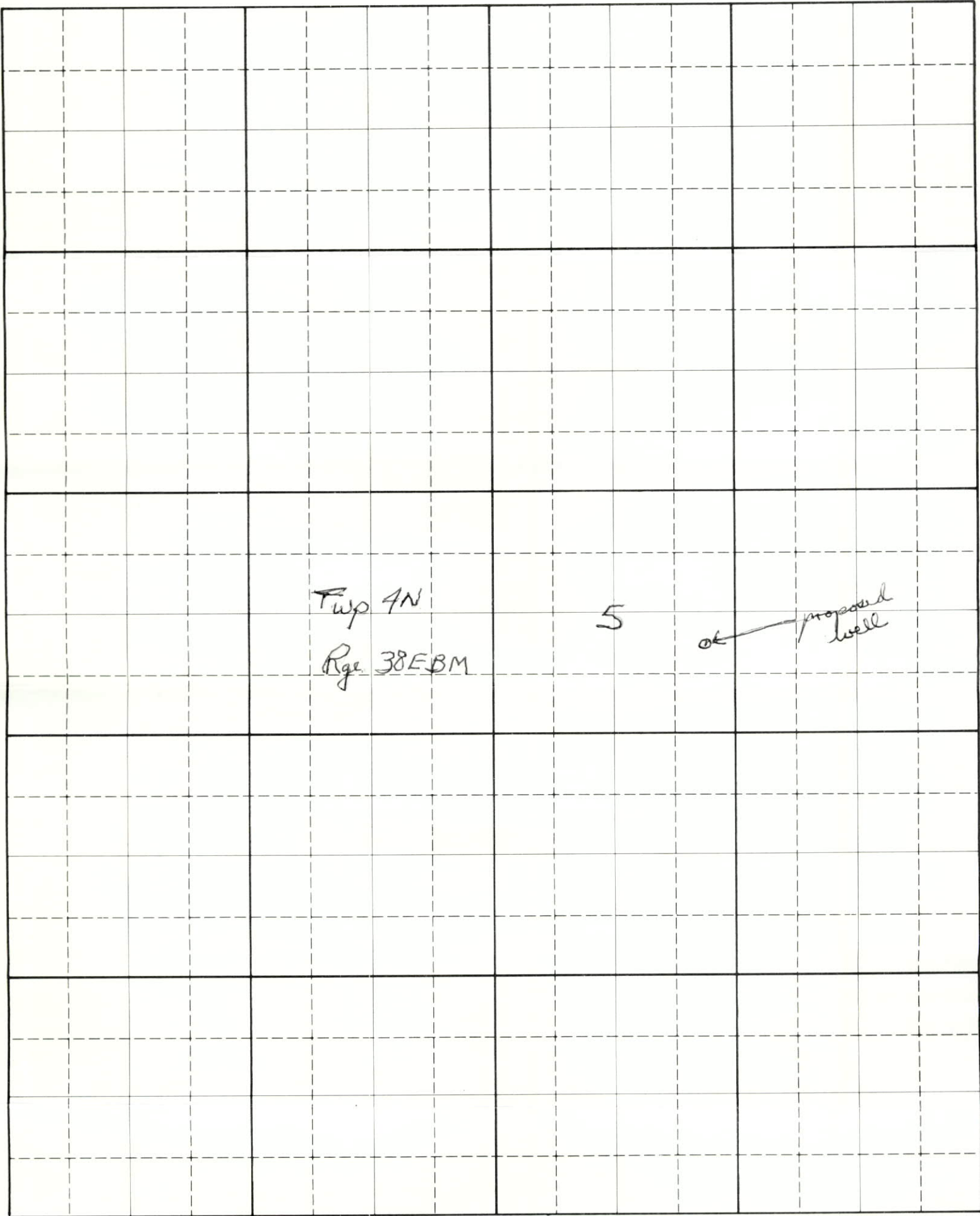


11. Map of proposed project:



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.

Idaho Fresh-Pak inc  
(Applicant)

Warren Henning

25-7002

# Affidavit of Publication

THE RIGBY STAR

Department of Reclamation

STATE OF IDAHO  
County of Jefferson

ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

Sub Consecutive issues thereof; first publication having been made on the

23rd day of January, 1969

and the last publication on the

30th day of January, 1969

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B Jones

Subscribed in my presence and sworn to before me this 13th

day of February, 1969  
(SEAL)

R H Hamma  
Notary Public for the State of Idaho,  
Residence and P. O. Address, Rigby, Idaho.

My commission expires \_\_\_\_\_, 19\_\_\_\_

Publication Fee: \$ 5.52

MY COMMISSION EXPIRES JULY 15, 1969

## NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Idaho Fresh-Pak, Inc., Box 302, Lewisville, Idaho has on November 21, 1968 applied for permit under application No. 25-7002 to divert 7 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump, and motor within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , sec. 5, T. 4 N, R. 38 E, B.M., Jefferson County and is to be used from January 1 to December 31 for industrial processing in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , sec. 5, T. 4 N, R. 38 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Rigby Star, Rigby Idaho on January 23 and January 30, 1969.

bill sub 22069

25-7002

T.  
4  
N

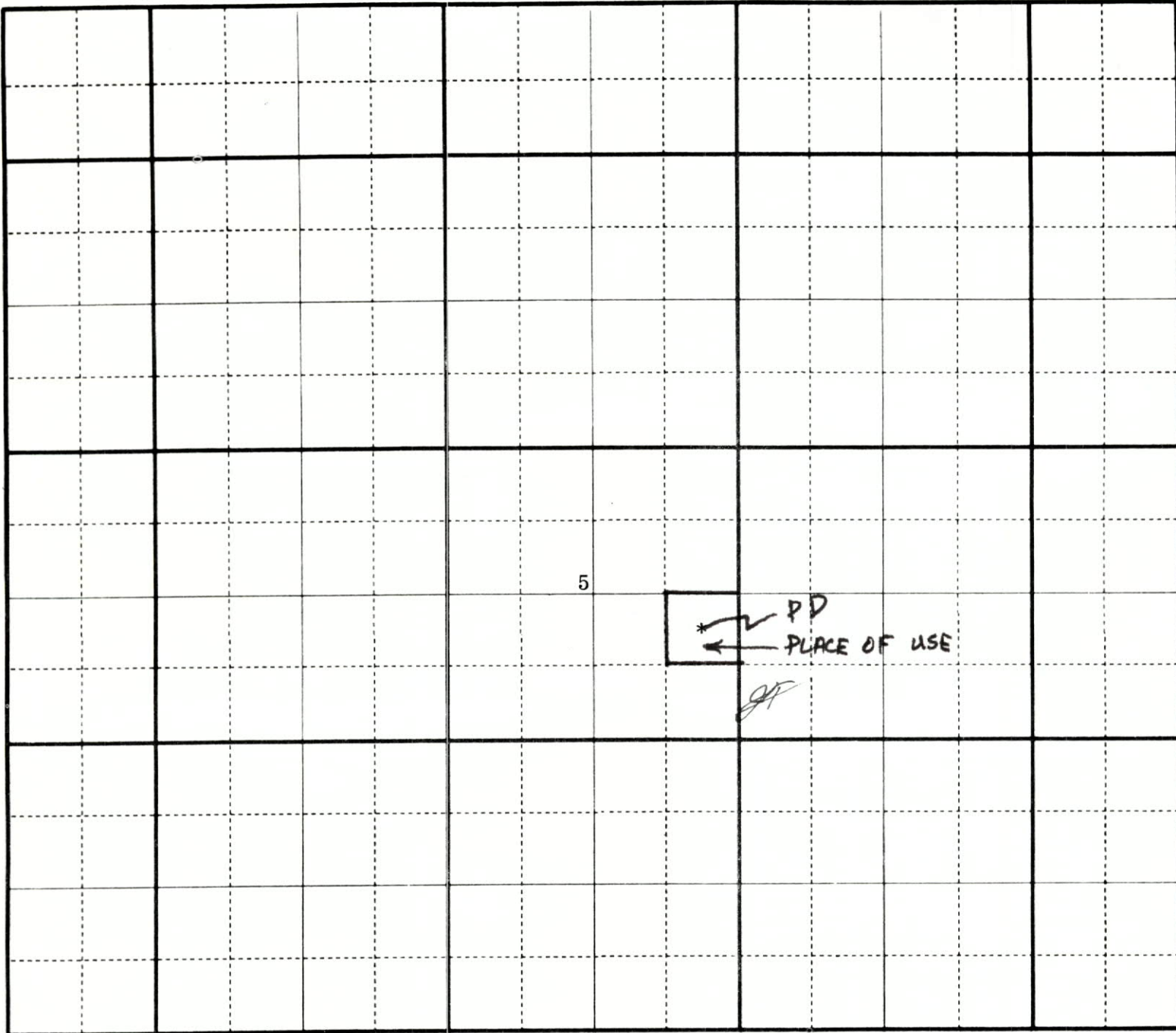
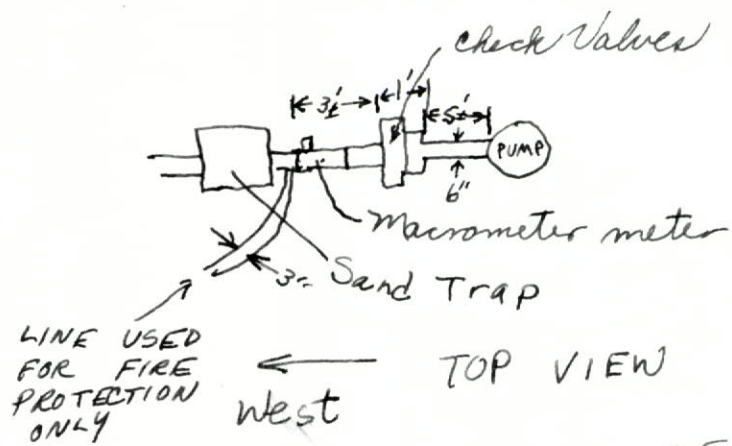


Diagram of System



JA

NOTICE OF APPLICATION  
FOR WATER

Notice is hereby given that Idaho Fresh-Pak, Inc., Box 802, Lewisville, Idaho has on November 21, 1968 applied for permit under application No. 25-7002 to divert 7 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump, and motor within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , sec. 5, T. 4 N, R. 38 E, B.M., Jefferson County and is to be used from January 1 to December 31 for industrial processing in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , sec. 5, T. 4 N, R. 38 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON  
State Reclamation Engineer  
Published in the Rigby Star, Rigby  
Idaho on January 23 and January 30,  
1969.

25-7002

January 14, 1969

Re: Application No. 25-7002  
Idaho Fresh - Pak, Inc.

Rigby Star  
Rigby,  
Idaho 83442

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 ample 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 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 of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

\_\_\_\_\_  
Signature of claimant

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:KS  
enclosure: legal notice

25-7002

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 25-7002 Priority Nov. 21, 1968 Amount 0.70 cfs

THIS IS TO CERTIFY, that IDAHO FRESH-PAK, INC.  
of Lewisville, Idaho, has complied with the terms and conditions of Permit  
No. 25-7002 issued pursuant to Application for Permit dated November 21, 1968,  
and has submitted proof to the Department of Water Administration on September 26, 1972,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 1.75 cfs, and that the water has in fact been applied to a  
beneficial use; a right to the use of water from a ground water source  
tributary of \_\_\_\_\_ is hereby confirmed in the following amounts:

Amount 0.70 cfs for Industrial from Jan. 1 to Dec. 31 (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Subject, however, to the condition that no more than 0.70 cfs of water be diverted at  
any one time, said waters to be diverted within the \_\_\_\_\_

NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 5, Twp. 4 N, Rge. 38 E, B.M.

in the county of Jefferson; and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 347 acre feet per year ~~or~~

~~acre feet per year~~

Description and location of place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 4 N  | 38 E  | 5    |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | X                |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated \_\_\_\_\_

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands  
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6<sup>TH</sup> day of  
March, 19 73.

R. Kirk Higin  
Director

25 7002

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION  
OF THE  
STATE OF IDAHO

IN THE MATTER OF Extending the Proof Due )  
Date for Permit No. 25-7002 in the name of ) ORDER  
IDAHO FRESH-PAK, INC. )

WHEREAS, on November 21, 1968, Idaho Fresh-Pak, Inc. applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 0.7 cubic feet per second of water from a ground water source within the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 5, Twp. 4 N, Rge. 38 E, B.M., Jefferson County, to be used for industrial purposes; and,

WHEREAS, on March 7, 1969, the Department approved said application and issued Permit No. 25-7002 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before April 1, 1972, and that the applicant permanently install a measuring device of a type approved by the Department as part of the diverting works; and,

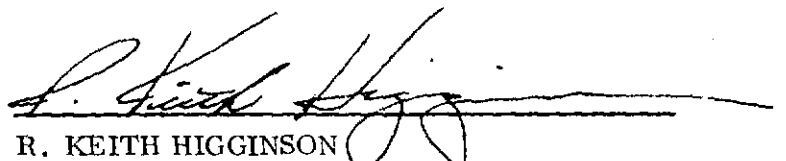
WHEREAS, on January 28, 1972, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on March 29, 1972, the Department received a request for an extension of time from the permit holder; and,

WHEREAS, the permit holder has submitted sufficient evidence that they have diligently attempted to complete the works;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water for Permit No. 25-7002 be and is EXTENDED to October 1, 1972.

Dated this 4 day of April, 1972.

  
R. KEITH HIGGINSON  
Director

BDF:DR

25 7002

LICENSE ISSUED FOR 0.70 SEC. FL.  
LICENSE PAGE NO. \_\_\_\_\_

Identification No. \_\_\_\_\_  
Application No. 25-7002

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
**APPLICATION FOR PERMIT**

APPROVED

To Appropriate the Public Waters of the State of Idaho  
(TYPE OR PRINT IN INK)

1. Name of applicant Idaho Fresh-Pak Inc.  
post office address Box 302 Lewisville, Idaho - 83431
2. Source of water supply Underground which is a tributary of \_\_\_\_\_
3. a. Location of point of diversion is NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 5 Township 4N  
Range 38E B.M. Jefferson County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. If water is not consumed, it will be discharged into Snake at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 7 CFS for Industrial purpose from Jan 1st to Dec 31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:  
a. 7 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. Drilled well - pump - motor - per  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)  
c. Proposed well diameter is 14" inches; proposed depth of well is 200' feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 3 years.  
b. Estimated construction cost is \$ \$8,000.00
8. Description of proposed uses:  
a. If water is not for irrigation:  
(1) Give the place of use of water: NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 5 Township 4N  
Range 38E B.M.  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water \_\_\_\_\_  
(5) If water is to be used for other purposes describe: For processing of  
potatoes - dehydration

25-7002

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

| TWP. | RANGE | SEC. | NE1/4 |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | TOTALS |
|------|-------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
|      |       |      | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |

Total number of acres to be irrigated \_\_\_\_\_

c. Describe any other water rights used for the same purposes \_\_\_\_\_

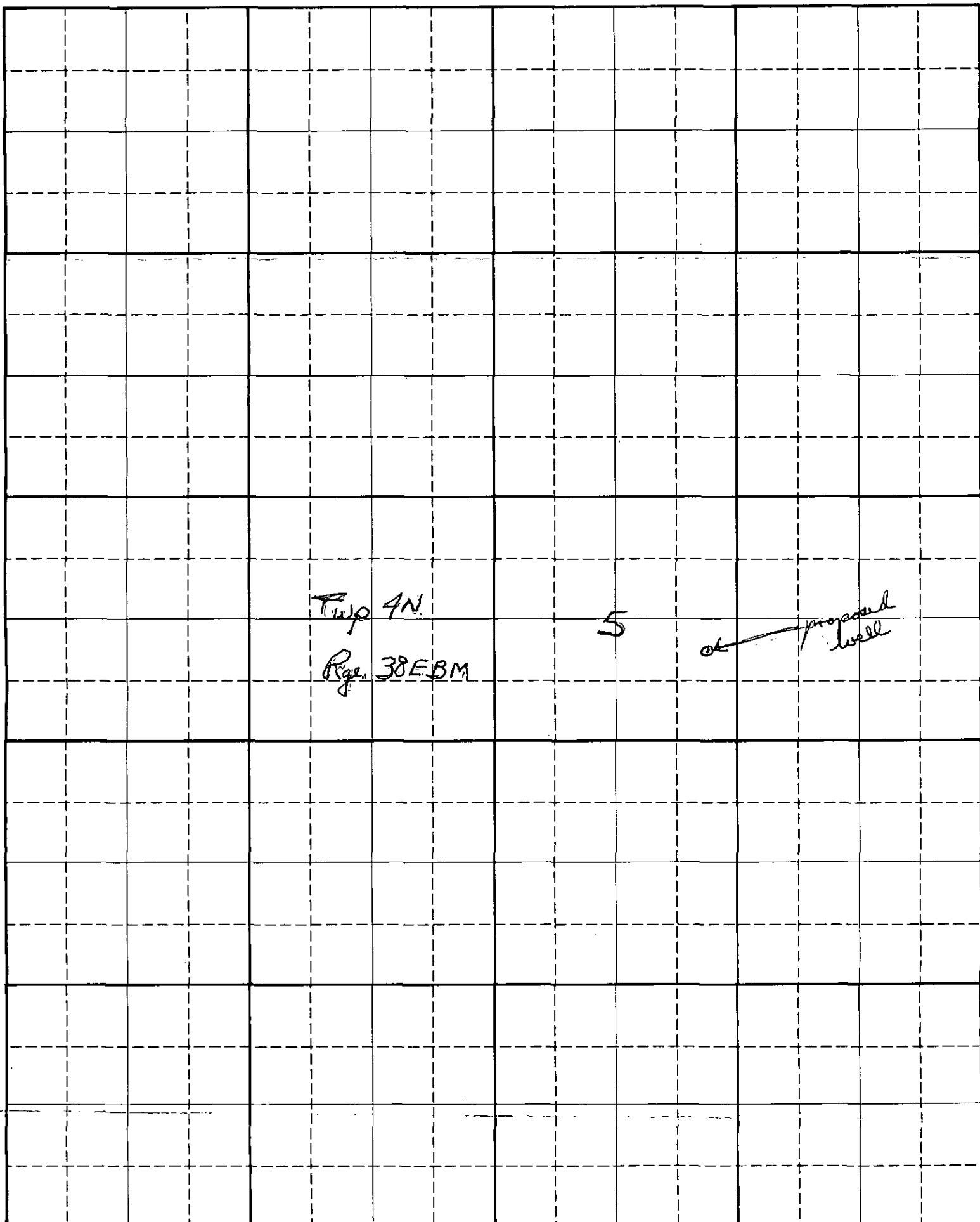
9. a. Who owns the property at the point of diversion Idaho Fresh-Pak - inc

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 \_\_\_\_\_

10. Remarks \_\_\_\_\_

11. Map of proposed project:



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.

Idaho Fresh-Pak inc  
(Applicant)

Warren Henning

15-7002

Received by dy Date 11-21-68 Time 9:00 am  
Preliminary check by DW Fee \$ 20.00 11-22-68  
Receipted by ef Date 11-26-68  
Publication prepared by 71 Date 1-14-69  
Published in Big Sky Star  
Publication dates 1-23 & 30-69  
Publication approved KS Date 1-27-69  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: none 2-20-69

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for (approval) denial by AK R.H. AKR

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 25-7002, 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.~~

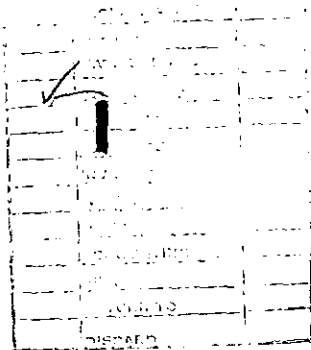
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 72.

c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: \_\_\_\_\_

Witness my hand this 7th day of March, 19 69.

L. Kirk Higgins  
State Reclamation Engineer



RECEIVED

FEB 17 1969

# Affidavit of Publication

THE RIGBY STAR

Department of Reclamation

STATE OF IDAHO  
County of Jefferson

SS.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

*Two* Consecutive issues thereof; first publication having been made on the

*23rd* day of *January*, 1969

and the last publication on the

*30th* day of *January*, 1969

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

*Hope B Jones*

Subscribed in my presence and sworn to before me this *13th*

day of *February*, 1969

(SEAL)

*R. H. Hannon*

Notary Public for the State of Idaho,  
Residence and P. O. Address, Rigby, Idaho.

My commission expires \_\_\_\_\_, 19\_\_\_\_

Publication Fee: \$ *5.52*

MY COMMISSION EXPIRES JULY 15, 1969

## NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Idaho Fresh Pak, Inc., Box 302, Lewisville, Idaho has on November 21, 1968 applied for permit under application No. 25-7002 to divert 7 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump, and motor within the NE 1/4 SE 1/4, sec. 5, T. 4 N, R. 38 E, B.M., Jefferson County and is to be used from January 1 to December 31 for industrial processing in the NE 1/4 SE 1/4, sec. 5, T. 4 N, R. 38 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Rigby Star, Rigby Idaho on January 23 and January 30, 1969.

*bill sub 22069*

*25-7002*

02 WATER RIGHT NUMBER 25-7002

OWNER LAST NAME - IDAHO FRESH-PAK INC.

FIRST NAME -

ORIG OWNER -

ADDRESS LINE 1 - BOX 302

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - LEWISVILLE

STATE - ID ZIP CODE - 83431

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 11-21-1968 COUNTY - JEFFERSON TOTAL DIV. RATE - .7000 -CFS

TOTAL DIV. VOLUME - 347.00 AFA TRFR/AMEND -

WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - NESE 05 04N 38E LOT

REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 01-01 TO - 12-31 USE - INDUSTRIAL

USE DIV. RATE - .7000 CFS USE DIV. VOLUME - 347.00 AFA

USE - INDUSTRIAL

PLACE OF USE - TWN 04N RNG 38E SEC 05 TRACT NESE LOT AC

DECREE NAME -

DATE -

TOTAL ACRES 0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

[illegible]

March 8, 1973

Re: Permit No.

25-7002

Idaho Fresh-Pak, Inc.  
Box 302  
Lewisville, Idaho 83431

Gentlemen:

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

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

BDF:DR  
Enc: Copy of license

25 7002



T.  
4  
N

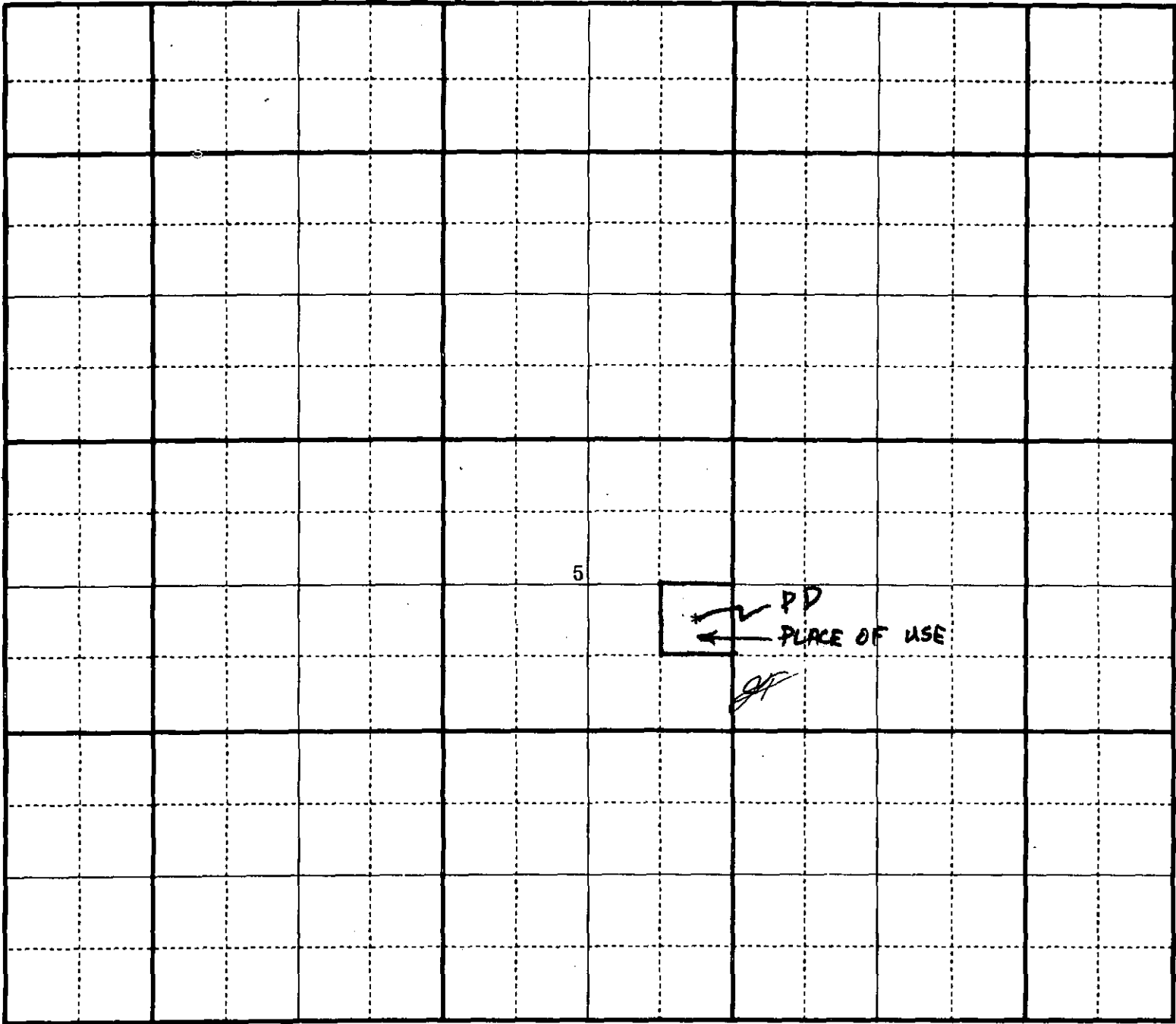
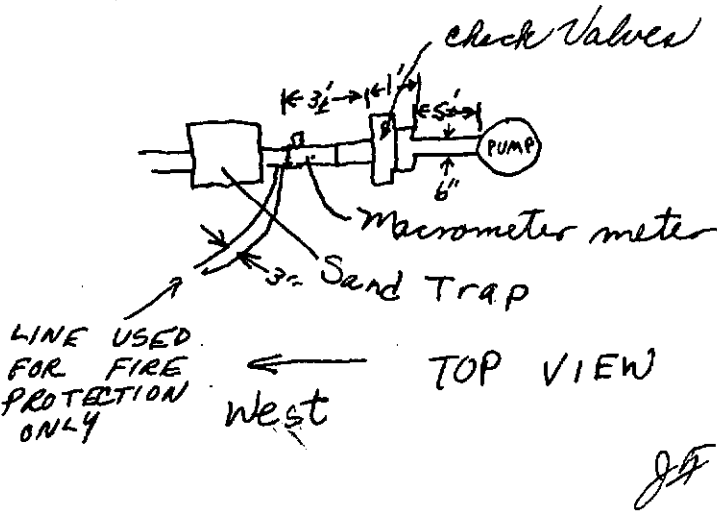


Diagram of System



DATE OF EXAM Oct 16, 1972

ACREAGE

Found NA  
Recommended NA

Irrigation Requirement NA Ac Ft/Ac

$$V = 365 \times 0.7 \times 1.9835$$

USE INDUSTRIAL

Irrigation Q = 0.70 c.f.s. V = 347 AF/Ann. from JAN 1 to Dec 31  
Domestic Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no ✓

Name source NA  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Exchange? yes \_\_\_\_\_ no ✓

Name source exchanged with NA  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Point of injection: NA  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Point of exchange: NA  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Total Q measured 1.75 cfs Method of measurement McCrometer Meter

Total Q recommended 0.7 cfs Meter No. 726292 Type 0100 Condition New

Total V recommended 347 ~~506~~ AF/Ann

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None yes

MEASUREMENT CALCULATION:

435.6 cu ft H<sub>2</sub>O in 248 seconds = 1.75 cfs ✓

SYSTEM DESCRIPTION:

60 HP Westinghouse motor w/ Serial # 388P526601 w/ Johnston pump serial # 6" discharge w/

REMARKS:

System shown by Mr. Warren Denning Mgr  
Plant operates 200 days per year on the average.  
Figure 250 days with pump furnishing water continuously  
to plant

Examiner's Signature John Fesebauer Date Oct 16, 1972

Checked by Roman C. Young, P.E. Date 11-8-72

Approved by \_\_\_\_\_ Date \_\_\_\_\_

**October 10, 1972**

**Re: Permit No. 25-7002**

**Idaho Fresh-Pak, Inc.  
Box 302  
Lewisville, Idaho 83431**

**Gentlemen:**

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

**If you have any questions regarding the field exam, please contact our Eastern District Office at 240 South Holmes, Idaho Falls, Idaho.**

**Very truly yours,**

**BOBBY D. FLEENOR  
Assistant Director**

**BDF:DR**

bc: Eastern District Office  
Enc: Field exam report

**25 7002**

RECEIVED  
OCT 6 1972

Identification No. \_\_\_\_\_

Permit No. \_\_\_\_\_

RECEIVED  
SEP 26 1972  
Department of Water Administration

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder IDAHO FRESH-PAK, INC.  
b) Post Office Address BOX 302, LEWISVILLE  
2. Permit Number 25-7002

3. Date of Priority that you are prepared to establish MARCH 1, 1969

4. a) Source from which water was appropriated Underground - Well

b) Location of the point of diversion: 1/4 1/4, Section \_\_\_\_\_

Township \_\_\_\_\_, Range \_\_\_\_\_, Boise Meridian, Other points of diversion: \_\_\_\_\_

(See Attached Description)

5. a) The amount of water and use to which the water has been applied:

amount 1.336 C.F.S. for Manufacturing purposes from Sept. 15 to July 15 incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 23,117,600 C.F. Per Annum. cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: By Warren Denning - Gen. Mgr.

By Flow Meter Reading

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: \_\_\_\_\_

b) Describe the agreement or understanding by which you take water from the works: \_\_\_\_\_

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) \_\_\_\_\_

6" pump - 60 H.P. - 16" Casing - Well drilled 206 ft.

b) Describe the type and size of measuring device which you have installed at your point of diversion: \_\_\_\_\_

McCrometer Flowmeter - 6"

c) Give well drillers name and address and date the well was completed \_\_\_\_\_

Andrew Well Drilling Contractors.

1268 E. 17th Street, Idaho Falls, Idaho 83401

March 10, 1966

25 7002

Exam typed 10-10-72 by du

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Idaho Fresh-Pak, Inc. is engaged in the manufacturing of dehydrated potato products - Water from this well is used for washing - peeling & conveying of potatoes.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated

10. Remarks: Information submitted on this form is calculated from a usage of 600 G.P.M. - 24 hrs. per day operation - 200 operating days per year between Sept. 15 and July 15th

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

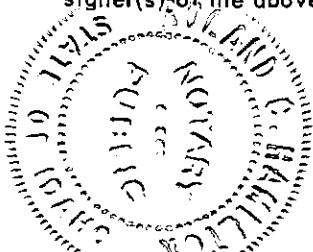
9/25/72  
(Date)

Marius Henning  
(Signature)

State of IDAHO

County of Tetson ss.

On this 25 day of Sept, 1972, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Roland C Hamilton

Notary Public residing at Rigby, IDAHO

My commission expires 11/18/72

Starting at a point in the Westerly right-of-way of State Highway No. 48 which lies North  $0^{\circ}05'$  East 1305.4 feet and West 40.0 feet from the Southeast corner of said Section Five (5), thence South  $89^{\circ}04'$  West 987.6 feet to the Easterly right-of-way line of the Union Pacific Railroad, thence North  $18^{\circ}30'$  East 482.0 feet to a fence corner, thence North  $27^{\circ}52'$  East 396.0 feet, thence North  $67^{\circ}10'$  East 327.1 feet to the Westerly right-of-way of State Highway No. 48, thence around a  $4^{\circ}$  curve to the right along said right-of-way 601.3 feet, more or less, to the point of beginning, in Section Five (5), Township Four (4) North, Range Thirty-eight (38), East of the Boise Meridian, containing 10.0 acres, more or less.

October 4, 1972

Re: Permit No. 25-7002

Idaho Fresh-Pak, Inc.  
Box 302  
Lewisville, Idaho 83431

Gentlemen:

We received your affidavit submitted as proof of beneficial use in connection with Permit 25-7002, however, we are herewith returning the affidavit and ask that you have the notary public affix his seal to the affidavit.

Please return the affidavit as soon as possible for processing.

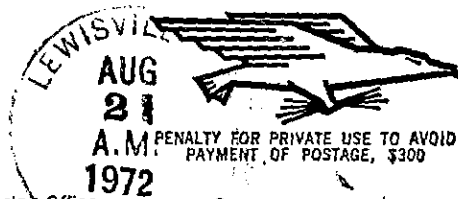
Very truly yours,

BOBBY D. FLEENOR  
Assistant Director

BDF:DR  
Enclosure

25 7002

U.S. POSTAL SERVICE  
OFFICIAL BUSINESS



Postmark of Delivering Office

**SENDER INSTRUCTIONS**

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN  
TO**

**DEPARTMENT OF WATER ADMINISTRATION**

STATEHOUSE - ANNEX #2

BOISE, IDAHO 83707

25 7002

PS Form 3811 Nov. 1970 c55-16-81277-1

**SENDER: Be sure to follow instructions on other side**

**PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)**

*(Additional charges required for these services)*

☐

Show to whom, date and address  
where delivered

☐

Deliver **ONLY**  
to addressee

**RECEIPT**

*Received the numbered article described below*

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

23856

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

3

25 7002

August 1, 1972

CERTIFIED MAIL

#23856

Re: Permit No. 25-7002

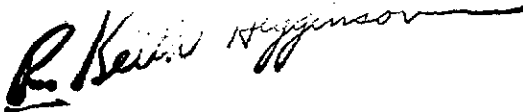
Idaho Fresh-Pak, Inc.  
Box 302  
Lewisville, Idaho 83431

Gentlemen:

One of the conditions of approval of your water Permit No. 25-7002 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1972. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



---

R. KEITH HIGGINSON  
Director

Enc: Proof affidavit  
dr

25 7002

**STATE OF IDAHO**

**DEPARTMENT OF WATER ADMINISTRATION**

Cecil D. Andrus  
*Governor*

R. Keith Higginson  
*Director*

Statehouse — Annex 2  
Boise, Idaho 83707  
(208) 384-2215



Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Waste Disposal Wells  
Stream Channel Protection

April 5, 1972

Re: Permit No. 25-7002

Idaho Fresh-Pak, Inc.  
Box 302  
Lewisville, Idaho 83431

Gentlemen:

Please find enclosed an Order for extension of time which extends the due date for submitting your proof of beneficial use of the water to October 1, 1972. The Department will notify you 60 days in advance to this due date.

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

Very truly yours,

Donald W. McElDowney  
Appropriation Supervisor

DWM/BL  
Enclosure

25 7002

PHONE (208) 754-4665

P. O. BOX 302

LEWISVILLE, IDAHO 83431

**IDAHO Fresh-Pak, Inc.**

RECEIVED

MAR 28 1972

Department of Water Administration

March 28, 1972

Department of Water Administration  
Statehouse - Annex 2  
Boise, Idaho 83707

ATTENTION: Mr. R. Keith Higginson, Director

Dear Mr. Higginson:

In regard to your letter of January 28th asking for "Proof of Application for Water to Beneficial Use," We find we are not able at this time to complete the form you sent.

We find the well drilled on water permit #25-7002 was drilled March 10, 1966, by Andrew Well Drilling, Idaho Falls, Idaho. No method of measuring the output was installed on the well at this time. The well has been used since this date to supply process water to the dehydrating plant. In talking with your office, I was informed the addition of a water meter would be necessary.

The dehydrating plant will be in operation until about August 1, 1972, and will then be on shutdown until approximately October 1, 1972.

Please accept this letter as an application for an extension to allow installation of this meter during the shutdown period.

Yours very truly,

IDAHO FRESH-PAK, INC.



Warren Denning  
General Manager

WCD/lp

25 7002

I d a h o ' s   B e s t   -   T h e   N a t i o n ' s   F i n e s t

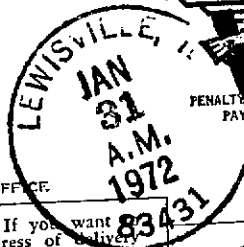
POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

PS-16-71548-11

ECD Form 3811 Apr. 1969

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.



PENALTY FOR PRIVATE USE TO VOID  
PAYMENT OF POSTAGE



RETURN  
TO

25 701 2

DEPARTMENT OF POSTS AND TELECOMMUNICATIONS

BOISE, IDAHO 83707

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).  
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address  
where delivered

☐ Deliver ONLY  
to addressee

### RECEIPT

*Received the numbered article described below.*

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

23326

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

*RC Hume*

7002

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

3

1-31-72

25-7002

January 28, 1972

CERTIFIED MAIL #23326

Re: Permit No. 25-7002

Idaho Fresh-Pak, Inc.  
Box 302  
Lewisville, Idaho 83431

Gentlemen:

One of the conditions of approval of your water Permit No. 25-7002 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1972. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON  
Director

Enc: Proof affidavit  
dr

25 7002

March 11, 1969

Re: Permit No. 25-7002

Idaho Fresh-Pak Inc.  
Box 302  
Lewisville, Idaho 83431

Gentlemen:

We enclose a copy of your approved application for permit 25-7002  
in which we direct your attention to the limitations and conditions as given  
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant  
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application  
Receipt No. 2350 for \$20.  
2 informational letters

25-7002

February 10, 1969

Re: Application NO. 25-7002  
Idaho Fresh-Bak, Inc.

Rigby Star  
Rigby,  
Idaho 83402

Gentlemen:

As of this date we have not received the affidavit or the  
signed certified bill of publication for the above referenced application.

Your assistance in this matter is appreciated.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:ks

enclosure: none

C  
O  
P  
Y

25-7002

**NOTICE OF APPLICATION  
FOR WATER**

Notice is hereby given that Idaho Fresh-Pak, Inc., Box 802, Lewisville, Idaho has on November 21, 1968 applied for permit under application No. 25-7002 to divert 7 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump, and motor within the NE 1/4 SE 1/4, sec. 5, T. 4 N, R. 29 E, B.M., Jefferson County and is to be used from January 1 to December 31 for industrial processing in the NE 1/4 SE 1/4, sec. 5, T. 4 N, R. 29 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON  
State Reclamation Engineer  
Published in the Rigby Star, Rigby  
Idaho on January 23 and January 30,  
1969.

25-7002

January 14, 1969

Re: Application No. 25-7002  
Idaho Fresh - Pak, Inc.

Rigby Star  
Rigby,  
Idaho 83442

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 ample 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 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 of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

\_\_\_\_\_  
Signature of claimant

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:KS  
enclosure: Legal notice

25-7002

# NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Idaho Fresh - Pak, Inc., Box 302, Lewisville,  
Idaho has on November 21, 1968  
applied for permit under application No. 25-7002 to divert ~~store~~  
.7 cubic feet per second ~~/11111/11111~~ acre feet of water from a ground  
water source . Water will be diverted by a well,  
pump, and motor within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
sec. 5, T. 4 N, R. 38 E, B.M., Jefferson County  
 and is to be used from January 1 to December 31 for  
industrial processing  
  
in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , sec. 5, T. 4 N, R. 38 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

**R. KEITH HIGGINSON**  
State Reclamation Engineer

Published in the Rigby Star, Rigby, Idaho  
on January 23 and January 30, 1969.

25-7002

December 16, 1968

Re: Application NO. 25-7002

Idaho Fresh-Pack, Inc.  
Box 302  
Lewisville, Idaho 83431

Gentlemen:

We are in receipt of your application to appropriate the public waters of the State of Idaho. Before we can continue processing your application, we will need some additional information.

Item 6a of the application requires the information concerning the proposed diverting works. It is apparent from the application that you intend to drill a 14 inch well to the approximate depth of 200 feet. The information we are requiring concerns the equipment you intend to install and possibly the method you intend to use the water.

The other information we will require before final action is taken is some justification for the quantity of water you have requested. The .7 cubic feet per second or 35 miners inches of water you have requested is most probably in line with your existing needs, however, information that would assist us could be along the lines as to how the quantity of water you have requested was decided upon. The capacity of the diverting system you are installing will be sufficient information.

Your assistance in this matter is appreciated.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:ks

April 30 6 PM  
Drilled well  
per map area

per Don. McEldowney

25-7002

Permit # checks  
out. M.H.

25-7002

October 4, 1968  
October 4, 1968

Idaho Fresh Pak Potatoes  
Lewisville, Idaho 83431

Gentlemen:

It has been brought to our attention that on or about March, 1965, you had a well drilled. The well is reported to be located at a point in the NE 1/4 SE 1/4, sec. 5, T. 4 N, R. 38 E., B.M. for Irrigation use.

A search of our records has failed to find your application or approved permit. Under existing Idaho Statutes, Sections 42-226, 42-229, and 42-230 of the Idaho Code, you are required to file and obtain an approved permit before you divert waters from a subterranean source, with the exception of domestic wells which are defined under Section 42-111 of the Idaho Code.

If we have overlooked your permit, please advise the department as to your permit number. However, if you have not yet filled out an application for permit, please use the instructions and the blank application form which we have enclosed.

We will be very happy to assist you with any questions you might have.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:ks

Enclosure: Application for permit forms

25-7002