATOES, INC.) 30 Nov 1990 - 1990 ANNUAL REPORT 06 Jun 1991 - 1987 ANNUAL REPORT 21 Aug 1991 - 1991 ANNUAL REPORT 26 Nov 1991 - 1988 ANNUAL REPORT 31 Mar 1992 - 1991 ANNUAL REPORT (AMENDED) 17 Jul 1992 - 1992 ANNUAL REPORT 13 Nov 1992 - 1992 ANNUAL REPORT (AMENDED) 26 Oct 1993 - 1993 ANNUAL REPORT 05 Aug 1994 - 1994 ANNUAL REPORT 26 Jul 1995 - 1995 ANNUAL REPORT 30 Sep 1996 - 1996 ANNUAL REPORT 18 Jul 1997 - 1997 ANNUAL REPORT 21 Aug 1998 - 1998 ANNUAL REPORT 20 Sep 1999 - 1999 ANNUAL REPORT 30 May 2000 - 2000 ANNUAL REPORT 08 Jun 2001 - 2001 ANNUAL REPORT

Get a certificate of existence for IDAHO SUPREME POTATOES, INC.

No. C 70404	Due no later than Jul 31, 2001 Annual Report Form	2. Registered Agent and Office NO PO BOX
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080	[redacted] IDAHO SUPREME POTATOES, INC. WILFORD CHAPMAN P.O. BOX 246	WILFORD CHAPMAN P.O. BOX 246 FIRTH, ID 83238
NO FILING FEE IF RECEIVED BY DUE DATE	FIRTH, ID 83238	3. New Registered Agent Signature

4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

Office held	Name	Street or P.O. Address	City	State	Zip
Pres.& chm	Wilford Chapman	720 N 600 E	Firth	Idaho	83236
GM & VP op	Wade Chapman	1455 Elk Creek	Idaho Falls	Idaho	83406
VP & Dir	John Chapman	713 N 550 E	Firth	Idaho	83236
VP Fin.	Paul Byington	1855 Sabin	Id. Falls	Idaho	83406
VP Sales& Corp. Sec.	Wayne Allen	2184 Brentwood	Id. Falls	Idaho	83402
Sec.Asst	Greg Mecham	387 Westmoreland	Id. Falls	Idaho	83401

6. Organized Under the Laws of:	6.
IDAHO C 70404	Signature Paul Byington Date 6-5-01 Name (Type or Print) Paul Byington Title: VP Finance

Issued 05/09/2001 — Do Not Tape or Staple — 748

1-12-01

T# 68843

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: KCW

1. Right number 27-07446 Applicant Idaho Supreme

2. Type of right: [ ] Decree [✓] License [ ] Claim [ ] SRBA Recommendation

3. Purpose of transfer: [ ] Change point of diversion [ ] Add diversion point(s)
[ ] Change place of use [✓] Other change in nature of use

4. Check:
a. [✓] Source [✓] Priority [✓] Amount [✓] Purpose [✓] Period of use

b. [ ] Description of original point of diversion.

c. [✓] Description of original place of use.

5. Amount of land &/or water transferred:
a. [ ] All of right.

b. [✓] Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*

c. Map for remainder of right? [✓] Yes [ ] No

d. [✓] Check description of point(s) of diversion.

e. [✓] Check description of place of use

f. [✓] Check map (shows p.d. and p.u. after transfer).

g. [✓] Check for correct signature, notarization, and fee.

h. [✓] Check proof of ownership of right &/or land from which water is transferred.

i. [✓] Check for expansion in use of right. Comments NONE

j. [✓] Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

k. [✓] Is use within a Watermaster District? [ ] Yes [✓] No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? [ ] Yes [ ] No

3. Is transfer published correctly? [✓] Yes [ ] No

4. Protest received? [ ] Yes [✓] No

RECOMMENDED ACTION

1. [✓] Approve

2. [ ] Deny

3. Conditions* _____

4. By KCW Date 3/14/01

*All uses within Watermaster District require special conditions

T68843

RECEIVED

FEB 1 3 2001

Department of Water Resources
Eastern Region

DEPT. OF WATER RESOURCES
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718
(208) 525-7161
Fax: (208) 525-7177

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 68843

IDAHO SUPREME POTATOES, INC., c/o GIL DAYLEY, P.O. Box 246, Firth, Idaho, 83236, has filed Application No. 68843 to change the nature of use to the following water rights within BINGHAM County"

Right No. 27-7446
Priority: 11/7/88
Source: GROUND WATER, GROUND WATER
Use: IRRIGATION (217 acres)
4.34 CFS 868.0 AFA
Total Amount: 4.34 CFS 868.0 AFA
Point(s) of Diversion: L9, SWSE, S6, T01S, R37E
SESE, S7, T01S, R37E
Place of Use: S6, T01S, R37E; S7, T01S, R37E.

The purpose of the transfer is to change a portion of the above rights as follows:
The applicant intends to dry up 2 acres of irrigation and use 5-acre feet per year of water to flush their waste transfer lines during the non-irrigation season. This is mandated by IDEQ permit.
Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N. Skyline Drive, Suite A, Idaho Falls, Idaho, 83402, together with a protest fee of $25.00 for each application on or before February 19, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

(4912)
Pub.: 2/1, 8

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)
ss
State of Idaho)

I, Jacqueline Graham do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said newspaper 2 consecutive, the first publication having been made on the 1st day of Feb 2001, and the last publication having been made on the 8th day of Feb 2001; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

Jacqueline Graham

On this 8th day of Feb, in the year of 2001, before me a Notary Public of the State, personally appeared Jacqueline Graham, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:
June 19, 2004
Affidavit Processing Fee.....$5.00

State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 24, 2001

MORNING NEWS
PO BOX 70
BLACKFOOT ID 83221

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before February 19, 2001.

Respectfully submitted,

Sharla Cox
Administrative Assistant

Enc.

Mailed 1/25/01 5e

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

January 24, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Idaho Supreme Potatoes Inc
C/O Gil Dayley
PO Box 246
Firth ID 83236

RE: Applications for Transfer #68843

Dear Applicant:

This office is currently in the process of advertising the application in the Morning News on February 1 and 8, 2001. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

Sincerely,

Harold W. Jones

Harold W. Jones
Water Right Supervisor

HWJ::sc

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 68843

IDAHO SUPREME POTATOES INC, C/O GIL DAYLEY, PO BOX 246 FIRTH ID 83236, has filed Application No. 68843 to change the nature of use to the following water rights within BINGHAM County:

Right No. 27-7446

Priority	11/7/88		
Source	GROUND WATER, GROUND WATER		
Use	IRRIGATION (217 acres)	4.34 CFS	868.0 AFA
Total Amount		4.34 CFS	868.0 AFA
Point(s) of Diversion	L9 SWSE S6 T01S R37E SESE S7 T01S R37E		
Place of Use	S6 T01S R37E S7 T01S R37E		

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant intends to dry up 2 acres of irrigation and use 5 acre feet per year of water to flush their waste transfer lines during the non-irrigation season. This is mandated by IDEQ permit.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr. Ste A, Idaho Falls ID 83402 together with a protest fee of $25.00 for each application on or before February 19, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on February 1 and 8, 2001

State of Ida
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 30, 1998

IDAHO SUPREME POTATOES INC
PO BOX 246
FIRTH ID 83236

RE: Water Rights 27-07446/27-07447

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are **preliminary orders** issued by the Department pursuant to section 67-5243, Idaho Code. **They can and will become final orders without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below.**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
>
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district

court by filing a petition in the district court of the county in which:

i. A hearing was held,

ii. The final agency action was taken,

iii. The party seeking review of the order resides, or

iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the **30th** day of **June, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDERS (Approved Licenses)** to the person(s) listed below:

Water Rights 27-07446/27-07447

IDAHO SUPREME POTATOES INC
PO BOX 246
FIRTH ID 83236

Kari Lynn Townsend
Secretary

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	IDAHO SUPREME POTATOES INC PO BOX 246 FIRTH ID 83236 (208) 346-6841	11/07/1988	IRRIGATION	04/01	10/31	4.340 CFS	868.00 AFA
				TOTAL DIVERSION:		4.340 CFS	868.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion Capacity: 5.850 CFS

Point(s) of Diversion: T01S R37E S06 Lot 09(SWSE) BINGHAM County
S07 SESE BINGHAM County

Place of use Legal Description for: IRRIGATION

			NE					NW					SW					SE					
			NENE	NWNE	SWNE	SENE		NENW	NWNW	SWNW	SENW		NESW	NWSW	SWSW	SESW		NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac		Lt Ac	Lt Ac	Lt Ac	Lt Ac		Lt Ac	Lt Ac	Lt Ac	Lt Ac		Lt Ac	Lt Ac	Lt Ac	Lt Ac		SUM
01S	37E	6														09-15			10-05	13-25			45.0
01S	37E	7		25	30	02		08-25			07-30		06-05					05	06-35	05-10	05		172.0
																						TOTAL ACRES	217.0

Pou County: BINGHAM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
27-07446

Other Water Rights Listing Overlapping Place(s) of use:
01-00171C 01-00172C 27-07446

Conditions of Approval:

048 - The use of water under this right shall not give rise to any
- claim against the holder of a senior water right based upon the
- theories of forfeiture, abandonment, adverse possession, waiver,
- equitable estoppel, estoppel by laches or customary preference.

049 - The Director retains jurisdiction of the right to incorporate
- the use into a water district, require streamflow augmentation
- or other action needed to protect prior surface water and
- groundwater rights.

R64 - This right when combined with all other rights shall provide no
- more than 0.02 cfs per acre nor more than 4.0 afa per acre at the
- field headgate for irrigation of the lands above.

Dates: App. Received: 11/07/1988 Priority Date: 11/07/1988
Proof Due Date: 04/01/1992 Proof Made Date: 02/12/1992
Exam Made Date: 05/06/1996 Exam Sent to S.O.: 01/13/1998
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 02/12/1992 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 04/30/98 SCURTIS 05/01/98 SCURTIS 06/16/98 SCURTIS

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

		NE				NW				SW				SE				
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
WR-NUMBER	SOURCE	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
L2707446	T01S R37E S 6 GROUNDWATER																	
	:				:				:				09-15 :		10-05	13-25	:	45
A0100038	SNAKE RIVE :	01-07			01-27 :				:				13-25 :	10-36	05	09-38	38 :	176
A0100047M	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0100071D	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0100080D	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0100109F	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0100115R	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0100134	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0100135	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0100136D	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0100171	SNAKE RIVE :	01-07			01-27 :				:				13-25 :	10-36	05	09-38	38 :	176
A0100250	SNAKE RIVE :	01-07			01-27 :				:				13-25 :	10-36	05	09-38	38 :	176
0100250C	SNAKE RIVE :				:				:				:				:	
0100265A	SNAKE RIVE :				:				:			I	:				:	
0100265B	SNAKE RIVE :				:				:			I	:				:	
A0100320	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0100328	SNAKE RIVE :	01-07			01-27 :				:				13-25 :	10-36	05	09-38	38 :	176
0100328C	SNAKE RIVE :				:				:				:				:	
A0102009A	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0102009B	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0102009D	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0102074	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0110161	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0110162	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0110182	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0110183	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0110207	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0110208	SNAKE RIVE :		02-06	02-26	:	03-12	04-05	05-20	40 :	08-32	06-20	07-20	07-10 :		08-06		:	197
A0110247	SNAKE RIVE :	01-07			01-27 :				:				13-25 :	10-36	05	09-38	38 :	176
2707115	GROUNDWATE :	01-21			:				:				:				:	21
A2707115	GROUNDWATE :	01-04			01-17 :				:				:				:	21
~~2707446~~	~~GROUNDWATE :~~				:				:				~~09-15 :~~		~~10-05~~	~~13-25~~	:	~~45~~
3507498	GROUNDWATE :			02-12	:				15 :	08-25			:				:	52
3507610	GROUNDWATE :				:			28	:			28	:				:	56
A3507610	GROUNDWATE :				:			05-28	:		06-28		:				:	56
R3507610	GROUNDWATE :				:			05-28	:		06-28		:				:	56
--86 MAP--	C11Q-Y 91 :				:				:				:				:	
NO QTRS	MAPPING	Lot01-15	Lot02-40	Lot03-13	Lot04-05	Lot05-15	Lot06-11	Lot07-28	Lot08-45	Lot09-24	Lot10-26	Lot11-05	Lot12-03					
L2707446	T01S R37E S 7 GROUNDWATER																	
	:		13-25	30	02 :	08-25			07-30 :	06-05			:		05	06-35	05-10	05 : 172
A0100038	SNAKE RIVE :	37	37	38	37 :	08-31			07-26 :	06-08			:		35	06-35	05-30	34 : 348
0100038C	SNAKE RIVE :				:				:				:				:	
0100039C	SNAKE RIVE :				:				:				:				:	
A0100047M	SNAKE RIVE :				:		01-17	02-18	:	03-12	03-24	04-24	04-14 :				:	109

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

		NE				NW				SW				SE				
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
WR-NUMBER	SOURCE	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
A0100071D	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0100080D	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0100109F	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0100115R	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0100134	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0100135	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0100136D	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0100171	SNAKE RIVE	37	37	38	37	08-31			07-26	06-08				35	06-35	05-30	34	348
0100171C	SNAKE RIVE		I	I						06-I					06-I	05-I		
0100172C	SNAKE RIVE		I	I						06-I					06-I	05-I		
A0100250	SNAKE RIVE	37	37	38	37	08-31			07-26	06-08				35	06-35	05-30	34	348
0100250C	SNAKE RIVE																	
~~0100265A~~	~~SNAKE RIVE~~										I	I						
~~0100265B~~	~~SNAKE RIVE~~										I	I						
A0100320	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0100328	SNAKE RIVE	37	37	38	37	08-31			07-26	06-08				35	06-35	05-30	34	348
0100328C	SNAKE RIVE																	
A0102009A	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0102009B	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0102009D	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0102074	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0110161	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0110162	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0110182	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0110183	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0110207	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0110208	SNAKE RIVE						01-17	02-18		03-12	03-24	04-24	04-14					109
A0110247	SNAKE RIVE	37	37	38	37	08-31			07-26	06-08				35	06-35	05-30	34	348
~~2707446~~	~~GROUNDWATE~~		~~25~~	~~30~~	~~02~~	~~08-25~~			~~07-30~~	~~06-05~~					~~05~~	~~06-35~~	~~05-10~~	~~05~~	~~172~~
2707575	GROUNDWATE						01-06											6
--86 MAP--	C11Q-Y 91	39	36	40	40									37			40	232
NO QTRS	MAPPING	Lot01-13	Lot02-04	Lot03-17	Lot04-38	Lot05-08	Lot06-43	Lot07-25	Lot08-23	Lot09-03	Lot12-06	Lot13-11						

MEMORANDUM

TO: Files 27-07446 and 27-07447

FROM: Sharla

DATE: June 16, 1998

RE: Telecon

On this date, Darwin Hopkins called me in response to my recent letter concerning their use of surface water in connection with these two groundwater rights. He explained to me that their Cedar Point Canal shares are used to irrigate other nearby lands they own to which the pivots don't reach. The lands under these pivots are served entirely by groundwater.

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 29, 1998

Idaho Supreme Potatoes, Inc.
P.O. Box 246
Firth, ID 83236

REF: Water Rights 27-07446 and 27-07447

Dear Water Right Holder(s):

We are in the process of reviewing your permits for the purpose of issuing licenses. In order to complete this process, I need some information concerning your use of surface water. Do you own surface water shares? If so, what is the current status of those shares? Is surface water primarily used on this property, with groundwater used as a supplemental source?

Thank you for your help in this matter. If you have any questions, please feel free to contact me at (208) 327-5452.

Sincerely;

Sharla Curtis

Sharla Curtis
Water Resource Agent

SC:cb

LICENSE REVIEW CHECKLIST

PERMIT NO. 27-07446 DATE 4/30/98 REVIEWER: *SHARLA*

	Change/OK
NAME	OK
Address	OK
SOURCE	OK
POINT OF DIV	OK

Does change clarify orig. intended source? If no, Void permit

_ Change (Para P39 - gov P40/P47) _ Add (P45/P42)

W32 (multiple in ¼¼)
W36 (overlap)
W59 (subd. desc)

Overlaps: Right(s): _____
File reviewed ___ Profile reports printed ___

PLACE OF USE OK _ Change (P41 - gov P43/P47) _ Add (P41/P42)

W60 (subd. desc)
W27 (ppu acre limit)

examiner's ac/## figures come out very close w/ ASCS numbers

Overlaps: Right(s): _____
File reviewed ___ Profile reports printed ___

RATE OF DIV

Permitted Rate	4.34 cfs	
Fee limit	5.00 cfs	$200.00
Measured	5.85 cfs	
Theoretical	5.21 cfs	2.05(#1) + 2.31(#2) = 4.36

Recommended Total Div Rate 4.34 cfs

WATER USES OK

Irr.	4.34 cfs	217x4 af	Irrig -	overlap (R60) (~~R58-R61, R62-R65~~, R66-R69)
	____ cfs	____ af		supp. gw (WB7/065/079)
	____ cfs	____ af		overlap spec. combined rts (W35)
	____ cfs	____ af		<1acre (W31)
	____ cfs	____ af	Domestic	(W01/WB5/070/071/075)
TOTALS	4.34 cfs	868.0 af	Power	(W42 or W43/025/027/R22 or R23)
			Fish (042)	Fire (077) Wtr Quality (081/R07)

Flow rate 4.34 cfs X 214 days X 1.98 = 1838.9 af

REMARKS _____

ADD'L CONDITIONS ____ Watermaster Control WD# ____
____ GW Measurement/Measuring Device
903 Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority ___ yes ✓ no SRBA Claim N/A Adjust Memo ____
Amend letters ____

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 14 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 27-07446

1. Owner: IDAHO SUPREME POTATOES INC. Phone No. (208) 346-6841

Current Address: P.O. BOX 246, (614E 800N), FILTH, IDAHO 83236

2. Accompanied by: GILBERT DAYLEY EXAM DATE: 5/6/96

Address: SAME Phone No. (208) 346-6841

Relationship to Permit Holder: TECHNICAL SERVICES MANAGER

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: CANAL RIGHTS, 74-07447
WASTE WATER FROM PLANT (1) WELL
2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
*3	L-9		SW	SE	6	01S	37E	BINGHAM	U.S.G.S. TOPO MAP / NAPP PHOTOS
*2			SE	SE	7	01S	37E	"	" " "

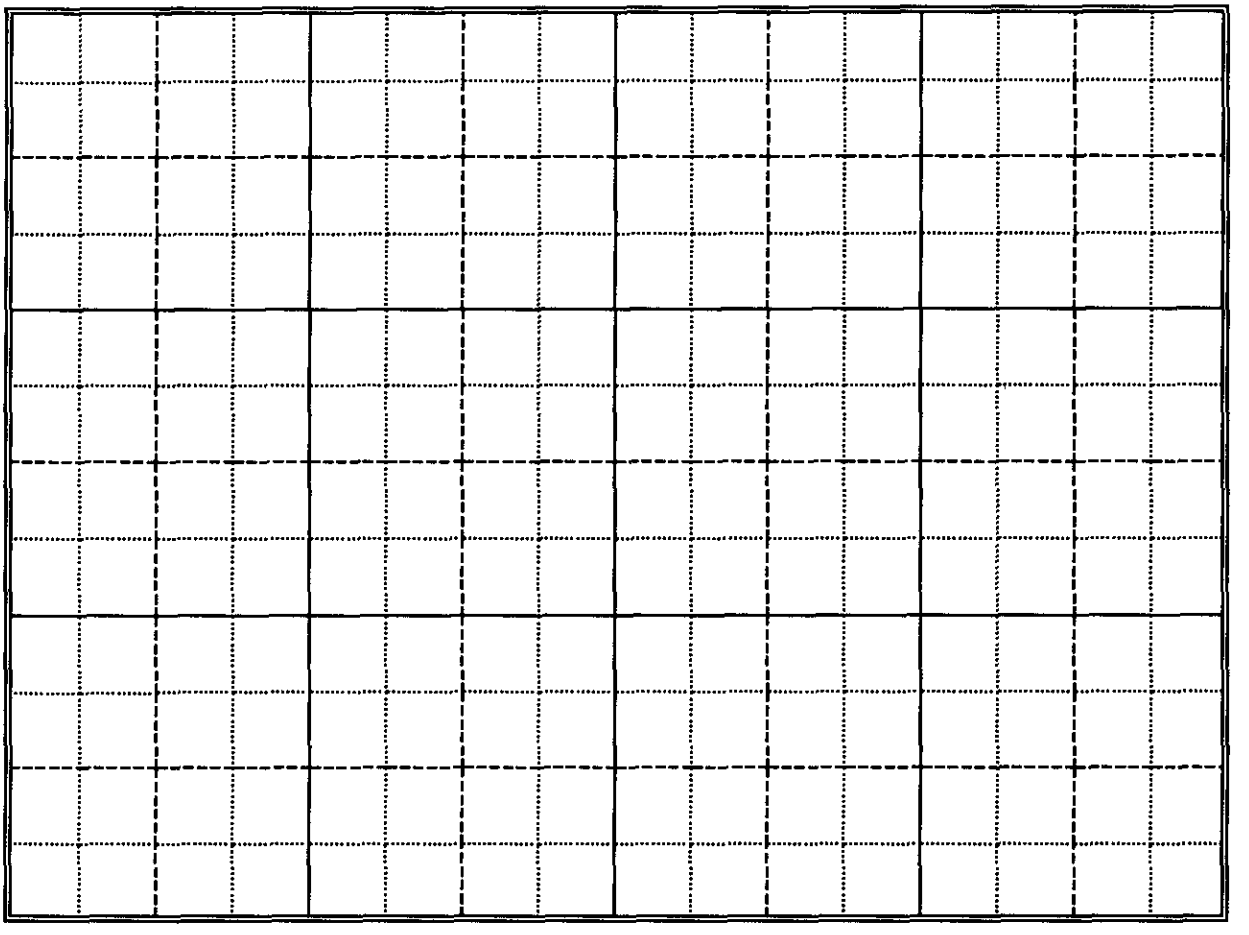
2. **Place(s) of Use:** Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	37E	6		~~25~~	~~30~~									L-9, 15		L-10, 5	L-13, 25		45
		7		25	30	2	L-8, 25			L-7, 30	L-6, 5				5	L-6, 35	L-5, 10	5	172
																			217

TOTAL

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JAN 14 1998

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



Scale: 1" = _____.

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
WELL #2	GE	75			8"
WELL #3	GE	75			8"

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PRESSURE GAGE		U.S.G.			0-100	65 (SYSTEM PRES.)
TYME - FLYTE	POLYSONIC		TF-P	7M0263		

2. **Measurements:** SEE POLYSONIC TAPE

E. NARRATIVE/REMARKS/COMMENTS

SYSTEM CAN PUMP INTO A COMMON PIPE LINE WHICH DISTRIBUTES WATER TO NUMEROUS PIVOTS LISTED IN ATTACHMENTS. PIVOT LIST IN ATTACHMENTS.

SYSTEM CAN USE WASTE WATER FROM PLANT OR WELL WATER OR CO-MINGLE.

Have conditions of permit approval been met? ✓ yes ___ no

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JUL 21 1998

F. FLOW CALCULATIONS

✓ Additional Computation Sheets Attached

Measured Method:	WELL #2	WELL #3	
THEORETICAL	2.64 CFS	2.57 CFS	TOTAL = 5.21 CFS
SONIC TAPE	3.11 CFS	2.74 CFS	" = 5.85 CFS
PERMIT			= 4.34 CFS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = 217 Ac x 4.0 = 868 AFA

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 4.34 CFS x 214 x 1.9835 = 1842.1 AFA

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 868 AFA

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	4/1	10/31	4.34	868
		Totals:	4.34 CFS	868 AFA

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ✓ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name SIMPKINS Date 3/27/97

Reviewer _____ Date _____ SEAL

//// IRRIGATED

PIVOT IRR.

NO IRR OUTSIDE PIVOT AREAS

——— BASICALLY FRESH WELL WATER

SYSTEMS ARE SEPARATE

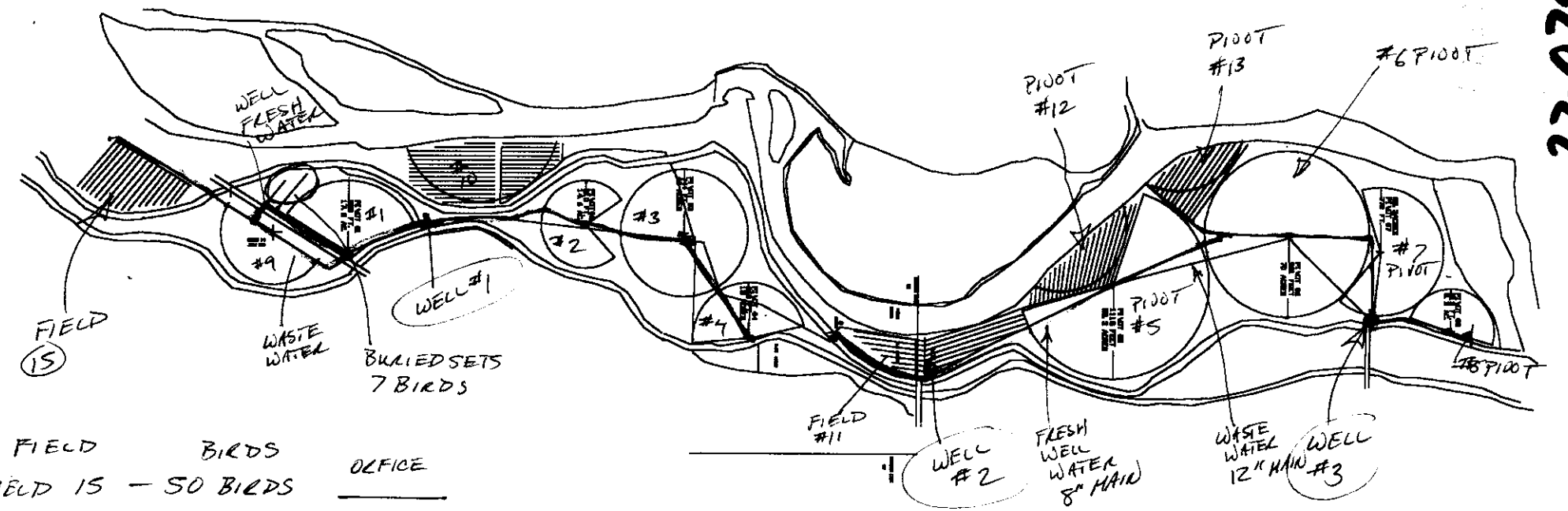
WASTE WATER FROM PLANT

FRESH WELL WATER

* BUT CAN CO-MINGLE

R37E S-1

27-07W6



FIELD	BIRDS				
FIELD 15	— 50 BIRDS	OFFICE			
#1 PIVOT	850'	6 TOWER	LOW PRESSURE	25 ACRES	NO END GUNS
#2 PIVOT	510'	3 TOWER	"	19 ACRES	"
#3 PIVOT	744'	8 TOWER	"	46 ACRES	"
#4 PIVOT	660'	4 TOWER	"	16 ACRES	"
#5 PIVOT	1118'	7 TOWER	"	57 ACRES	"
#6 PIVOT	981'	6 TOWER	"	72 ACRES	"
#7 PIVOT	770'	5 TOWER	"	28 ACRES	"
#8 PIVOT	513'	3 TOWER	"	10 ACRES	"
#9 PIVOT	620'	4 TOWER	"	19 ACRES	"
#10 PIVOT	———	5 TOWER	"	24 ACRES	"
#12 PIVOT	———	4 TOWER	"	13 ACRES	"

#13 PIVOT 4 TOWER 12 ACRES NO END GUN

FIELD #11 HAND LINES (LATERAL OFF MAIN)

21 SECTIONS (42 BIRDS) ———

//// IRRIGATED

PIVOT IRR.

NO IRR OUTSIDE PIVOT AREAS

——— BASICALLY FRESH WELL WATER

SYSTEMS ARE SEPARATE

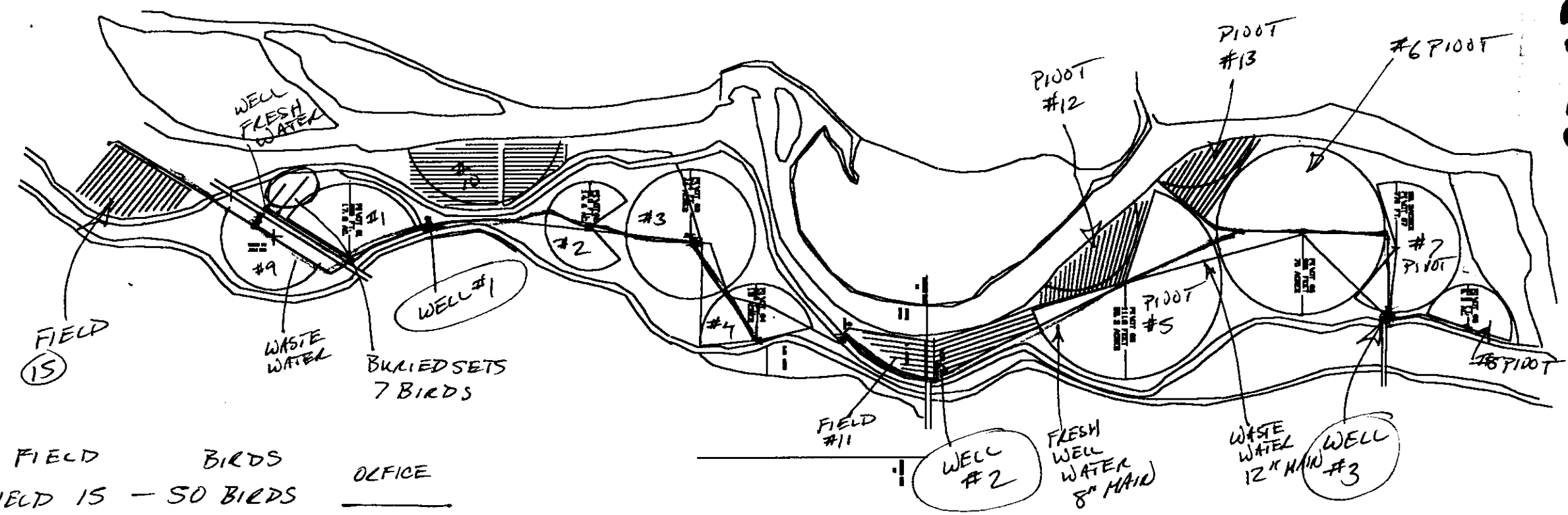
WASTE WATER FROM PLANT

FRESH WELL WATER

* BUT CAN CO-MINGLE

R37E S-T

27-07N-26



FIELD	BIRDS		OFFICE		
FIELD 15	— 50 BIRDS				
#1 PIVOT	850'	6 TOWER	LOW PRESSURE	25 ACRES	NO END GUNS
#2 PIVOT	510'	3 TOWER	"	19 ACRES	"
#3 PIVOT	744'	8 TOWER	"	46 ACRES	"
#4 PIVOT	660'	4 TOWER	"	16 ACRES	"
#5 PIVOT	1118'	7 TOWER	"	57 ACRES	"
#6 PIVOT	981'	6 TOWER	"	72 ACRES	"
#7 PIVOT	770'	5 TOWER	"	28 ACRES	"
#8 PIVOT	513'	3 TOWER	"	10 ACRES	"
#9 PIVOT	620'	4 TOWER	"	19 ACRES	"
#10 PIVOT	—	5 TOWER	"	24 ACRES	"
#12 PIVOT	—	4 TOWER	"	13 ACRES	"

#13 PIVOT 4 TOWER 12 ACRES NO END GUN

FIELD #11 HAND LINES (LATERAL OFF MAIN)

21 SECTIONS (42 BIRDS)

27-7446

MODE SELECT
INPUT

OUTER DIAMETER
8.0200 IN

Well #2

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1070 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1460 M/S-

SENSOR MOUNTING
? V

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
5.706 IN V

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

06-11 13:3900 *R
+002.90 % AI2

MODE SELECT
T0 CHECK

0294.9 MMSEC
100.00 % T0

06-11 13:4200 *R
+ 1.206E 3GPM

06-11 13:4300 *R
+ 1.363E 3GPM

06-11 13:4400 *R
+ 1.396E 3GPM

3.11 CFS

OUTER DIAMETER
8.1000 IN

Well #3

27-07446

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.0961 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1460 M/S-

SENSOR MOUNTING
? V

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
5.756 IN V

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

06-11 12:5800
+002.70 % AI2

MODE SELECT
T0 CHECK

0298.9 MMSEC
100.04 % T0

06-11 12:5800 *R
+797.007E 0GPM

06-11 12:5900 *R
+802.026E 0GPM

06-11 13:0200 *R
+833.991E 0GPM

06-11 13:0900 *R
+ 1.217E 3GPM

06-11 13:0900 *R
+ 1.184E 3GPM

06-11 13:1000 *R
+ 1.230E 3GPM

2.74CFS

COMBINED
5.85 CFS

27-07446

THEORETICAL PUMP FLOW CALCULATIONS

Formula: $Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$

SYSTEM: WELL #2

Hp = Horseposer = 75
Eff = Efficiency = .7 (Usually 70%)
Lift: (Static Level + Assumed Drawdown)
Static Water Level = 15 ft.
Assumed Drawdown = + 10 ft.
Lift = 25

OR

Measured Dynamic Water Level = _____ ft.

psi = Opperating Pressure = 65 psi

$Q_{cfs} = [\ 75_{Hp} \times 8.814 \times .7_{eff}\ ] \div [\ 25_{Lift} + (\ 65_{psi} \times 2.308)$

$Q_{cfs} = [\ 462.735\ ] \div [\ 175.02\ ]$

$Q_{cfs} = 2.64$ cfs **SYSTEM** #2 PUMP

SYSTEM: WELL #3

Hp = Horseposer = 75
Eff = Efficiency = .7 (Usually 70%)
Lift: (Static Level + Assumed Drawdown)
Static Water Level = 20 ft.
Assumed Drawdown = + 10 ft.
Lift = 30

OR

Measured Dynamic Water Level = _____ ft.

psi = Opperating Pressure = 65 psi

$Q_{cfs} = [\ 75_{Hp} \times 8.814 \times .7_{eff}\ ] \div [\ 30_{Lift} + (\ 65_{psi} \times 2.308)$

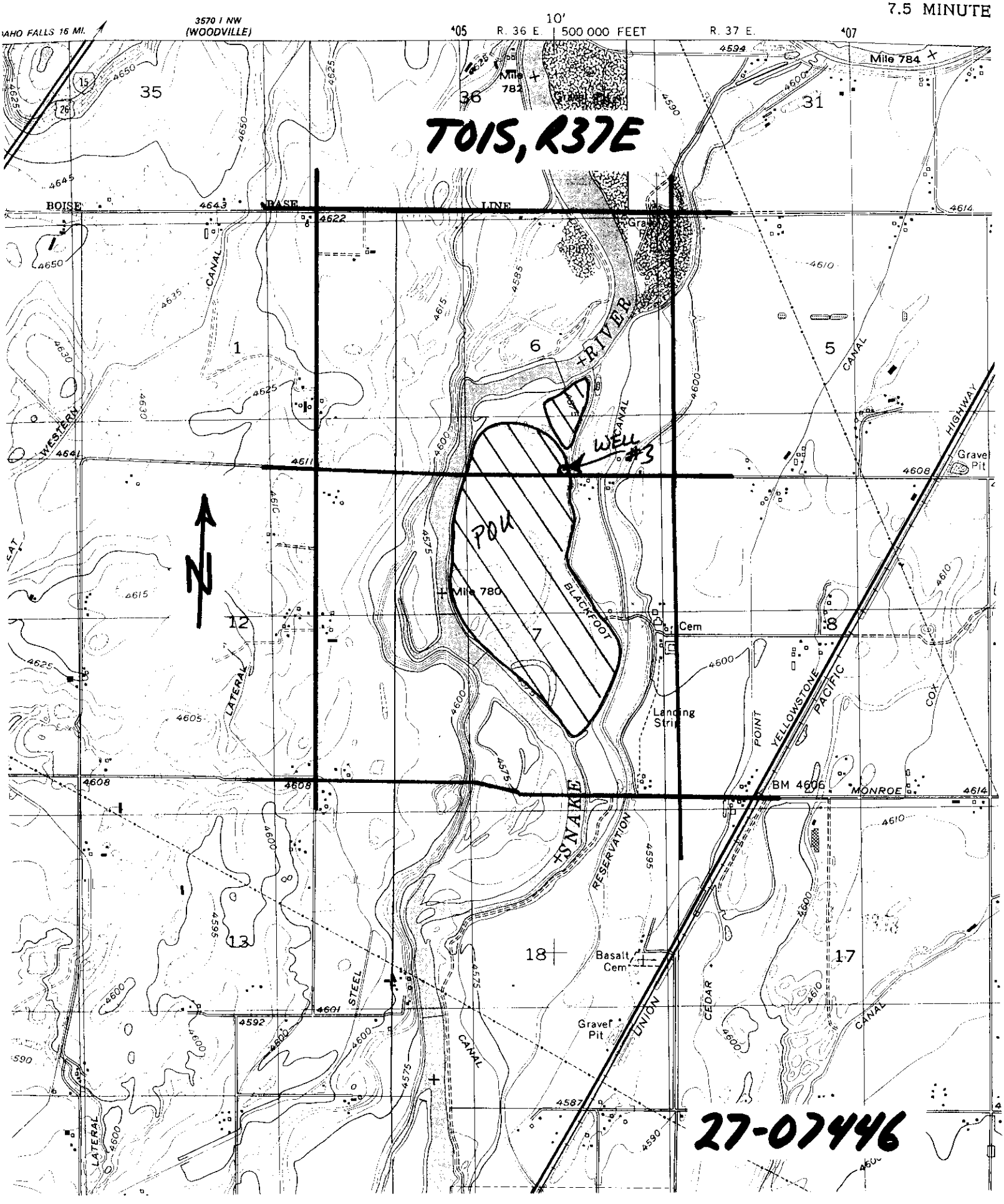
$Q_{cfs} = [\ 462.735\ ] \div [\ 180.02\ ]$

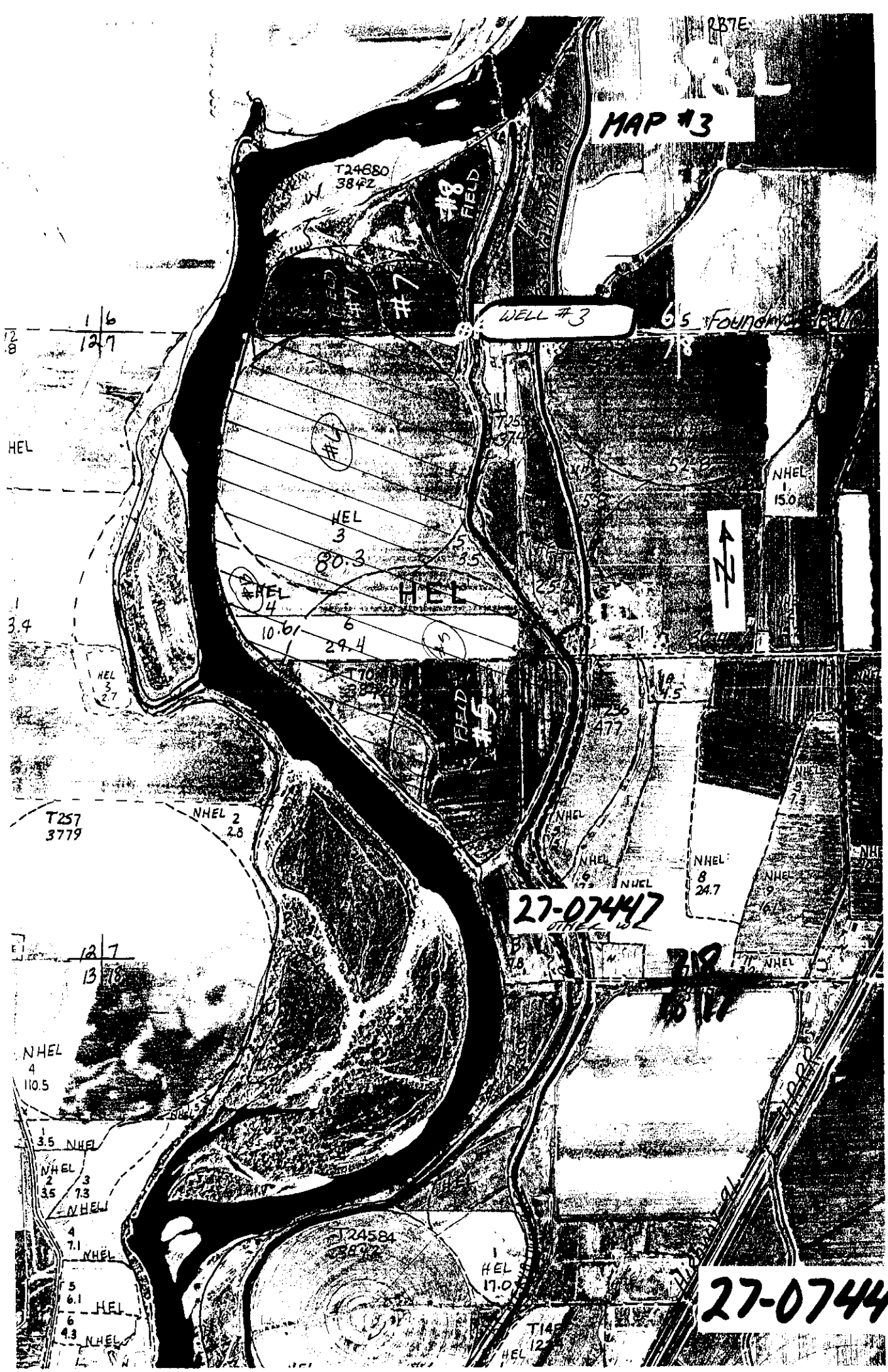
COMBINED

$Q_{cfs} = 2.57$ cfs **SYSTEM** WELL #3 — 5.21 CFS

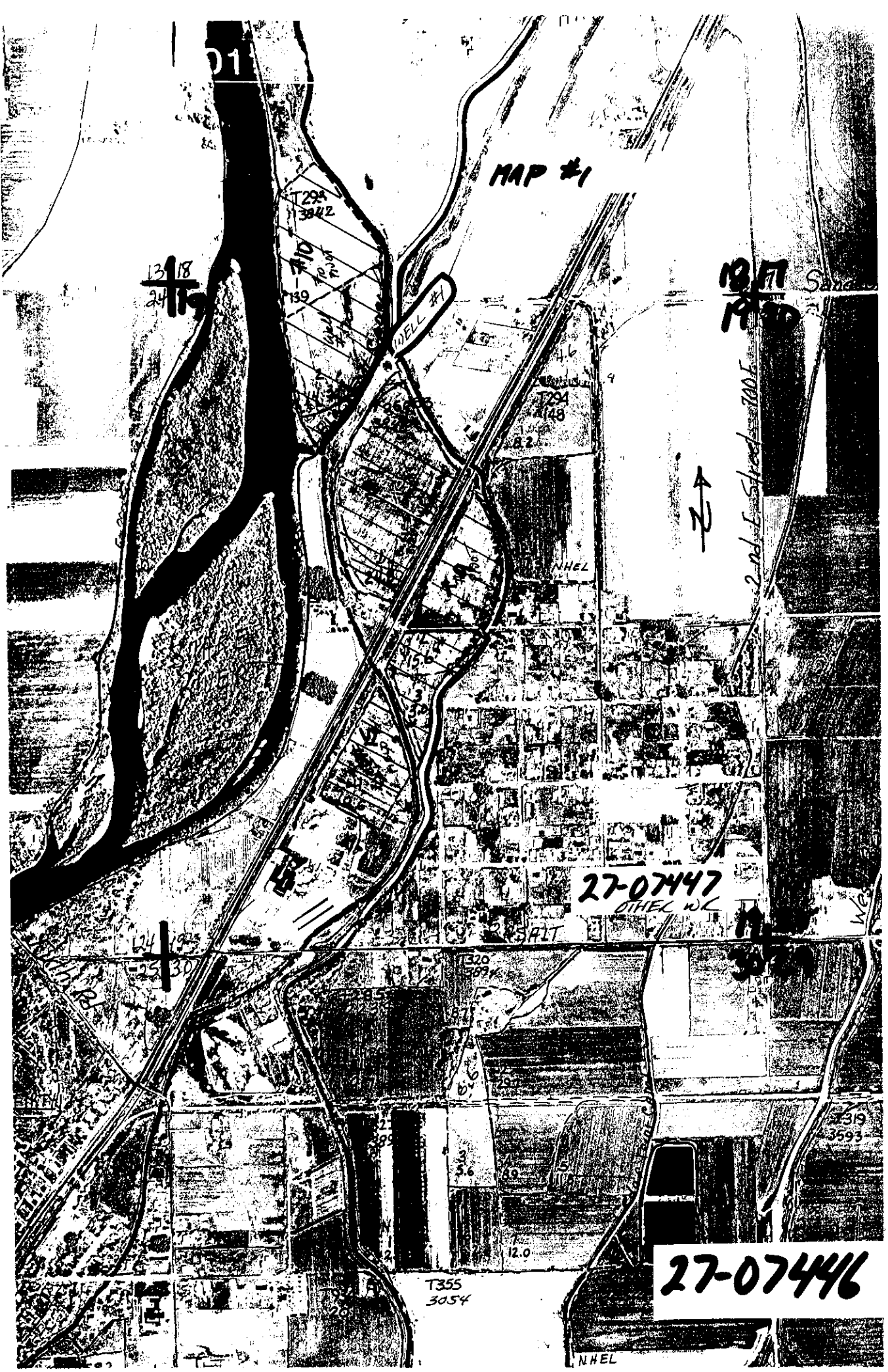
PERMIT NO. 27-07446

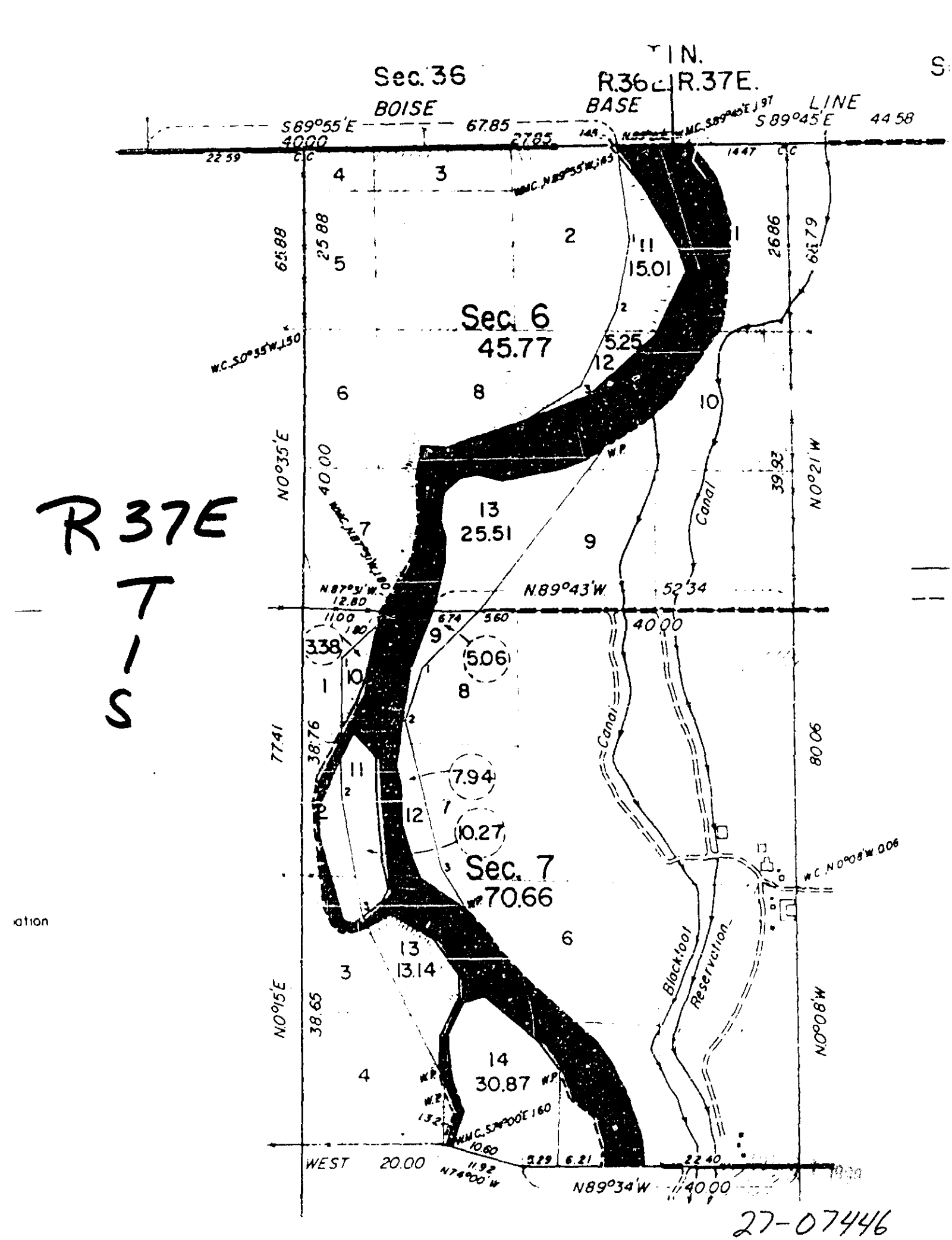
FIRTI
IDAH
7.5 MINUTE



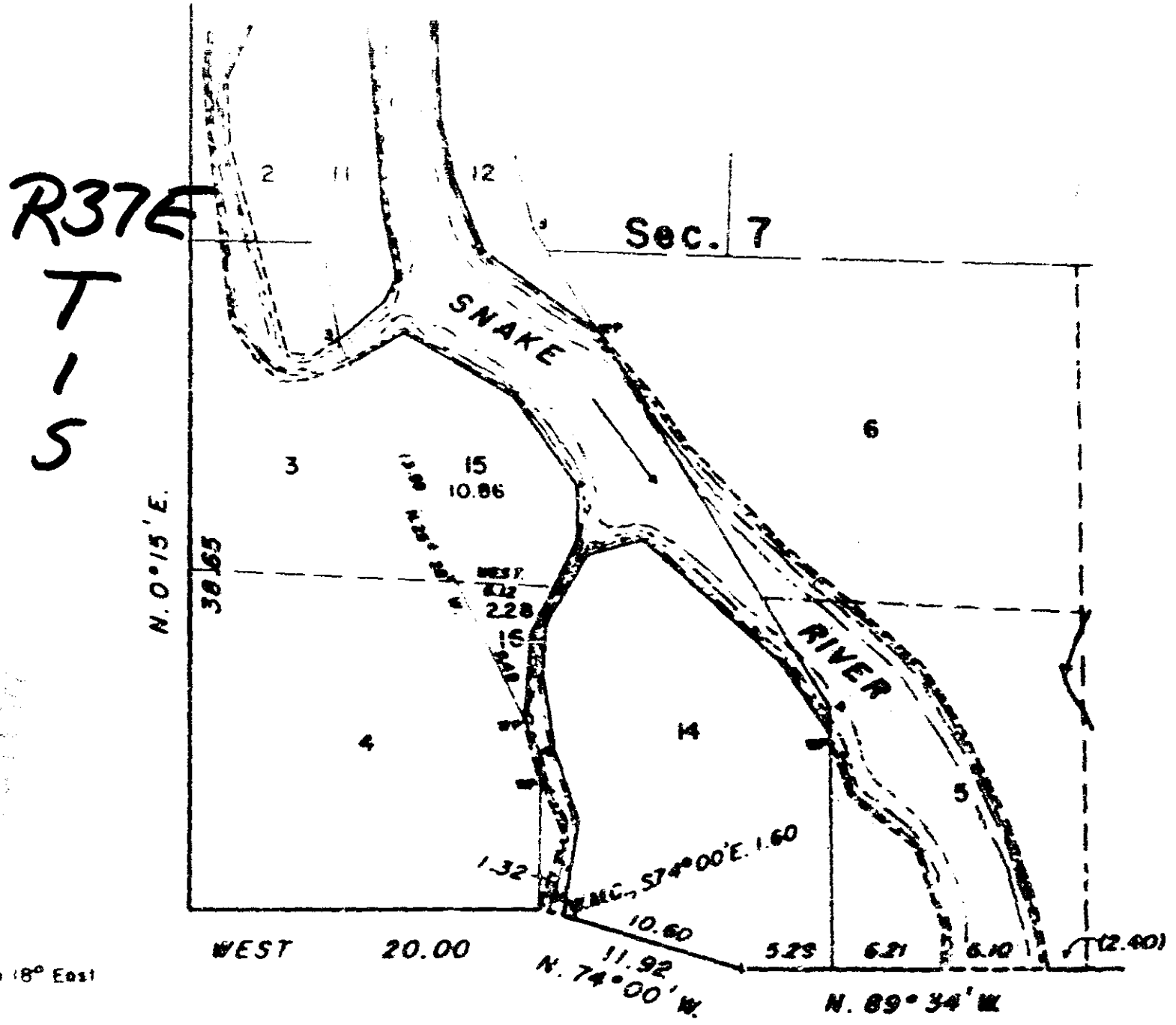

MAP #3
R37E
T24680
38.2Z
#8 FIELD
WELL #3
#7
#6
#5
#4
HEL
3
80.3
HEL
4
10.61
6
29.4
HEL
3
2.7
T25
3744
52.8
NHEL
1
15.0
N
T25
3744
T24
3884
T25
3779
NHEL
2
2.8
NHEL
4
110.5
3.5 NHEL
NHEL
2
3.5
3
7.3
NHEL
4
7.1
NHEL
5
6.1
HEL
6
4.3
NHEL
T24584
38.4Z
HEL
1
17.0
T14
HEL
12
NHEL
8
24.7
NHEL
9
7.3
27-07447
27-07446
R37E
T1S


MAP #2
HEL
NHEL
T257
3779
T206
356
T146
T661
3376
24584
27-07447
OTHER WL
27-07446
Blackland Canal
Harper
Hwy
12 7
13
7 8
18 17
13 18
19 20


MAP #1
27-07447
27-07446
NHEL
T294
T355
3054
NHEL
NHEL


T 1N.
R.36 E. R.37E.
Sec. 36
BOISE BASE LINE
S89°55'E 67.85
S89°45'E 44.58
Sec. 6
45.77
Sec. 7
70.66
N0°35'E
N0°21'W
N0°15'E
N0°08'W
N89°43'W 52.34
N89°34'W 40.00
WEST 20.00
Canal
Blackfoot Reservation
R37E
T1S

27-07446



27-07496

Declination 18° East

FIELD EXAM NOTES

EXAM # 27-07446

DATE OF EXAM 5/6/96

PERMITEE NAME IDAHO SUPREME

OTHER WATER RIGHTS SAME POD NONE -(2 WELLS)

OTHER WATER RIGHTS SAME POU WASTE WATER FROM PLANTS 2 WELLS AND FROM FRESH WELL 27-744)

WELL 2

PUMP ~~#1~~ 2 HP 75 MAKE GE SERIAL #

COLOR AND DESCRIPTION

OUTPUT DIAMETER 8" SYSTEM PRESSURE 60-65 PSI WELL DEPTH

STATIC H2O 15 WELL DEPTH DYNAMIC PUMP

PSI GAGE TYPE CHECK VALVE (Y) [N] GATE VALVE (Y) [N]

WELL 3

PUMP ~~#2~~ 3 HP 75 MAKE GE SERIAL #

COLOR AND DESCRIPTION

OUTPUT DIAMETER 8" SYSTEM PRESSURE 60-65 PSI WELL DEPTH

STATIC H2O 20 WELL DEPTH DYNAMIC PUMP

PSI GAGE TYPE CHECK VALVE (Y) [N] GATE VALVE (Y) [N]

BOOSTER PUMP #1 HP MAKE SERIAL #

COLOR AND DESCRIPTION

BOOSTER PUMP #2 HP MAKE SERIAL #

COLOR AND DESCRIPTION

CIRCLE PIVOT (Y) [N] NUMBER OF TOWERS PIVOT LENGTH

PRESSURE [H] [L] 5, 6, 7, 8, 12, 13

HAND LINES (Y) [N] NUMBER OF LINES 2 LENGTH OF LINES 2 (21 SECTIONS)

RAIN BIRDS PER LINE 42 NOZZEL DIAMETER 5/32

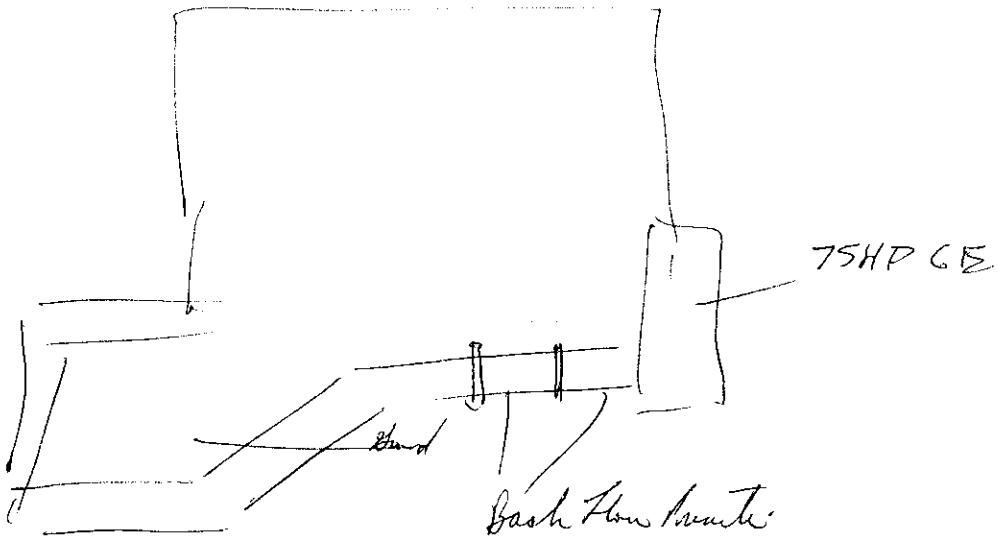
SURFACE WATER TYPE OF MEASUREING DEVICE

AA METER PIGMY METER WEIR OR FLUME BUCKET/WATCH ___/___

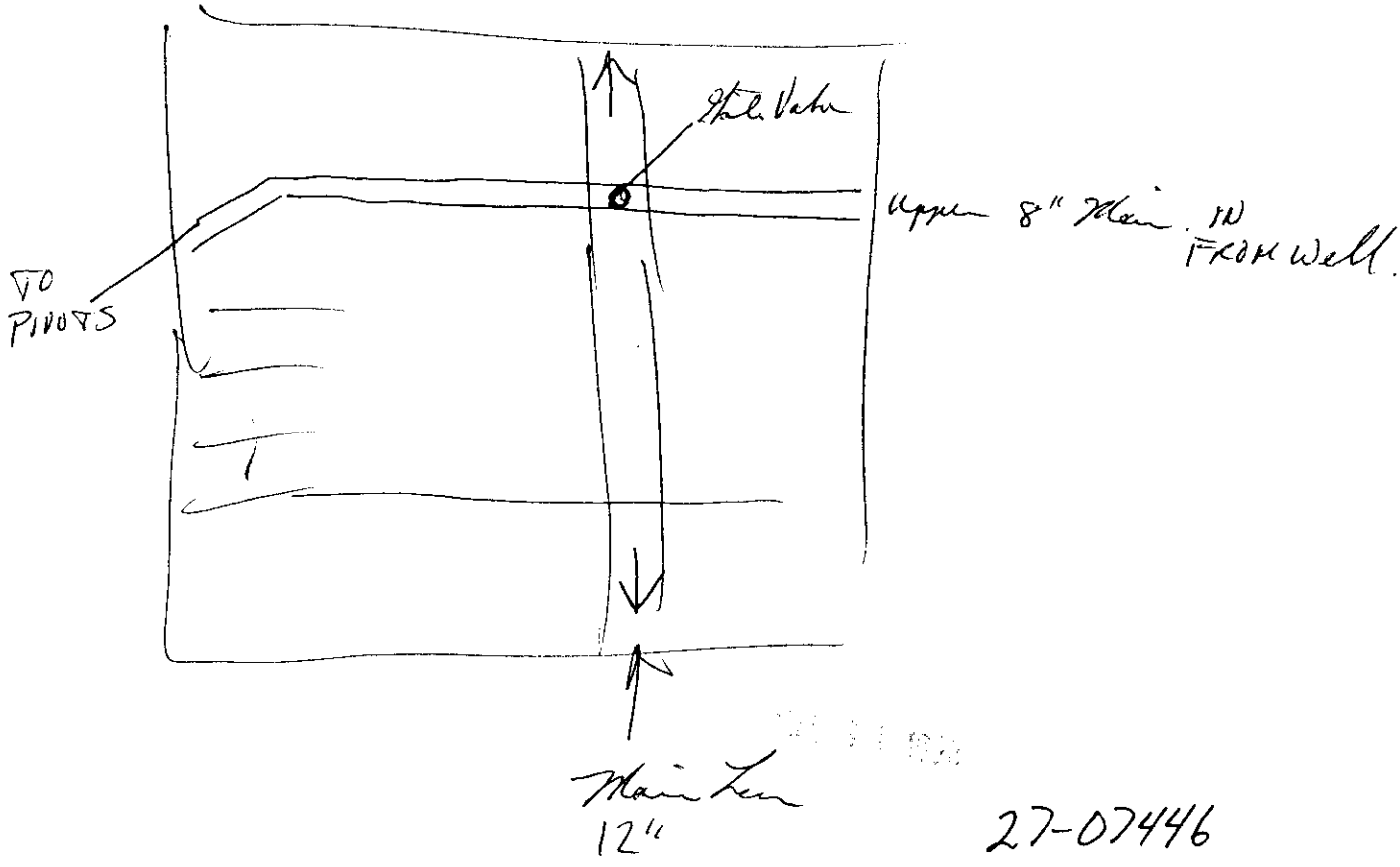
USE BACK OF PAGE FOR SKETCH AND MEASUREMENTS OF SYSTEM

27-07446

#2 well

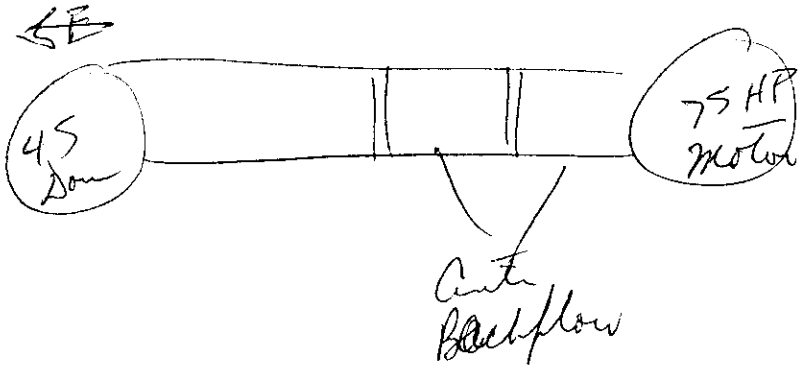


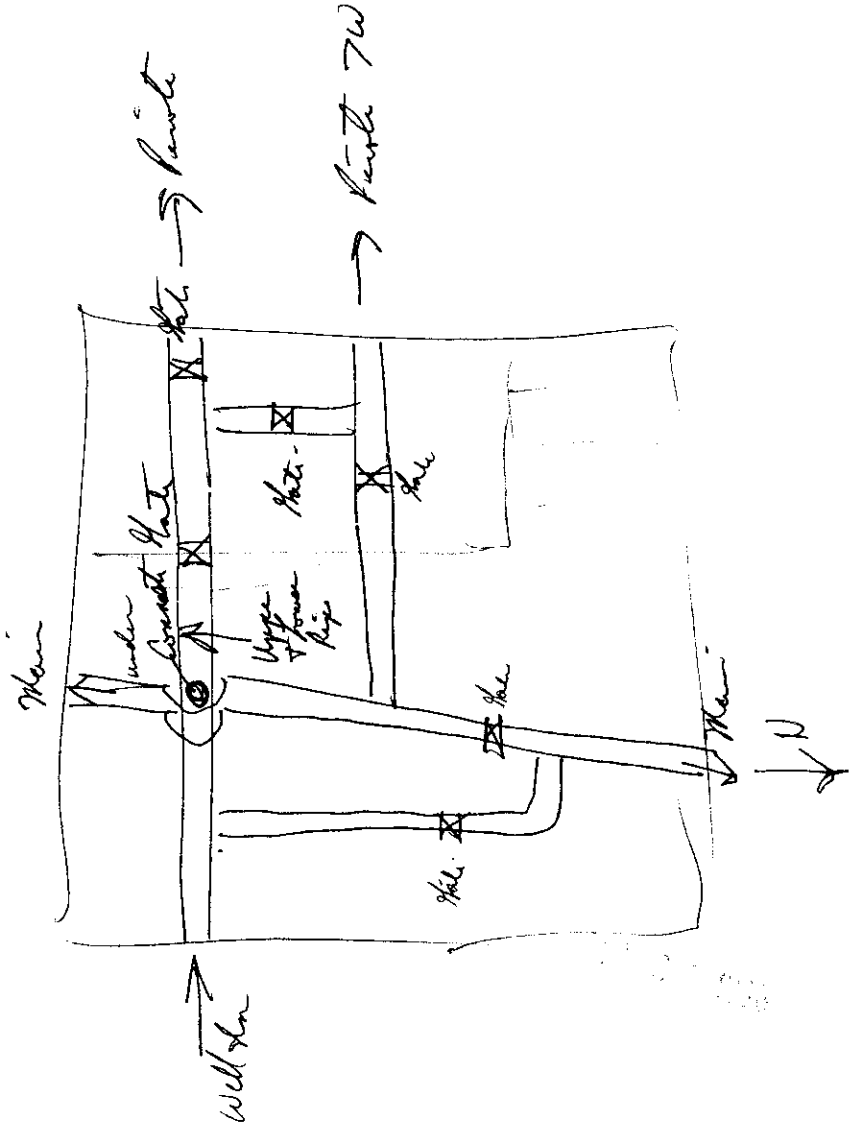
Typical Globe



27-07446

Well #3



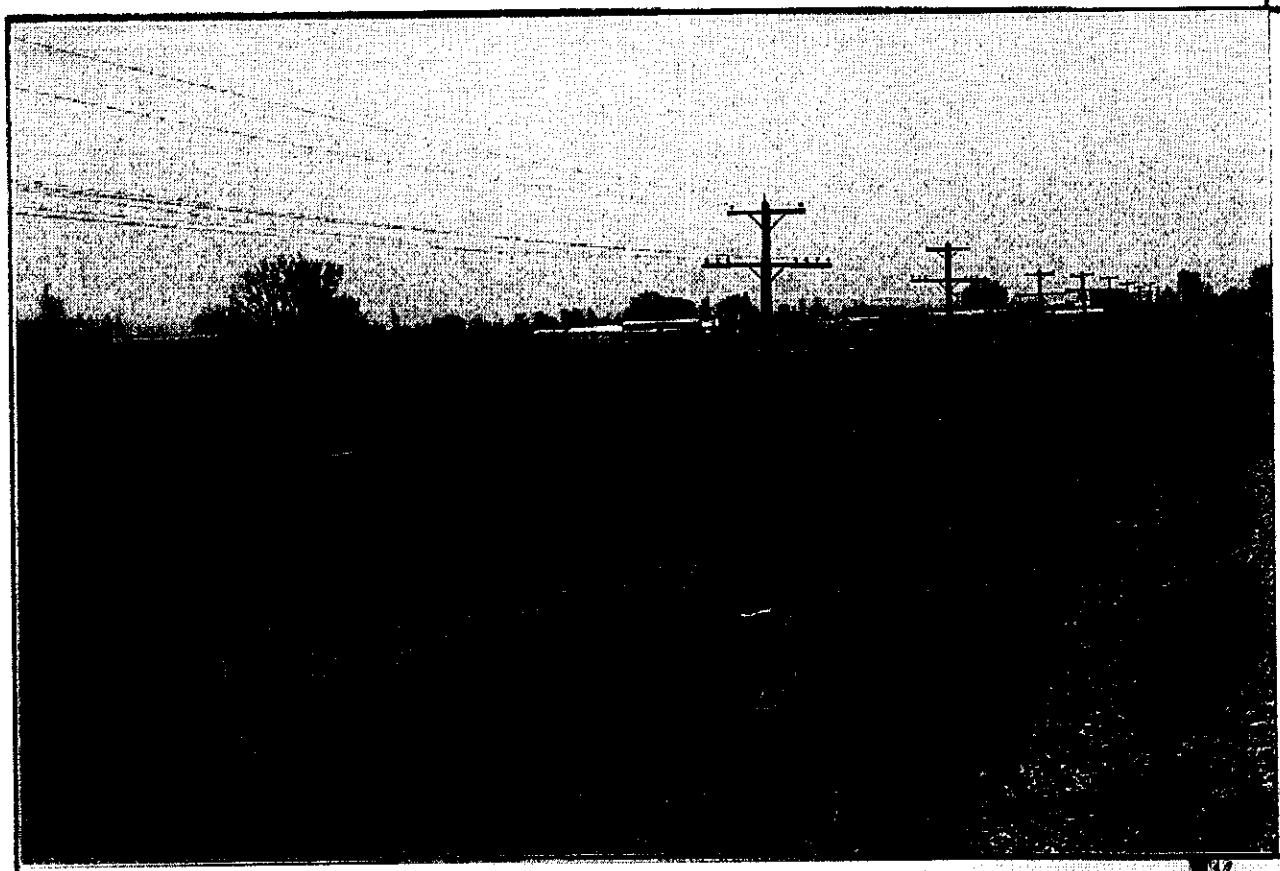


27-07446

2 2440 SUPREME

IRRIGATION

1 of 10



VIEW SOUTH
PIVOT #9
FIELD #15
IN BACKGROUND



PIVOT #1

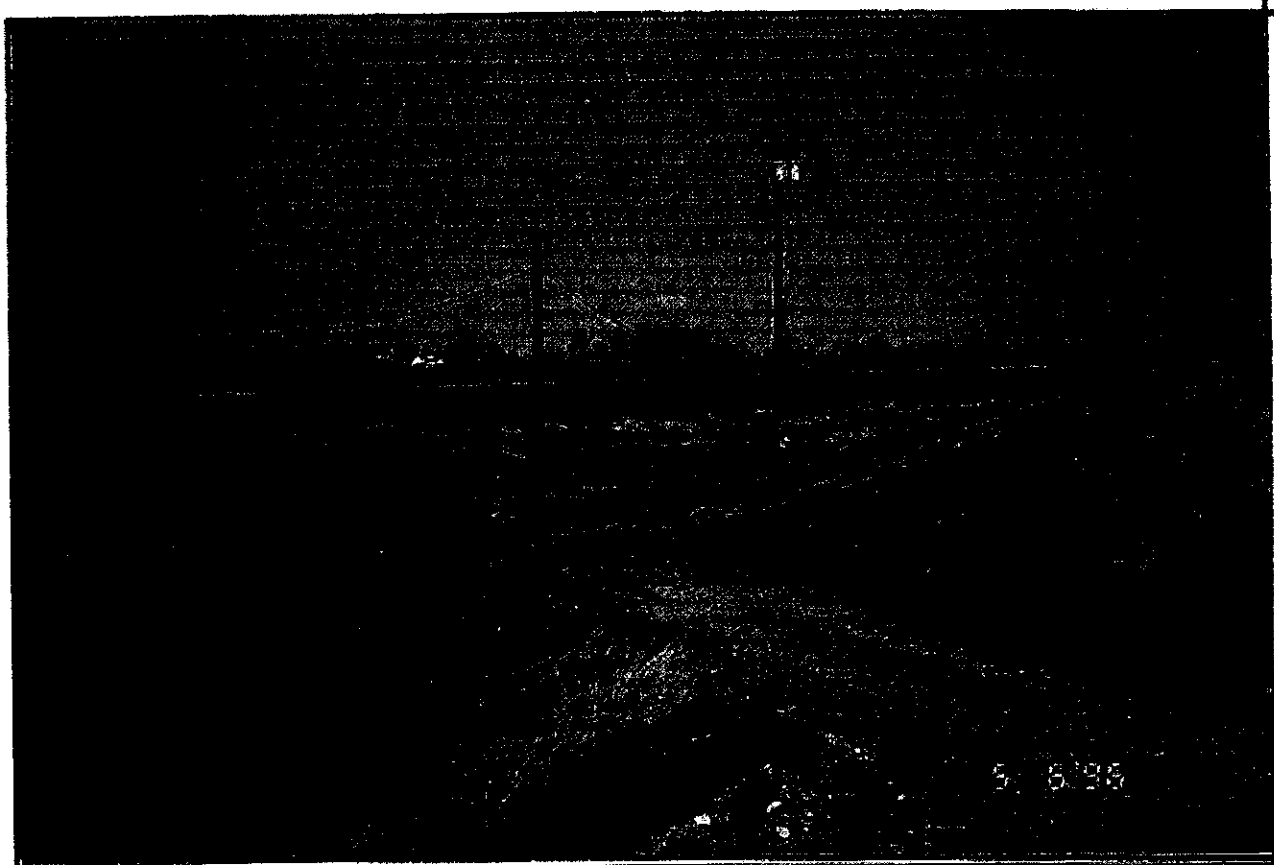
PERMIT NUMBER 27-07446

I. AHO SUPREME

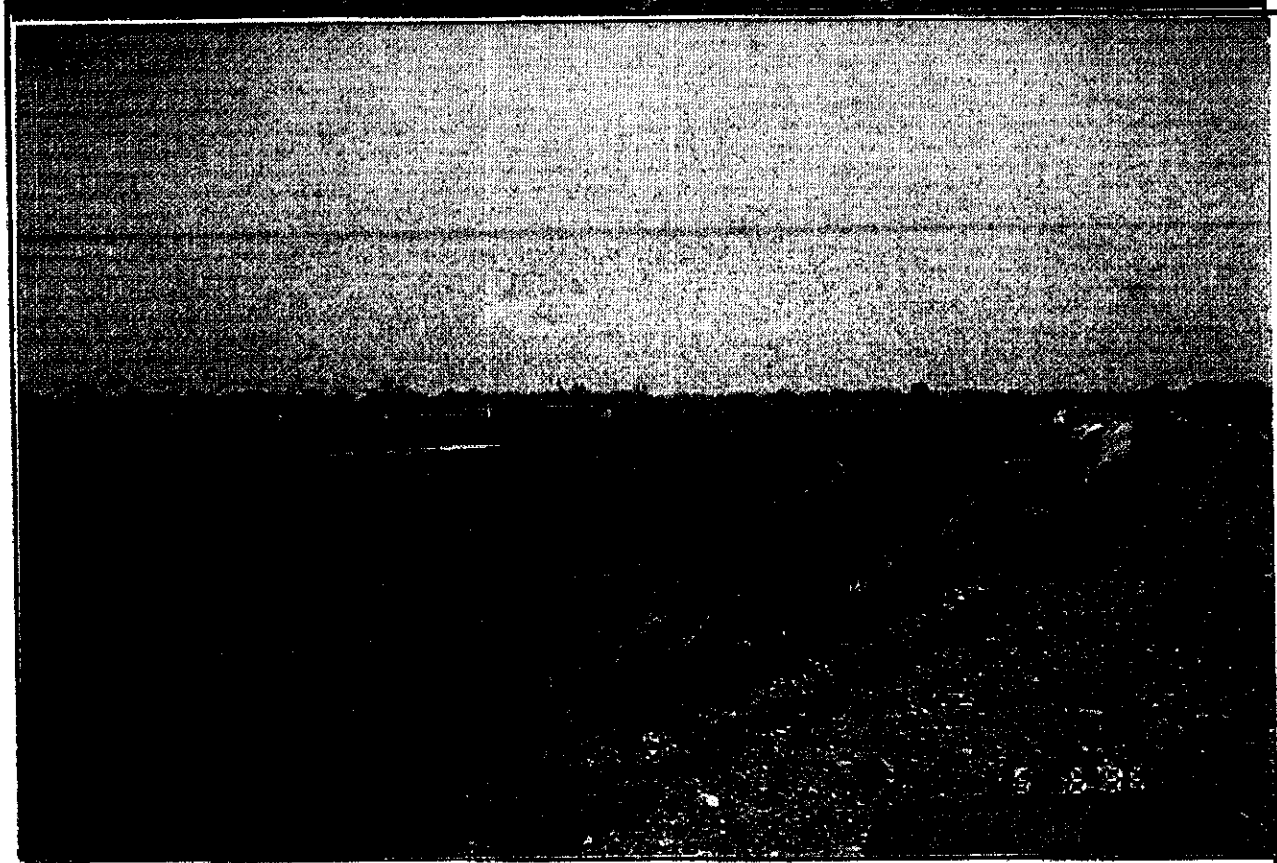
IRRIGATION

2 of 10

PIVOT #10



PIVOT #2

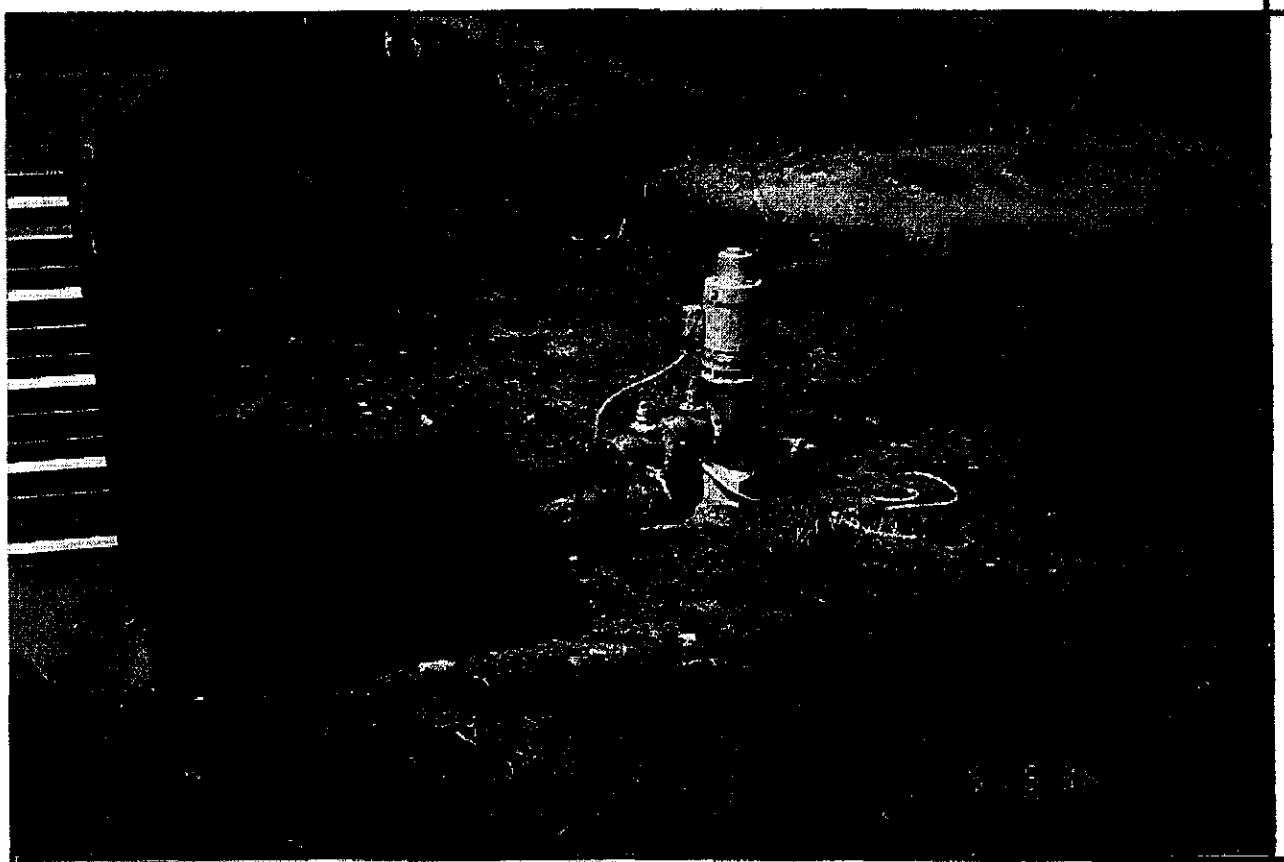


PERMIT NUMBER 27-07446

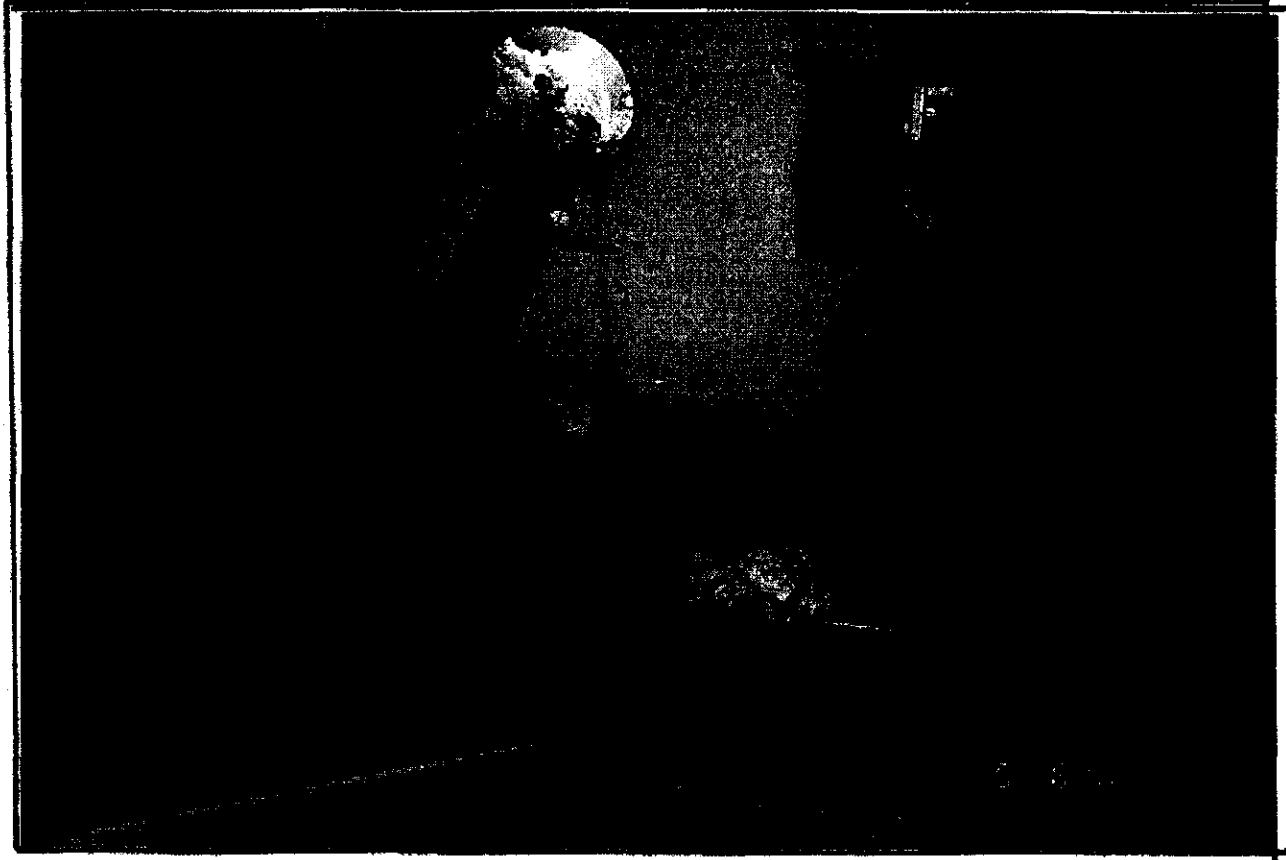
I. 4HO SUPREME

IRRIGATION

3 of 10



WELL #1



WELL HOUSE #1

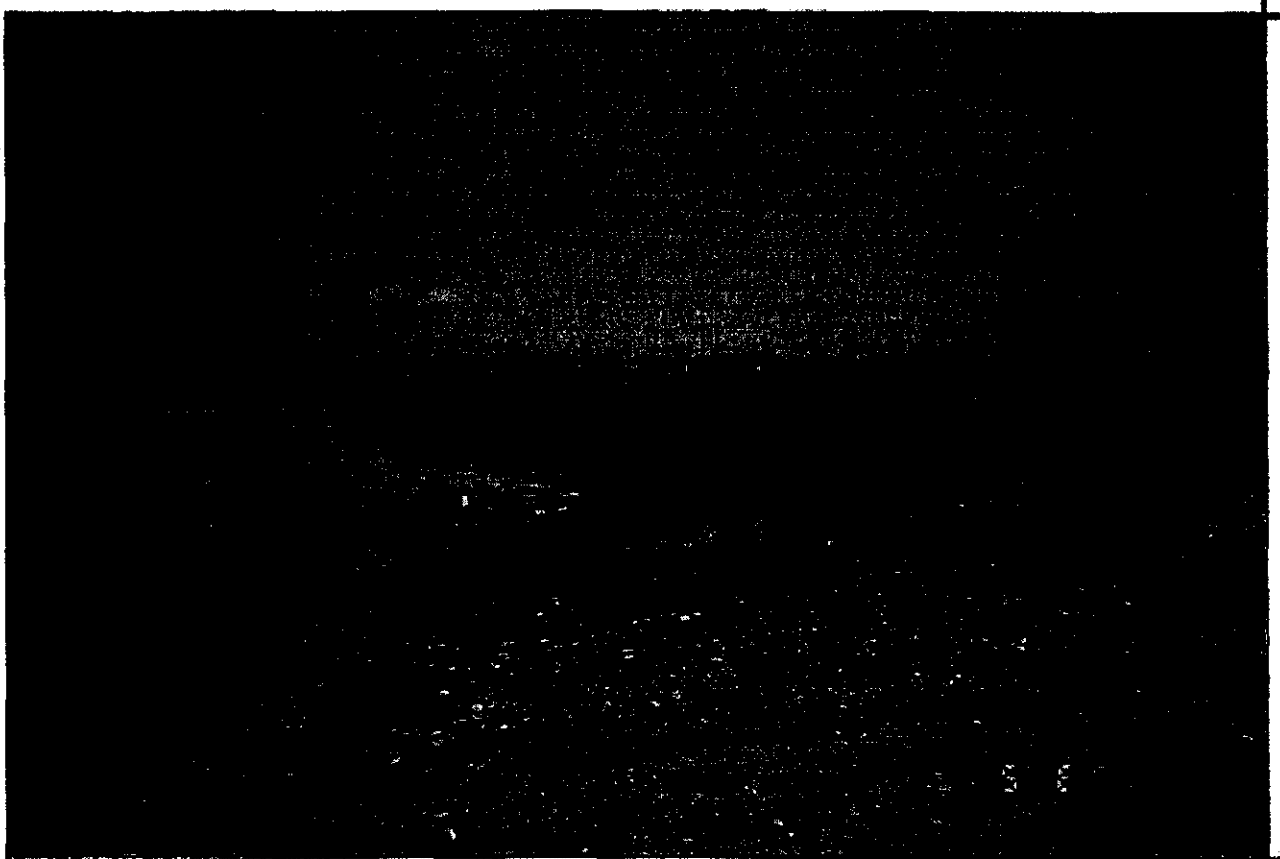
PERMIT NUMBER 27-07446

I AND SKREHE

IRRIGATION

4 of 10

PIVOT #3



PIVOT #4

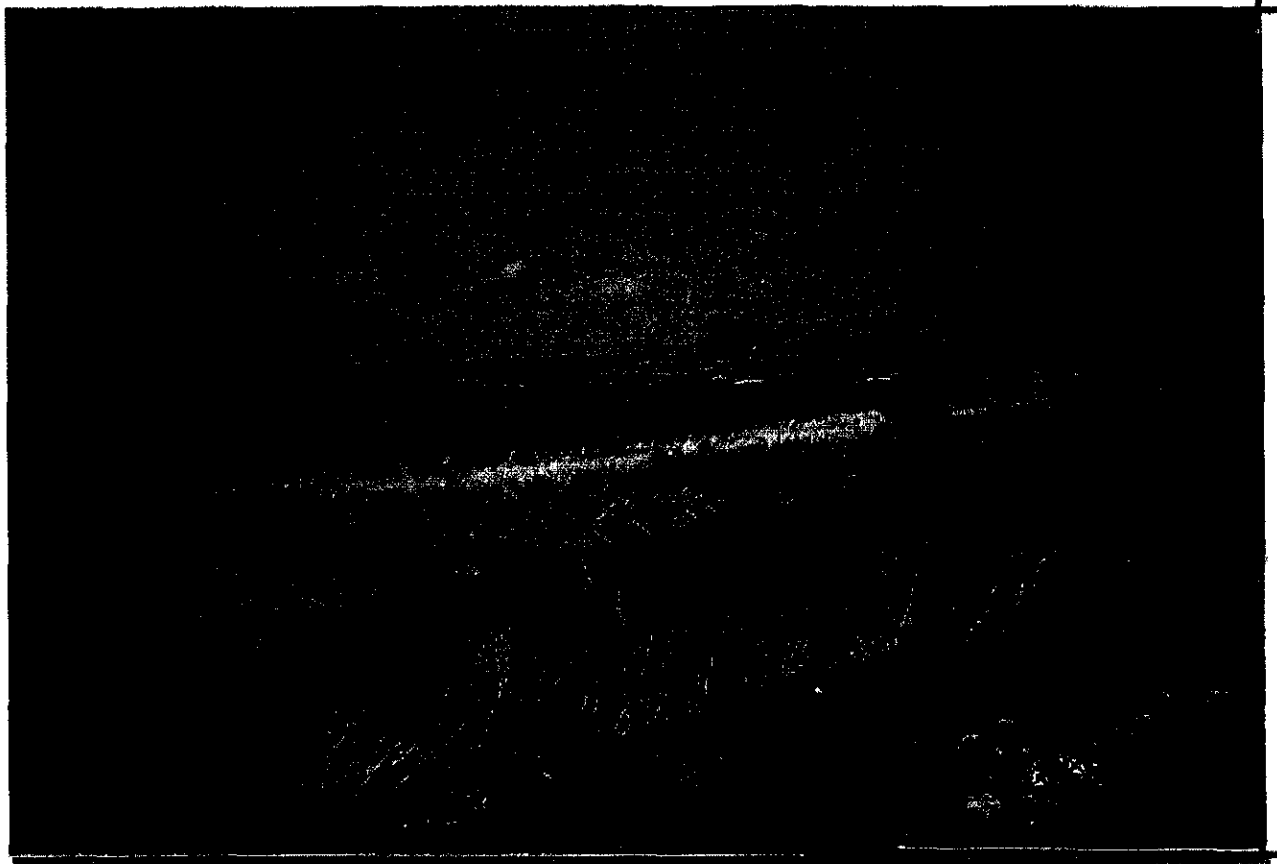


PERMIT NUMBER 27-07446

I. AHO SUPREME

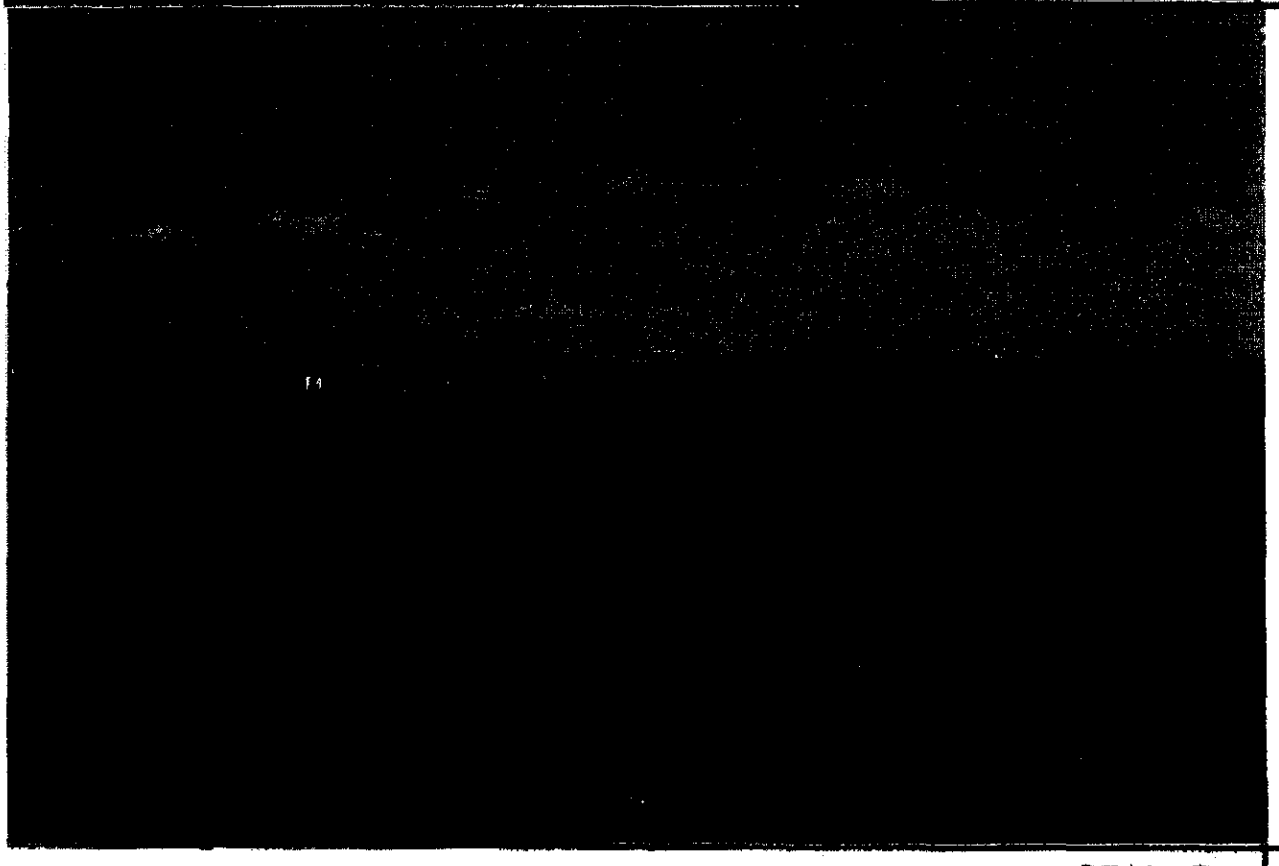
IRRIGATION

5 of 10



FIELD #11

WELL #2



PIVOT #12

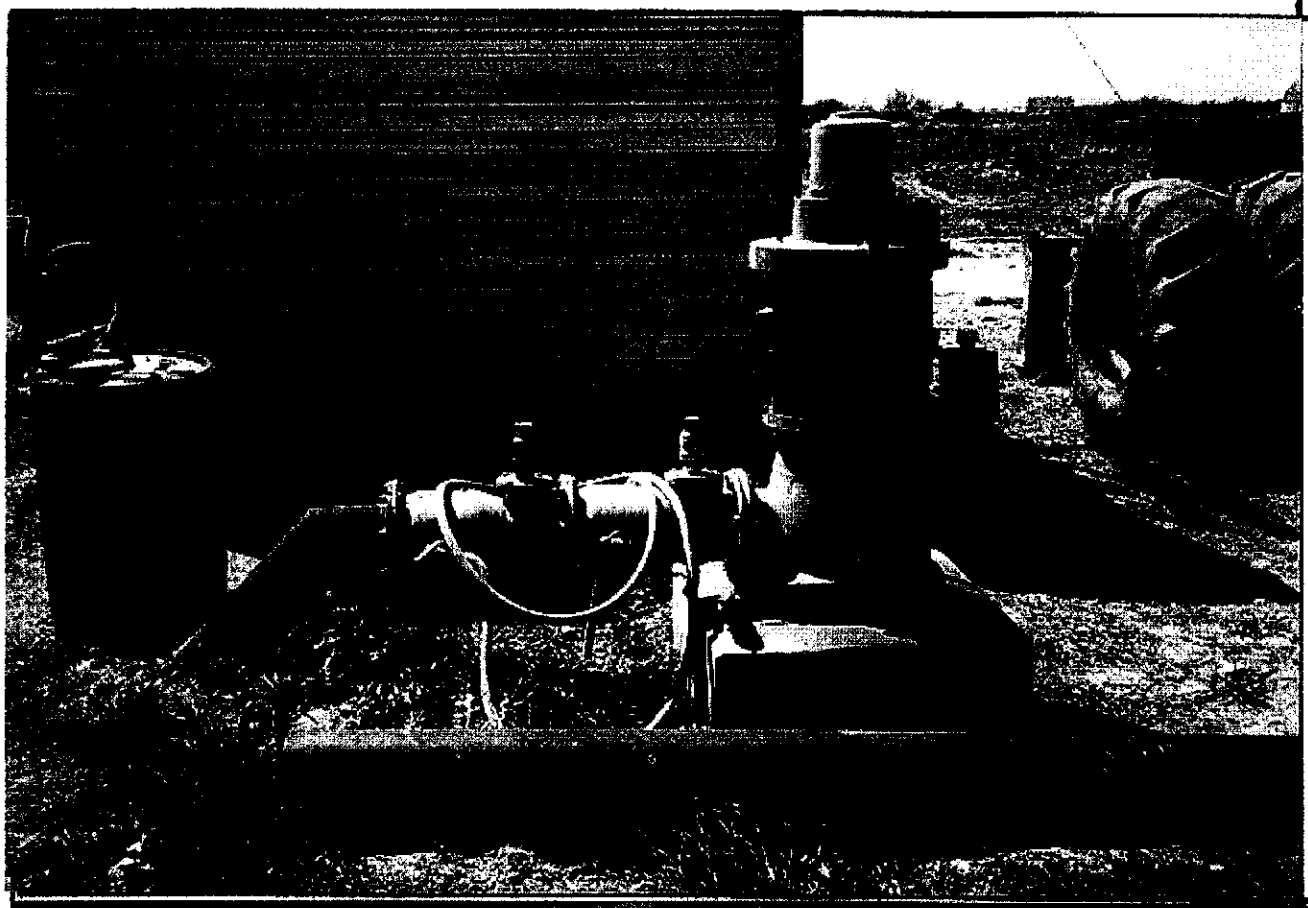
PERMIT NUMBER 27-07446

LUARD SUPREME

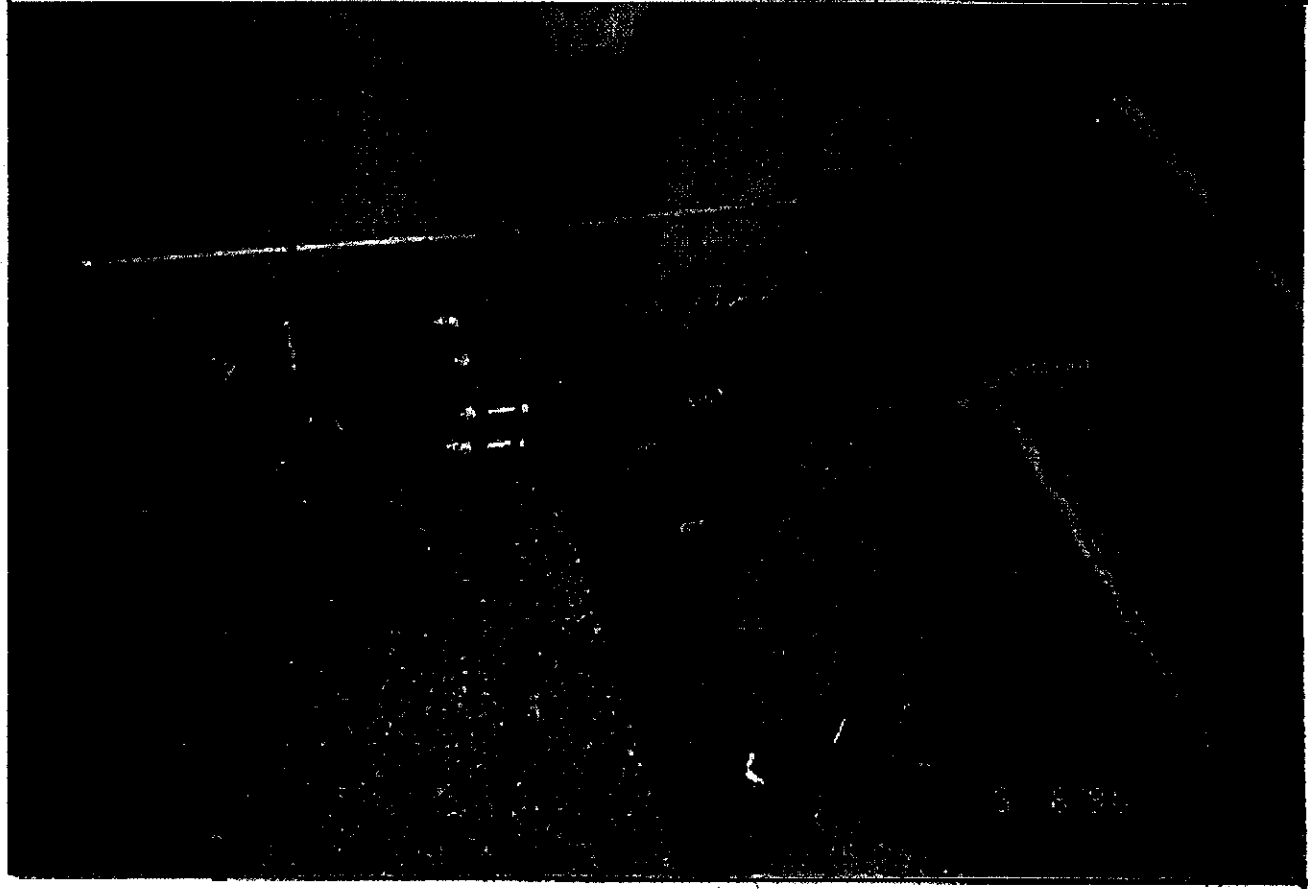
WELL IRRIGATION

6 of 16

WELL #



WELL HOU
#2



PERMIT NUMBER

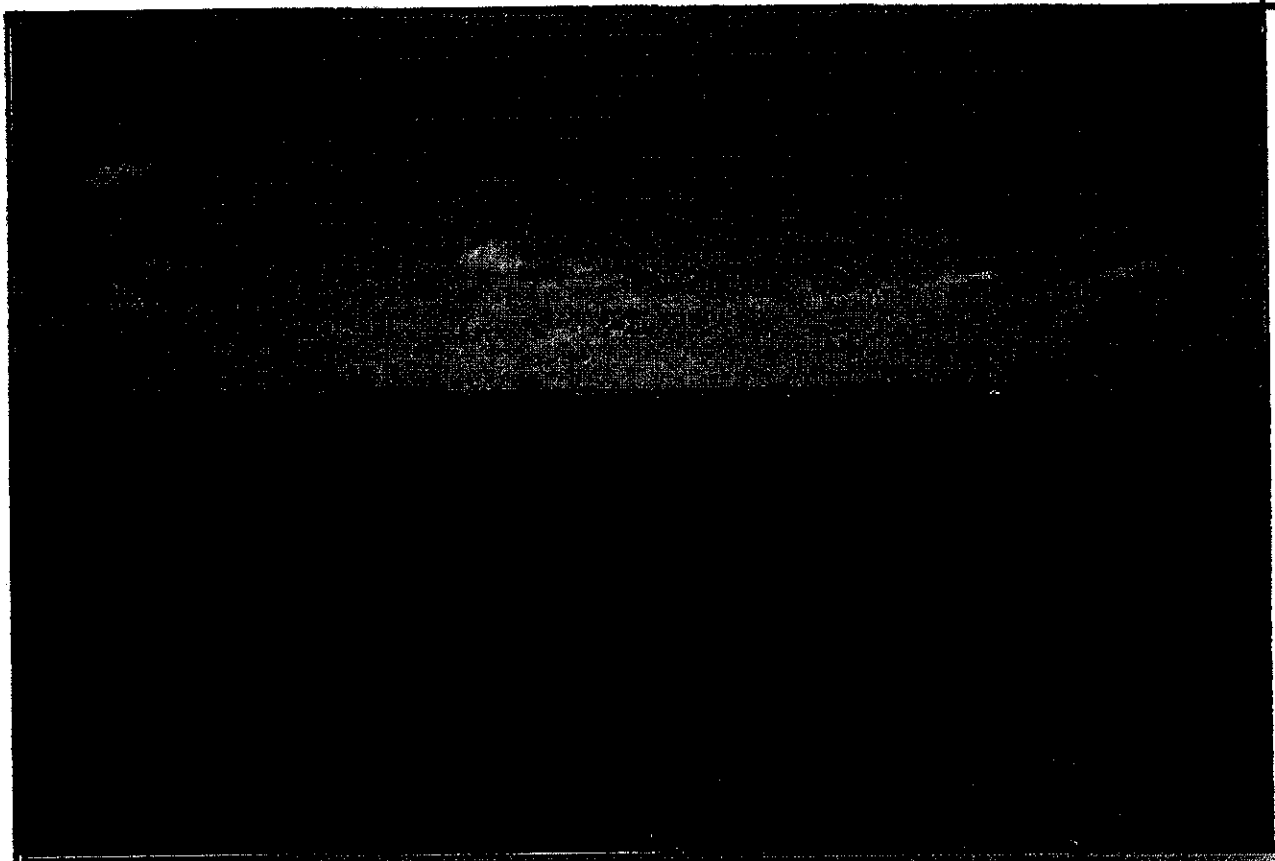
27-07446

I. THO SUPREME

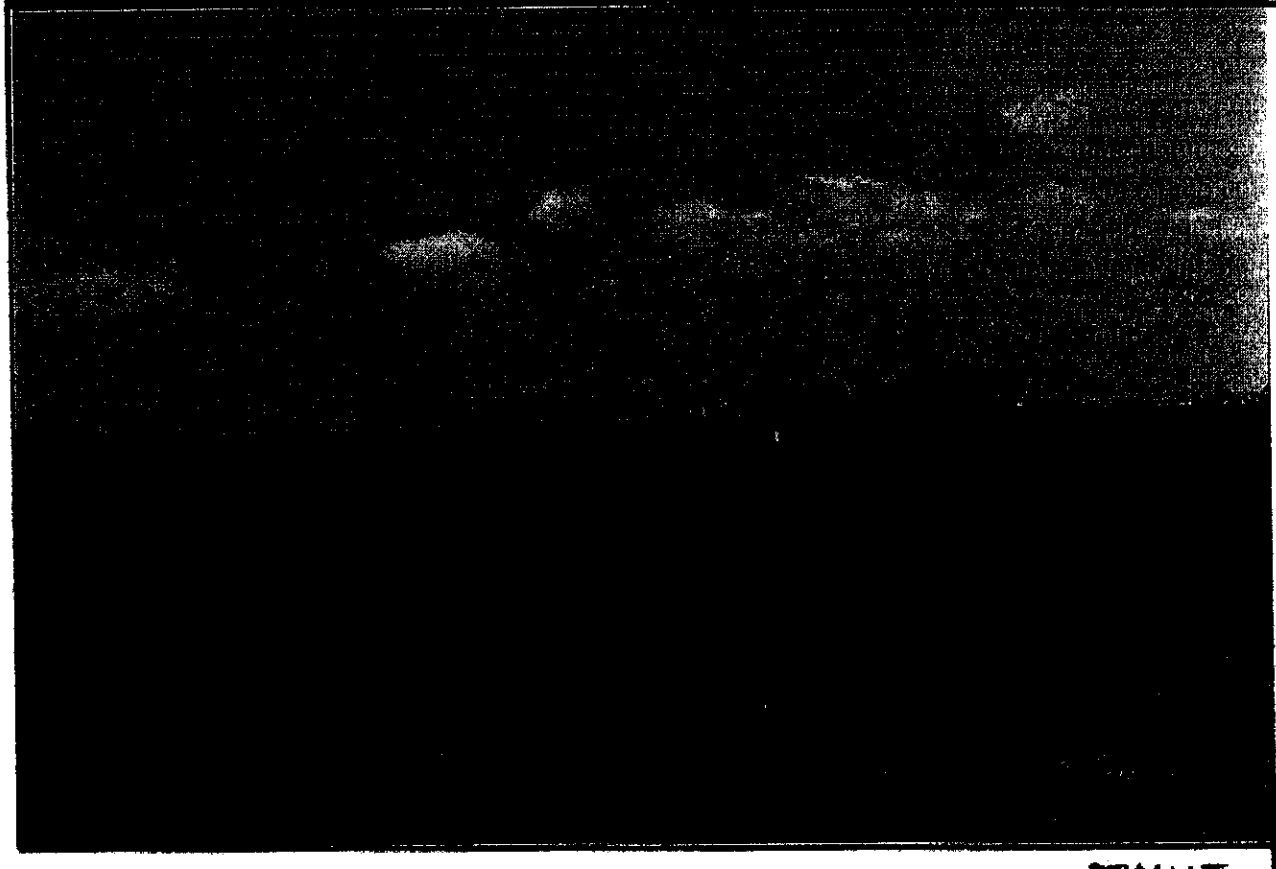
IRRIGATION

7 of 10

PIVOT #5



PIVOT #13



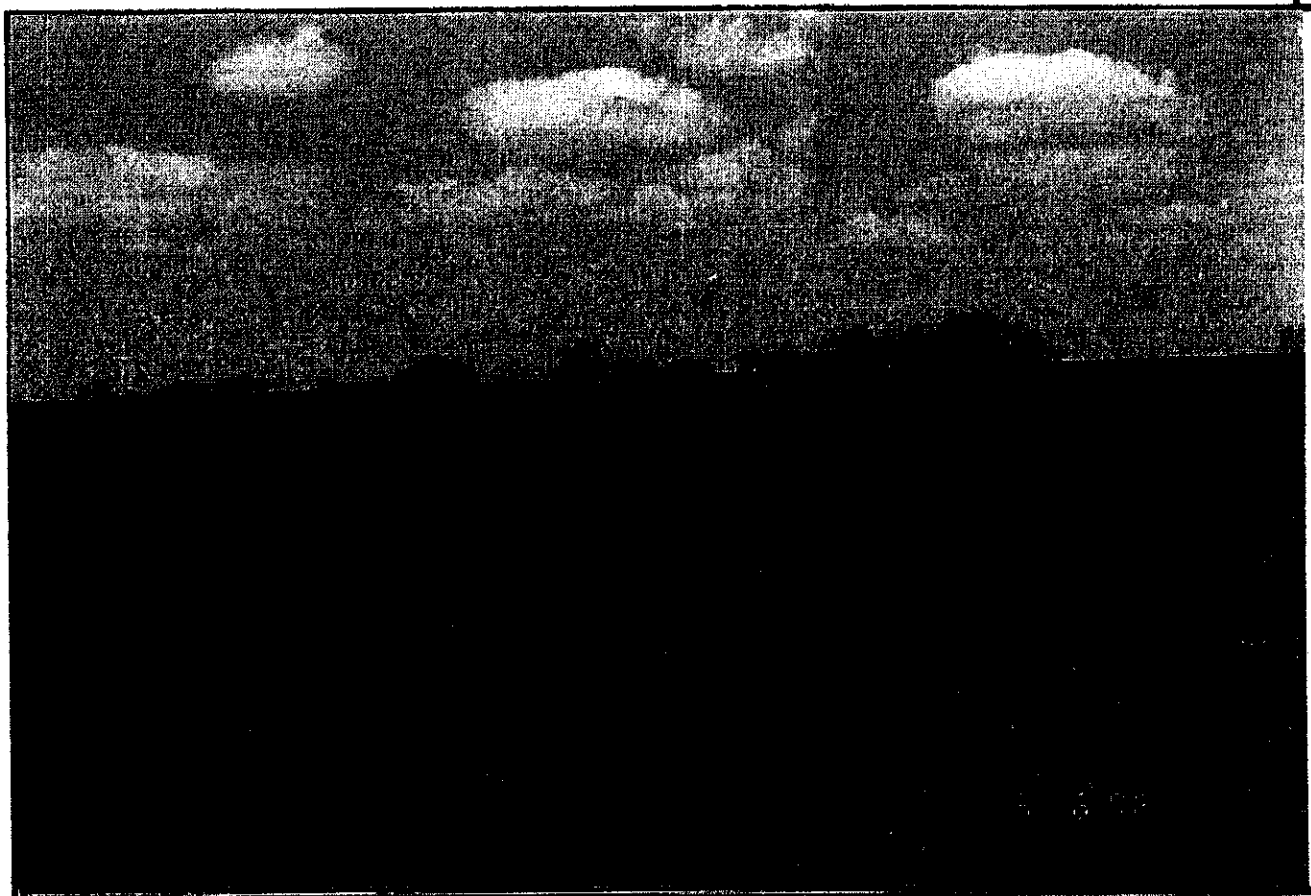
PERMIT NUMBER 27-07446

IDAHO SUPREME

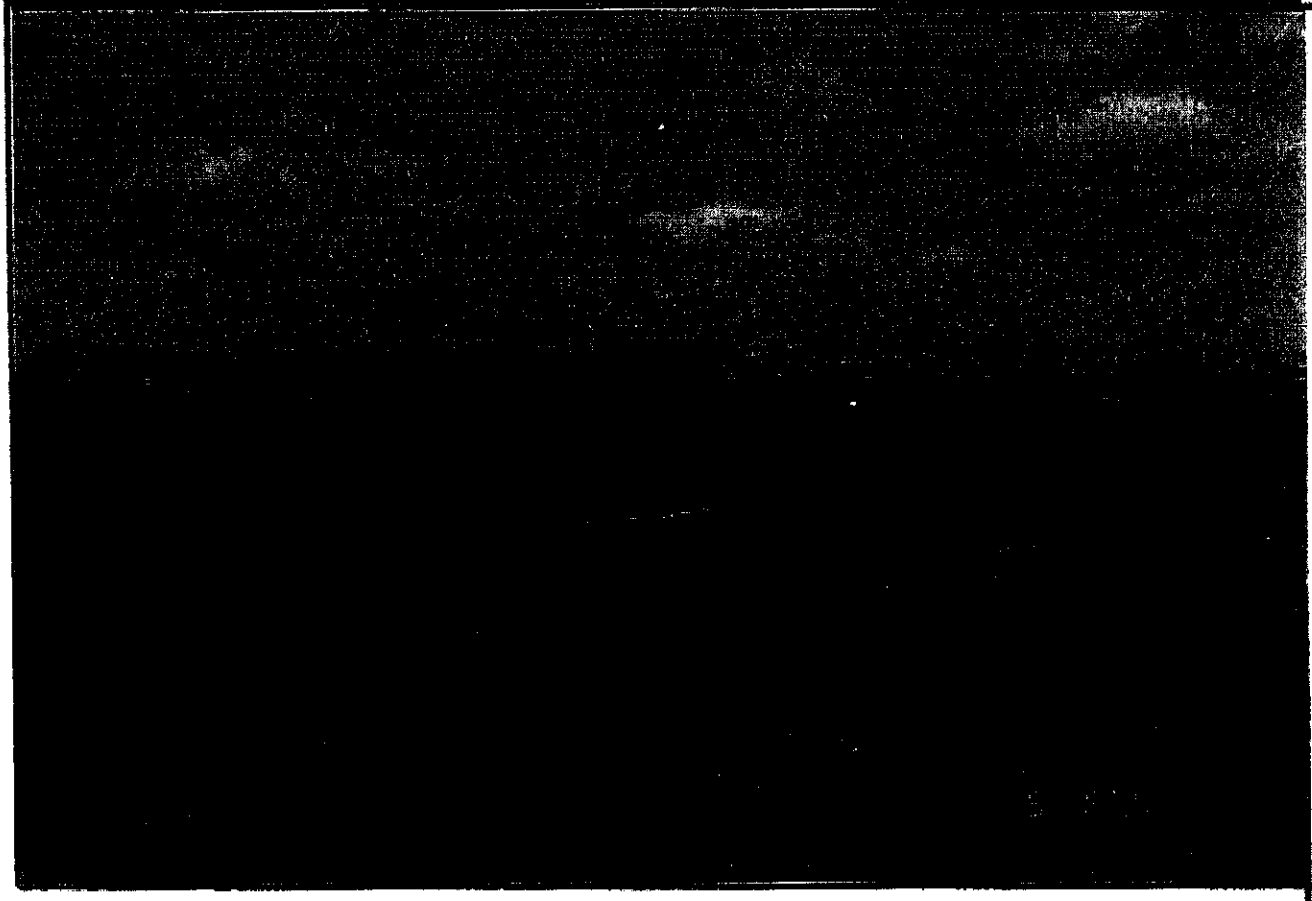
IRRIGATION

8 of 10

PIVOT #



PIVOT #



PERMIT 27-07446

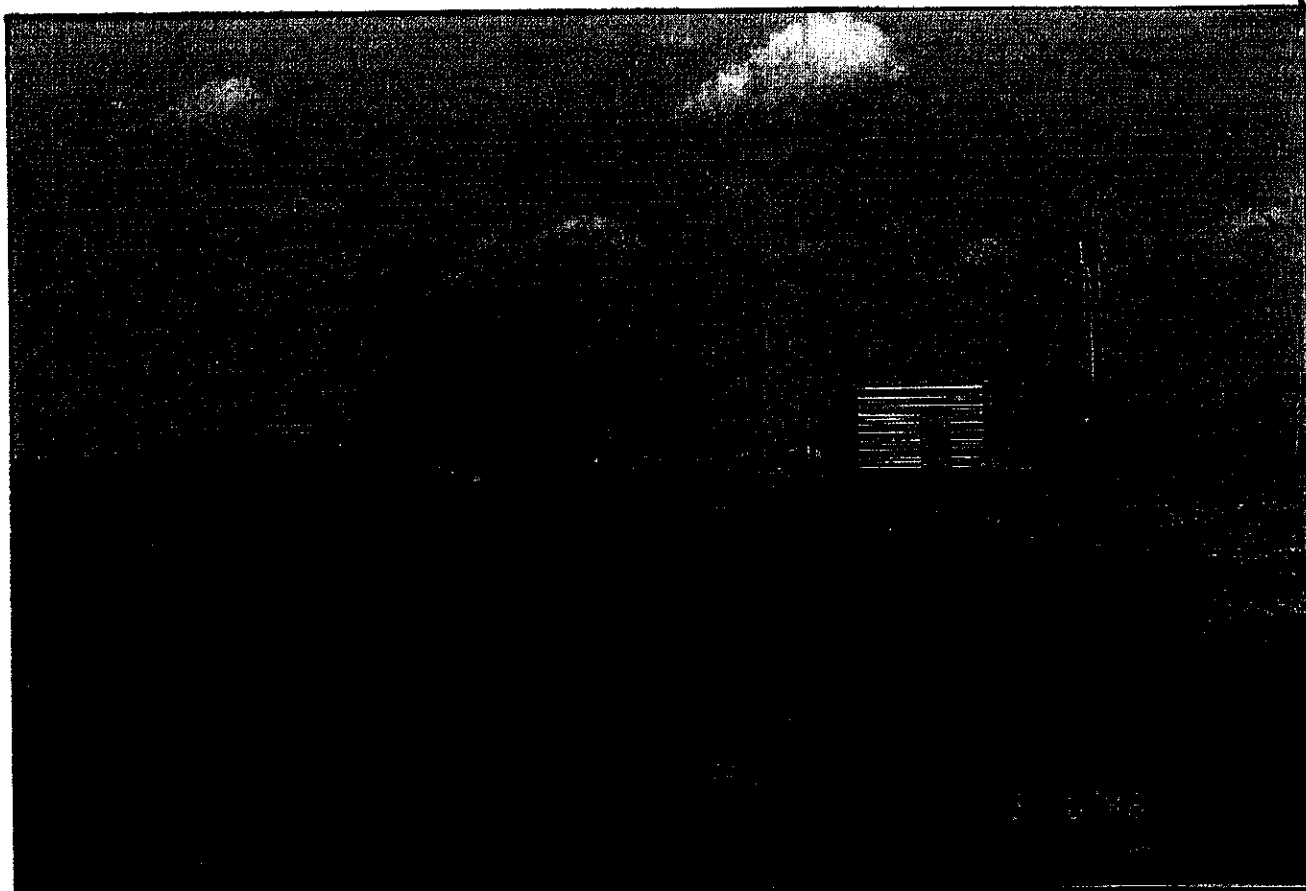
I AHO SUPREME

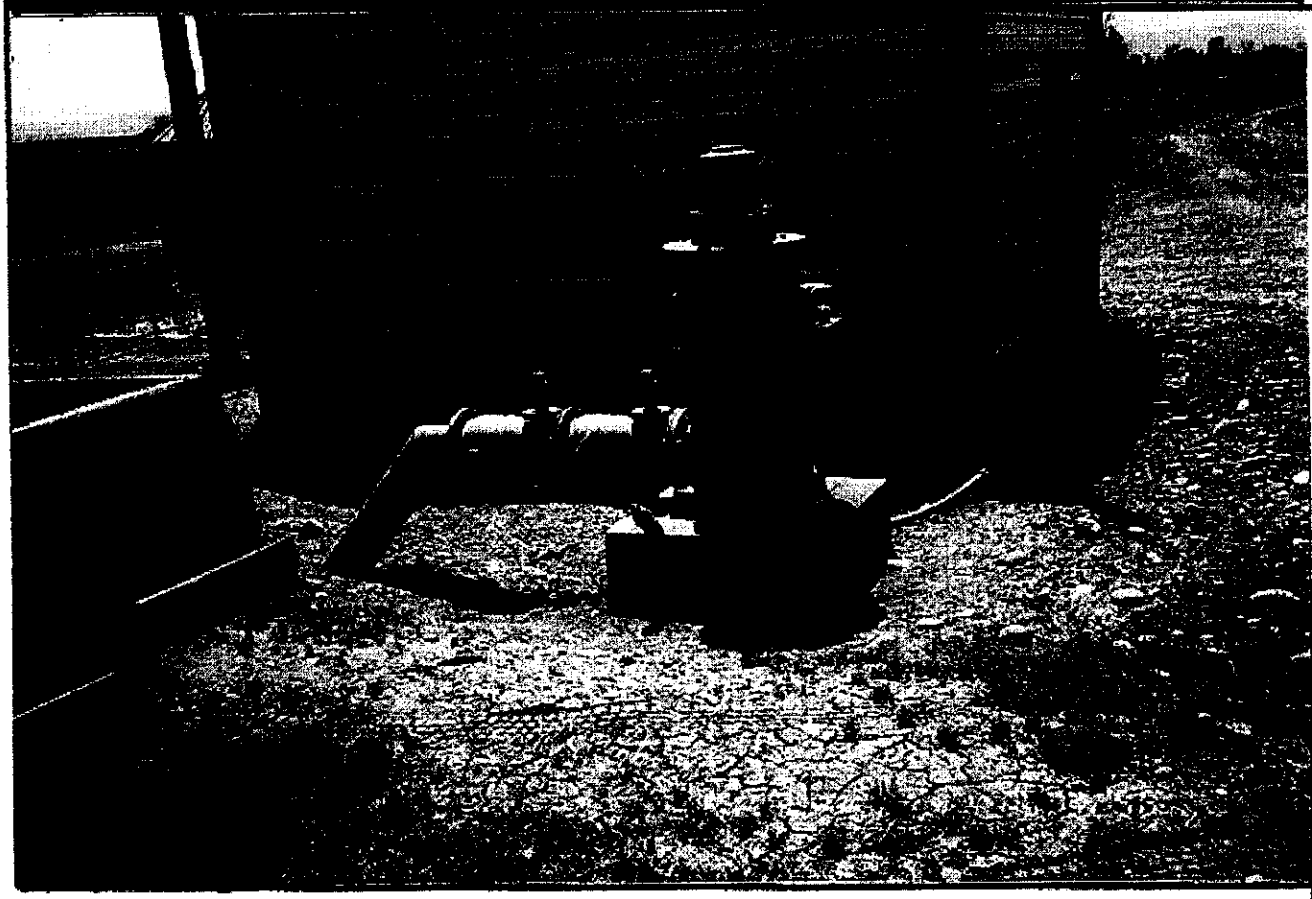
IRRIGATION

9 of 10

BACKGROU
VIEW PIC
#8

WELL HOU
#3





WELL #3

PERMIT 27-07446

I HP SUBMERSIBLE IRRIGATION

10 of 10



INTERIOR VIEW OF WELL HOUSE #3



INTERIOR VIEW OF WELL HOUSE #3

PERMIT 27-07446

February 14, 1992

IDAHO SUPREME POTATOES INC.
P.O. BOX 246
FIRTH ID 83236

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07446

Dear Permit Holder:

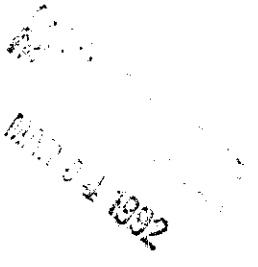
The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region



ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 27-07446 Reviewed by KG Date 2/12/92

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

irrigate 217 acres

Correct Uses? yes

SOURCE OF WATER

___ Surface water source
✓ Ground water source
yes Drilling permit required?
yes Copy in the file? Drilling Permit No. 27-90-E-016 27-90-E-017
100 Amount paid for permit yes yes Correct?
yes Well log in the file?

LICENSE EXAMINATION FEE

yes ~~200~~ Required?
200 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received	NA		
Date proof due		-	
No. of days late		=	
Priority Date		+	
New Priority Date			

DEFICIENCIES OR ACTION ITEMS driller 023

proof acceptable

DATA ENTRY
New Address _____ Proof Made 2/4/92
2/4/92 KLO

Form 235-1
9/89

Drilling Permit No. -90-E-016
Water Right Permit No. 27-07446
Injection Permit No. _____

RECEIVED
APR 20 1990
Department of Water Resources

State of Idaho
Department of Water Resources

DRILLING PERMIT

1. Applicant Idaho Supreme Potatoes Inc.
2. Mailing Address P.O. Box 246
   Firth, ID 83236 Telephone 346-6841
   (XX) Well Owner ( ) Well Operator ( ) Other, specify _____
3. Proposed well location SW 1/4 SE 1/4, or Gov't lot No. 09,
   Sec. 6, Twp. 01S, Rge. 37E, County Bingham,
   Street Address of Well Site same,
   Lot, block and subdivision _____
4. Proposed use of well:
   ( ) Single family or stockwater use (less than 13,000 gallons per day)
   (XX) Irrigation (more than 1/2 acre) 217
   ( ) Monitoring - A well bore schematic and map is required for each well.
   No. of proposed wells: _____
   ( ) Other (describe fully) _____
5. Well construction information:
   A. (XX) New well ( ) Deepen ( ) Replace - See Condition 9.
   B. Proposed surface diameter 16" Maximum depth 100'
   C. Anticipated bottom hole temperature:
   (XX) 85°F or less (Cold water well)
   ( ) 85°F to 212°F (Low temp. geothermal well)
   ( ) 212°F or more (Geothermal well)
6. Construction Start Date 4-16-90
7. Anticipated Well Driller Barrus
   NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature _____ Date 4-16-90
   Title P/E - Owner
   (Owner, Firm Representative, Other)

Fee is $10 for single family domestic. Other uses may be up to $100.

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is approved. Date 4-16-90.

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

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 the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.

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. Approval 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.

7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

MAR 0 4 1992

Signature of Authorized Department Representative

Eastern Reg. Manager
Title

Receipt No. E013161 Receipted by RB Fee 100 Date _____

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

Form 238-1
9/89

Drilling Permit No. 27-90-E-017
Water Right Permit No. 27-07446
Injection Permit No. _____

RECEIVED
APR 20 1990
Department of Water Resources

State of Idaho
Department of Water Resources

DRILLING PERMIT

1. Applicant Idaho Supreme Potatoes Inc.

2. Mailing Address P.O. Box 246
Firth, ID Telephone 346-6841
(X) Well Owner ( ) Well Operator ( ) Other, specify _____

3. Proposed well location SE 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 7, Twp. 01S, Rge. 37E, County Bingham,
Street Address of Well Site Same,
Lot, block and subdivision _____

4. Proposed use of well:
( ) Single family or stockwater use (less than 13,000 gallons per day)
(S) Irrigation (more than 1/2 acre)
( ) Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
( ) Other (describe fully) _____

5. Well construction information:
A. (S) New well ( ) Deepen ( ) Replace - See Condition 9.
B. Proposed surface diameter 16" Maximum depth 100'
C. Anticipated bottom hole temperature:
(X) 85°F or less (Cold water well)
( ) 85°F to 212°F (Low temp. geothermal well)
( ) 212°F or more (Geothermal well)

Received
MAR 04 1992

6. Construction Start Date 4-16-90

7. Anticipated Well Driller Barrus
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature [signature] Date 4-16-90
Title P/E owner
(Owner, Firm Representative, Other)

...e is $10 for single fami... domestic. Other uses may be up to $100.

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is approved. Date 4-16-90.

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SPECIFIC CONDITIONS:

Signature of Authorized Department Representative

Eastern Reg. Manager
Title

Receipt No. E013161 Receipted by RB Fee 100 Date

EXTENSION OF DRILLING PERMIT

MAY 04 1992

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

Form 238-7
5/89

DWD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

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.

USE TYPEWRITER OR BALLPOINT PEN

RECEIVED
JUN 21 1990
Department of Water Resources
Eastern Region Office

1. WELL OWNER

Name [illegible]

Address [illegible]

Owner's Permit No. [illegible]

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
Well diameter increase
Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
[illegible] inches	12 inches	+ 1 feet	100 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☒ Knife ☐ Torch ☐ Gun
Size of perforation [illegible] inches by [illegible] inches

Number		From	To
[illegible]	perforations	[illegible] feet	[illegible] feet
_____	perforations	_____ feet	_____ feet
_____	perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth _____ Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.

N / W / E / S

Subdivision Name _____
Lot No. [illegible] Block No. _____
County Bingham
[illegible] ¼ [illegible] ¼ Sec. 6, T. 1 ☐ N ☒ S R. 37 ☐ E ☐ W

7. WATER LEVEL

Static water level [illegible] feet below land surface
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature ____ °F. Quality _____
Describe artesian or temperature zones below

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
[illegible]	[illegible]	[illegible]	[illegible]		+
[illegible]	[illegible]	[illegible]	[illegible]	+	
[illegible]	[illegible]	73	[illegible]	36	
[illegible]	73	96	Clay filled gravle		+
[illegible]	83	100	Gravle	43	

MAR 04 1992

10. Work started 2/10/90 finished 4/27/90

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Barrus Drilling Firm No. _____
Address _____ Date _____
Signed by (Firm Official) Lee Max N Barrus
and
(Operator) Lee F Barrus

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

Form 238-7
6/89

DWD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

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.

USE WATER OR BALLPOINT PEN

RECEIVED
JUN 21 1990
Department of Water Resources
Eastern District Office

1. WELL OWNER

Name [illegible]

Address [illegible]

Owner's Permit No. [illegible]

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
Well diameter increase
Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.375 inches	16 inches	+ 1 feet	100 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

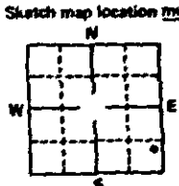
Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☒ Knife ☐ Torch ☐ Gun
Size of perforation 1/4 inches by 2 inches

Number	From	To
320 perforations	73 feet	99 feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 20 Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld
☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____
Lot No. _____ Block No. _____
County [illegible]
SE ¼ SE ¼ Sec. 7, T. 1 N ☐ S ☒, R. 1 E ☐ W ☒

7. WATER LEVEL

Static water level 1 feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
16	0	3	Top Soil		+
16	3	36	Gravle	1	
16	36	41	Sandy Clay Filled Gravle		+
16	41	50	Gravle	35	
16	50	73	Clay Filled Gravle		+
16	73	100	Gravle	41	

10.

Work started 4/30/90 finished 5/4/90

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name [illegible] Firm No. _____
Address _____ Date _____
Signed by (Firm Official) [signature]
and
(Operator) [signature]

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

IDAHO SUPREME

INVOICE#	INVOICE DATE	AMOUNT	DISCOUNT	VOUCHER	NET AMOUNT
TOTALS ▸					

DATE

CHECK NO.

VENDOR KEY

RECEIVED
MAR 04 1932

January 31, 1992

IDAHO SUPREME POTATOES INC.
P.O. BOX 246
FIRTH ID 83236

PROOF DUE NOTICE

RE: PERMIT NO. 27-07446

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

MAR 04 1992

CERTIFIED MAIL
NO. 13435

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

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
March 19, 1990

IDAHO SUPREME POTATOES INC.
P.O. BOX 246
FIRTH, ID 83236

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P27-07446

Dear Permit Holder:

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

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

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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MAR 2 6 1990

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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAR 2 6 1990

Dist. for staffing 11-10-88 CW

submitted for adv. HWJ 11-15-88

orm No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Basin Files Head File

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWJ DATE 11-15-88 APPLICATION NUMBER 2[illegible] 6

ID. Supreme Potatoes

REQUIRED INFORMATION

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

ADDITIONAL INFORMATION

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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Need Rule 4.5.1 Data - Received 11-16-88

Date Requested

RECEIVED
NOV 16 1988
Department of Water Resources

OCESSING ☑Yes ☐No I orm for advertising
☐Yes ☐No Statewide advertising
☑Yes ☐No Fee amount, receipt date & No. recorded on application

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

FINAL REGIONAL PROCESSING REVIEW

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

☑Yes ☐No Publication dates & paper, recorded on application
☐Yes ☑No Protests received
Final date for protest 11-6-89
☐Yes ☐No Protests, dates, resolution of protest, recorded on application
☐Yes ☑No Recommendations attached
☐Yes ☑No Measuring device required
☒Yes ☐No Access port required
☐Yes ☒No Will water be delivered by watermaster? If yes, what Dist. 01-P05
☒Yes ☐No Special conditions of approval or cover letter below.

☐See below for additional information

Date of priority recommended 11-7-86 ✓
By HWJ Date 11-9-87

STATE OFFICE REVIEW P05, P03, P17 26 01G '48 49 ★★ (below)

☐See below for additional information

By kw Date 12-8-89
kw 3-2-90

ADDITIONAL INFORMATION

Cont. 2367
App. in NON-TRUST area -
OK to allow 2 yrs. to develop

★★ The wells shall be constructed with non-perforated casing and sealed to a sufficient depth to prevent contamination of the ground water aquifer from the applicant's effluent, and also to prevent direct inflow to the wells from the Snake River.

MEMORANDUM

TO: File No. 27-7446 in the Name of Idaho Supreme Potatoes, Inc.
FROM: Gary Spackman Gary
DATE: March 1, 1990

RE: Adequacy of Information Submitted Under Rule 4,5,3. of the Water Appropriation Rules and Regulations

I have reviewed the information submitted by Idaho Supreme Potatoes, Inc. which attempted to allay fears of interference with other wells. After reviewing the information, I conversed with Ron Carlson about ground water conditions in the Firth area, since Ron resides nearby.

The information submitted by the applicant states that there are high water table problems in the area. Although Ron feels that the proposed points of diversion are north of the area where significant high ground water problems have caused problems in the past, Ron does not feel that a well located within 800 feet of existing domestic wells will cause injury.

I am concerned about the close proximity of the wells to the Snake River, and also possibility of wastewater effluent from the potato processing plant reaching the ground water aquifer. The following condition should be imposed on the permit:

> The wells shall be constructed with non-perforated casing and sealed to a sufficient depth to prevent contamination of the ground water aquifer from the applicant's effluent, and also to prevent direct inflow to the wells from the Snake River.

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MAR 26 1990

Idaho Supreme Potatoes, Inc.
P.O. Box 246
Firth, Idaho 83236

Phone (208) 346-6841

Worlds Finest Potatoes
FRESH PACK DIVISION
PROCESS DIVISION

FAX (208) 346-4104

23 January 1990

RECEIVED
JAN 31 1990
Department of Water Resources

Mr. Gary Spackman
State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RE: Application for Permit to Appropriate Water No. 27-7446

Dear Mr. Spackman:

Per your letter of January 9 and our phone conversation I am submitting additional supporting information for our application No. 27-7446.

We have asked for 4.34 cfs to irrigate a little over 200 acres. Since our request is for less than 5 cfs I am assuming your concern is with the 200 plus acre we will be irrigating. I have attached a map of our land application site showing circles and hand lines, there are about 209 acres that are sprinkled. The water requested will be drawn from two points of diversion (see attached map) with one mile between these points. Each point of diversion will irrigate about 100 acres.

You were concerned about the "...close proximity to existing wells...". The closest existing well will be about 800 feet away from our proposed wells.

You ask how deep the wells would be cased. This will be determined by the well driller, we expect the wells to be cased full depth.

You ask about adverse impact on existing uses of water, about draw down, about cone of influence and about geologic formations. The wells will be in very sparsely populated areas. Well logs from the general area and the "Firth Area Drainage Study" indicate that the aquifer in this area is held in sand and gravel. The "Firth Area Drainage Study" also states "The city of Firth and surrounding farm lands are presently experiencing high ground water in the summer and early fall months." as our wells will be adjacent to the study area we expect a similar ground water increase during the summer and fall months when we will be appropriating ground water. Because of the above stated conditions we expect a very limited cone of influence with little if any draw down.

In conclusion, the requested water will be drawn from two wells, the wells being one mile apart and each well drawing only about 2.17 cfs. The aquifer is held in sand and gravel that allows rapid water movement.

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MAR 26 1990

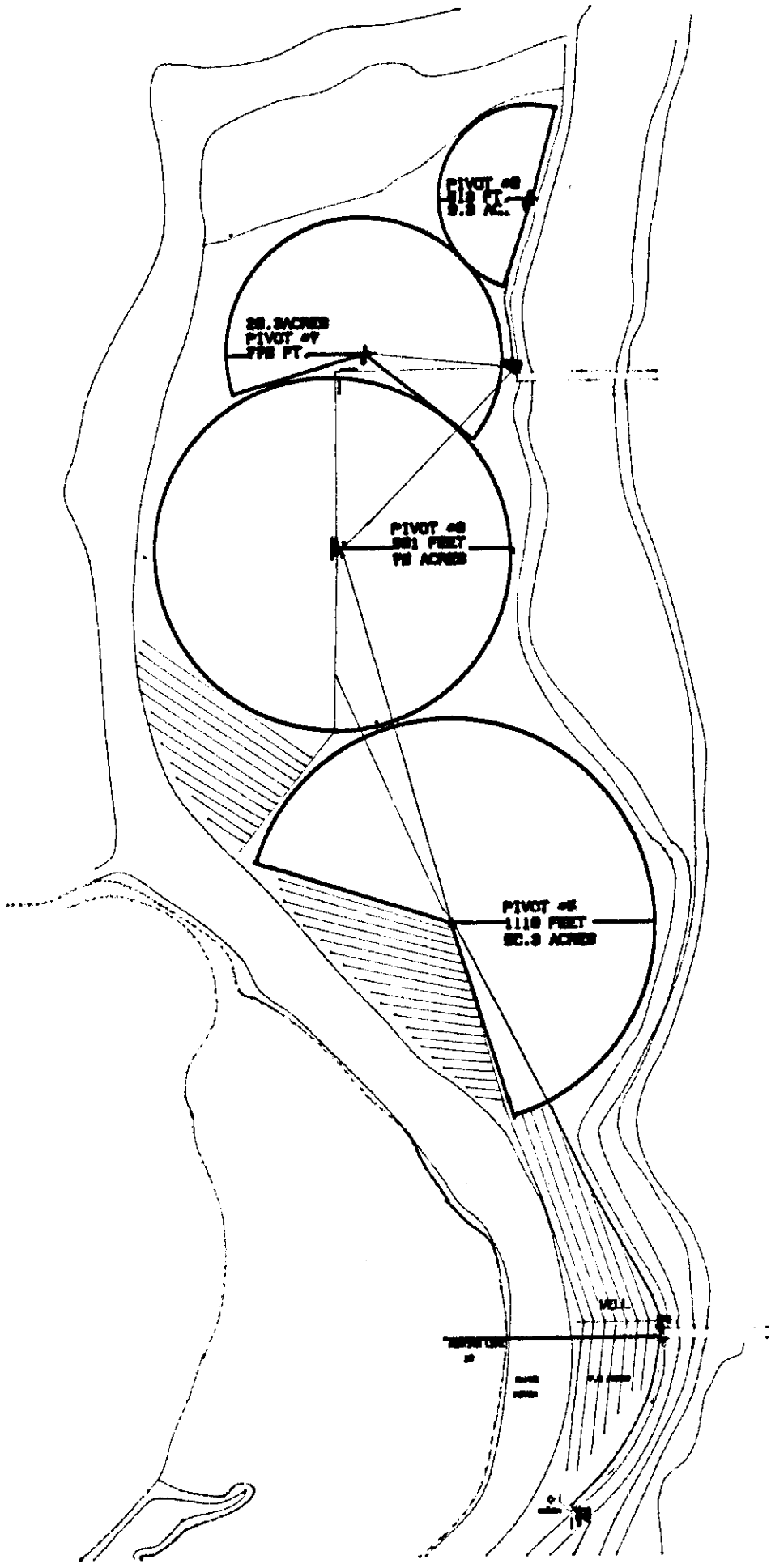
The aquifer is recharged during the summer to the point of causing sub water problems in the surrounding area. Because of these conditions we believe our wells will have no adverse impact on existing uses of water.

Sincerely,

Gil

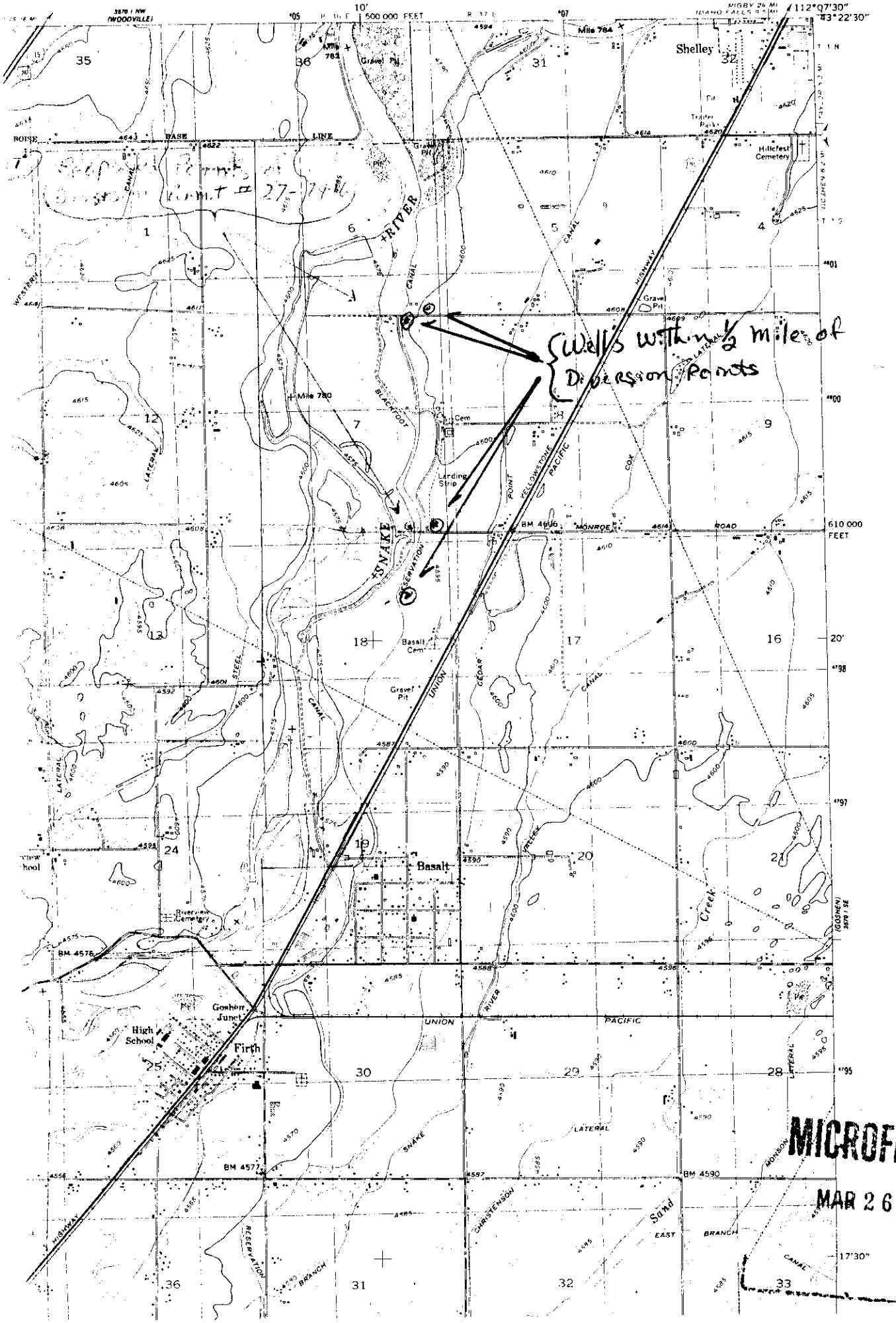
Gilbert J Dayley
Technical Services

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MAR 2 6 1990



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MAR 26 1990

FIRTH QUADRANGLE
IDAHO—BINGHAM CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



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MAR 2 6 1990

USE TYPEWRITER OR BALL-POINT PEN

State of Idaho
Department of Water Resources

WELL DRILLER'S REPORT

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.

1. WELL OWNER

Name Cleon Johnson

Address West of Shelley

Owner's Permit No.

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type)

☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☐ Cable ☒ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 6" inches Total depth 120' feet

Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
.250 inches	6" inches	+18" feet	120 feet
____ inches	____ inches	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation ____ inches by ____ inches

Number	From	To
____ perforations	____ feet	____ feet
____ perforations	____ feet	____ feet
____ perforations	____ feet	____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name

Type Model No.

Diameter ___ Slot size ___ Set from ___ feet to ___ feet

Diameter ___ Slot size ___ Set from ___ feet to ___ feet

Gravel packed? ☐ Yes ☒ No Size of gravel

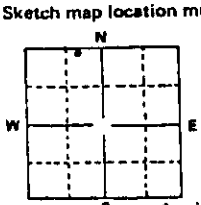
Placed from ___ feet to ___ feet

Surface seal depth 21 Material used in seal ☐ Cement grout ☐ Puddling clay ☒ Well cuttings

Sealing procedure used ☐ Slurry pit ☐ Temporary surface casing ☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name

Lot No. Block No.

County Bingham County

NE ¼ NW ¼ Sec. 6, T. 1 N/S, R. 36 E/W

7. WATER LEVEL

Static water level 50' feet below land surface

Flowing? ☐ Yes ☒ No G.P.M. flow

Temperature 53 °F. Quality Good

Artesian closed-in pressure p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Other

Discharge G.P.M.	Draw Down	Hours Pumped
30	14'	1 Hr.

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
6"	0	12	Top Soil		X
	12'	120'	Sand-Gravel & Boulders	X	

RECEIVED
DEC 16 1975
Department of Water Resources
Eastern District Office

10. Work started 10/13/75 finished 10/13/75

11. DRILLERS CERTIFICATION

Jack Cuppett Drilling Co. Firm No. 94

Firm Name

1405 So. Eisenman Blackfoot Idaho 83221 Date 10/15/75

Address

Signed by (Firm Official)

and

(Operator)

FILED
MAR 26 1976

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USE TYPEWRITER OR BALL POINT PEN

State of Idaho
Department of Water Resources

RECEIVED 544

WELL DRILLER'S REPORT

SEP 2 1976

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. Department of Water Resources Eastern District Office

1. WELL OWNER

Name EDWARD STEELE

Address Rt. 1, Box 164, Firth, ID 83236

Owner's Permit No. _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning)

_____

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type)

☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☐ Cable ☒ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 6 inches Total depth 100 feet

Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
.250 inches	6 inches	+ 1 feet	100 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter ___ Slot size ___ Set from _____ feet to _____ feet

Diameter ___ Slot size ___ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____

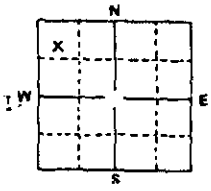
Placed from _____ feet to _____ feet

Surface seal depth 18' Material used in seal ☐ Cement grout ☒ Puddling clay ☐ Well cuttings

Seeling procedure used ☐ Slurry pit ☐ Temporary surface casing ☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County BINGHAM

NW ¼ NW ¼ Sec. 18, T. 1 ☒S, R. 36 ☒E

7. WATER LEVEL

Static water level 67 feet below land surface

Flowing? ☐ Yes ☒ No G.P.M. flow _____

Temperature _____ ° F. Quality _____

Artesian closed-in pressure _____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Other Air test

Discharge G.P.M.	Draw Down	Hours Pumped
15		

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
6"	0	3	Clay		
	3	33	Lava		
	33	45	Cinders		
	45	60	Gravel and some lava particles		
	60	100	Gravel	x	

10.

Work started 6/28/76 finished 6/28/76

11. DRILLERS CERTIFICATION

Firm Name DOUG CUSHMAN DRILLING C... Firm No. 72...

Address 945 S. Broadway, Blackfoot Date 6/24/76

Signed by (Firm Official) _____

and

(Operator) Irvin D Wanless

RECEIVED MAR 26 1980

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

FIRTH AREA DRAINAGE STUDY

A PRELIMINARY REPORT BASED ON AN ENGINEERING STUDY

Prepared for

BINGHAM COUNTY DRAINAGE DISTRICT NO. 1

Deloy Mecham, Chairman

Louis Marsden

Glenn Pratt, Secretary

FORSGREN, PERKINS AND ASSOCIATES, P.A.
CONSULTING ENGINEERS
Rexburg Salt Lake City Pocatello Preston

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MAR 2 6 1990

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MAR 26 1990

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MAR 2 6 1990

I. SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

The city of Firth and the surrounding farm lands are presently experiencing high groundwater in the summer and early fall months. This results in flooded basements, water ponding on U.S. Highway 191 and on farm lands, restrictions in types of crops which may be grown, reduction in crop yields, and overloading of the city's sewage treatment facility.

From a study of the affected area it is concluded that its high groundwater level can be lowered and that a system of open channel and pipe drains would be a satisfactory method of lowering the groundwater. The drain system would utilize existing natural channels as much as possible.

It is therefore recommended that the proposed drainage system be constructed. Construction should begin with the main drainage channels as outlined on the enclosed maps, with additional lateral drains to be constructed as needed.

II. INTRODUCTION

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At the present time the city of Firth and the surrounding area are experiencing problems due to high

groundwater during the late spring to fall months. The high groundwater during this period affects approximately 2,000 acres of agricultural land, 125 houses, 3 schools, 2 churches, and U.S. Highway 191, and the Union Pacific Railroad.

The sanitary sewer collection system and treatment facility are experiencing infiltration and inflow problems. The sump pumps for Firth High School discharge directly into the sewer system, and many of the houses in Firth have sump pumps which discharge into the sewer system. Additional flow from these sources overloads the treatment facility during periods of high groundwater so that the sewerage is not retained in the lagoon long enough for adequate treatment. In 1975 the city of Firth constructed an additional lagoon at the treatment facility in an attempt to treat this additional flow.

Concern for the problems caused by the high groundwater experienced in this area, resulted in the formation of a committee to investigate possible causes and solutions to the problem. The committee was formed on September 23, 1971, and with the help of the Soil Conservation Service, began a research study in the Spring of 1972. Forty observation wells were installed throughout the drainage district and the depth of the groundwater was measured and recorded during the year by the local

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MAR 26 1990

residents. Data from these observations was then compiled by the Soil Conservation Service. The results of this research study are depicted in Figures 6 through 11.

III. OBJECTIVE

The objective of this study was to determine economical and feasible methods of lowering the groundwater and achieving the following benefits:

1. Reduce or eliminate the effect of high groundwater on crop lands.
2. Reduce or eliminate the flooding of basements by groundwater.
3. Reduce or eliminate the infiltration and inflow into the Firth sanitary sewer system so that the lagoons might provide better treatment of the domestic sewage and so that the requirement for additional lagoons might be reduced.
4. Increase the variety of crops which might be grown within the drainage district and increase the yield per acre.

IV. STUDY AREA

Bingham County Drainage District No. 1, as shown in Figures 1 and 2, is located in southeastern Idaho in

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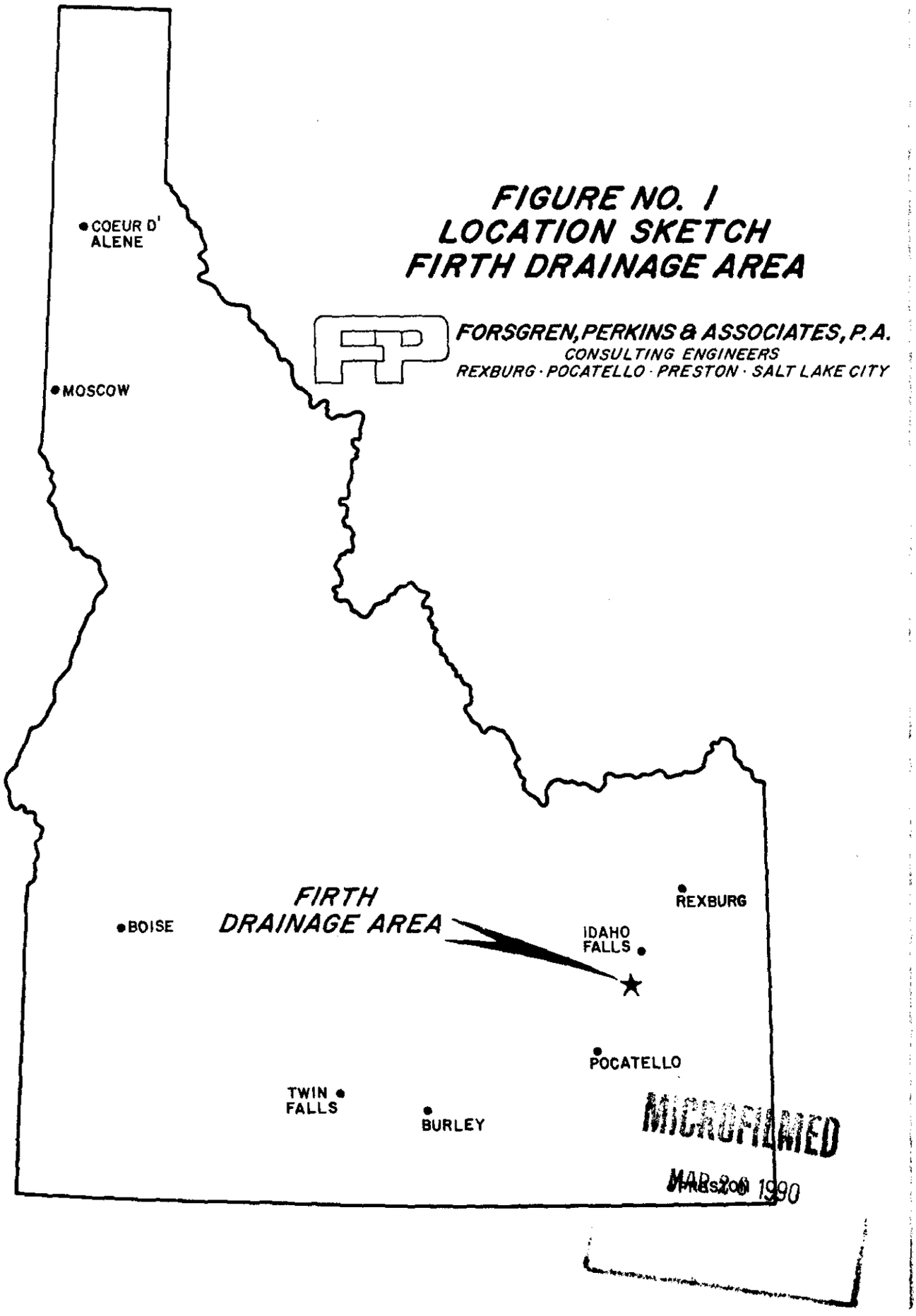
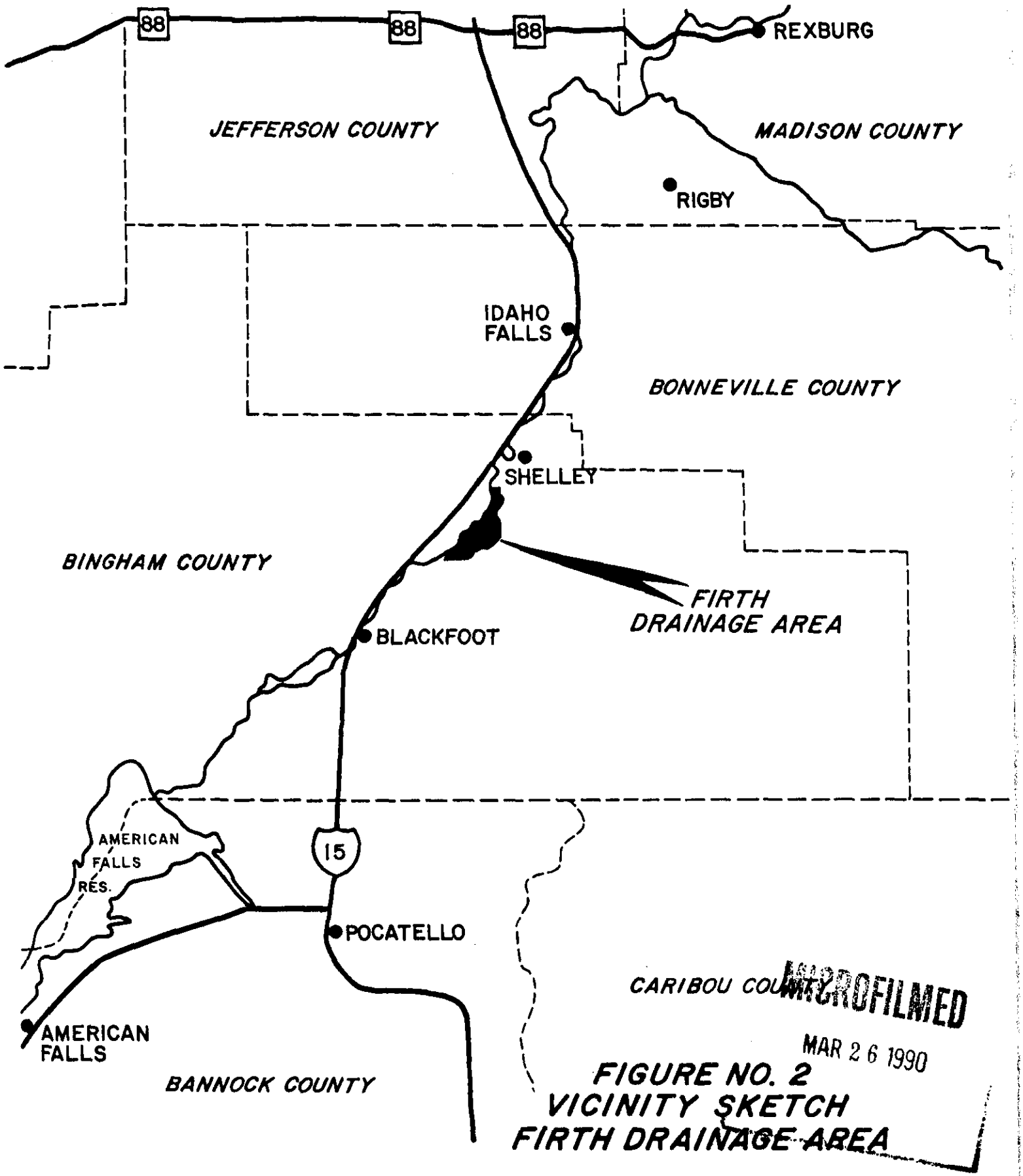


FIGURE NO. 1
LOCATION SKETCH
FIRTH DRAINAGE AREA

FORSGREN, PERKINS & ASSOCIATES, P.A.
CONSULTING ENGINEERS
REXBURG · POCATELLO · PRESTON · SALT LAKE CITY

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FIGURE NO. 2
VICINITY SKETCH
FIRTH DRAINAGE AREA

FORSGREN, PERKINS & ASSOCIATES, P.A.
CONSULTING ENGINEERS
REXBURG · POCATELLO · PRESTON · SALT LAKE CITY

the northeastern portion of Bingham County, in Townships 1 and 2 South, Ranges 36 and 37 East, Boise Base and Meridian.

The project area consists of approximately 2,000 acres including the City of Firth and extending southwest of Firth for about three miles. As shown in Figure 3, the Snake River forms the north and west boundaries, with the Blackfoot and Reservation Canals on the east (A detailed legal description is included in Appendix A).

The Drainage District lies in the climatological area known as the Upper Snake River Plains. This area has moderately warm summers and severe winters, with temperatures averaging about 70 degrees F. in July and 30 degrees F. in January. It has a growing season of 110 to 130 days, and its precipitation averages about 9.5 inches per year. The study area is quite flat, with slopes that are generally less than one percent.

The soils of the study area are loams and sandy loams, with depths ranging from 10 to 40 inches, as seen in Figure 4 and Table 1. These soils have a moderate to moderately rapid permeability, with an Available Water Holding Capacity of 2 to 7 inches (Table 1). The Available Water Holding Capacity (field capacity) is the amount of water held in the soil after gravit

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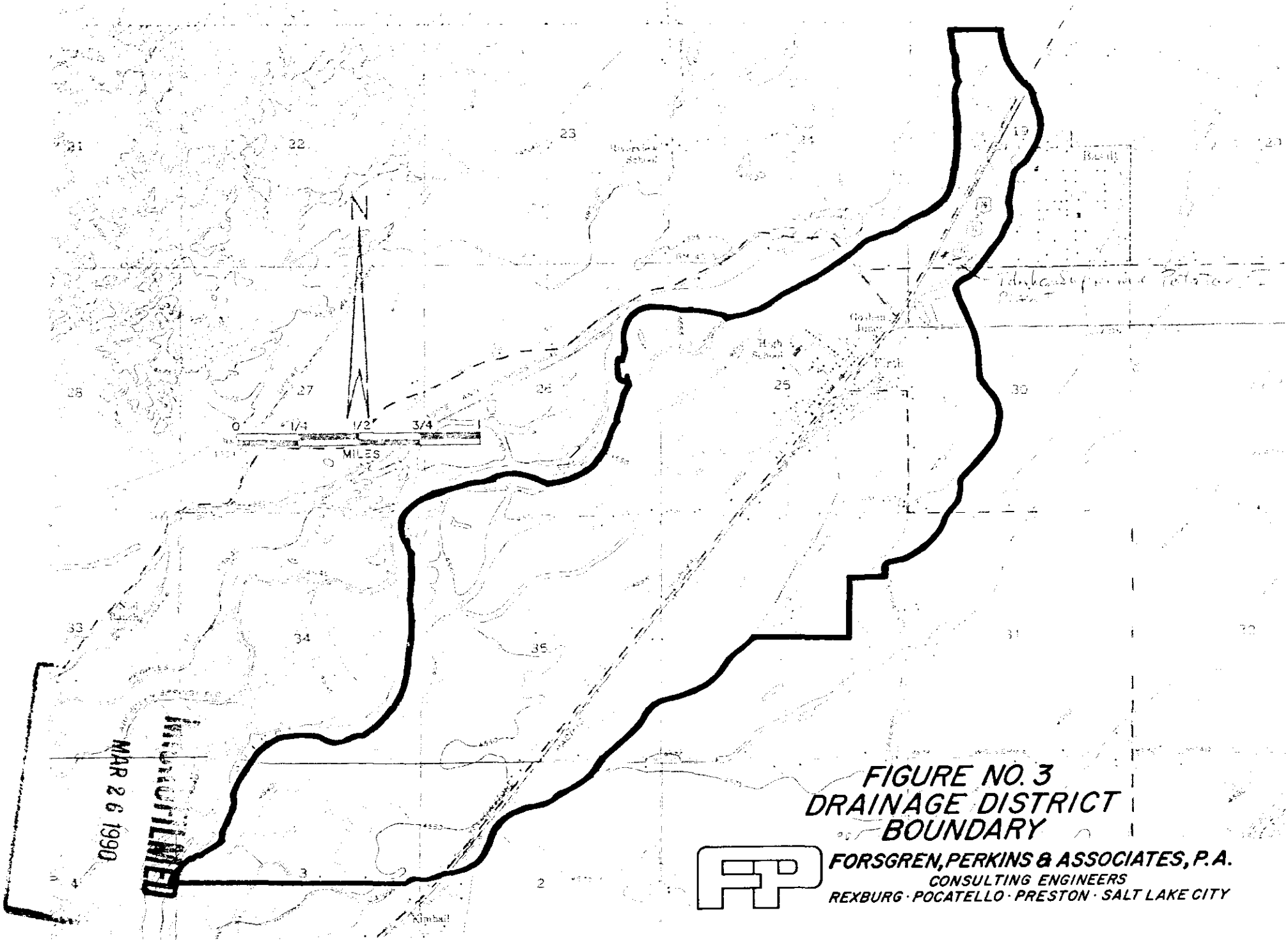


FIGURE NO. 3
DRAINAGE DISTRICT
BOUNDARY

FORSGREN, PERKINS & ASSOCIATES, P.A.
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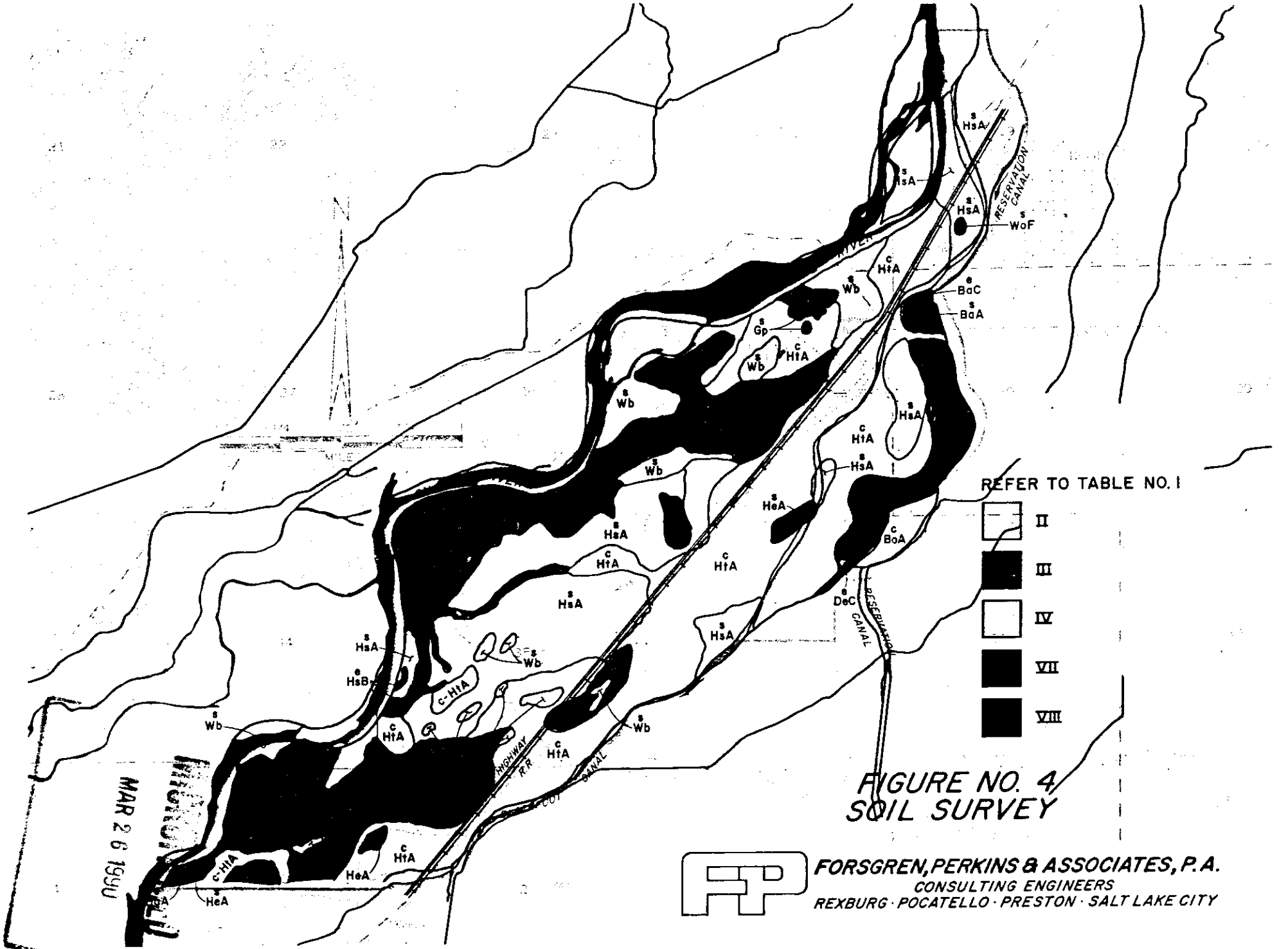


FIGURE NO. 4
SOIL SURVEY

FORSGREN, PERKINS & ASSOCIATES, P.A.
CONSULTING ENGINEERS
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TABLE 1

UNITED STATES DEPARTMENT OF AGRICULTURE
Soil Conservation Service

FIRTH AREA DRAINAGE — SOIL AND CAPABILITY INFORMATION — JULY 2, 1973

Symbol on Map	Land Capability Unit	Effect. Depth (inch.)	Soil Profile Texture		AWC (inches)	Coarse Fragments	Slope	Erosion	Drainage	Permeability	Frost Free Days	Other	Limiting Factors
			Surface	Subsoil									
BaA	III S-1	20" to 40"	Loam	Loam	5"	-	0-2%	Sl.	Wet*	Mod.	110 to 130		Underlain by sand & gravel
DeC	III e -1	40" +	Loamy	Loam	8"	-	4-8%	Mod.	Wet	Mod.	"		"
HaA	III S-3	20"-40"	Sandy Loam	Sandy Loam	4" - 5"	-	0-2%	Sl.	Wet	Mod. Rapid	"		"
HaB	III e-13	20"-40"	Sandy Loam	Sandy Loam	4" - 5"	-	2-4%	Mod.	Wet	Mod. Rapid	"		"
HeA	III S-1	20"-40"	Loam	Sandy Loam	4" - 5"	-	0-2%	Sl.	Wet	Mod.	"		"
HSA	II S-3	40" +	Sandy Loam	Sandy Loam	7"	-	0-2%	Sl.	Wet	Mod. Rapid	"		"
HSB	II C-3	40" +	Sandy Loam	Sandy Loam	7"	-	0-2%	Sl.	Wet	Mod. - Slow	"		"
HtA	II C-2	40" +	Loam	Sandy Loam	7" - 8"	-	0-2%	Sl.	Wet	Mod.	"		"
Wb	VII S-3	10"-20"	Sandy Loam	Sandy Loam	2" - 3"	-	0-4%	Sl.	Wet	Rapid	"		"
WOF	VII S-5	40" +	Sand	Sand	3"	-	0-10%	Sev./ Wind	Exc. Dr.	Very Rapid	"		Small Dune
G.P.	VIII 6-8	-	Gravel Pit	Gravel	-	-	-	-	-	-	-		Gravel Pits

* Summer & Fall High Water Table

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AWC: Available Water Holding Capacity

drainage is complete. The soil is underlain by an alluvial deposit of sand and gravel. One can see from the above data that water can move freely through the soil system.

The drainage district is an agricultural area. The agricultural operations consist of irrigated crops of hay, grain, and pasture, with some dairy and beef cattle. Irrigation in the drainage district is accomplished primarily by surface irrigation.

V. DATA COLLECTION

In the spring of 1972 observation wells were installed to monitor the groundwater level at different times of the year. The depth of water in each well was read and recorded weekly during the spring, summer, and fall of 1972.

Construction of the observation wells consisted of excavating holes with a backhoe, installing two- or four-inch diameter perforated plastic pipes, and then backfilling around the pipes. The residents in the study area contributed the funds necessary to install the wells and also to observe and record the water level in each one. The North Bingham Soil Conservation District provided the service of the United States

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1987-88 drought in[illegible]acted ground-water levels in [illegible]outhern Idaho

By Paul Castelin, IDWR Senior Hydrogeologist

The 1987-88 drought has had the expected effect on ground-water levels--declines approaching or exceeding those experienced in the previous drought periods. Several factors, all somewhat related, contributed to the declines.

Lack of winter snows and spring rains reduced recharge to the shallower aquifers, which in turn often feed the deeper ground-water systems. Lack of snowpack, which failed to refill reservoirs, caused restriction of water deliveries in canal systems. Through seepage losses, these water deliveries would normally supply significant recharge to aquifers.

Irrigators who normally pump ground-water and do not use surface water found themselves starting to irrigate earlier in the spring and later into the fall. This removed more than normal amounts of water from ground-water storage. All of these factors influenced the water levels in observation wells maintained by the U.S. Geological Survey, in cooperation with the Idaho Department of Water Resources.

The accompanying graphs, courtesy of the USGS, show the long-term record of water levels in selected wells in areas of southern Idaho. Though representative, the wells may not reflect what is happening in other areas of the state.

By looking at the spring high water level from year to year, it is easy to see that most wells have experienced long-term declines. Superimposed on the long-term trends are periods of accelerated decline and periods of recovery which reflect times of drought and above average precipitation.

Finally, by comparing the fall low-water level to the previous spring high, one may gain some understanding of the amount of water that was pumped from storage during the irrigation season.

South-central Idaho

Well No. 1 in Canyon County shows a relatively steady decline, probably due to continuing local ground-water development, with very little identifiable effect from either periods of drought or increased precipitation. The water level has declined about 45 feet in 20 years.

Well No. 2 in Ada County showed some decline through the early 1970s with more rapid decline during the 1976-77 drought and some recovery during the wetter mid-80s. It continued to decline during the 1988 drought. Seasonal pumpage in the vicinity of this well is relatively constant from year to year.

Well No. 3, located in Twin Falls County, appears to be quite responsive to wet and dry periods. It has relatively constant withdrawals from year to year and actually shows an increase in water levels over the long term. This trend may not be typical of wells in other parts of the county.

Well No. 4, across the Snake River in Jerome County, has shown an overall decline of about eight feet since 1960. Periods of drought in the early '60s, 1976-77 and 1987-88 are clearly documented.

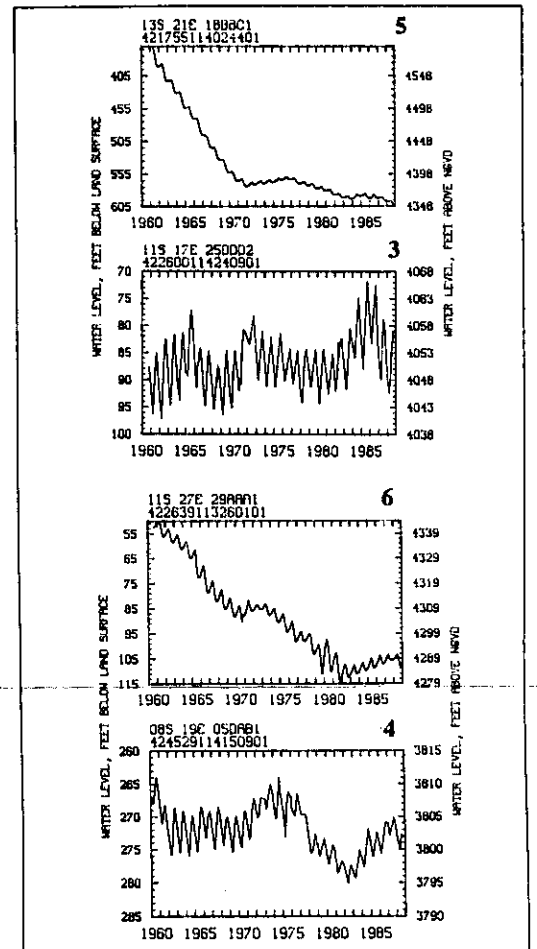
Well No. 5 in Cassia County is a deep well located in an area involved in litigation in 1970. Steady, dramatic water level declines forced the cessation of pumpage by junior water right holders. The effect was immediate recovery of water levels until the 1976-77 drought, from which decline the well has not yet recovered.

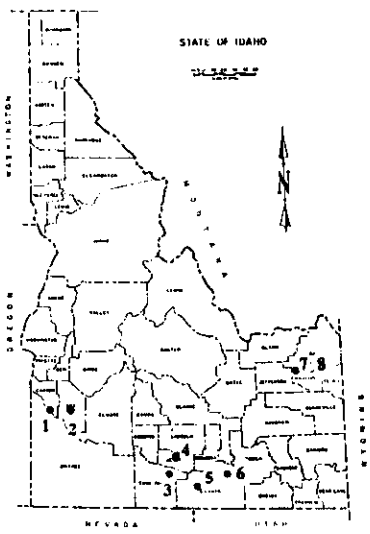
Well No. 6, also in Cassia County, in the Raft River Basin, has shown a decline of about 56 feet from 1960 to 1981 and some recovery since that time.

Well No. 7, near the Madison-Fremont County line, shows modest seasonal fluctuations of about five feet due to seasonal pumpage, as well as modest declines due to the 1976-77 and 1987-88 drought periods. However, overall, water levels have shown slight increases since 1960.

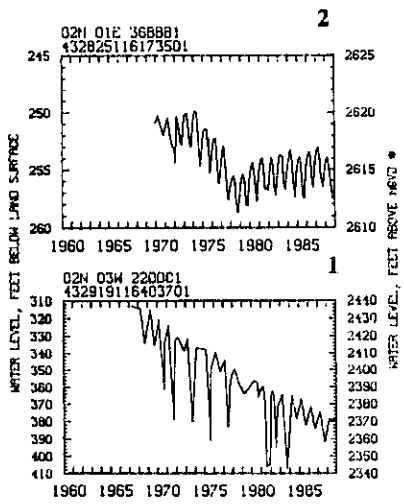
Well No. 8, on the Egin Bench in Madison County, has shown modest increases in water levels since 1960. Seasonal fluctuations amount to less than four feet and even the drought periods of 1976-77 and 1987-88 have had little effect.

In many of the observation wells shown, the long, hot summer of 1988 is reflected in the deep decline of water levels since the spring of the year. In others, where sufficient recharge from surface irrigation occurred, relatively little effect was noted.

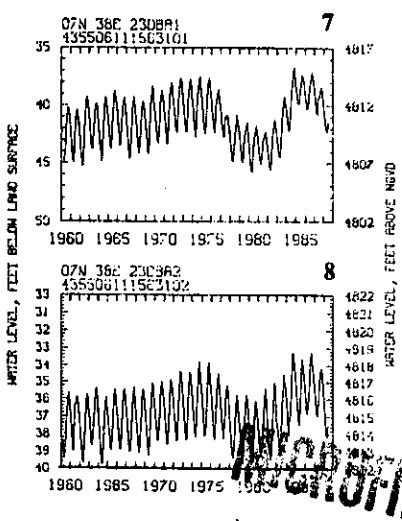




This map shows the location of the right wells discribed in this article.



* National Geodetic Vertical Datum



Graphs courtesy of the U.S. Geological Survey.

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State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

January 9, 1990

Idaho Supreme Potatoes Inc.
P.O. Box 246
Firth, ID 83236
ATTN: Jim Kontes

RE: Application for Permit to Appropriate Water No. 27-7446

Dear Mr. Kontes:

I have reviewed application for permit to appropriate water no. 27-7446 and the supporting information which you submitted. You prepared a map showing the proposed point of diversion, and other wells located within one half mile radius of the proposed wells.

Your proposed wells are located in such close proximity to existing wells that you must supply additional information about the effects your proposed project may have on existing water users.

Rule 4,5,3,1,3. of the Water Appropriation Rules and Regulations requires that you submit design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights. Please describe how your system will not adversely impact the existing uses of water.

Rule 4,5,3,2,2. requires that an applicant submit information concerning the properties of the aquifers that the water is to be taken from. Your response to this rule only stated that the water would be withdrawn from the Snake River Aquifer. Conditions in the local area must be more carefully described. What will be the draw-down of your wells when they are being pumped? What geologic formations hold the aquifer at the present time? Will your pumping create a cone of influence which will interfere with domestic water uses in the local area?

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The questions asked above must be resolved prior to approval of your application. Please respond to this inquiry within sixty (60) days of the date of this letter. Failure to do so may jeopardize the status of your filing.

Respectfully,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

cc. Eastern Region
Harold Jones

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MAR 2 6 1991

Idaho Supreme Potatoes Inc.
P.O. Box 246
Firth, Idaho 83236

Phone (208) 346-6841

FAX (208) 346-4104

Worlds Finest Potatoes
FRESH PACK DIVISION
PROCESS DIVISION

9 November 1989

Mr. Harold Jones
State of Idaho
Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Fall, Idaho 83402

RE: Application for Permit No. 27-7446

Dear Mr. Jones:

We are submitting the following information per your request to expedite processing of application No. 27-7446.

4.2.3.1.2. ... See att. # 1, showing Cook's house well, Bates house well and ISP house well.

4.5.3.1.3. ... The irrigation system is a low pressure high volume system used for crop irrigation during the summer with potato flake processing plant water as supplemental water. during the non irrigation season the fresh water will be used to flush lines after processing water has been sprinkled onto the land application sites. Flushing operation will require two to three hours per week.

4.5.3.2.1. ... The water requirements are per "APPLICATION FOR PERMIT", attachment # 2, during the period from 3/15 to 11/15 plus 0.34 cfs for about five hours per week from 11/15 to 3/15.

4.5.3.2.2. ... Water will be pumped from snake river aquifer.

4.5.3.6.2. ... The irrigation water is for existing crop land that will be used for hay, grain and potato crops

If you need additional information please let us know.

Sincerely,

Jim Kontes

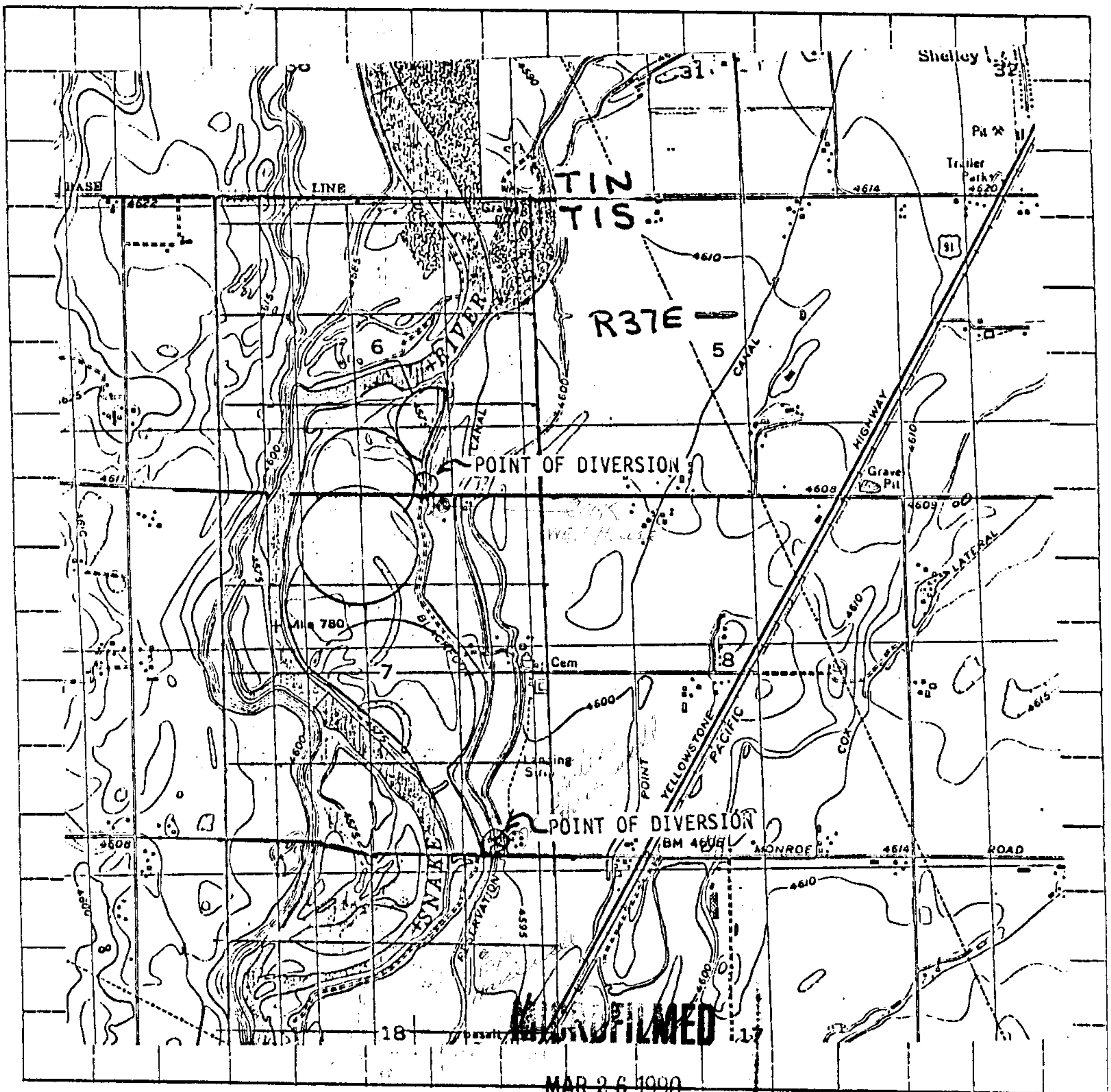
Jim Kontes

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ATT No# 1

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



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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.

(Applicant)

$125.00

ATT No #2

Form 202
6/85

Ident. No. [illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Idaho Supreme Potatoes Inc. Phone 346-6841

   Post office address P.O. Box 246, Firth Id 83236

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

3. Location of point of diversion is _____ ¼ of SW ¼ of SE ¼, Govt. Lot 9

   Sec. 6 Township 1S Range 37 E B.M. Bingham County; additional

   points of diversion if any: SE¼SE¼ Sec 7, T1S, R37E

4. Water will be used for the following purposes:

   Amount 4.34 (cfs ~~or acre-feet per annum~~) for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)

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

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

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

5. Total quantity to be appropriated is (a) 4.34 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Two wells mainline to four center pivots and laterals with Sprinklers

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

   c. Proposed well diameter is 16" / 16" inches; proposed depth of well is 120 to 150 / 120 to 150 feet.

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

7. Time required for the completion of the works and application of the water to proposed beneficial use is 2 years (*minimum 1 year*).

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

   a. Hydropower; show total feet of head and proposed capacity in KW. _____

   b. Stockwatering; list number and kind of livestock. _____

   c. Municipal; show name of municipality. _____

   d. Domestic; show number of households. _____

   e. Other; describe fully. _____

9. Description of place of use:

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

   b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
														L9 L13		L10	L9 L13		
1S	37E	6												15		5	25		45
							L8 L9			L7 L12	L6 L12					L6	L5		
		7		25	30	2	25			30	5				5	35	10	5	172

Total number of acres to be irrigated 217

10. Describe any other water rights used for the same purposes as described above. Ceder Point canal

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

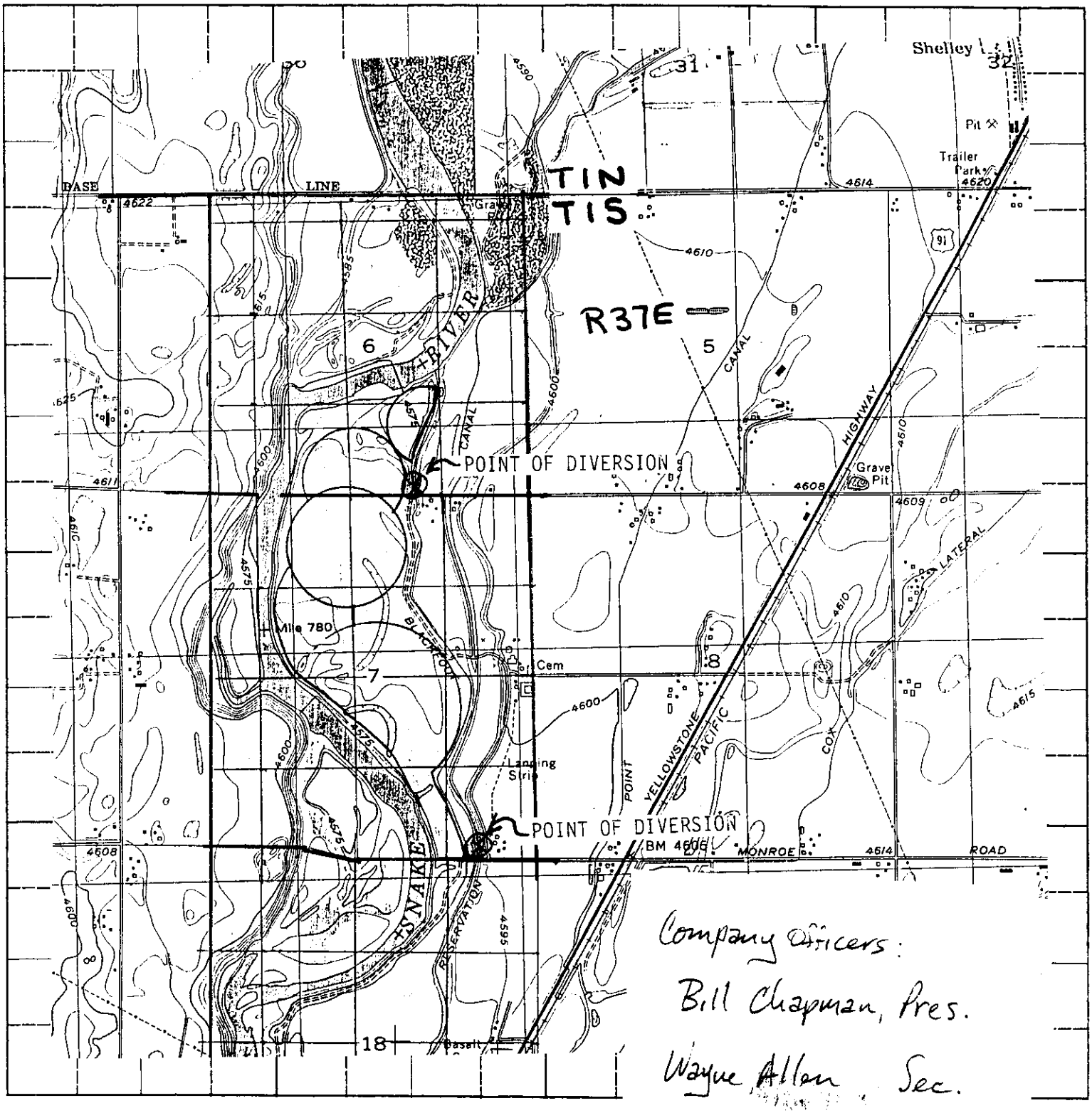
    b. Who owns the land to be irrigated or place of use? "

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

12. Remarks: _____

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



Company Officers:
Bill Chapman, Pres.
Wayne Allen Sec.

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application f
the State of Idaho as herein set forth.

11-6-89

IDAHO SUPREME INC.
P.O. BOX 246
FIRTH, ID 83236

DEAR SIRS:

WE ARE CURRENTLY PROCESSING YOUR APPLIC./27-07446
FOR A WATER RIGHT. FOR ANY APPLICATION OR PERMIT WHICH EXCEEDS
200 ACRES OR 5.00 CFS THE INFORMATION ON THE ATTACHED SHEETS
ARE REQUIRED BEFORE ANY FURTHER PROCESSING CAN TAKE PLACE.
PLEASE TRY TO ANSWER THE HIGHLITED QUESTIONS TO THE BEST OF
YOUR ABILITY. IF YOU NEED ADDITIONAL CLARIFICATION PLEASE GIVE
ME A CALL AT 525-7161.

SINCERELY,

HAROLD W. JONES
WATER RESOURCE SUPERVISOR

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MAR 2 6 1990

which to submit the information upon request by the applicant and upon a showing of good cause.

Failure to submit the required information within the time period allowed will be cause for the director to void an application or to advance the priority of a permit being reprocessed by the number of days that the information submittal is late. The director will provide opportunity for hearing as provided in Section 42-1701A, Idaho Code.

4,5,2. For protested applications or protested permits being reprocessed, the information required by Rule 4,5,3. may be requested by the director to be submitted within 30 days after notification by the director, may be made a part of the record of the hearing held to consider the protest, or may be made available in accordance with any pre-hearing discovery procedures.

Failure to submit the required information within the time period allowed will be cause for the director to void an application or to advance the priority of a permit being reprocessed by the number of days that the information submittal is late.

4,5,3. Information to be submitted

The following information shall be submitted for applications to appropriate unappropriated water or trust water and for permits being reprocessed for trust water. The additional information submittal requirements of this rule are waived for filings which seek to appropriate five (5) cfs or less or storage of five hundred acre-feet (500 A-F) or less and for filings seeking reallocation of trust water which the director determines will reduce the flow of the Snake River measured at Murphy Gauge by not more than two (2) acre-feet per day. For filings proposing irrigation as a purpose of use, the additional information is required if more than 200 acres will be irrigated. However, the director may specifically request submittal of any of the following information for any filing, as he determines necessary.

4,5,3,1. Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:

4,5,3,1,1. For applications appropriating springs or surface streams with 5 or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.

4,5,3,1,2. For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all

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MAR 2 6 1990

existing wells and springs and permitted wells within a one-half mile radius of the proposed well.

4,5,3,1,3. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.

4,5,3,2. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:

4,5,3,2,1. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.

4,5,3,2,2. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for ground-water sources, and information on other sources of supply that may be used to supplement the applied for water source.

4,5,3,3. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows:

4,5,3,3,1. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.

4,5,3,3,2. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.

4,5,3,4. Information Relative to Financial Resources, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows:

4,5,3,4,1. The applicant shall submit a current financial statement certified to show the accuracy of the information contained

MAR 2 6 1991

therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.

4,5,3,4,2. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.

4,5,3,5. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows:

4,5,3,5,1. The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director.

4,5,3,6. The following information Relative to the Public Interest Criteria of Section 42-203C(2), Idaho Code, shall be submitted by an applicant seeking reallocation of trust water for a project which the director determines will reduce the flow of the Snake River by more than two (2) acre-feet per day. For filings proposing irrigation as a purpose of use, the additional information is required if more than 200 acres will be irrigated. The director may request any or all of the following information for any filing seeking the reallocation of trust water.

4,5,3,6,1. A project design and estimate of cost of development shall be submitted. For applications appropriating more than 25 cfs, or 10,000 AF of storage, or generating more than 5 megawatts, the information shall be prepared and submitted by a qualified engineer licensed under the provisions of Chapter 12, Title 54, Idaho Code, unless waived by the director. The design shall be definite enough to reflect the project's impacts and implications as required in subsequent rules.

4,5,3,6,2. If the project proposes development for irrigation purposes, information shall be submitted on crop rotation, including acreages, for lands when newly developed.

4,5,3,6,3. Information shall be submitted concerning the number and kinds of jobs that will be created or eliminated as a direct result of project development, including both the

MAR 26 1990

IDAHO SUPREME POTATOES, INC. • P.O. Box 246 • Firth, ID 83236-0246 • Phone (208) 346-6841

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SEP 28 1989
Department of Water Resources
Eastern District Office

September 26, 1989

Department of Water Resources
Eastern District Office
150 Shoup Ave. #15
Idaho Falls, Idaho 83402

Dear Sir,

Idaho Supreme Potatoes, Inc. would like to have our application numbers, 27-7446 and 27-7447 processed so we can pump water through our pivots in the winter to help keep in compliance with the E.P.A.

Fresh water or canal water helps us keep the odor down by flushing lines at the end of each application.

I thank you,

Jim Kontes

JIM KONTES
Waste Water Manager

MICROFILMED
MAR 26 1990

16-Oct-1989

Idaho Supreme Potatoes, Inc.
P.O. Box 246
Firth, ID 83236

RE: Application for Permit No. 27-7446 & 27-7447

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED
MAR 26 1990

December 13, 1988

Idaho Supreme Potatoes, Inc.
P.O. Box 246
Firth, Idaho 83236

RE: Application for Permit #27-7446

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your application for water right permit. The application has been assigned identification No. 27-7446. Please refer to this number in all future correspondence.

The Department can not proceed with the processing of your application at this time. It seeks the appropriation of water within the area covered by the civil suit of Idaho Power Company vs. Idaho Department of Water Resources, et al., Ada County Civil No. 81375 (Swan Falls Suit). Until there has been a final resolution to this suit and rules and regulations promulgated for considering new appropriations, the processing of applications in this area has been suspended. During the interim, your application will be held in this office.

The staff in our office will be glad to answer any questions you have concerning the above matter.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

MICROFILMED
MAR 2 6 1990

27-07446

IDAHO SUPREME POTATOES INC.
P.O. BOX 246
FIRTH, ID 83236

Source: GROUNDWATER

Diversion Pt: LOT 9 (SWSE) Sec 6 T 01S R 37E
SESE Sec 7 T 01S R 37E

Use: IRRIGATION (4.340 CFS)

Date Filed: 11/07/1988

In: T01S R37E S06 Lot 9 (SESW) Lot 13 (SESW) Lot 10 (NWSE) Lot 9 (SWSE)
Lot 13 (SWSE)
S07 NWNE SWNE SENE Lot 8 (NENW)
Lot 9 (NENW) Lot 7 (SENW) Lot 12 (SENW) Lot 6 (NESW)
Lot 12 (NESW) NESE Lot 6 (NWSE) Lot 5 (SWSE)
SESE

217.0 ACRES TOTAL

MICROFILMED
MAR 2 6 1990

3/83

IDENT. NO. [illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

Initials	Date	Item
BS	12-13-88	Original form entered
/	"	Edit Report Correct
		Date Protested
		Date of Hearing
		Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
		Record Verified
		Amendment Approved
		Extension Approved
		Partial Proof
		Proof Complete
		Field Exam Received
		Field Exam Accepted and changes entered
		License Updated
		Transfer Updated
		Keypunched by State Office