

- (8) Remarks The well being used is old, drilled about 1916, estimated at 160 to 180
ft. deep, previously used by U & I Sugar Co. for the manufacture of sugar from
sugar beets. Presently being used by Rogers Brothers Co. as fresh potato ship-
ping shed.

Scale: 2 inches equal 1 mile.

State of Idaho)
) ss.
County of Bonneville)

RECEIVED

JAN 7 1975

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho) ss.

I, David Mark Brown do solemnly

swear that I am the Publisher of
The Blackfoot 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
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: Friday 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

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on
the 19th day of December, 19 74

and the last publication having been made on the
26th day of December, 19 74; 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.

David Mark Brown
Subscribed and sworn to before me this 3rd
day of January, 19 75

Patricia H. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1975

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 27-4004**

MB
Notice is hereby given that
Pride Pak, Inc., 3100 Rollandet,
Idaho Falls, Idaho, has filed a
claim to a water right
established by diversion and
application to beneficial use of
0.22 cubic feet per second of
water from a ground water
source with point of diversion in
the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 1S, R.
37E, B.M., Bingham County.

The water is claimed to be
used from Sept. 1 to July 31 for
industrial purposes for the
transport and washing of
potatoes with a priority of 1916;
the place of use is within the
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 1S, R.
37E, B.M.

Any exception to this claim of
water right may be filed with
the Idaho Department of Water
Resources, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director
(4081) 31
Pub.: 12-19, 26

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OCT 11 1989

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that ~~PRIDE-PAK CORPORATION~~ PRIDE-PAK, INC.
(name of claimant)
of 3100 Rollandet, Idaho Falls, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) ground water
_____, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | | |
|--------|----------------|-----|-------------------|----------------|------|----------------|----|----------------|
| Amount | <u>100 gpm</u> | Use | <u>Industrial</u> | Period of Use: | From | <u>Sept. 1</u> | To | <u>July 31</u> |
| Amount | _____ | Use | _____ | Period of Use: | From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: | From | _____ | To | _____ |
- (~~100~~ gpm (dom., irri., stock, etc.) (both dates inclusive)
- (3) Total quantity of water claimed: (.22) cubic feet per second, or _____ acre feet per annum, and/or 100 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1916

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3 Twp. 1S Rge. 37E B. M. County of Bingham
 Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Well depth 160 - 180 ft, 10" well casing
4" pump 7½ HP 100 gpm used within NW¼NW¼, Sec. 3, T. 3S, R. 37E, B.M.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
IS	37E	3					X												
MICROFILMED																			
OCT 11 1989																			

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used for the transport and washing of potatoes being shipped for the fresh market.

- (7) If you are claiming water as a member of an organization, list name of organization: ~~PRIDE-PAK, INC.~~
PRIDE-PAK, INC.

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- (8) Remarks The well being used is old, drilled about 1916, estimated at 160 to 180 ft. deep, previously used by U & I Sugar Co. for the manufacture of sugar from sugar beets. Presently being used by Rogers Brothers Co. as fresh potato shipping shed.

Scale: 2 inches equal 1 mile.

State of Idaho)
) ss.
County of Bonneville)

IN THE MATTER OF:)

Pride Pak, Inc. water right)

~~ROGERS BROS. WATER RIGHT~~)

State of Idaho)

County of Bonneville)**RECEIVED**DEC 9 1974
AFFIDAVIT
Department of Water Resources
Eastern District OfficeHAROLD COBBLEY

being first duly sworn,

deposes and says: That he is a resident of Idaho Falls, Idaho, and, commencing
in 1938, was an employee of the Utah-Idaho Sugar Company at its plant in Shelley,
Idaho; that he knows of his own knowledge there was a well drilled in the machine
shop of said property approximately 1917 or 1918, the year in which the Sugar
Factory was constructed; that he has been informed that said well was continuously
in use from the construction of the building until his employment in 1938; that to
his personal knowledge the well was in continuous use from 1938 until he left the
property as an employee in about 1968;

That the sugar factory was in operation until the Fall of 1942, after
which it closed; that water was used from said well to provide culinary services
to two sugar company houses adjoining the property and also to water cattle at
the feed lot immediately south of the factory; that after the Sugar Company
discontinued the manufacturing of sugar at the plant, they instituted a potato sorting
and shipping business, and the water from the well was used to carry on that
business until the property was leased to the Rogers Bros. Company in 1966; that
affiant knows of his own knowledge that the said well has been used to wash and
convey and provide the necessary water for that operation continuously until the
present time.

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OCT 11 1989

Harold J. Cobbley
 (signature)

Subscribed and sworn to before me this 9th day of November 19 74.

John M. Sharp
 (notary public)

Residing at Idaho Falls, IdahoMy commission expires December 15, 1976**MICROFILMED**

RECEIVED

JAN 7 1975

Department of Water Resources

Eastern District Office

AFFIDAVIT OF PUBLICATION

County of Bingham

State of Idaho

ss.

I, David Mark Brown do solemnly

Publisher

swear that I am the of
The Blackfoot 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
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: Friday 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

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on
the 19th day of December, 19 74....

and the last publication having been made on the
26th day of December, 19 74....; 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.

David Mark Brown
Subscribed and sworn to before me this 3rd.....

day of January, 19 75.....

Patricia H. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho

My commission expires

Oct. 20, 1975

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OCT 11 1989

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- DATA ENTRY -

Old No.

New No. _____

1. Original Owner: Pride - Pak Inc.

Present Owner: _____

2. Address: 3100 Rollandet

3. City: Idaho Falls State: ID Zip: 83401

4. A. Source of Water: *LW*

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): 8

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1966

D. County: //

E. Total Diversion Rate: .22

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	<u>NW1/4</u>	<u>3</u>	<u>18</u>	<u>31E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 9-1 to 7-31 for I purposes. Amount, 22
(cfs or ~~AC-FT~~/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

CRA 7-26-79

8. Use Code: I

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

I/Transport & washing potatoes.

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

January 7, 1975

RE: Claim to a Water Right No. 27-4004

Pride-Pak, Inc.
3100 Rollandet
Idaho Falls, ID 83401

Gentlemen:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

RDC:MB

Enc: Copy of Claim

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OCT 11 1989

601 - 1335

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January 6, 1975

RE: Application for Permit No. 35-7458 Bergeson
Claim to a Water Right No. 27-4004 Pride-Pak, Inc.
Application for Transfer No. 35-2094B Larsen

The Blackfoot News
P.O. Box 70
Blackfoot, ID 83221

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published in your paper on December 19 and December 26, 1974.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

RDC:MB

MICROFILMED

OCT 11 1989

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December 13, 1974

RE: Claim to a Water Right No. 27-4004 Pride-Pak, Inc.
Application for Permit No. 35-7458 Bergeson

The Blackfoot News
P.O. Box 70
Blackfoot, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

Bill submitted 1-07-75 by MB

RDC:MB

Enc: Legal Notice (2) **MICROFILMED**

OCT 11 1989

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ORIGINAL

OCT 11 1989

**NOTICE OF CLAIM
TO A WATER RIGHT**

NO. 27-4004

Notice is hereby given that

Pride Pak, Inc., 3100 Rollandet,

Idaho Falls, Idaho, has filed a

claim to a water right

established by diversion and

application to beneficial use of

0.22 cubic feet per second of

water from a ground water

source with point of diversion in

the NW 1/4, Sec. 3, T. 15, R.

37E, Bingham County.

The water is claimed to be

used from Sept. 1 to July 31 for

industrial purposes for the

transport and washing of

potatoes with a priority of 1916;

the place of use is within the

NW 1/4, Sec. 3, T. 15, R.

37E, B.M.

Any exception to this claim of

water right may be filed with

the Idaho Department of Water

Resources, 1515 Lincoln Road,

Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

(4081)

Pub.: 12-19, 26

NOTICE OF CLAIM TO A WATER RIGHT

NO. 27-4004

Notice is hereby given that Pride Pak, Inc.

3100 Rollandet, Idaho Falls, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.22 cubic feet per second ~~XXXXXX feet per second~~
of water from a ground water source

with point of diversion in the NW¹/₄ NW¹/₄, Sec. 3, T. 1S, R. 37E, B.M.,
Bingham County.

The water is claimed to be used from Sept. 1 to July 31 for
industrial purposes for the transport and washing of potatoes
with a priority of 1916 ;
the place of use is within the NW¹/₄ NW¹/₄, Sec. 3, T. 1S, R. 37E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho

on December 19 and December 26, 1974

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OCT 11 1989

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*aw L. J.
aw - J.
aw - J.*

RECEIVED

DEC 15 1974



ROGERS BROTHERS COMPANY

G. RANDALL KLIMT
Assistant General Counsel

Department of Water Resources
Eastern District Office

December 12, 1974

Mr. Loren O. Holmes
Assistant to District Engineer
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Holmes:

Enclosed is the claim to a water right, signed by Alden E. Hill. We have made one change to the claim, the correction of the corporation name to "Pride-Pak, Inc."

Sincerely,

G. Randall Klimt

GRK/ai

Enclosure

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OCT 11 1989

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December 10, 1974

RE: Claim to a Water Right No. 27-4004

Mr. G. Randall Klint
Rogers Brothers Company
P.O. Box 2138
Idaho Falls, ID 83401

Dear Mr. Klint:

Pursuant to our telephone conversation of this day, enclosed please find a revised copy of your claim with the changes as discussed. Please have the claim signed before a notary by an elected official of Pride Pak Corp. and return it for further processing.

If you have any questions, please feel free to contact us.

Very truly yours,

LOREN O. HOLMES
Asst. to District Engineer

LOH:mb

Enclosure

RECORDED

OCT 11 1979

MICROFILMED

December 10, 1974

RE: Claim to a Water Right No. 27-4004

Mr. G. Randall Klint
Rogers Brothers Company
P.O. Box 2188
Idaho Falls, ID 83401

Dear Mr. Klint:

Attached herewith is departmental receipt No. 13169 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

LOREN O. HOLMES
Asst. to District Engineer

LOH:MB

Attachment

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OCT 11 1989

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RECEIVED

DEC 9 1974



ROGERS BROTHERS COMPANY

G. RANDALL KLIMT
Assistant General Counsel

Department of Water Resources
Eastern District Office

December 5, 1974

Department of Water Administration
1515 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

Enclosed are the claim of water right, attached affidavit, and check for \$10.00 regarding the claim of water right for Pride-Pak, Inc. Mr. Alden E. Hill has signed the claim as President of Pride-Pak, Inc.

Sincerely,

G. Randall Klimt

GRK/ai

Enclosures

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OCT 11 1989

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that "Pride Pak Corp."

(name of claimant)

of 3100 Rollandet, Idaho Falls, Idaho, claims a right to the diversion and beneficial use of
(mailing address)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) ground water
_____, tributary to, _____

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: Washing and

Amount <u>100 gpm</u>		Use <u>potato</u>	Period of Use: From <u>September</u> To <u>July</u>
Amount _____		Use <u>transport</u>	Period of Use: From _____ To _____
Amount _____		Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)		(dom., irri., stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet per annum, and/or 100 gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) about 1916

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 3 Twp. 1 so. Rge. 37 E. B. M. County of Bingham
 Additional points of diversion: -

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Well est. depth 160 to 180 ft. 10" well
4" pump 7½ hp. 100 gpm used within NW¼ NW¼ Sec.3, Twp.3 so. Rge.37 East B.M.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

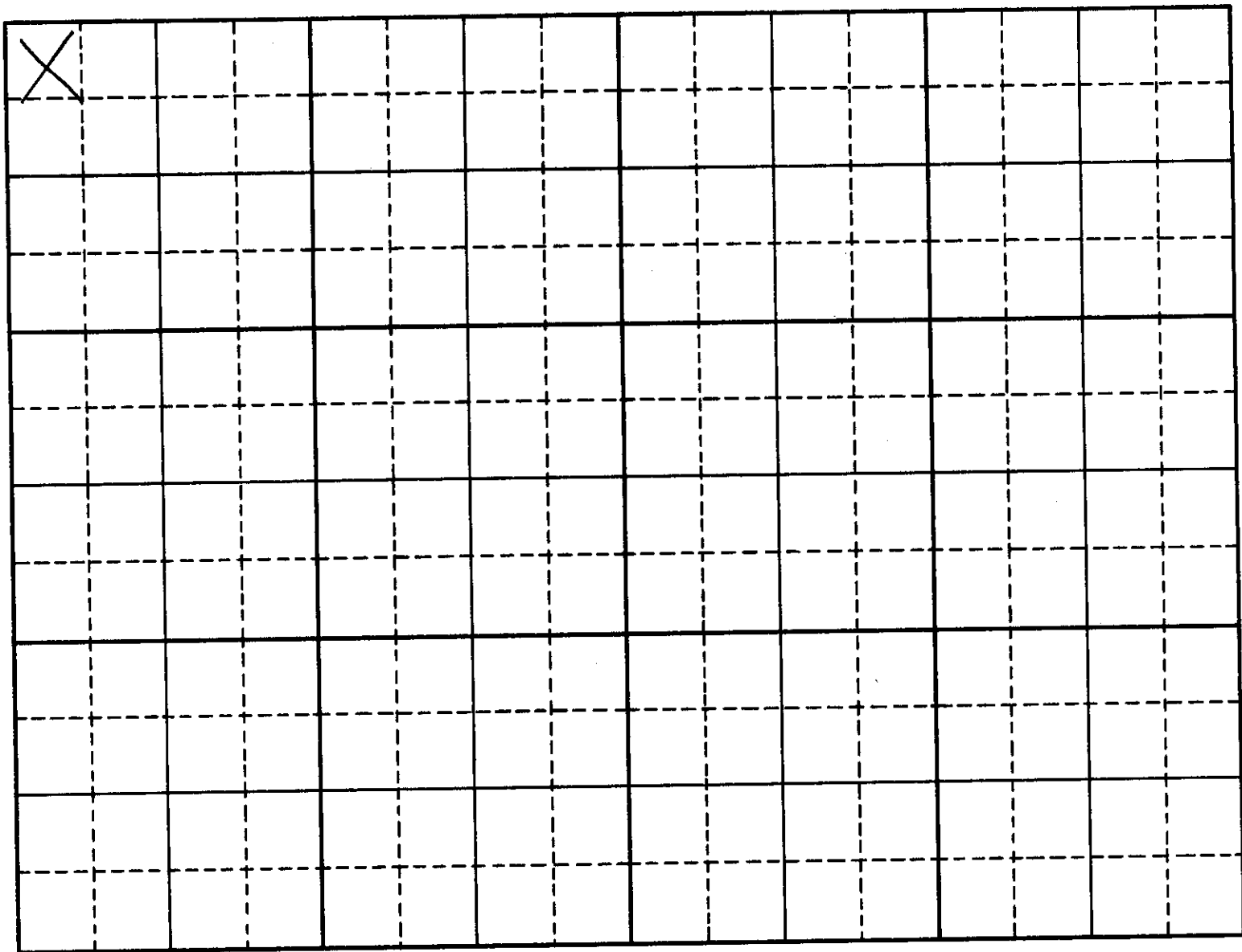
Total No. of acres

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used for the transport and washing of potatoes being shipped for the fresh market.

- (7) If you are claiming water as a member of an organization, list name of organization: Pride Pak Corp.

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- (8) Remarks The well being used is old, drilled about 1916, estimated at 160 to 180 ft. deep, previously used by U&I Sugar Co. for the manufacture of sugar from sugar beets. Presently being used by Rogers Brothers Co. as fresh potato shipping shed.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bannock) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Pride Pak, Inc.

By: Aldene Hill (Claimant) President

Sworn to before me this 5th day of December, 1974.

Notary Public

Residing at Idaho Falls, Idaho

My commission expires May 15, 1976

For Department Use Only

Received by MB Date 12-9-74
Prelim. check by MB Date 12-9-74
\$10.00 fee received by MB Date 12-9-74
Approved for publication by #13189
Published in The Blackfoot News
Dates December 19 & 26, 1974

Exception filed by: Forwarded to claimant by:

OCT 11 1989

Date