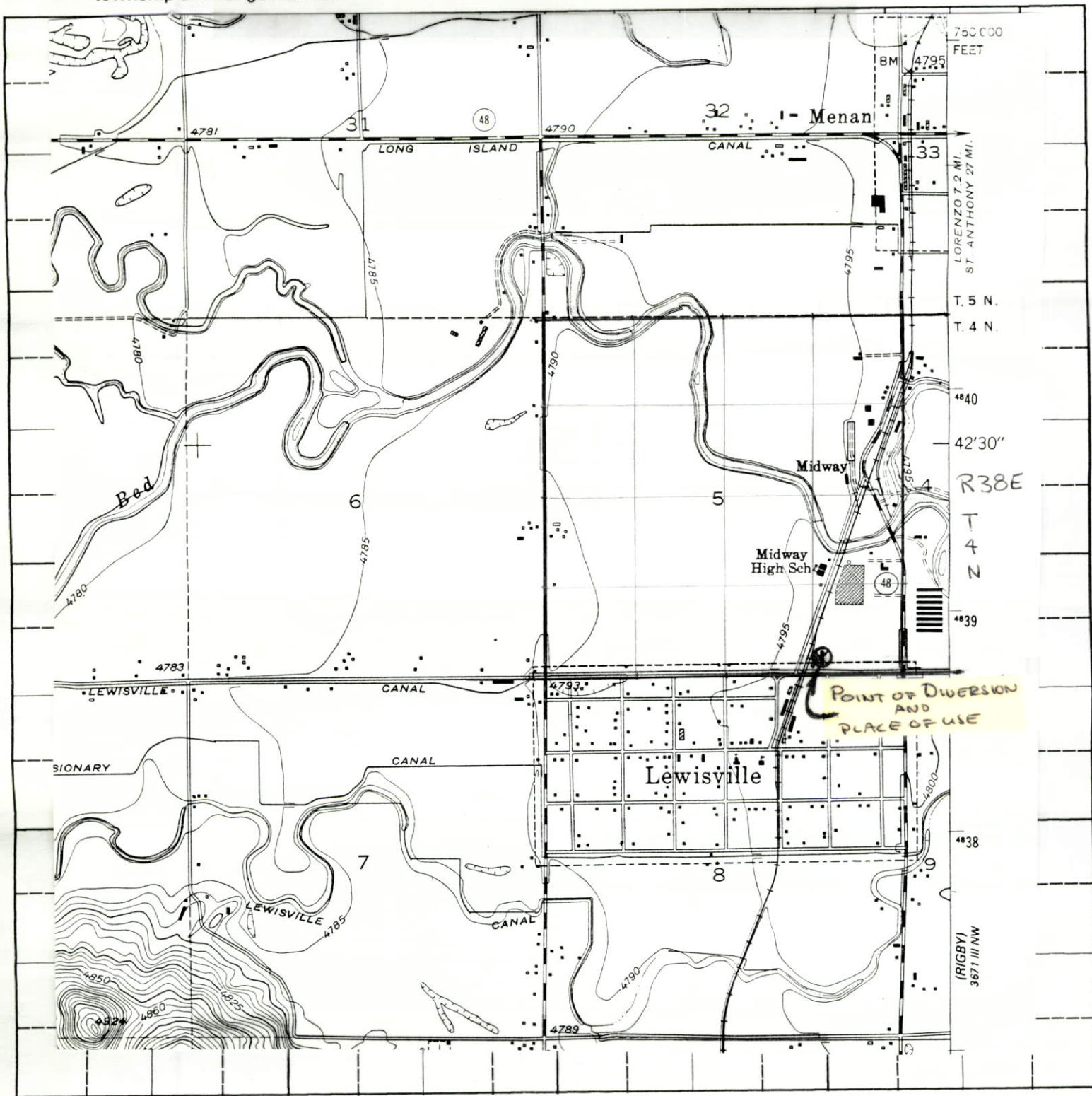


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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.

Garland Ball
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 13 1993

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Ball Bros Produce Permit No. 25-7412
Current Address: P.O. Box 69 Lewisville, ID 83431 Phone No. 754-4651
2. Accompanied by: Bill Rhoads EXAM. DATE: 10-7-88
Address: Same as above Phone No. 754-4651
Relationship to Permit Holder: Sales Mgr.
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

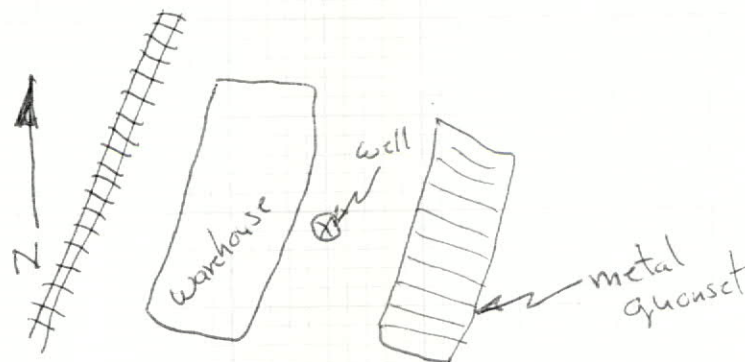
1. Other water rights with same place of use: Possibly (25-4313)

☐ Copies Attached
2. Other water rights with same point of diversion: _____

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



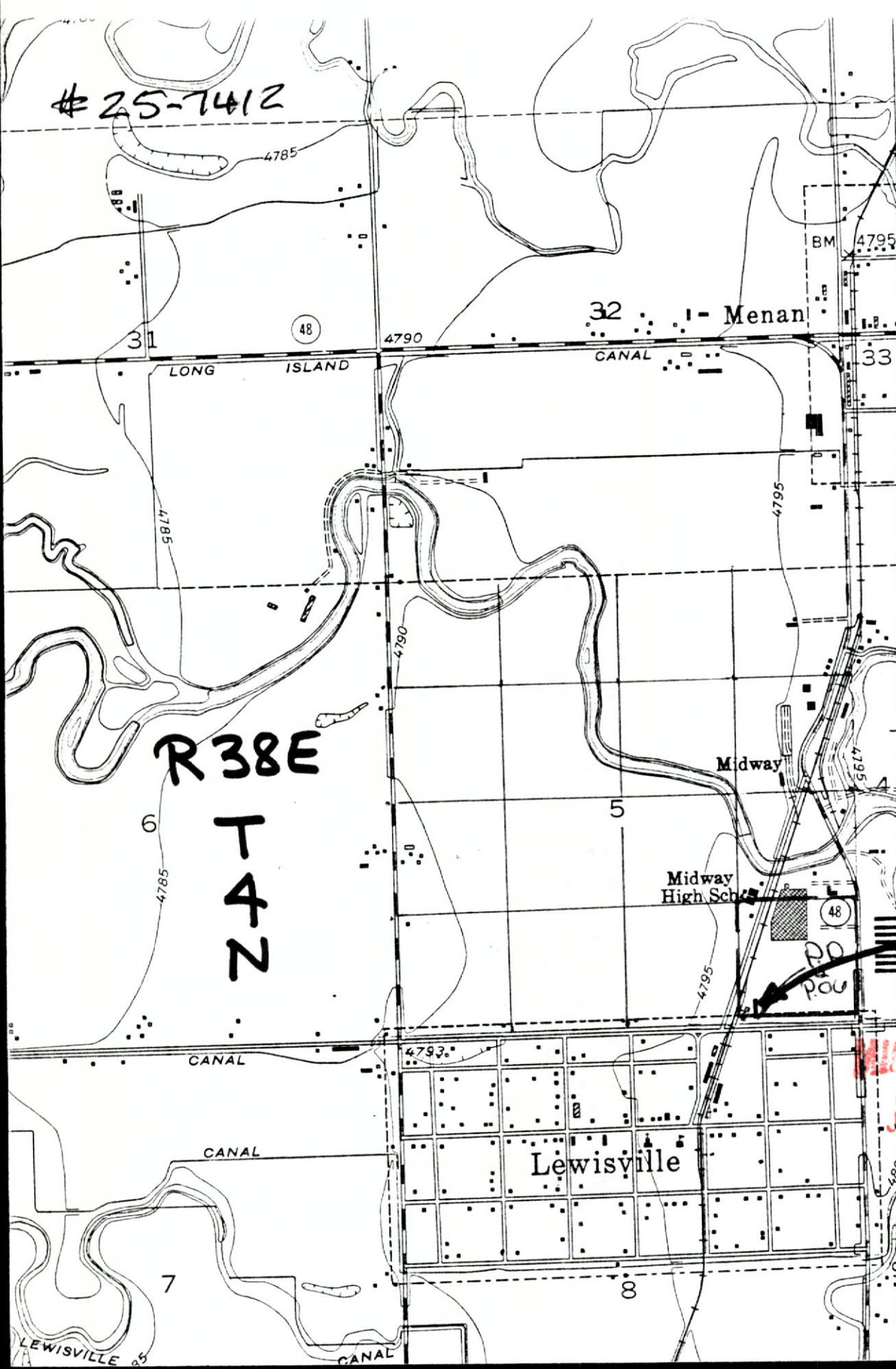
Scale: 1" = _____

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

RECORDED

JAN 10 1994

25-7412



R38E

T4N

32 : : - Menan

BM 4799

LONG ISLAND

CANAL

Midway

Midway High School

POINT OF
DIVERSION
PLACE OF
USE

CANAL

CANAL

Lewisville

JAN 10 1994

25-
7412



well
site

25-7412



outflow
in potato
wash area

MICROFILM

JAN 10 1994

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Crystal Foster,
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho; and I do
solemnly swear that the

Notice of application #25-7412

a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for _____
consecutive issues, the first publication hav-

ing been made on _____
and the last publication having been made

on _____.
Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at least two
hundred bona fide subscribers living within the
county of publication; and that it has been
continuously and uninterrupted published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

Subscribed to and sworn to before me

this 20 - October 1986

[Signature]
Notary Public.

(SEAL)

My commission expires 5-4-88

RECEIVED

OCT 21 1986

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
For Water Right

The following applications have been
filed to appropriate the public waters of
the State of Idaho:

25-7412

Oregon Short Line Railroad Co.

Union Pacific Railroad

Ball Brothers Produce

c/o Ronald J. Ball

P.O. Box 69

Lewisville, ID 83431

Source: Groundwater

Diversion pt: SWSESE Sec. 05, Twn. 04N
R 38 E.

Use: commercial (0.450 CFS)

Date filed: Sept. 8, 1986

In: SESE 05, Twn. 04N R 38E.

The permits will be subject to all prior
water rights.

Protests may be submitted based on
criteria of Sec. 42-203A, Idaho Code
and/or the public interest criteria of Sec.
42-203C, Idaho Code. Protests must be
filed with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho 83402 on or before
Oct. 6, 1986.

s/Ken Dunn
Director

Published in the Jefferson Star, Rigby,
Idaho, Sept. 17 and 24, 1986.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07412

Priority: September 30, 1986 Maximum Diversion Rate: 0.45 CFS
Maximum Diversion Volume: 2.3 AF

This is to certify, that OREGON SHORT LINE RAILROAD CO
BALL BROTHERS PRODUCE
UNION PACIFIC RAILROAD

ID has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 8, 1986; and has submitted Proof of Beneficial Use on November 23, 1987. An examination indicates that the works have a diversion capacity of .460 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.45 CFS	2.3 AF

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 5, Township 04N, Range 38E
JEFFERSON County

PLACE OF USE: COMMERCIAL
TWN RGE SEC
04N 38E 5 SESE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Commercial use is for a potato processing plant.

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 23RD day of DECEMBER, 1993.

JAN 10 1994

Acting for R. Keith Higginson, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 25-7412 IN THE NAME OF)
OREGON SHORT LINE RAILROAD CO. OR UNION PACIFIC) ORDER OF REINSTATEMENT
RAILROAD OR BALL BROTHERS PRODUCE)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before November 1, 1987; and,

WHEREAS, the Department notified the permit holders by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial; and,

WHEREAS, the Department notified the permit holders that the permit lapsed for failure of the permit holders to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on November 23, 1987;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 25-7412 be REINSTATED and the priority advanced to September 30, 1986.

Dated this 20th day of April, 1988.

MICROFILMED

JUN 16 1988

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

Form 217
03/86

RECEIVED
NOV 30 1987

For Office Use Only

Fee Received \$100.00
Date 12-2-87
Receipt # 45747
Receipt by [Signature]
Reviewed by [Signature]
Sent to region

NOV 23 1987

Department of Water Resources
Eastern District Office

STATE OF IDAHO
Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

Permit No. 25-7412

Name(s) of Permit Holder: Oregon Short Line Railroad CO. or Union Pacific Railroad
or Ball Brothers Produce

Post Office Address: P.O. BOX 69

Lewisville Id. 83431 Telephone No. 754 4651

Source of Water: Groundwater

Extent of Use:

Domestic (number of households) Stockwater (number and type of stock)

Irrigation (acres) Other/Remark Commercial - potato processing plant.

Total rate and/or volume for which proof is submitted 0.45 cfs acre-feet

✓ Show the date water was first diverted and beneficially used under this permit: 9-1-86

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

Fee enclosed \$ 100.00
(See License Examination Fee Schedule)

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

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

Bill Rhoads

(Name)

754 - 4651

(Telephone Number)

SAME

(Address)

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.

RECEIVED

JUN 16 1988

✓ 11-19-87
Date

✓ [Signature]
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Oregon Short Line Railroad Co. or Union Pacific Phone 208-754-4651
Railroad, or Ball Brothers Produce c/o Ronald J. Ball
Post office address P.O. Box 69, Lewisville, Idaho 83431

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

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 5 Township 4N Range 38E B.M. Jefferson County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .45 cfs for Commercial purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) .45 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____
well pump mainline to potato processing plant

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 8" inches; proposed depth of well is 240 feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

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

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. commercial usage within potato processing plant

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	38E	5																C	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. none

- Who owns the property at the point of diversion? Vernon Ball Estate
- Who owns the land to be irrigated or place of use? Ball Brothers Produce and Union Pacific RR
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. property is leased from owners

12. Remarks: water is used for washing potatoes and culinary and bathroom use for personnel

APPROVED
JAN 20 1960

This is a topographic map of the Lewisville area. The map features a grid system with section numbers 31, 32, 33, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. The map shows the Menan Canal and Lewisville Canal. The Lewisville area is labeled 'Lewisville' and 'Lewisville'. The Midway area is labeled 'Midway' and 'Midway High Sch'. The Point of Diversion and Place of Use is marked with a circle and labeled 'POINT OF DIVERSION AND PLACE OF USE'. A handwritten note 'R38E T4N' is present. The map includes contour lines and a grid system. The map is titled 'Lewisville' and 'Lewisville'.

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.

Donald Ball
(Applicant)

Proposed Priority 9/8/86

Received by OW Date 9-08-86 Time 1:40p Preliminary check by KCW

Fee \$ 45.00 Receipted by MD # 39877 Date 9-10-86

Publication prepared by MD Date 9-10-86 Published in JELFORD STAR

Publication approved OW Date 10-21-86

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. 25-7412, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 87.

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: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 30th day of October, 1986.

J. Glen Saylor
Chief, Operations Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 23, 1993

OREGON SHORT LINE RAILROAD CO
BALL BROTHERS PRODUCE
UNION PACIFIC RAILROAD
ID

RE: WATER RIGHT NO. 25-07412

Dear Water Right Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

Microfilm

JAN 10 1994

WR0749NP
No. L25-07412

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/21/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	OREGON SHORT LINE RAILROAD CO	09/30/1986	COMMERCIAL	01-01 12-31	0.45 CFS	2.3 AFA
C	BALL BROTHERS PRODUCE C/O RONALD J BALL PO BOX 69 LEWISVILLE ID 83431 (208) 754-4651			TOTAL DIVERSION:	0.45 CFS	2.3 AFA

C UNION PACIFIC RAILROAD

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.46 CFS

Point(s) of Diversion: T04N R38E S05 SE SE

Place of use Legal Description for: COMMERCIAL

				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
04N	38E	5	:																
			:															C	:

Pou County: JEFFERSON

~~Non-Irrigation Uses: C/POTATO PROCESSING PLANT~~

Other Water Rights Listing Overlapping Place(s) of use:
25-07394 25-07471

Conditions of Approval:

- 004 - The issuance of this right in no way grants any right-of-way
- or easement across the land of another.

Remarks: Commercial use is for a potato processing plant.

Dates:	App. Received:	09/08/1986	Priority Date:	09/30/1986	(Priority Date Advanced.)
	Proof Due Date:	11/01/1987	Proof Made Date:	11/23/1987	(Proof Received Late.)
	Exam Made Date:	10/07/1988	Exam Sent to S.O.:	12/10/1993	
	Licensed Date:				

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

Audit: 12/21/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 25-7412 Date 12-21-93 Brenda Chapman

NAME Yes No Or Address Change?

PRIORITY DATE done Advance? done Advanced to: 9-30-86
 done Order to Reinstate Needed?
 Incorrect Fee for rate recommended?

SOURCE Changes? Clarification of **Originally Intended** source
 Notice of Intent to Void - Source change.

P/D Amendment Needed?
 Overlap(s)

P/U Amendment Needed?
 Overlap(s)

TOTAL CFS Measurement Theoretical only
 Q = .46 CFS

Allowable Amount: Permit @ .45
Capacity of System: .46

TOTAL VOLUME Season of Use: 1-1 to 12-31
 Calculations: 3000 gpd x 250 days =
750000 gal
325850 = 2.3 AF
Flow limit: .45 x 250 x 1.9835 = 223

USES Change(s) in Nature of Use?
 Amendment Needed?

REMARKS Multiple P/Ds in 1/4 1/4?
 Special Overlap
 Other 004

CONDITIONS Measuring/Locking Devices
 W/Master Control Water Dist
 Irrigation Overlap 9-8-86 App Rec'd
 Water Quality 10-7-88 Exam Made

COMMENTS: Use is for a potato processing plant.

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>Commercial</u>	<u>.45</u>	<u>2.3</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	1ST AMEND LETTER <u> </u>
<u> </u>	<u> </u>	<u> </u>	2ND AMEND LETTER <u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 13 1993

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Ball Bros Produce Permit No. 25-7412
Current Address: P.O. Box 69 Louisville, ID 83431 Phone No. 754-4651
2. Accompanied by: Bill Rhoads EXAM. DATE: 10-7-88
Address: Same as above Phone No. 754-4651
Relationship to Permit Holder: Sales Mgr.
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

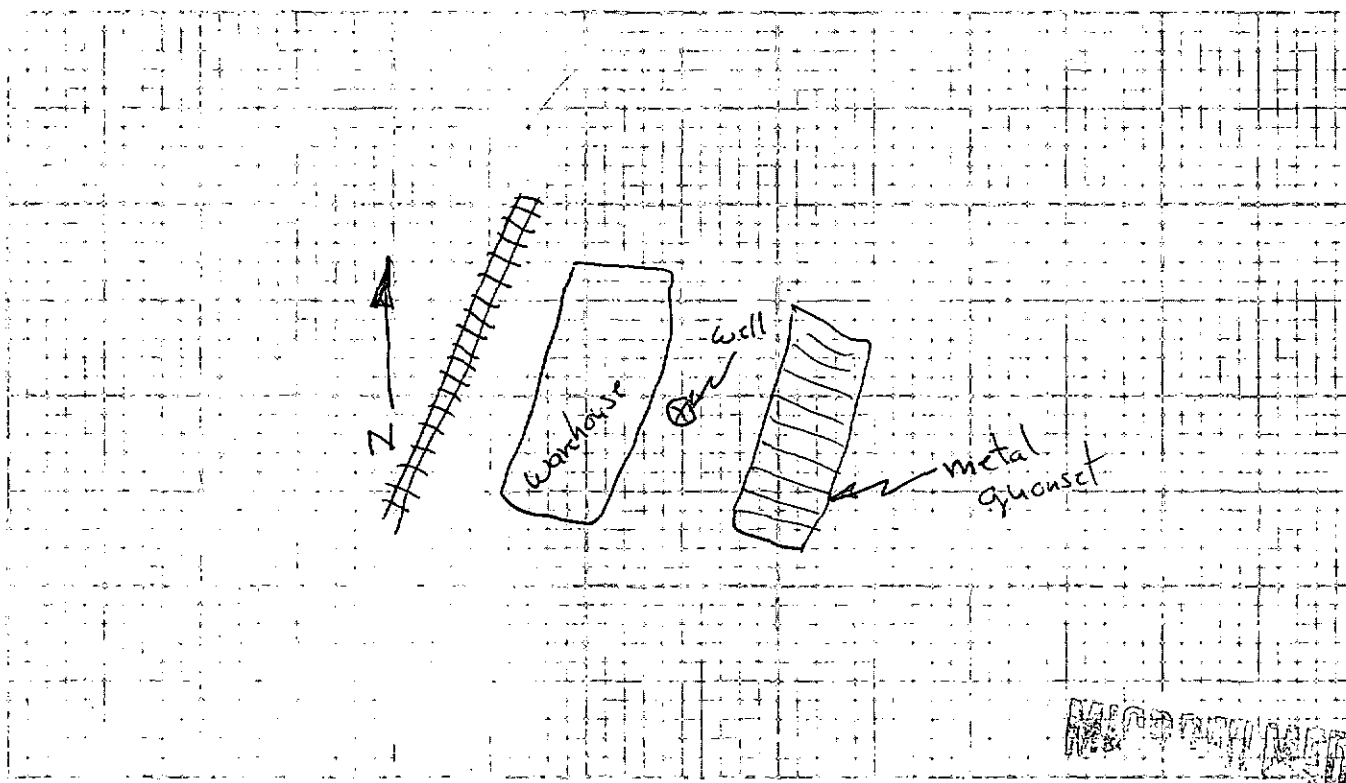
1. Other water rights with same place of use: Possibly (25-4313)

☐ Copies Attached
2. Other water rights with same point of diversion: _____

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

JAN 10 1994

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

System Description (continued)

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

Well / submerged pump lifting from 40' then washing room
+ transportation flume. Total time 4 hrs on line. For 2 processes
using 1000 gallons each process or 2000 gpd. Also used in bathrooms
+ drinking water for warehouse crew. Assume 1000 gpd for other than
process water

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersed	NA	40?	NA	NA	

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	SE	5	4N	38E	Jefferson	USGS MAP

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	38E	5																	C

Do not use this space

MICROFILMED

JAN 10 1994

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

* Theoretical (with 6" casing assume 7 1/2 hp) $cfs = 7 \frac{1}{2} hp \times 8.814 \times 0.8$
 $50' lift + (35 psi \times 2.308)$
 * Well log shows 0' for static water level
 assume 40' lift for possible drawdown $cfs = \frac{52.88}{120.78} = 0.44 cfs$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

@ 20' of lift $Q = \frac{75(8.814)(0.8)}{20 + (35 \times 2.308)} = 0.52 cfs$ @ 70% of $Q = 0.459 cfs = 0.46 cfs$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi $\times 2.31 =$ _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) $\times$ (4) $\div 8.8 =$ _____ (5)

Meter Input KW: 3.6 $\times$ _____ KH $\times$ _____ CTR or _____ MULT $\times$ _____ PTR $\times$ _____ N/ _____ T = _____ (6)

Meter Input HP: (6) $\times 1.34 =$ _____ (7)

Panel Input KW: _____ Ave PF $\times$ _____ Ave Volts $\times$ _____ Ave Amps $\times .001732 =$ _____ (6)

Panel Input HP: (6) $\times 1.34 =$ _____ (7) Efficiency: (5)/(7) $\times 100 =$ _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

$V = 3000 \text{ gallons/day} \times 250 \text{ days/year} = 750,000 \text{ gallons/year}$

$V = \frac{750,000 \text{ gallons/year}}{325,800 \text{ gallons/year/af}} = 2.3 af$

JAN 10 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Rhoads says Foreman pump put in system. Andrew Well drilling 22 wells. Upon call to Foreman, they indicated there were no records in their books for said well.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1-1	12-31	0.40 cfs 0.45 cfs	2.3
			0.45	
Totals:			0.40 cfs	2.3

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

J. AUTHENTICATION

Field Examiner's Name Harold W. Jones

Signature Harold W. Jones

Certification Date _____

Field Report Preparation Date _____

CONSULTANT SEAL

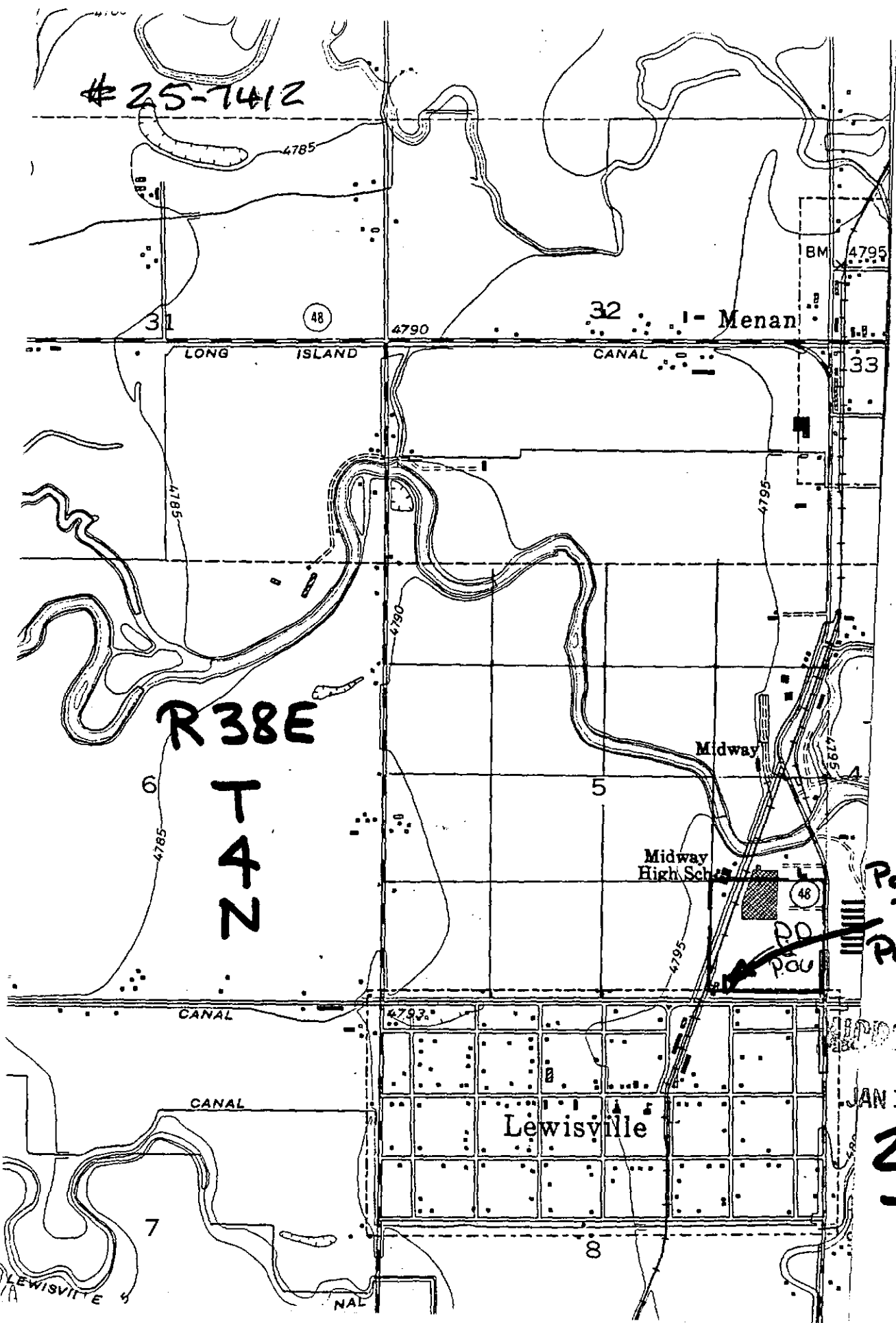
- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED

JAN 10 1994

70 10 27

Map 105



#25-7412

R38E
T4N

Menan

Midway

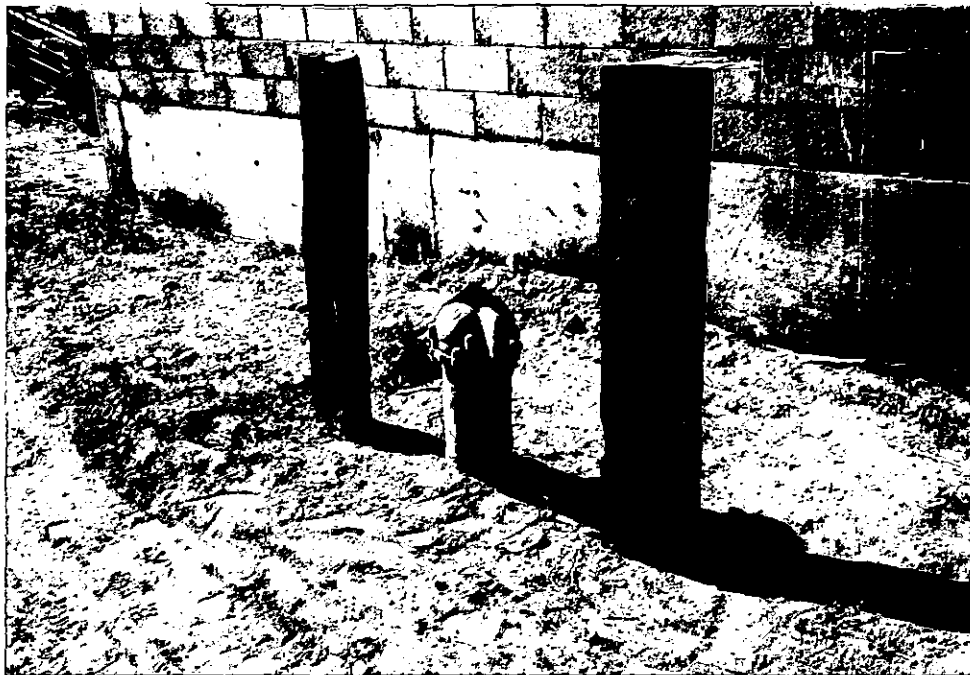
Midway High School

Lewisville

POINT OF
DIVERSION
PLACE OF
USE

JAN 10 1994

25-
7412



Well
Site

25-7412



outflow
in potato
wash area

MISSOURI

JAN 10 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 13, 1988

UNION PACIFIC RAILROAD OREGON SHORT LINE RAILROAD OR
BALL BROTHER PRODUCE
P.O. BOX 69
LEWISVILLE ID 83431

RE: Permit No. 25-7412

Dear Permit Holder:

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

Enclosed please find a copy of an order involving your permit.

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

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

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

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

Enclosure

MICROFILMED

JUN 16 1988

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 25-7412

Date: 4-18-1988

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change If yes, prepare a data entry
Y Proof received timely
Y Reinstated

Source of Water:

Y Surface water
Y Groundwater
1. well log in file
N/A 2. drilling permit
A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

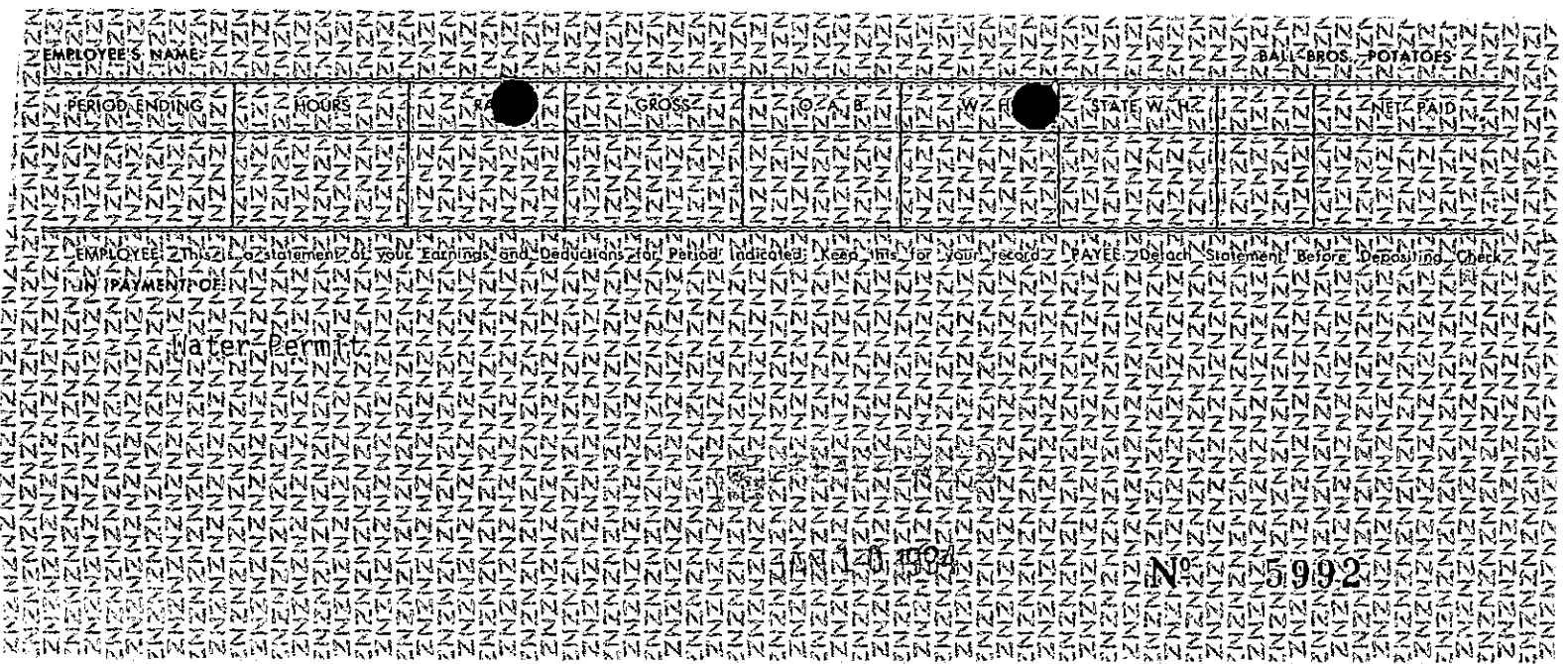
Measuring Device:

N/A Is a measuring device or access port required?
N/A Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks: Proj acceptable w/ reinstatement

YES Priority Calculation:
Date proof received Nov. 23 327
Date proof due Nov 1 +305
No. of days late = 22
Priority date Sept. 8 '86 +251
NEW PRIORITY DATE Sept. 30, '86 =273

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM



ACTION REQUIRED

FROM: Keith C. Wilson

18 Nov 1987

TO: Bill Rhoads

COMPLETE ITEMS ON PROOF OF BENEFICIAL USE FORM THAT ARE CHECKED
IN RED AND RETURN TO THIS OFFICE AS SOON AS POSSIBLE WITH THE
EXAMINATION FEE OF \$100.00. YOUR PROMPT REPLY WILL BE APPRECIATED.

RECEIVED

NOV 30 1987

Department of Water Resources


KEITH C. WILSON

DEPT. OF WATER RESOURCES

JAN 10 1994

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

Union Pacific Railroad
Oregon Short Line Railroad Co.
BALL BROTHERS PRODUCE
C/O RONALD J. BALL
P.O. BOX 69
LEWISVILLE, ID 83431

November 3, 1987

LAPSE NOTICE

RE: Permit No. 25-7412

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated August 31, 1987.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this Department within sixty days of the date of mailing of this lapse notice.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 11-14-1987
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Dita Fleck

MICROFILMED

JUN 16 1988

UNION PACIFIC RAILROAD
OREGON SHORT LINE RAILROAD CO.
BALL BROTHERS PRODUCE
C/O RONALD J. BALL
P.O. BOX 69
LEWISVILLE, ID 83431

CERTIFIED MAIL
August 31, 1987

138874

PROOF DUE NOTICE

RE: Permit No. 25-7412

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 November 1, 1987. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MAILED

JUN 16 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
OCTOBER 31, 1986

UNION PACIFIC RAILROAD
C/O RONALD J. BALL
P.O. BOX 69
LEWISVILLE, ID 83431

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 25-7412

DEAR PERMIT HOLDER:

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

YOU SHOULD BE AWARE THAT THE GROUNDWATER YOU PROPOSE TO DIVERT IS LOCATED WITHIN A DRAINAGE BASIN WHERE SURFACE WATERS ARE REGULATED DURING THE MONTHS OF LOW FLOW. IT IS POSSIBLE THAT DIVERSION OF GROUNDWATER MAY HAVE AN ADVERSE IMPACT ON THESE SURFACE WATER FLOWS. INFORMATION AVAILABLE TO US AT THIS TIME DOES NOT WARRANT REFUSING TO ISSUE PERMITS IN YOUR AREA, BUT WE DO CAUTION THAT DIVERSIONS OF GROUNDWATER ARE NOT ALLOWED TO DEplete FLOWS AVAILABLE FOR SURFACE WATER USERS WITH EARLIER PRIORITY DATES. SITING YOUR WELL AS FAR FROM SURFACE SOURCES AS POSSIBLE AND CASING OUT UPPER WATER PRODUCING ZONES MAY REDUCE THE POTENTIAL OF INTERFERENCE.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

RECEIVED
OCT 31 1986
WATER ALLOCATION SECTION



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

October 9, 1986

The Jefferson Star
P.O. Box 37
Rigby, Idaho 83442

RE: Application Nos. 25-7411, 25-7412, and Claim No. 25-4313

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications and claim. The legal notices were to have been published in your paper on Sept. 18, and Sept. 25, 1986.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

MICHELE DAVIS
Office Secretary

RECEIVED
OCT 10 1986

September 11, 1986

Oregon Short Line Railroad
Union Pacific Railroad
Ball Brothers Produce
c/o Ronald J. Ball
P.O. Box 69
Lewisville, Idaho 83431

Re: Applications for permit No. 25-7412

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right applications for permit. The application has been assigned identification no. 25-7412. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Jefferson Star. The advertisement will be published for two 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 the permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find your receipt, no. 39877 for the amount of \$45.00

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

Sincerely,

Ernest Carlsen
Assistant Regional Supervisor

EC/md

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Jefferson

ss

I, Crystal Foster,
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho; and I do
solemnly swear that the

Notice of application #25-7412

a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for _____
consecutive issues, the first publication hav-

ing been made on _____
and the last publication having been made

on _____.

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at least two
hundred bona fide subscribers living within the
county of publication; and that it has been
continuously and uninterruptedly published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

Subscribed to and sworn to before me

this

20 October 1986

[Signature]
Notary Public.

(SEAL)

My commission expires

5-4-88

RECEIVED

OCT 21 1986

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION For Water Right

The following applications have been
filed to appropriate the public waters of
the State of Idaho:

25-7412

Oregon Short Line Railroad Co.

Union Pacific Railroad

Ball Brothers Produce

c/o Ronald J. Ball

P.O. Box 69

Lewisville, ID 83431

Source: Groundwater

Diversion pt: SWSESE Sec. 05, Twn. 04N
R 38 E.

Use: commercial (0.450 CFS)

Date filed: Sept. 8, 1986

In: SESE 05, Twn. 04N R 38E.

The permits will be subject to all prior
water rights.

Protests may be submitted based on
criteria of Sec. 42-203A, Idaho Code
and/or the public interest criteria of Sec.
42-203C, Idaho Code. Protests must be
filed with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho 83402 on or before
Oct. 6, 1986.

s/Ken Dunn
Director

Published in the Jefferson Star, Rigby,
Idaho, Sept. 17 and 24, 1986.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 10, 1986

The Risby Star
P. O. Box 37
Risby, Idaho 83442

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before OCTOBER 6, 1986.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

[Handwritten signature]

NOTICE OF APPLICATION

FOR WATER RIGHT

The following applications have been filed to appropriate
the public waters of the State of Idaho:

25-7412

OREGON SHORT LINE RAILROAD CO.
UNION PACIFIC RAILROAD
BALL BROTHERS PRODUCE

C/O RONALD J. BALL, P.O. BOX 69, LEWISVILLE, ID 83431

Source: GROUNDWATER

Diversion Pt: SWSESE Sec 05 T 04N R 38E

Use: COMMERCIAL (0.450 CFS)

Date Filed: 09/08/1986

In: SESE Sec 05 T 04N R 38E

The permits will be subject to all prior water rights.

Protests may be submitted based on the criteria of Sec. 42-203A,
Idaho Code and/or the public interest criteria of Sec. 42-203C,
Idaho Code. Protests must be filed with the Director, Dept. of
Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho,
83402 on or before October 6, 1986.

KEN DUNN

Director

Published 9/18/86 & 9/25/86.

[Handwritten signature/initials]