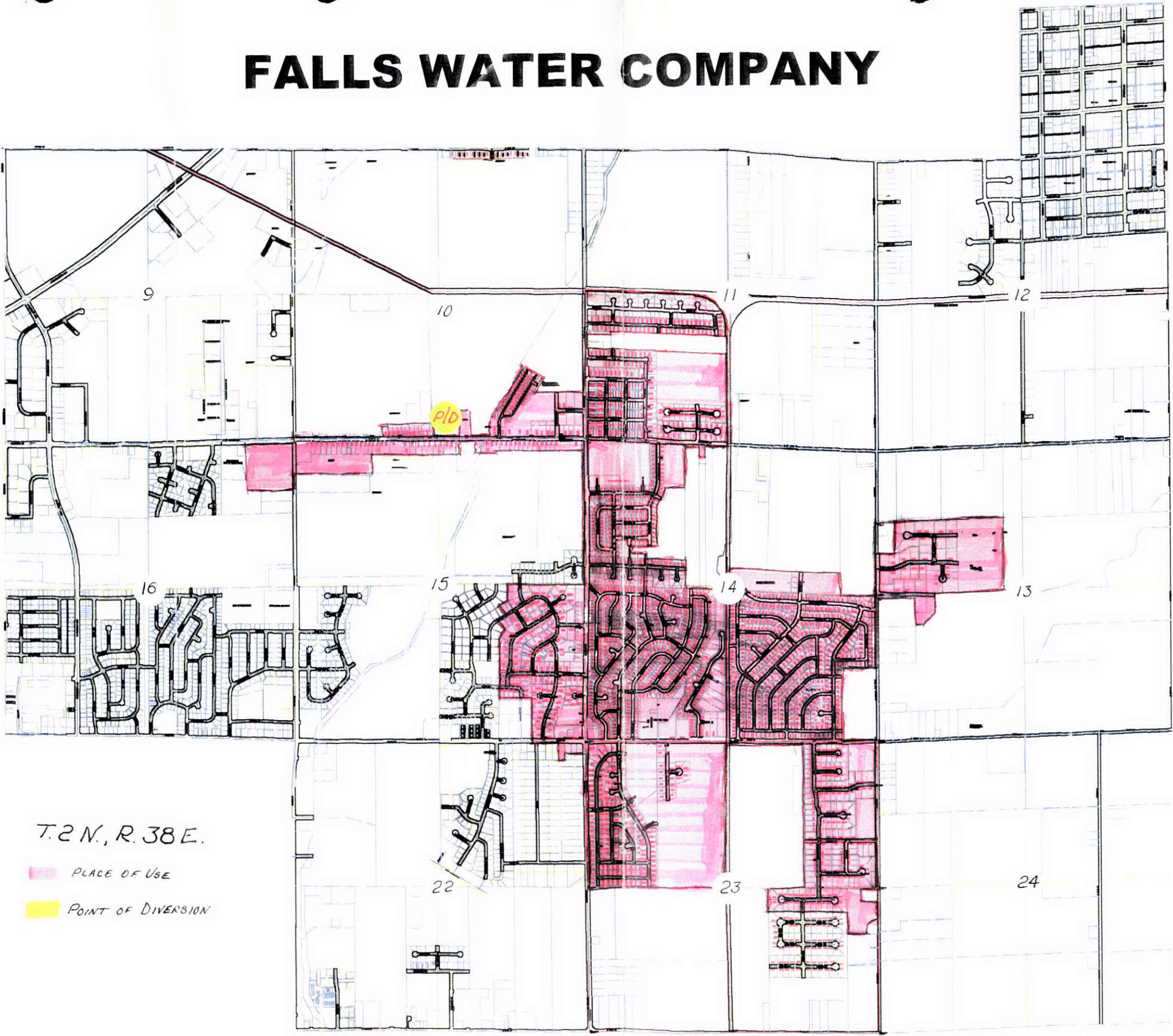


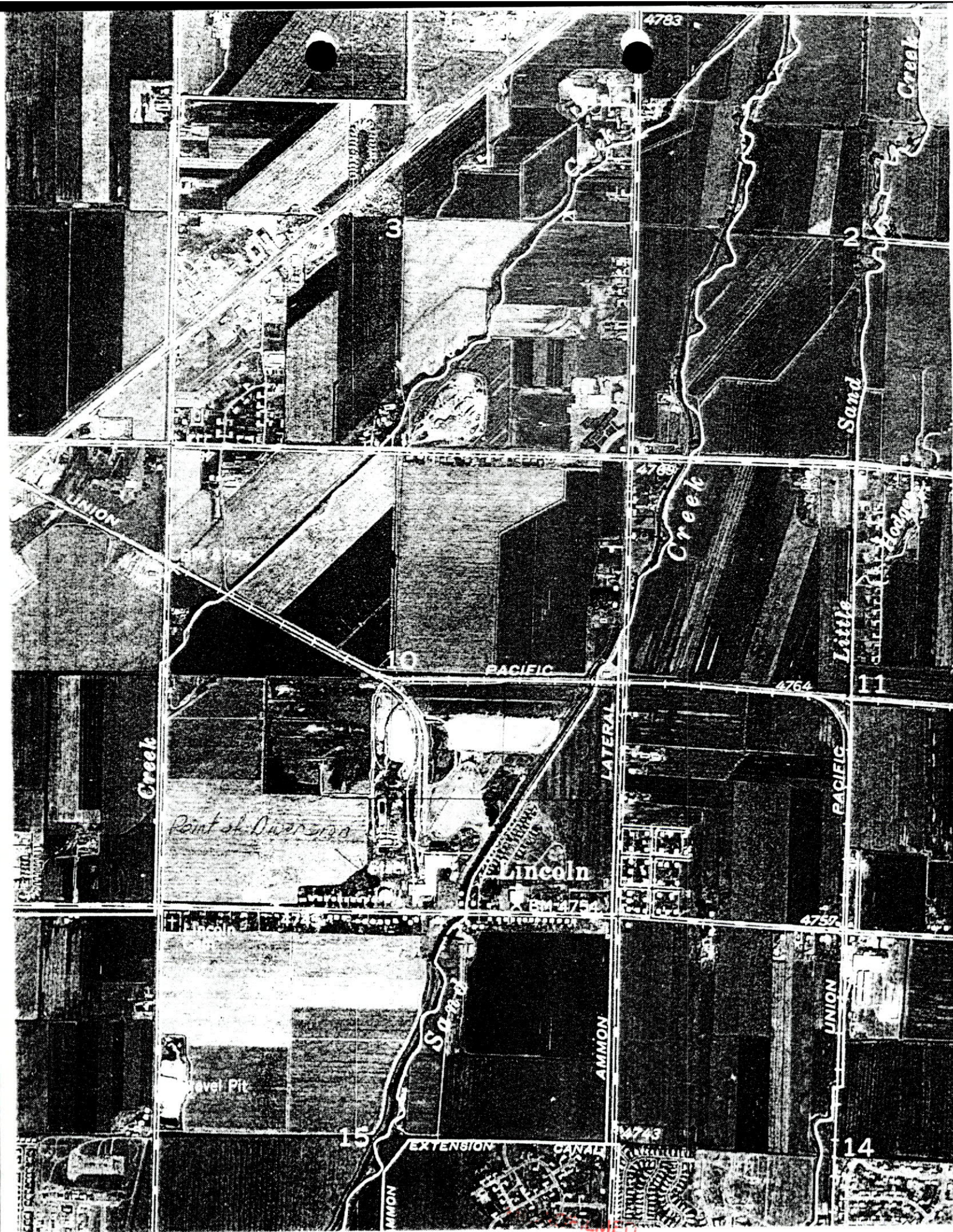
FALLS WATER COMPANY



T. 2 N., R. 38 E.

PLACE OF USE

POINT OF DIVERSION

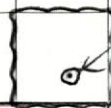


R-38 E.

10

T.
2
N.

← TO IDAHO FALLS.



D.P.

LINCOLN

Subdivisions 1

SW¹/₄ SE¹/₄ Sec 10, R 38 E, T 2 N.

Use is for Sugar processing

Quantity of Water specified in
pump purchase contract is
2500 G.P.M at 271.04 Head.

Assuming 70% overall efficiency

$$2500 \text{ TP} = \frac{\text{gpm} \times 8 \frac{1}{2} \times 271.04}{33,000 \times .70}$$

$$\text{gpm} = 2050$$

Proof of Publication

State of Idaho, }
County of Bonneville } ss.

I, William P. Beard, first being duly sworn, deposes and says: That I am the Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for four consecutive weeks, first publication having been made on the 16th day of April, 1957, last publication having been made on the 7th day of May, 1957, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

William P. Beard

Subscribed and sworn to before me, this 8th day of May, 1957

Karl H. Hale

Notary Public

My commission expires April 5, 1959

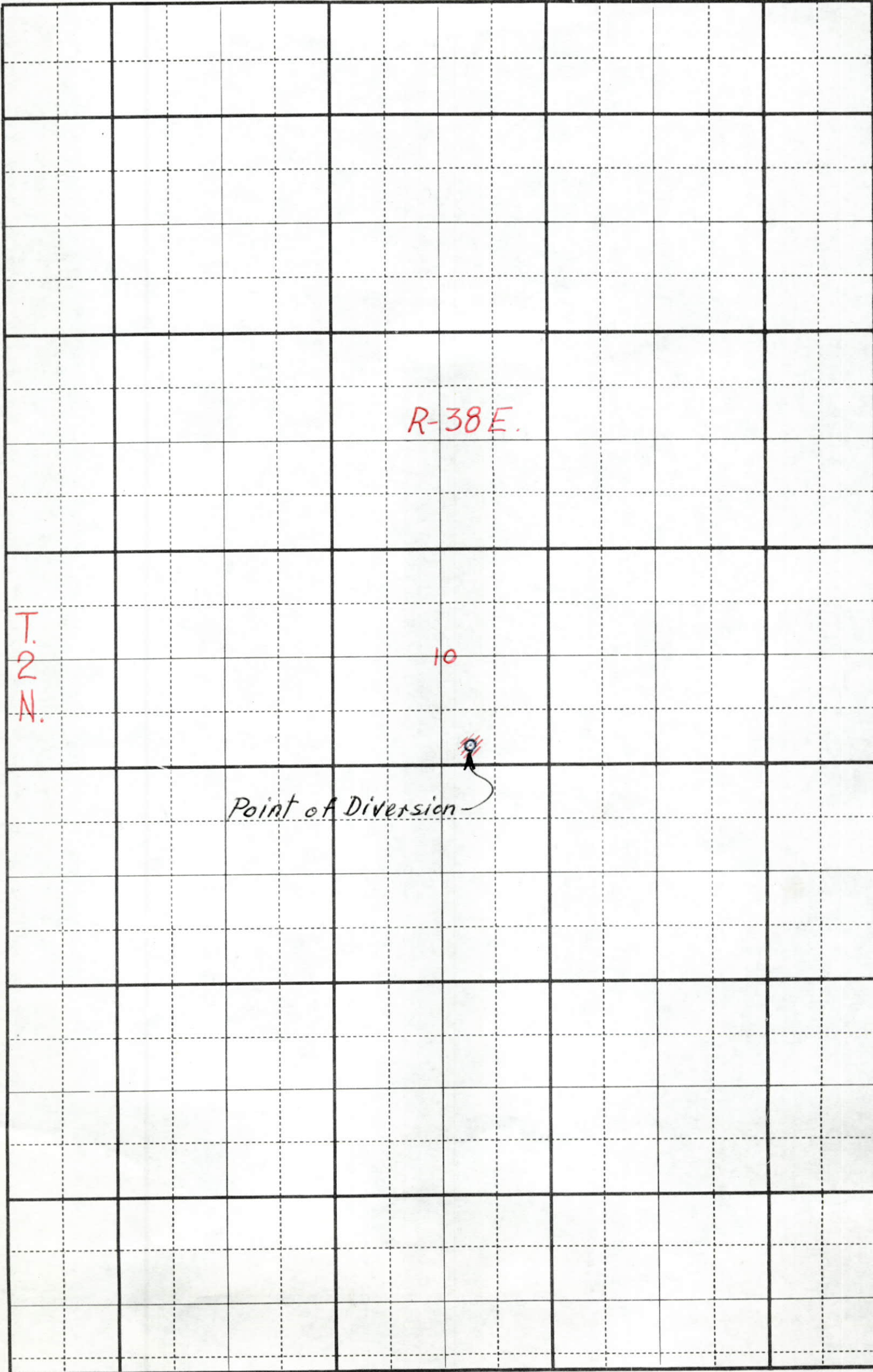
NOTICE OF PROOF OF COMPLETION
OF WORKS
and
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that at 9:00 A.M., on the 13th day of May, 1957, at Idaho Falls, County of Bonneville, State of Idaho, before Jean W. Woodland, Notary Public, proof will be submitted of the completion of works for the diversion of six cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25743 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation holding said permit are Utah-Idaho Sugar Company, P.O. Box 2010, Salt Lake City, Utah.
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is six cubic feet per second.
3. The use to which said water has been applied is Industrial purposes, and the amount applied to beneficial use is six cubic feet per second.
4. The point of diversion of said water is SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 2 North, Range 38 East, Boise Meridian.
5. The place where said water is used is Same.
6. The date of priority which said user is prepared to establish is June 10, 1955.

MARK R. KULP
State Reclamation Engineer.
Published: April 16, 23, 30, May 7, 1957.

S25743



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68844

This is to certify that: EVANS GRAIN & ELEVATOR CO
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
(208)523-0620

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
25-2119	AJC/License	06/10/1955	5.56 cfs	33.0 af		N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

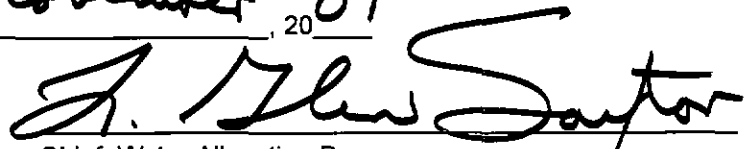
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
25-2119	NO	NO	YES	NO	YES	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
25-2119	25-2119	5.56 cfs	33.0 af	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		5.56 cfs	33.0 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of November, 2001


Chief, Water Allocation Bureau

MICROFILMED

DEC 12 2001

Right Holder: EVANS GRAIN & ELEVATOR CO
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	5.56 CFS	33.0 AF
			5.56 CFS	33.0 AF

SESW Sec. 10 Twp 02N Rge 38E BONNEVILLE
County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	38E	10			X	X			X	X			X	X					
02N	38E	11								X	X	X	X						
02N	38E	13						X	X										
02N	38E	14			X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N	38E	15	X	X			X	X						X	X	X	X		
02N	38E	16	X																
02N	38E	23	X			X	X	X	X					X	X				

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
3. Approval of Transfer 68844 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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DEC 4 2 2001

WATER RIGHT NO. 25-2119
As Modified by Transfer No. 68844

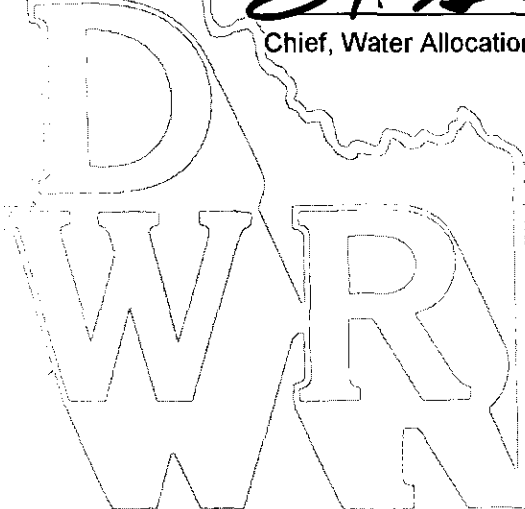
CONDITIONS OF APPROVAL

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

Dated this 27th day of November, 2001


Chief, Water Allocation Bureau



MICROFILMED

DEC 12 2001

Form 222
1-87**RECEIVED****APR 24 2001**

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART I**RECEIVED****JAN 02 2001**Department of Water Resources
Eastern RegionName of Applicant Evans Grain and Elevator Co. Phone (208) 523-0620
Post Office address c/o Holden, Kidwell, Hahn & Crapo, P.O. Box 50130, Idaho Falls, ID 83405**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes A formal lease agreement for use of this water right by Falls Water Company Inc. has been entered into.

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

1. Right Number 25-02119 Priority 06/10/1955 Amount (cfs/ac-ft) 5.56 Nature of Use Domestic Period of Use 1/1 to 12/31
 _____ to _____
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 5.56 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water ground water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	10	2N	38E	Bonneville	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	38E	10			D	D			D	D	D	D							
		11									D	D	D	D					
		13							D	D									
		14			D	D	D	D	D	D	D	D	D	D	D	D	D	D	
		15	D	D			D	D							D	D	D	D	
		16	D																

MICROFILMED**JAN 12 2001**68844

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	38E	23	D			D	D	D	D	D					D	D			

Total Acres _____

6. General Information:

- a. Description of diversion system Well and pump to underground water lines.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes No No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will not be irrigated.
- d. Remarks:
Water has been leased to Falls Water Company at times over the years. With the expansion of it's system and service, it was decided to prepare and execute a formal lease.

ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 2000.

MICROFILMED
DEC 12 2001

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(ATTACH ONE COPY FOR EACH RIGHT)**

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 25-02119 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of Water ground water tributary to _____

4. Date of priority June 10, 1955

5. Water is used for the following purpose:

amount 5.56 cfs for Industrial purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 5.56 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	10	2N	38E	Bonneville	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	38E	10															I		

MICROFILMED

Total Acres _____

DEC 12 2001

9. Describe any other water rights used for the same purpose as described above _____
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? _____. If yes, describe _____ No _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C)*

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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DEC 12 2001

B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft)
Domestic 5.56 cfs 1/1 to 12/31
 to

2. Quantity and quality of return flows and location of discharge:

No change

3. Describe effects on other water uses resulting from the proposed change:

None

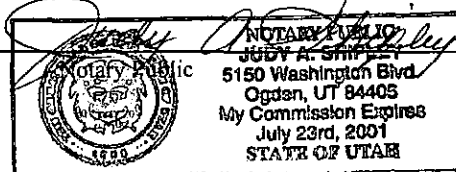
I hereby asset that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Robert Evans - President
 (Signature of Applicant)

Subscribed and sworn to before me this 26th day of December 2000.

My Commission Expires 7/23/2001

**FOR DEPARTMENT USE ONLY**

Transfer contains 5 pages and 3 attachments

Received by Huf Date 1-2-2001 Protest filed by

Prelim. check by Fee

Receipted by HWT #E026407 Date 1-2-2001

Published in The Post Register Copies of protest forwarded by

Pub. dates Feb 1 & 8 2001 Hearing held by Date

Watermaster recommendation requested on Recommended for ☒ approval ☐ denial

rec'd by

Copy of transfer sent to lien holder

MICROFILMED
 DEC 12 2001

ASSESSMENT NOTICE

BLAKE MUELLER
BONNEVILLE COUNTY ASSESSOR
605 N CAPITAL AVE
IDAHO FALLS ID 83402

RETURN SERVICE REQUESTED
CATEGORY DESCRIPTION

13 RURAL COM TR
35 BLDG COM TR

2000

Tax Code 80-00
LOTS/ACRES 2.300 AC
MARKET VALUE 24,045
35,579

Taxes are based on the valuation listed on this statement

FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE

JUNE 26, 2000

TOTAL: 2.300 59,624

PARCEL # RP 02N38E108770 A

200' X 500' S1/2 SW1/4 SE1/4, STORAGE ONLY
SEC 10, T 2N, R 38
EVANS GRAIN & ELEVATOR CO
PROPERTY ADDRESS 3075 E LINCOLN RD

83401

Mail To:

EVANS GRAIN & ELEVATOR CO INC
P O BOX 3765
OGDEN UT 84409-3765

VALUE: 59,624
PRIOR YEAR 59,624
ESTIMATED 1,025.14
TAX: 1,025.14

See back for details.

DO NOT PAY ESTIMATE

84409-3765

Barcode

ASSESSMENT NOTICE

2000

Tax Code 23-00
LOTS/ACRES 68.000 AC
MARKET VALUE 79,997
27.480 AC
207,200

BLAKE MUELLER
BONNEVILLE COUNTY ASSESSOR
605 N CAPITAL AVE
IDAHO FALLS ID 83402

RETURN SERVICE REQUESTED
CATEGORY DESCRIPTION

59 FURN & FIXT
68 MISC EQUIP
71 SIGNS

Taxes are based on the valuation listed on this statement

FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE

JUNE 26, 2000

TOTAL:

42,848

PARCEL # PP 1EVANSGR01 A

SIGNS & SIGNBOARDS
ANDERSON K

AT OLD SUGAR FACTORY
FURNITURE & FIXTURES
MACHINERY, TOOLS & EQUIPMENT
PROPERTY ADDRESS 3075 E LINCOLN RD

83401

Mail To:

EVANS GRAIN
C/O KAPPLER, BRAD
P O BOX 3765
OGDEN UT 84409-3765

Mail To:

VALUE: 45,135
PRIOR YEAR 42,848
ESTIMATED 620.04
TAX: 620.04

See back for details.

DO NOT PAY ESTIMATE

84409-3765

Barcode

BLAKE MUELLER
BONNEVILLE COUNTY ASSESSOR
605 N CAPITAL AVE
IDAHO FALLS ID 83402

RETURN SERVICE REQUESTED

CATEGORY DESCRIPTION

13 RURAL COM TR
19 WASTE
35 BLDG COM TR

TOTAL:

95.480

287,197

JUNE 26, 2000

PARCEL # RP 02N38E107210 A

SE1/4 W CREEK LESS 2.3 A,
7.37 A E1/2 E1/2 SW1/4,
SEC 10, T 2N, R 38

PROPERTY ADDRESS 2995

E IONA RD

83401

VALUE:

287,197

287,197

Mail To:

EVANS GRAIN & ELEVATOR CO INC

TAX:

4,157.72

4,157.72

P O BOX 3765
OGDEN

UT 84409-3765

See back for details.

DO NOT PAY ESTIMATE

84409-3765

Barcode

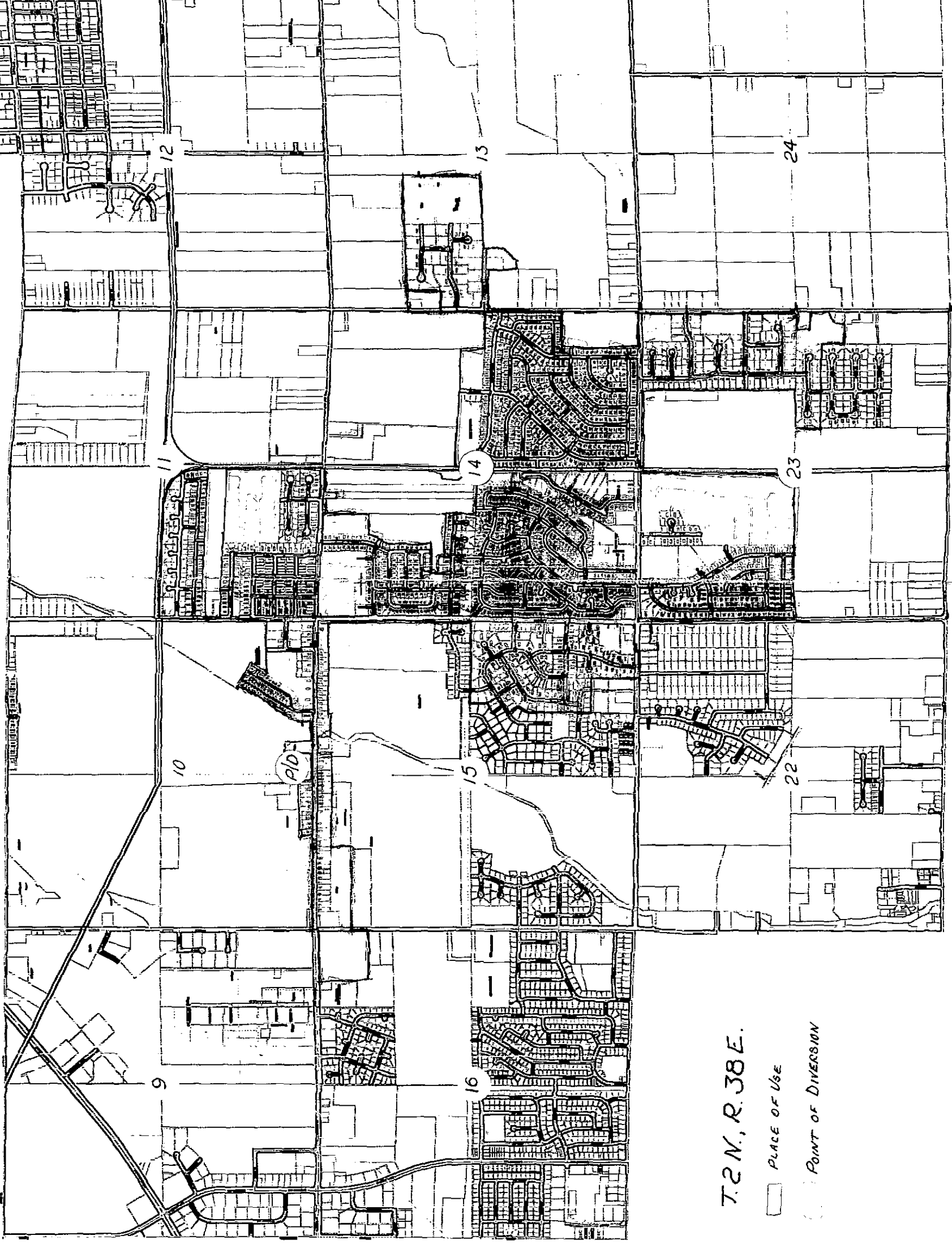
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DEC 12 2001

ATTACHMENT

T 68844
1 OF 3

FALLS WATER COMPANY



T.2 N., R. 38 E.

PLACE OF USE

POINT OF DIVERSION

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
THEL W. CASPER
SHAN B. PERRY
AMELIA A. CANEGALY
RYAN B. FRAZIER

U.S. BANK BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

RECEIVED

JAN 02 2001

Department of Water Resources
Eastern Region

December 29, 2000

Harold Jones
IDAHO DEPARTMENT
OF WATER RESOURCES
900 N. Skyline
Idaho Falls, ID 83402-1718

Re: Transfer of Water Right No. 25-02119

Dear Mr. Jones:

Enclosed for filing is an Application for Transfer to change the place of use and nature of use of the above referenced water right owned by Evans Grain and Elevator Company and which is now used by Falls Water Company. The two companies recently entered into a lease agreement for lease of the water right, a copy of which is enclosed with this Application. We have also enclosed a map showing the service area of Falls Water Company and an Assessment Notice showing the ownership of the point of diversion and former place of use by Evans Grain and Elevator Company.

Finally, we have enclosed our check in the amount of \$450.00 for the filing fee. We will look forward to hearing from you regarding any additional information that may be needed. If we can be of any assistance, please feel free to call upon us at your convenience.

Very truly yours,



Kent W. Foster

Enclosures

cc. Brad Kapple (w/encl)
Scott Bruce (w/encl)

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DEC 12 2001

T 68844
ATTACHMENT 3 OF 3



RECEIVED
JAN 13 1987

First Security Bank of Utah Department of Water Resources

NATIONAL ASSOCIATION
MEMBER FIRST SECURITY CORPORATION SYSTEM OF BANKS
POST OFFICE BOX 9936, 2404 WASHINGTON BLVD.
OGDEN, UTAH 84409

CERTIFIED MAIL

January 7, 1987

State of Idaho
Department of Water Resources
450 W. State Street
Boise, ID 83720

Gentlemen:

First Security Bank of Utah, NAA. has taken an interest in a filing of real property including water rights of Evans Grain and Elevator, 3075 Lincoln Road, Idaho Falls, Idaho 84301. I am attaching a face copy of the document executed between the Bank and Evans Grain indicating the water license numbers G-25743, 25-7119 (25-2119) COW and G-26904 25-2126. Please indicate on your records that First Security Bank taken an interest in these water rights. Should there be any questions or concern, please contact me at (801) 626-9540.

Sincerely,

A handwritten signature in cursive script, likely belonging to Charles E. Duncan.

Charles E. Duncan
Assistant Vice President

CED/vm
encl

MICROFILMED

DEC 12 2001

State of Idaho
License and Certificate of Water Right

Water License No. G-25743 Amount 5.56 c.f.s.
Water District No. Priority June 10, 1955

THIS IS TO CERTIFY that UTAH-IDAHO SUGAR COMPANY
of Salt Lake City, Utah, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 10, 19 55 ; that Permit No. G-25743
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.56 second feet, was issued thereunder on August 1, 19 57, showing that said works
were completed on the 13th day of May, 19 57 ; and that on the 13th
day of May, 19 57, T. W. COCKAYNE, Vice President
Utah-Idaho Sugar Company

of Salt Lake City, State of Utah, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean, for the purpose of Industrial use
, under Use Permit No. G-25743 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6061, on the 1st day of August, 19 57 ;
The right hereby confirmed dates from June 10, 19 55 ;

The Point of Diversion is located
in the SW 1/4 SE 1/4, Sec. 10, Tp. 2 N., R. 38 E., B. M. County Bonneville

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 5.56 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	XXXXXX	XXXXXX
				Described on Permit	XXXXXX
2 N.	FOR: 38 E.	Industrial 10	purposes at the SW 1/4 SE 1/4	sugar beet processing plant located in the	

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
1st day of August, 19 57 .

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. G-25297

Amount 1.08 c.f.s.

Water District No.

Priority December 1, 1954

THIS IS TO CERTIFY that JOHN E. EDWARDS

of Montevue, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 1, 1954; that Permit No. G-25297 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.08 second feet, was issued thereunder on August 2, 1957, showing that said works were completed on the 26th day of November, 1956; and that on the 26th day of November, 1956, JOHN E. EDWARDS

of Montevue, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean, for the purpose of Irrigation and domestic use, under Use Permit No. G-25297 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

10 of Licenses at page 6062, on the 2nd day of August, 1957;

The right hereby confirmed dates from December 1, 1954;

The Point of Diversion is located

in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Tp. 8 N., R. 34 E., B. M. County Jefferson

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.08 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 N.	34 E.	17	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	39
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	35
Total number of acres irrigated				- - - -	154

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

2nd day of August, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33601
Permit No. G- 25743
District No.

1. Name of Applicant: UTAH-IDAHO SUGAR COMPANY
City
Postoffice address: Box 2010, Salt Lake City County: Salt Lake State: Utah
2. Quantity of water claimed: 7.8 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second. or Idaho
Miners' inches or gallons per minute. 3500
 - (b) Annual withdrawal in acre feet per annum 2000
3. Source of water supply: Well
4. Location of point of diversion or well is in the S.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Section 10
Twp. 2 N , Rge. 38 E , B.M., County of Bonneville
5. Water is to be used for: Industrial purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the S.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Section 10 , Twp. 2 N
Rge. 38 E , B.M.
 - (b) Waste water or sewage effluent is to be returned to Snake river via I. F. storm sewer
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well
8. Estimated cost of works: \$ 35,000
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is one years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation: 1907 - Utah
 - (b) Amount of capital stock: \$16,781,950.00 (c) Amount paid in: \$16,138,365.00
 - (d) Names and addresses of directors: David O. McKay, Stephen L. Richards, J. Reuben Clark, Jr., all at 47 East So. Temple, Salt Lake City, Utah; Orval W. Adams, First National Bank, Salt Lake City, Utah; Douglas E. Scalley, 47 West So. Temple, Salt Lake City, Utah; J. L. Firmage, 1505 Military Way, Salt Lake City, Utah; David D. Moffat, 1283 East So. Temple, Salt Lake City, Utah; and Jay G. Larson, Seattle, Washington.
 - II. The financial resources of the applicant are (a) Cash onhand: \$ Please see statement attached.
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

By J. W. WOOD
Vice President

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. June 10, 1955

Corrected application received:

The number of this permit is G-25743

Recorded in Book 91 Page 25743 Approved June 21, 1955

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before August 21, 1955 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before June 21, 1956

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before June 21, 1957

Witness my hand this 21st day of June, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, _____ ROBERT E. SMYLLIE _____, Governor of the State of Idaho,
and _____ IRA H. MASTERS _____, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this _____ 21st _____
day of _____ June _____, 19 _____ 55 _____

Countersigned:

STATE OF IDAHO

~~(SEAL)~~

By IRA H. MASTERS
BY PAULA L. FLEENOR *Secretary of State.*
Acting Secretary of State

By ROBERT E. SMYLIE
Governor

12.

Twp.	Range	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	
			Permit No. <u>G-25743</u> Certificate of Completion of Works				
TO ALL WHOM IT MAY CONCERN: This is to certify that UTAH-IDAHO SUGAR COMPANY of Salt Lake City, County of Salt Lake, and State of Utah, the holder of Permit No. G-25743, issued upon Application No. G-33601 bearing date of priority of June 10, 1955, authorizing the diversion of 7.8 second feet of the waters of subterranean from a well County of Bonneville, State of Idaho, for Industrial purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 5.56 second feet of the water of subterranean from a well that the point of diversion of said waters SW¹/₄SE¹/₄ of Section 10, Township 2 North, Range 38 East, B.M. and that the proposed use of said water is described as follows, to-wit: For industrial purposes at the sugar beet processing plant located in the SW¹/₄SE¹/₄ of Section 10, Township 2 North, Range 38 East, B.M. Proof of Completion of Works made: May 13, 1957. Witness my hand this 1st day of August, A.D. 1957 /s/ Mark R. Kulp State Reclamation Engineer Proof of Completion of Works made: May 13, 1957. Certificate of Completion of Works issued: August 1, 1957.							
LICENSE ISSUED FOR 5.56 SEC FT. <i>(Page 6061)</i>							



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 28, 2001

EVANS GRAIN & ELEVATOR CO
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: Transfer No.: 68844 - Water Right 25-2119 - Transfer Approval Notice

Dear Water Right Holder(s):

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

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

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

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

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

Sincerely,

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt
Enclosure(s)

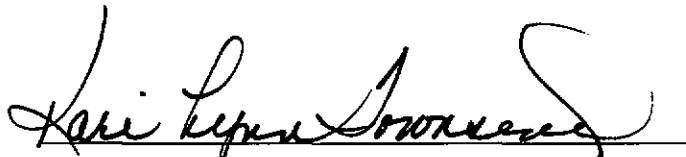
MICROFILMED
DEC 12 2001

CERTIFICATE OF MAILING

I hereby certify that on November 28, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 68844 - WATER RIGHT 25-2119

**EVANS GRAIN & ELEVATOR CO
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405**


Kari Lynn Townsend
Secretary

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DEC 12 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

**MICROFILMED
DEC 12 2001**

FINAL ORDER

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

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

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 68844

DATE REVIEWED 11-26-2001 28

SPLIT POD ADD POD POU ✓ PERIOD ✓ or NATURE ✓ of USE
IND to DOM

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

<u>R/25-2119</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>

PART OF RIGHTS(S)

(Unchanged)

(Changed)

<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
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<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>

Standard Season NA to NA Standard Volume NA /

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

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

EastESPA WMDist.

(11) NA Water District (12) ND Pertinent Conditions (13) NO Expansion w/Conditions

- ② Original use at Sugar Factory changed to other uses at grain facility per AJ review.
- ③ Allow yr. round DOM use
- ⑤ Limited to 33 ac. per AJ recommendation
- ⑦ P/D changed from Recommendation per app + map. After telecon *agreed to leave as recommended.
- ⑧ Change POU to Falls Water Co POU for DOM use

*Telecon with Kent Foster on this date confirms no actual change in P/D is planned. AJ Recommendation reflects change from SWSE to SESW + Mr Foster agrees to the most recent confirmation of well location. E. Curken confirmed P/D in recommendation.
11-27-01

Conditions/Remarks 067, W57, T07, T08, T09

WRs for Update Comments 25-2119 ✓

Database Updated to Reflect Final Action 11-27-2001 28

No. C 83161		Due no later than Feb 28, 2001		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 750 WEST JEFFERSON PO BOX 83723 BOISE, ID 83720-0080		1. Mailing Address - Check if the box is applicable EVANS GRAIN & ELEVATOR CO. P. O. BOX 3765 OGDEN, UT 84409		WILLIAM A PARSONS 137 W 13TH ST BURLEY, ID 83318	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
Office held	Name	Street or P.O. Address	City	State	Zip
President	Robert P Evans	Po Box 3765	Ogden	ut	84409
Vice President	Mary H Evans	"	"	"	"
Sec/Treas	Brad Kappeler	"	"	"	"
5. Organized Under the Laws of:		6. Signature		Date	
UTAH C 83161		Brad Kappeler		12/18/00	
		Name		Title	
		Brad Kappeler		Sec/Treas	
Issued 12/05/2000		Do Not Tape or Staple		3986	

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DEC 12 2001

INTER-DEPARTMENT MEMO
RECEIVED

TO: Tr. 68844

SUBJECT: Condition / Restriction

FROM: H.W. Jones

APR 24 2001

DATE: 4-18-01

Department of Water Resources

You will note from the 1986 on-site by Ernie Carlson that very little water of the original 5.56 cfs was in use at the Evans Grain facility. Since the transfer is to a Domestic (multiple) use we felt there was no injury since they could have gotten a new permit instead. Perhaps the priority date was important to the applicant. I would ask however that a condition of approval says "This right cannot be transferred to a consumptive use in the future". That would limit the right to municipal, domestic etc.

(X) For your information

() Response required

MICROFILMED

DEC 12 2001


signature

1-16-00
T68844

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: AWJ

1. Right number 25-02119 Applicant Evans Grain
2. Type of right: ☐ Decree ☒ License ☐ Claim ☐ SRBA Recommendation
3. Purpose of transfer: ☐ ~~Change place of use~~ ☐ Add diversion point(s)
☒ Other Change Nature of use
4. Check:
 - a. ☒ Source ☐ Priority ☒ Amount ☐ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. Map for remainder of right? ☐ Yes ☐ No
 - d. ☒ Check description of point(s) of diversion.
 - e. ☒ Check description of place of use
 - f. ☒ Check map (shows p.d. and p.u. after transfer).
 - g. ☒ Check for correct signature, notarization, and fee.
 - h. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - i. ☒ Check for expansion in use of right. Comments _____
 - j. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 25-07148, 25-07191, 25-07418
 - k. ☐ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Reviewed by Adjudication Staff? ☐ Yes ☐ No
3. Is transfer published correctly? ☒ Yes ☐ No
4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* WATER MEASUREMENT REQUIRED
4. By RDC Date 4/15/01

Proof of Publication

RECEIVED

FEB 21 2001

Department of Water Resources
Eastern Region

The Post Register

State of Idaho
County of Bonneville

I, ~~S. Bob Bright~~ Robert Park, first being duly sworn, depose and say: That I am the ~~Production Supervisor~~ Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

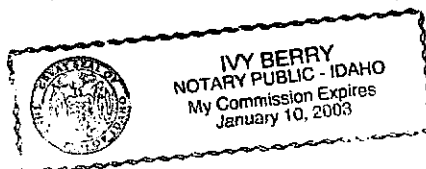
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 1ST day of FEBRUARY, 2000, last publication having been made on the 8TH day of FEBRUARY 2001 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Robert Park

Subscribed and sworn to before me, this 14TH day of FEBRUARY, 2001

Ivy Berry
Notary Public

My commission expires January 10, 2003



MICROFILMED
DEC 12 2001

**NOTICE OF
PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 68844**

EVANS GRAIN & ELEVATOR CO, C/O
HOLDEN KIDWELL HAHN & CRAPO,
PO BOX 50130 IDAHO FALLS ID 83405,
has filed Application No. 68844 to
change the place of use and to change
the nature of use to the following rights
within BONNEVILLE County:

Right No. 25-2119

Priority 6/10/55

Source GROUND WATER

Use (INDUSTRIAL (0 acres) 5.56 CFS

Total Amount 5.56 CFS

**Point(s) of Diversion SWSE S10 T02N
R38E**

Place of Use S10 T02N R38E

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

The applicant intends to change the
nature and place of use of the water
originally used at the Sugar processing
plant in Lincoln. The new use would be
for multiple domestic uses under the
Falls Water Company in Sections 10, 11,
13, 14, 15, 16, and 23 T02N R38E.

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

KARL J DREHER, Director

Published: February 1, 8, 2001

MICROFILMED

DEC 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 24, 2001

KATHY VON BORSTEL
POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83402

Dear Publisher:

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

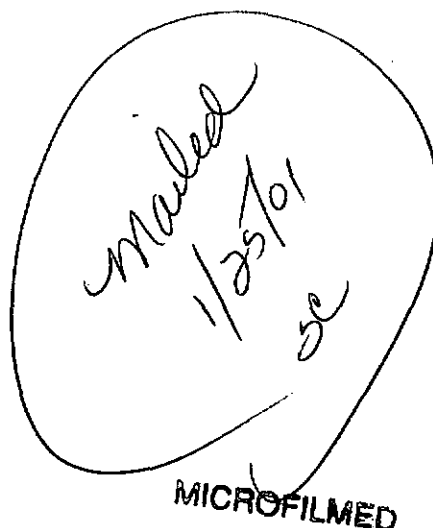
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

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

Respectfully submitted,

Sharla Cox
Administrative Assistant

Enc.



MICROFILMED

DEC 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

January 24, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Evans Gran & Elevtor
C/O Holden Kidwell Hahn & Crapo
PO Box 50130
Idaho Falls ID 83405

RE: Applications for Transfer #68844

Dear Applicant:

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

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

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

DEC 12 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 68844

EVANS GRAIN & ELEVATOR CO, C/O HOLDEN KIDWELL HAHN & CRAPO, PO BOX 50130 IDAHO FALLS ID 83405, has filed Application No. 68844 to change the place of use and to change the nature of use to the following water rights within BONNEVILLE County:

Right No. 25-2119

Priority 6/10/55

Source GROUND WATER

Use INDUSTRIAL (0 acres) 5.56 CFS

Total Amount 5.56 CFS

Point(s) of Diversion SWSE S10 T02N R38E

Place of Use S10 T02N R38E

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

The applicant intends to change the nature and place of use of the water originally used at the Sugar processing plant in Lincoln. The new use would be for multiple domestic uses under the Falls Water Company in Sections 10, 11, 13, 14, 15, 16, and 23 T02N R38E.

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

KARL J DREHER, Director

Published on February 1 and 8, 2001

MICROFILMED

DEC 12 2001

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 25-2119 V1

WATER RIGHT NUMBER: 25-2119 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EVANS GRAIN & ELEVATOR CO PO BOX 3765 OGDEN, UT 84409 (801)476-0277
Original Owner	UTAH IDAHO SUGAR CO SALT LAKE CITY, UT

Priority Date: 06/10/1955

Basis: License

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
<u>INDUSTRIAL</u>	4/01 to 10/31	5.560 CFS	33.00 AF
<u>Total Diversion:</u>		<u>5.560 CFS</u>	<u>33.00 AF</u>

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4 Sec. 10, Twp 02N, Rge 38E, B.M.
BONNEVILLE County

Place of Use

INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	38E	10												X			X		

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:Comments:

1. ECARLSEN 3/6/1996 COPIED FROM REMARKS
Comment: THE ORIGINAL INDUSTRIAL USE FOR THE SUGAR REFINERY HAS BEEN

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 25-2119 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

1/24/96

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Ernest Carlsen

DATE

February 14, 1996 10:32am

CUSTOMER

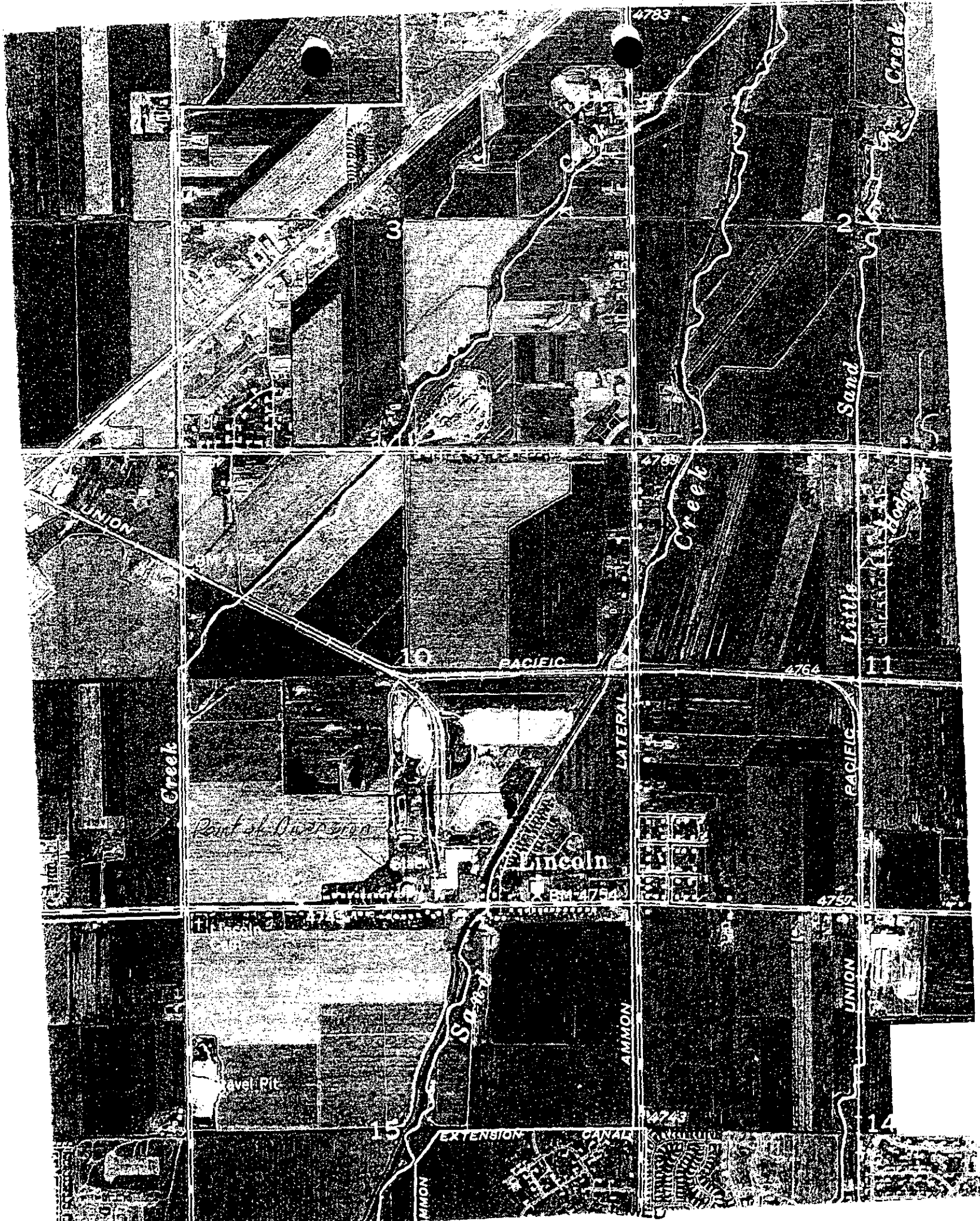
Turk McMurtrey

SUBJECT: BECO's use of water from U&I Sugar well
phone call (x.) walk-in (.)

Turk is the Operation Manager at BECO. He indicated the hot mix plant required water for the wet wash. Water is sprayed to wash the aggregate and act as a dust control for air quality compliance. The water The hot plant usually starts operation sometime between April 15 and May 1 and runs until October 30. During the peak months of operation, July and August, the ponds have to be refilled three to four times a week, when the water level has dropped between 1 and 1.5 feet. For the remainder of the season the ponds only need refilling twice a week. explained peak demand, fill ponds three times per week, August, two ponds 20x30x 3.5, Normall start april 15 to first of May run thru October 30 peak demand july and august, none peak fill two times a week. Turk McMurtrey, Operation Manager BECO
Water used in wet wash for dust control part of air quality compliance.

MICROFILMED

DEC 12 2001



11/15/94

Kim Kearsley - "Evans"

- 77 first printed by Simpson factory
- Plan Lineal in 85 - by Bob Evans, (facility was ideal from 77 to 85).
- 85 86 & 87 - water used to irrigate / some crops covered about 15 acres, well north of stock.
- Summer of 86 - factory made.
- Added domestic line for office.
- 88 to 93 - BECO used well for water - west in field, not plant to max hospital - well - it was just north of factory location.
- Domestic well also used to fill system for fire protection, until 93.
- Well east of stock was not utilized by Evans and was ~~abandoned~~ in summer of 95.
- Well north of stock was used by factory to place charts into factory.
- Irrigation with 4" pipe using about 3 1/4 mile lines.
- Kim doesn't know how much water they used.
- BECO - used about 33,000 gals / wk ^{to control} air pollution. Used water for lubrication to pump period. - Needed full supply for about 3 months.

25-02119 25-02126.

FOR INFO ONLY

Page ____ of ____

TRANS NO.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 25-02119

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
INDUSTRIAL	to	5.56 CFS

SOURCE

GROUNDWATER

Priority: 06/10/1955

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 10, Township 02N, Range 38E
BONNEVILLE County

PLACE OF USE:

INDUSTRIAL

				NE				NW				SW				SE															
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
02N	38E	10	:																												

CONDITIONS/REMARKS:

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? ____ If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

Water Right Number - A25-02119

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 25743

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

EVANS GRAIN & ELEVATOR CO

1 - PO BOX 3765

2 -

3 -

City- OGDEN

State- UT Zip- 84409

Phone - 801-476-0277

*** O - ORIGINAL OWNER ***

UTAH IDAHO SUGAR CO

1 -

2 -

3 -

City- SALT LAKE CITY

State- UT Zip- 00000000

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/10/1955 15 EASTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
02N 38E 10 SE SW (19) BONNEVILLE
SW SE (19) BONNEVILLE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
07 - INDUSTRIAL 01/01 12/31 5.560+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
5.560 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 38E 10 SE SW 07 INDUSTRIAL (19) BONNEVILLE
02N 38E 10 SW SE 07 INDUSTRIAL (19) BONNEVILLE

+ - - Diversion Means - FIVE WELLS & PUMPS TO PIPELINES

+ - - Non-Irrigation Use - I/SUGAR BEET PROCESSING PLANT.

+ - - Other Rights for Same Use - A25-02126 & A25-04071

+ - - - - Remarks - - - - - +

GEN THE ORIGINAL INDUSTRIAL USE FOR THE SUGAR REFINERY HAS BEEN
CHANGED TO INDUSTRIAL PROCESSING & STORAGE OF GRAIN, ECT.

Water right number - A25-02119

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 10/31/89 MERRITT 03/29/95 POST-STD 11/30/95 HJONES

+ - - - - Comments - - - - - +

No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/06/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S010369	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	-	Notice of Error Flag	-



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

March 30, 1987

RE: Water Right Nos. 25-2126 & 25-2119

First Security Bank of Utah
Attn: Charles E. Duncan, Asst. Vice Pres.
P.O. Box 9936
Ogden, UT 84409

Dear Mr. Duncan:

Per our recent telephone conversation, this correspondence is written to confirm that the Department has recorded in the above referenced files that First Security Bank of Utah has interest in the real property and water rights of Evans Grain and Elevator.

The previous correspondence of 3/10/87 had indicated that we showed First Security Bank of Utah as owners of said water rights rather than Evans Grain and Elevator.

Also, the 3/10/87 correspondence had listed Right 25-2125 rather than 25-2126. This has also been corrected.

If we can be of any further assistance, please let me know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

MICROFILMED

DEC 12 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

March 10, 1987

RE: Water Right Nos. 25-2126 & 25-2119

First Security Bank of Utah
Attn: Charles E. Duncan, Asst. Vice Pres.
P.O. Box 9936
Ogden, UT 84409

Dear Mr. Duncan:

Per your request we have filed your correspondence in the above referenced water right files and have changed our computer records to show that you are the present owners.

If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

MICROFILMED

DEC 12 2001

August 1, 1957

Re: Permit No. G-25743
Utah-Idaho Sugar Co.

Mr. T. W. Cockayne, Vice President
Utah-Idaho Sugar Company
P. O. Box 2910
Salt Lake City 13, Utah

Dear Mr. Cockayne:

Enclosed is the Certificate of Completion of Works and the License and Certificate of Water Right issued to the Utah-Idaho Sugar Company, under Permit No. G-25743, confirming the right with a priority of June 10, 1955, to the use of 5.56 second feet of subterranean water for industrial purposes at the sugar beet processing plant, with the point of diversion at a well located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Township 2 North, Range 38 East, B.M., Bonneville, County, Idaho.

Also enclosed is departmental receipt #G-2799 for \$10.00 issued as receipt of the five dollar fee for the Certificate of Completion of Works and five dollars for the License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

25743

41 Enc #1000

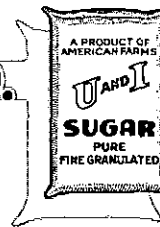
RECEIVED
AUG 1 1957

Department of Reclamation

GENERAL OFFICES

SALT LAKE CITY, UTAH

UTAH-IDAHO SUGAR CO.



July 30, 1957

Mrs. Edna P. Rutledge
Chief Clerk
Department of Reclamation
State of Idaho
Boise, Idaho

Re: Permit No. G-25743

Dear Mrs. Rutledge:

In reply to your letter of July 15, 1957 we are enclosing our check for \$10.00 in payment of a Certificate of Completion of Works (\$5.00) and a License and Certificate of Water Right (\$5.00) confirming the right for the priority of June 10, 1955 to the use of 5.56 second feet of water from subterranean flow with the point of diversion in the SW 1/4 SE 1/4 of Section 10, for industrial use at the sugar beet processing plant located in the SW 1/4 SE 1/4 Section 10, Township 2 North, Range 38 East, B.M.

Yours truly,


T. W. Cockayne
Vice President

TWC:srh
Encl.

25743

July 15, 1957

Re: Permit No. G-25743
Utah-Idaho Sugar Co.

Mr. T. W. Cockayne, Vice President
Utah-Idaho Sugar Company
P. O. Box 2010
Salt Lake City 13, Utah

Dear Mr. Cockayne:

We have our field engineer's report on the inspection of proof of completion of works and application of water to beneficial use under Permit No. G-25743 (Utah-Idaho Sugar Co.) which shows that the well is capable of conveying 2500 g.p.m. (5.56 c.f.s.) of water for industrial use at the sugar beet processing plant. This permit is now entitled to a Certificate of Completion of Works and a License and Certificate of Water Right.

Upon receipt of the statutory fee of \$10.00, we will issue the Certificate of Completion of Works (\$5.00) and the License (\$5.00) confirming the right with a priority of June 10, 1955, to the use of 5.56 second feet of water from subterranean flow with the point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, for industrial use at the sugar beet processing plant located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Township 2 North, Range 38 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR/nls

25743

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

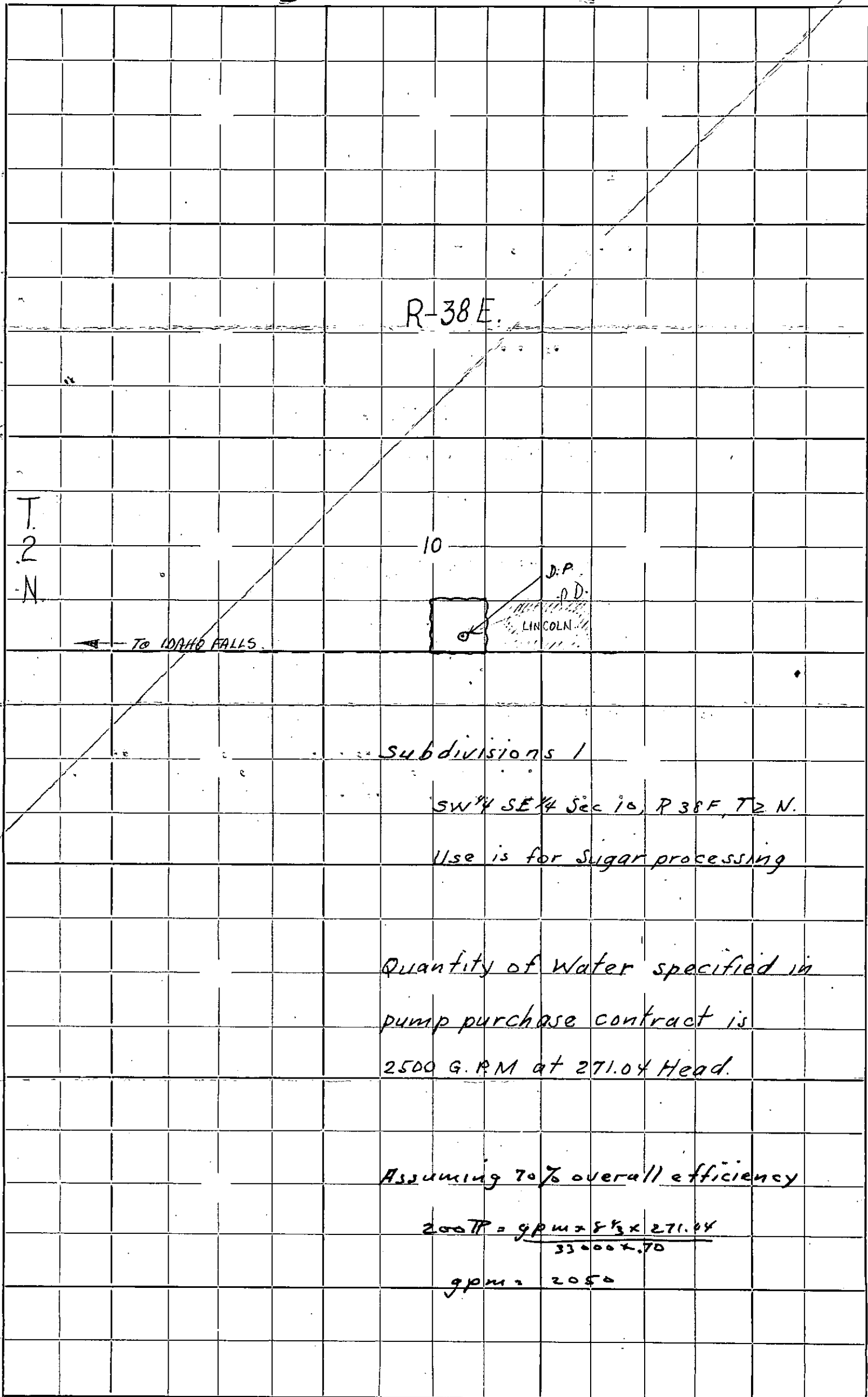
PERMIT NO. G-25743

REPORT ON PROOF OF Completion of Works & beneficial Use

Utah-Idaho Sugar Co., T. W. Cockayne, Vice Pres.,
P. O. Box 2010, Salt Lake City 13, Utah

app. 7.8 cfs
sub 1
Industrial use.

5.56 cfs
mkr



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-25743

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant T. W. Cockayne, Utah-Idaho Sugar Company
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10
T. 2 N R. 38 E., B.M. County of Bonneville
4. Describe works as they exist, giving dimensions and capacities of same: Drilled well 19" dia.
> 200' deep
Pump: Worthington 11509224, bowls setting 200', 4 stage, column 12"
Total discharge head 271.04 ft. - yield 2500 G.P.M.
Motor - U.S. # 1043403, 200 ft., 440 v., 240 Amp., 1800 P.P.M.
5. Water is used for: Industrial purposes for sugar beet processing plant.
6. State whether or not water has been turned into works of diversion:
Yes.
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10., Twp. 2 N., Rge. 38 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?
- Remarks: Well idle due to shut-down between beet-processing operations

This examination was made on the 23 day of June, 1957

(Signed)

James H. Haver

Examiner.

P 25743

Pump Performance
Capacity GPM. 2500
Col. Pressure Ft. 6.04
Total Discharge Head - 271.04
Shift P loss 3.9
Bowl Eff. % 81.7
Break P. 213

motor U.S.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUL 3 1957

Department of Reclamation

3

Utah-Idaho Sugar Co., (T. W. Cockayne, Vice Pres.)
P. O. Box 2010, Salt Lake City 13, Utah

Permit No. G-25743

Examination for Completion of Works & Beneficial Use

County Bonneville

10-2N.-38E.

Q = 7.8 c.f.s.

S = Well

P.A. = SW. SE, Sec. 10, T. 2N. - R. 38E.

Use = Industrial

Filed June 10, 1955

Dec. a. June 21, 1957

well - 19"

pump - Worthington #1150

setting of bowls = 240'

2500 G.P.M. @ 265 ft

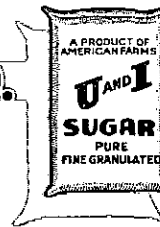
4 Slope

col - 12"

Motor: U.S. 1043403
200 HP - 440 V - 240 AM
1500 R.P.M.

2200 G.P.M.

UTAH-IDAHO SUGAR CO.



GENERAL OFFICES

SALT LAKE CITY, UTAH

June 19, 1957

Mr. E. N. Humphrey, Deputy
State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. G-25743

Dear Mr. Humphrey:

Relative to inspection in connection with permit for use of water No. G-25743, this well is located on our Lincoln plant site located five miles east of Idaho Falls.

Your engineer, who you state in your letter of the 17th will make inspection the week of June 28, 1957, should contact our superintendent Mr. Wallis Edwards.

Yours truly,


T. W. Cockayne
Vice President

TWC:srh

cc: Wallis Edwards

RECEIVED
JUN 20 1957
Department of Reclamation

825743

June 7, 1957

Re: Permit No. G-25743
Utah-Idaho Sugar Company

Mr. T. W. Cockayne
P. O. Box 2010
Salt Lake City, Utah

Dear Mr. Cockayne:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Post-Register, all submitted in proof of Completion of Works and Water to Beneficial Use on Permit No. G-25743.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

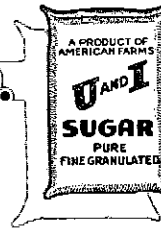
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:lw

25743

UTAH-IDAHO SUGAR CO.



GENERAL OFFICES
SALT LAKE CITY, UTAH

June 5, 1957

RECEIVED
JUN 6 1957

Department of Reclamation

Mrs. Edna P. Rutledge, Chief Clerk
State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. G-25473

Dear Mrs. Rutledge:

We are enclosing Proof of Application of Water for Beneficial Use, Deposition of Holder, Form 16 and two Proofs of Application of Water to Beneficial Use, Form 17-A, together with affidavit of notice as published in the Post Register, Idaho Falls.

The above is in compliance with the instructions contained in your letter of April 12, 1957.

Yours truly,


T. W. Cockayne
Vice President

TWC:srh
Encls.

825743

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 6 1957
Department of Reclamation

Permit No. G-25743

Proof of Application of Water to Beneficial Use

and Completion of Works

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. T. W. Cockayne, Salt Lake City, Utah, Vice President, Secretary-Treasurer,
P. O. Box 2010, Salt Lake City 13, Utah.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Utah-Idaho-Sugar Co., Salt Lake City, Utah

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. G-25743, Date of permit, June 21, 1955; Priority date, June 10, 1955.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Underground supply---SW 1/4 of the SE 1/4 of Section 10, Township 2 North,
Range 38 East, B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well pump--2700 gpm @ 250 T. D. H. --well 421 feet deep--117 ft. of 20" casing--
balance of hole 19 1/4" diameter all in basalt. Flow was measured by orifice in
pump discharge. Water level is 122 ft.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Industrial purposes for sugar beet processing plant.

25743

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 18 cubic feet per second

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. 6 cubic feet per second has been used for industrial purposes starting September 1, 1956.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Approximately 15 second feet from Sand Creek since 1903 through Progressive Irrigation Co.

2500 gpm 400 ft. well since 1948

400 gpm 156-ft. well since 1953

(Sign)

J. H. Beckwith

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Salt Lake City, County of Salt Lake

Utah State of Utah, on this 13th day of May, A. D. 1957.

Dean W. Woodland

My commission expires June 5, 1959.

25743

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 6 1957
Department of Reclamation

Permit No. G-25743

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Wallis Edwards, 58 years., Idaho Falls, Idaho - Plant Superintendent,
Utah-Idaho Sugar Company, Idaho Falls, Idaho.

Ques. 2. Are you acquainted with Utah-Idaho Sugar Company, the holder of Permit No. G-25743? How long have you known him and where does he reside?

Ans. Yes. 45 years. Salt Lake City, Utah

Ques. 3. Have you read or heard read said Permit No. G-25743, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Well - Well pump to sugar beet processing plant, Lincoln, Idaho.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 6 second feet - metered

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 6 second feet - metered

S25743

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Industrial use at Lincoln plant.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I am plant Superintendent at the Utah-Idaho Sugar Company, Lincoln, Idaho plant.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. We used the full output (six second feet) of the well during the 1956 campaign.

(Signed) _____

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Idaho Falls, County of Bonneville, State of Idaho, on this 13th day of May, A. D. 1957.

W E Sackett
Notary Public.

My commission expires May 1st, 1958

25743

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 6 1957
Department of Reclamation

Permit No. G-25743

Proof of Application of Water to Beneficial Use

Deposition of Witness ^{and} Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. J. E. Trinnaman, age 56 yrs., Salt Lake City, Utah, Engineer,
P. O. Box 2010, Salt Lake City, Utah.

Ques. 2. Are you acquainted with Utah-Idaho Sugar Company, the holder of Permit No. G-25743? How long have you known him and where does he reside?

Ans. Yes. 40 years, Salt Lake City, Utah

Ques. 3. Have you read or heard read said Permit No. G-25743, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Source -- well. By well pump and steel pipe to sugar beet processing plant, Lincoln, Idaho.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Water was measured at six second feet.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Flow was measured by pressure drop across orifice in pump discharge pipe.

S25743

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Industrial purposes for sugar beet processing plant at Lincoln, Idaho.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I am General Engineer for the Utah-Idaho Sugar Company.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. During September and October, 1956 I saw pump in operation supplying six second feet to the processing plant and witnessed one flow test.

(Signed)

J. E. Trimmerman

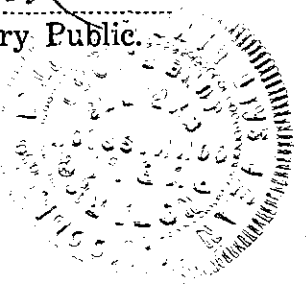
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Salt Lake City, County of Salt Lake, State of ^{Utah} ~~Idaho~~, on this 13th day of May, A. D. 1957.

Dean H. Woodland

Notary Public.

My commission expires

June 5, 1959



P25743

RECEIVED
JUNE 1957

Proof of Publication

Department of Reclamation

State of Idaho, }
County of Bonneville } ss.

I, William P. Beard, first being duly sworn, deposes and says: That I am the Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for four consecutive weeks, first publication having been made on the 16th day of April, 1957, last publication having been made on the 7th day of May, 1957, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 8th day of May, 1957

William P. Beard

Karel Hale

Notary Public

My commission expires April 5, 1959

NOTICE OF PROOF OF COMPLETION OF WORKS

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 9:00 A.M., on the 13th day of May, 1957, at Idaho Falls, County of Bonneville, State of Idaho, before Jean W. Woodland, Notary Public, proof will be submitted of the completion of works for the diversion of six cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25743 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation holding said permit are Utah-Idaho Sugar Company, P.O. Box 2010, Salt Lake City, Utah.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is six cubic feet per second.

3. The use to which said water has been applied is industrial purposes, and the amount applied to beneficial use is six cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 2 North, Range 38 East, Boise Meridian.

5. The place where said water is used is Same.

6. The date of priority which said work is prepared to establish is June 10, 1955.

MARK R. KULP

State Reclamation Engineer.

Published: April 16, 23, 30, May 7, 1957.

S25743

April 16, 1957

RE: Permit No. G-25743

Utah-Idaho Sugar Company
P.O. Box 2010
Salt Lake City, Utah.

Gentlemen:

As per our telephone conversation this morning, we herewith enclose another set of depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:vm
Encl. (3)

25743

The Post-Register

ESTABLISHED 1880

IDAHO FALLS, IDAHO

April 16, 1957

Miss Edna P. Rutledge
Department of Reclamation
Room 107 State House
Boise, Idaho

Dear Miss Rutledge:

Thank you for your letter dated April 12, concerning the legal notice for Utah-Idaho Sugar Company, which is to be published four consecutive weeks.

Enclosed please find a tear sheet of the first publication, which you requested.

Cordially,

THE POST-REGISTER



Shirley Nixon
Advertising Department

SN:bw

Enc.

825743

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Room 107 State House
BOISE, IDAHO

RE: Permit No. G-25743

Date: April 12, 1957

Post-Register
Idaho Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to May 13, 1957 the date set for proof, the expense of the publication to be paid by the applicant, Utah-Idaho Sugar Co. Box 2010 of Salt Lake City Utah, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

Encl. (1)

825743

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED
APR 8 1957
Department of Reclamation

(Date) April 5, 1957

P. O. Box 2010
Address
Salt Lake City 13, Utah
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Post Register of Idaho Falls published in the county in which the works are situated.

By J. H. Cochrane
Vice President

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer

825743

RECEIVED
APR 12 1957

Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USERECEIVED
APR 8 1957
Department of Reclamation

Notice is hereby given that at 9:00 A.M., on the THIRTIETH
day of May, 19 57, at Idaho Falls, County
of Bonneville, State of Idaho, before

Jean W. Woodland, Notary Public, proof will be submitted of the completion
of works for the diversion of six cubic feet per second of underground
waters from a well, and of the application to beneficial use of said water, in
accordance with the terms and conditions of Permit No. G-25743 heretofore
issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding
said permit are Utah-Idaho Sugar Company, P. O. Box 2010, Salt Lake City, Utah.

2. Said works of diversion will be fully completed on the date set for
such completion, and the amount of water which said works are capable of
conveying to the place of use is six cubic feet per second.

3. The use to which said water has been applied is Industrial
purposes, and the amount applied to beneficial use is
six cubic feet per second.

4. The point of diversion of said water is SW 1/4 of the SE 1/4 of
Section 10, Township 2 North, Range 38 East, Boise Meridian.

5. The place where said water is used is Same

6. The date of priority which said user is prepared to establish is
June 10, 1955
September 11, 1956

MARK R. KULP
State Reclamation Engineer

25743

R249

April 12, 1957

RE: Permit No. G-25743

Utah-Idaho Sugar Co.
P.O. Box 2010
Salt Lake City 13, Utah

Attention: Mr. T.W. Cockayne, Vice President.

Gentlemen:

We acknowledge receipt of Notice for Completion of Works and Beneficial Use proof on Permit No. G-25743 to be made May 13, 1957, before Jean W. Woodland, Notary Public.

We shall send a copy of the Notice to the Post-Register with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Jean W. Woodland, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R: Vm
Encl. (3)
cc. Jean W. Woodland
Idaho Falls, Idaho

April 12, 1957

RE: Permit No. G-25743

Utah-Idaho Sugar Co.
P.O. Box 2010
Salt Lake City 13, Utah

Attention: Mr. T.W. Cockayne, Vice President.

Gentlemen:

We acknowledge receipt of Notice for Completion of Works and Beneficial Use proof on Permit No. G-25743 to be made May 13, 1957, before Jean W. Woodland, Notary Public.

We shall send a copy of the Notice to the Post-Register with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Jean W. Woodland, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

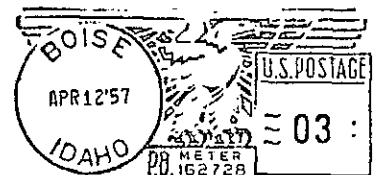
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R: Vm
Encl. (3)
cc. Jean W. Woodland
Idaho Falls, Idaho

COPY

AFTER 5 DAYS, RETURN TO
DEPARTMENT OF RECLAMATION
STATE HOUSE
BOISE, IDAHO

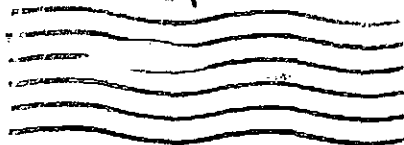


INSUFFICIENT ADDRESS

Miss Jean W. Woodland
Idaho Falls, Idaho



9-55743



UTAH-IDAHO SUGAR CO.



GENERAL OFFICES

SALT LAKE CITY, UTAH

April 10, 1957

RECEIVED
APR 12 1957

Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. 25743

Dear Mr. Kulp:

We enclose Form 36, "Notice of Proof of Completion of Works and Application of Water to Beneficial Use" on which we have made the changes recommended in your letter of April 8, 1957.

Yours truly,


T. W. Cockayne
Vice President

srh
Encl.

25743

April 8, 1937

Re: Permit No. 25743

Utah-Idaho Sugar Co.
P. O. Box 2010
Salt Lake City 13, Utah

Attention: Mr. T. W. Cockayne, Vice President.

Gentlemen:

We are returning herewith for additional information, one of your notices prepared by you, "Notice of Proof of Completion of Works and Application of Water to Beneficial Use" on the above captioned permit.

Please insert on the fourth line of the notice the notary before whom you wish to appear to take your proofs. Also, it will be necessary to change the date at the heading of the application to a later date giving ample time for the date you wish to appear before said notary, allowing four weekly issues of the Notice of Publication.

Please complete same and return to this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:d
enc.

25743

UTAH-IDAHO SUGAR CO.



RECEIVED
APR 8 1957

Department of Reclamation

GENERAL OFFICES

SALT LAKE CITY, UTAH

April 5, 1957

Mr. Mark R. Kulp
State Reclamation Engineer
State of Idaho
Department of Reclamation
Boise, Idaho

Dear Mr. Kulp:

We enclose completed "Notice of Proof of Completion of Works and Application of Water to Beneficial Use" in duplicate and a letter authorizing you to publish the notice in the Post Register of Idaho Falls.

Yours truly,


T. W. Cockayne
Vice President

srh
Encl.

825743

XX

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

RE: Permit No. G-25743

April 1, 1957

Utah-Idaho Sugar Company
Box 2010
Salt Lake City, Idaho
Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-25743. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than June 21, 1957.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

G25743

June 23, 1955

RE: Permit No. G-25743

Mr. T. W. Cockayne
Secretary-Treasurer
Utah-Idaho Sugar Company
Box 2010
Salt Lake City, Utah

Dear Mr. Cockayne:

We enclose Permit No. G-25743 together with departmental receipt No. G-1232 for the \$6.75 filing fee.

You will note that we have allowed two years within which to make proofs of completion of works and beneficial use but these proofs may be made at any earlier date that you are prepared to make them and we shall be glad to send the necessary forms and instruction upon request.

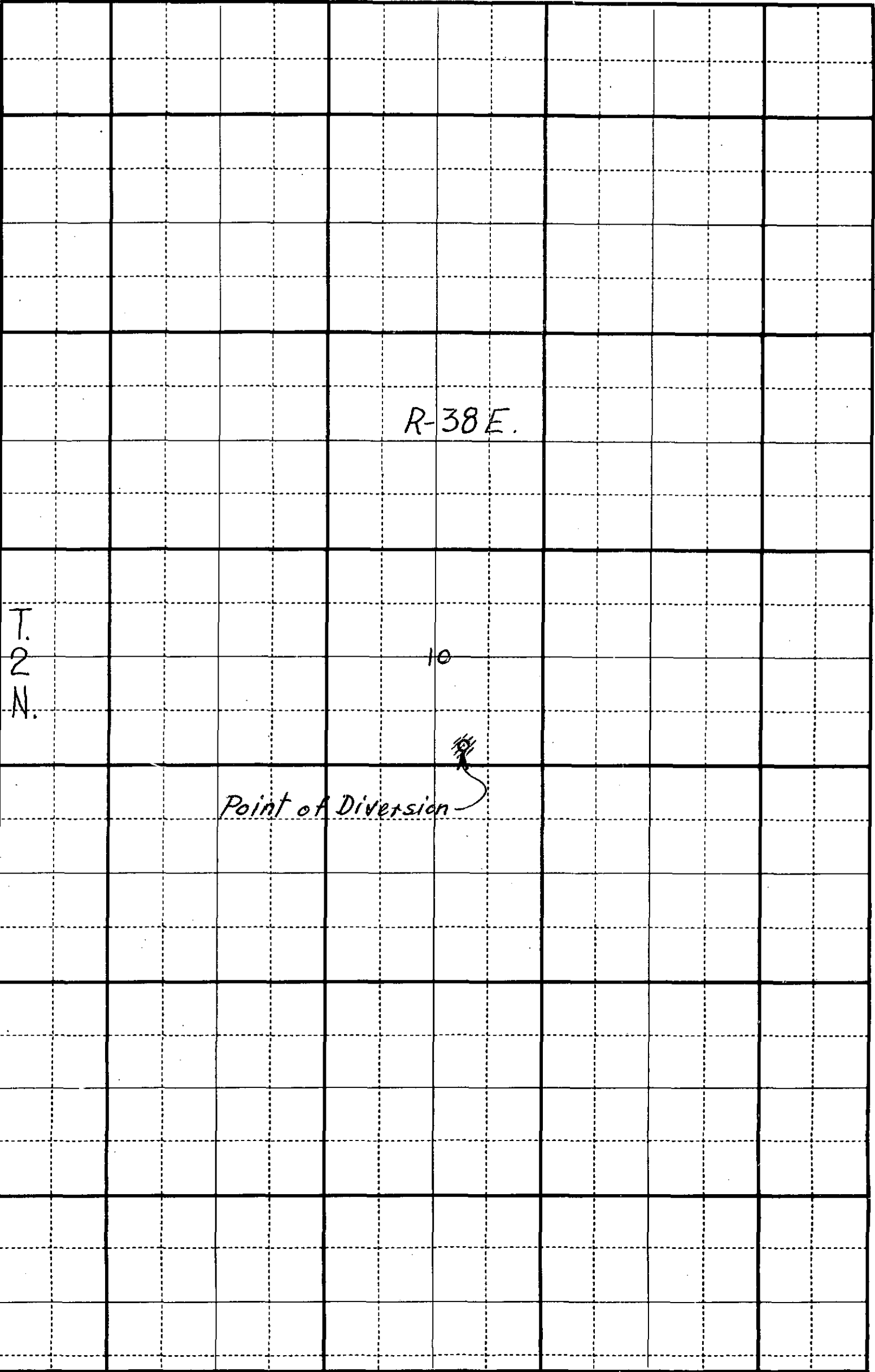
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

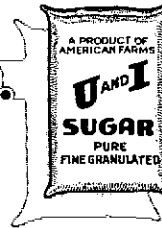
Chief Clerk

A:hl1
Enc.

25743



UTAH-IDAHO SUGAR CO.



GENERAL OFFICES

SALT LAKE CITY, UTAH

June 8, 1955

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Jeanne L. Anderson, Chief Clerk

Gentlemen:

Thank you for your letter of June 6, 1955. We are
sorry for this oversight and are enclosing our draft No.
7479 for \$6.75 to cover the filing fee.

Yours truly,

T. W. Cockayne
Secretary-Treasurer

srh
Encl.

RECEIVED
JUN 10 1955
Department of Reclamation

25743

June 6, 1955

Mr. T. W. Cockayne
Secretary-Treasurer
Utah-Idaho Sugar Company
Box 2010
Salt Lake City, Utah

Dear Mr. Cockayne:

We acknowledge receipt of your letter of June 3 enclosing application for permit to appropriate 3500 gallons per minute of water from a well.

However, you failed to enclose the filing fee which amounts to \$6.75.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

825743

February 28, 1955

Sixty-fourth



Annual Report



*Utah-Idaho Sugar
Company
and Subsidiary*

Salt Lake City, Utah

Sixty-fourth
Annual Report
Utah-Idaho Sugar Company
and Subsidiary

February 28, 1955

EXECUTIVE OFFICES
BENEFICIAL LIFE BUILDING
SALT LAKE CITY, UTAH

☆

Salt Lake City, Utah
April 20, 1955

To the Stockholders:

Your Board of Directors submit herewith the sixty-fourth Annual Report, covering the fiscal year which ended February 28, 1955. It reviews the operations of the Company and its wholly owned subsidiary, Gunnison Sugar, Inc. There is included a statement of earnings, as well as a balance sheet showing the Company's financial position at the close of the fiscal year. These have been verified by Ernst & Ernst, Certified Public Accountants.

FINANCIAL

Net earnings for the year, after allowing for depreciation, federal and state income taxes and special charges were \$1,714,613.09, as compared with \$1,426,496.86 in the previous year. After paying preferred dividends of \$256,917.00, net earnings are 61c per share on the 2,371,283 common shares outstanding at February 28, 1955. Dividends paid were 60c per share on preferred stock and 15c per share on common stock. These total \$612,609.45. Through the addition of \$1,102,003.64 residue of net earnings our surplus has been brought to \$9,716,044.60. Federal, state and local taxes paid or accrued during the year equalled 69% of the Company's earnings. This is equivalent to \$1.07 per share of common stock and is more than four times the amount paid to preferred and common stockholders.

The first installment on our term loan, \$600,000.00, was paid September 1, 1954. The term loan agreement provides that excess earnings over requirements for dividends and capital improvements are to be applied toward payment of the indebtedness to an extent equal to 25% of adjusted net profits. We have shown on the balance sheet as a current liability the \$705,000.00 installment due on the loan September 1, 1955. During the life of the agreement we are required to limit dividends on common stock to 15 cents per share.

We are continuing the inventory values of sugar, new bags, and molasses on the 'last-in, first-out' (LIFO) basis, which was adopted for the fiscal year ended February 28, 1942. As

a result, inventory values are \$4,812,696.00 less than they would have been on the FIFO basis.

BEET PRODUCTION

Yields per acre were the second highest on record. The total of beets harvested 1,465,162 tons, was the largest one of record for the Companies. The largest crop previously was the 1,397,249 tons harvested in 1947. In 1947 the tonnage was produced on 92,554 acres, with an average yield per acre of 15.1 tons; the 1,465,162 tons of 1954 were produced on 83,289 acres, with an average yield of 17.59 tons per acre.

Further progress was made in the mechanical harvesting of beets in 1954; about 95% of the crop was harvested with machines. Mechanization has solved field labor problems of the beet harvest.

Spring mechanization continues to advance. In 1954 almost 10,000 acres were completely machine-thinned and an additional 19,000 acres were worked by machines in aid of hand-labor.

CROP PROSPECT FOR 1955

Our acreage allocation for 1955, based on proportionate shares as determined by the Department of Agriculture, is 74,685 acres. The reduction in acreage this year is industry-wide; it results from restrictions contained in the Sugar Act of 1948. Farmers in all of our districts have contracted for the full amount to which their past history entitles them. Every effort is being made to keep the loss between contracted and harvested acres to a minimum.

The terms and conditions of the growers' contracts for 1955 are the same as those in effect in 1954.

Prospects at this time indicate a satisfactory year. Fertilizer supplies are greater than in any previous year, and an adequate supply of field labor is assured. While water supply is somewhat below average in some areas, the amount should be adequate to produce a good beet crop. Company payments to farmers will be supplemented, as usual, by the benefit payment provided for in the Sugar Act of 1948.

BEET SEED AND SEED IMPROVEMENT

The Company has available for 1955 plantings, ample seed of high quality disease resistant strains.

Rapid progress is being made toward the commercial use of hybrid sugar beet seed. Sufficient amounts of male-sterile and F₁ pollinator stock seed supplies are now available to meet our needs for hybrid seed production over a two-year period. All seed acreage to be planted this fall will be male-sterile hybrid combinations; this acreage should produce sufficient seed to make hybrid seed available to every sugar beet farmer by the spring of 1957.

Extensive variety tests during the 1953 and 1954 seasons showed that hybrid varieties which we can produce, averaged 2.35 tons per acre more than the mass selected varieties now in general use. Improved hybrid combinations are already known and basic seed stocks to produce these improved hybrids are being increased. Preliminary tests with these new hybrid combinations indicate that further improvement in both yield and sugar content can be confidently expected. During the 1955 season seed of improved hybrids will be tested with about 200 farmers. Results of these tests on farms will shape the future of the seed improvement program.

Rapid progress is being made toward the production of single germ hybrid seed. About 2000 pounds of single germ seed have been distributed to the various districts for field trials and mechanization studies during the 1955 season. We have intensified our cooperative relationships with the Sugar Crops Section of the Agricultural Research Service of the United States Department of Agriculture, with the purpose in view of obtaining maximum benefits from Monogerm Hybrid Varieties at the earliest date.

AGRICULTURAL RESEARCH AND EDUCATION

Industry-wide cooperative research through the Beet Sugar Development Foundation has been expanded to include such projects as breeding for sugar beet nematode control and providing effective and economical chemical control methods. The initiation of these projects may well prove to be a very significant factor in the future advancement of the sugar beet industry.

During the 1954 season the Company's research program on problems other than seed improvement continued to stress those factors which will increase yields per acre and lower production costs. The Company has continued its educational program to make known to farmers, and encourage them to make immediate use of, improved production methods. This was done through meetings, publications, field demonstrations, movies and individual contacts with farmers by members of the field staff.

FACTORY OPERATIONS

The 1954 sugar production was the largest in the history of the Company. The seven factories which operated produced 4,011,688 one-hundred pound bags, as compared to 3,550,320 bags produced from the 1953 crop.

The improvements made at the Columbia Basin Factory increased the slicing capacity of that plant 40%. In order to more fully utilize the molasses produced in the Washington plants, it is planned to increase the Steffen capacity at Columbia Basin by installing an additional lime kiln. The lime kiln and kiln building at the idle Shelley, Idaho plant are to be dismantled and re-erected at Columbia Basin.

Owing to increased demand for dried pulp in pellet form the Company is installing pelleting machines at the Idaho Falls and Columbia Basin factories. These will supplement the two units now in operation at Toppenish. The total production of Molasses Dried Beet Pulp was 68,450 tons. Approximately 15% of this amount will be sold in the form of pellets.

No extensive capital expenditures are contemplated. The Company's plants and equipment are being so maintained as to insure operating efficiency and high quality in our products.

PROPORTIONATE SHARES, MARKETING ALLOTMENTS, AND LEGISLATION

We observed in our last annual report that sugar marketing allotments had become necessary for 1954, and that a government order might be expected setting up for each processor a definite limit on its 1954 sales volume. Of the 33,644,860 bags of sugar allocable under the Sugar Act to the domestic beet sugar industry, we were allotted by the Department of Agriculture 3,223,939 bags. We sold our full allotment.

It became apparent early, that 1955 would again be a year of full demand for sugar beet acreage, and that unless legal controls were applied the statutory quota for the industry would again be exceeded. Accordingly, machinery was set in motion to determine and allocate proportionate shares for individual farmers and farms.

Each individual grower receives the right to grow a definite number of acres of beets; this represents his share of a theoretical total acreage required to produce the industry quota for the given quota year.

The application of proportionate share and marketing allotment controls in 1955 has resulted in curtailing the ambition of growers to grow beets and that of processors to produce sugar, so that expansion and growth have come to an abrupt, and in some situations, a rude halt. When the Sugar Act was rewritten in 1948 it was little expected that domestic production would outgrow domestic quotas before the Act expired at the end of 1956. That has happened, however, and it brings into sharp focus the need for renewal and correction of the Act. Bills were recently introduced into both houses of the Congress to bring the needed relief. The proposed legislation grants moderate increases in the quotas of domestic beet and domestic cane, to be effective in 1955, and permit the domestic industries to participate hereafter in the increased consumption of sugar. The domestic industries are denied this participation in the present law.

Increased consumption of sugar in the United States has resulted almost entirely from the rapidly increasing population. In 1948 consumption was 7 million tons; in 1954 it was 8,200,000 tons. Population in 1948 was 150,000,000; at the end of 1954 it was 165,000,000.

Technological advances in sugar beet growing, better seed, more effective fertilizer and water use, and mechanization of both spring and fall work have combined to make beet growing easier, more pleasant, and more profitable. Development of new areas like the Columbia Basin, the Red River Valley, and the desert area in Idaho has opened up a new era for the industry.

This normal and desirable growth can be achieved only under legislation which recognizes the vitality of the beet sugar industry, and which recognizes that our country will be well served by providing this industry room and encouragement for growth.

It is sincerely hoped that the legislation now in process will meet with Congressional and Administration approval.

SALES

The over-quota beet sugar production, added to increased output in Louisiana and other producing areas, resulted in competition of considerable vigor in our selling territories. As a result, our net return per bag of sugar sold was slightly lower than that of the previous year, however, our position relative to the rest of the industry in that regard was maintained.

We have extended our bulk sugar deliveries into markets other than those adjacent to our factories. We are now shipping granulated sugar in bulk to Mid-west users. We are employing a new principle of car construction, not previously applied to sugar, which permits larger pay-loads and cuts unloading time. Extensive insulation of cars is unnecessary. This principle, known as "Airslide" was developed by General American Transportation Company for use with other material. We were the first to adopt it for sugar. Our leadership has been followed by other shippers of sugar. The railroads have acquired cars, with the result that long-needed bulk delivery is now available to those manufacturers whose volume justifies the needed capital investment.

Our increased dried beet pulp production found acceptance in Western markets. Increased feeding in all of our normal selling areas for this commodity made it a demand item. Increased pelleting for range and yard feeding resulted in broader distribution.

Potato sales were profitable this year. Much better average prices than last year's were realized for potatoes packed for market.

Again, our molasses was used largely in Steffens operations, or added to dried beet pulp and pellets. The relatively small residue was taken by our growers or sold to other local feeders.

EMPLOYEE RELATIONS

Since our last report eleven employees were retired under our pension plan. The present plan was initiated in 1942; in 1945 and again in 1951 service benefits were increased.

It is with deep sorrow that we record the death on August 14, 1954, of James W. Collins. He became a director of the Company April 21, 1952. On August 25, 1954 Jay G. Larson, Executive Vice President of the Seattle-First National Bank, Seattle, Washington, was elected a member of the Board of Directors.

We again wish to express appreciation to our employees and officers; it is their loyalty and industry that have made possible the progress achieved by the Company.

On behalf of the Board of Directors,

DAVID O. McKAY
President

UTAH-IDAHO SUGAR COMPANY AND SUBSIDIARY

Salt Lake City
Utah



DIRECTORS

DAVID O. McKAY	DOUGLAS E. SCALLEY
STEPHEN L RICHARDS	J. EASTMAN HATCH
J. REUBEN CLARK, JR.	J. L. FIRMAGE
ORVAL W. ADAMS	DAVID D. MOFFAT
JAY G. LARSON	

EXECUTIVE COMMITTEE

J. REUBEN CLARK, JR.	STEPHEN L RICHARDS
ORVAL W. ADAMS	DOUGLAS E. SCALLEY
J. EASTMAN HATCH	

OFFICERS

DAVID O. McKAY	President
DOUGLAS E. SCALLEY	Executive Vice-President and Gen'l. Mgr.
STEPHEN L RICHARDS	Vice-President
J. REUBEN CLARK, JR.	Vice-President
J. ARTHUR WOOD	Vice-President and Asst. Gen'l. Mgr.
D. W. LOVE	Vice-President and Gen'l. Sales Mgr.
T. WM. COCKAYNE	Secretary and Treasurer

ATTORNEY

ASHBY D. BOYLE

UTAH-IDAHO SUGAR C
CONSOLIDATED
February

ASSETS

Current Assets

Cash		\$ 1,266,396.33
Trade and other receivables, less allowances		2,519,047.09
Inventories at the lower of cost or market:		
Refined sugar, molasses, and new sugar bags— cost determined by last-in, first-out method	\$14,846,227.58	
Supplies and other inventories—cost deter- mined by first-in, first-out method	<u>2,944,595.93</u>	17,790,823.51
Prepaid expenses		<u>383,174.75</u>
TOTAL CURRENT ASSETS		<u>\$21,959,441.68</u>

Other Assets

Land, dwelling, and water sales contracts	\$ 421,895.95	
Miscellaneous accounts	<u>63,735.80</u>	485,631.75

Property, Plant, and Equipment—Note A

Land, irrigation projects, and water rights	\$ 3,643,454.57	
Plant and equipment	\$34,279,462.34	
Less allowances for depreciation	<u>13,086,342.98</u>	<u>21,193,119.36</u>
		24,836,573.93

\$47,281,647.36

NOTE A—Property, plant, and equipment is carried at values established on organization of the Company, which values were based generally on amounts recorded by the predecessor companies, plus subsequent additions at cost, less write-down of \$503,294.58, and allowance for revaluation of \$930,932.88, applicable to land, irrigation projects, and water rights. Provisions for depreciation allowed for income tax purposes exceed the amounts recorded on the books by \$3,150,000.00, a difference which arose prior to February 29, 1932.

NOTE B—In 1953, the Company borrowed \$3,500,000.00 at 4% under a Term Loan Agreement with certain banks. Repayment of the \$2,900,000.00 due at February 28, 1955, is to be made in three

**AND SUBSIDIARY
BALANCE SHEET
28, 1955**

LIABILITIES

Current Liabilities

Unsecured notes payable to banks, including \$705,000.00 current portion of long-term debt—Note B	\$11,650,000.00
Trade accounts payable and miscellaneous accruals	1,420,841.39
Excise tax payable on sugar as sold	1,768,524.37
Federal and state taxes on income	1,951,562.96
Estimated additional payments for 1954-crop beets	1,580,532.02
TOTAL CURRENT LIABILITIES	\$18,371,460.74

Long-Term Debt—Note B 2,195,000.00

Reserves—workmen's compensation insurance and contingencies 750,100.40

Capital Stock and Surplus

Capital stock:

Class A Preferred—without par value; 60c per year cumulative dividends; entitled upon liquidation to \$10.00 per share; callable at any time on 30 days notice at \$10.00 per share plus accumulated dividends:
Authorized and outstanding, 428,195 shares \$ 4,281,950.00

Common—par value \$5.00 per share:

Authorized	2,500,000 shares	
Unissued	127,000 shares	
In treasury	1,717 shares	128,717 shares
Outstanding	2,371,283 shares	11,856,415.00
		<u>\$16,138,365.00</u>

Capital surplus 110,676.62

Earned surplus—Note B	9,716,044.60	25,965,086.22
		<u><u>\$47,281,647.36</u></u>

equal annual installments of \$600,000.00 through 1957, plus prepayments on the notes under certain circumstances, with final payment on September 1, 1958. Prepayments of \$105,000.00 are included with current liabilities.

Among other provisions, the Agreement restricts expenditures for fixed assets, limits annual dividends (other than stock dividends) to \$615,000.00, and provides that consolidated working capital shall be maintained at not less than \$3,000,000.00. At February 28, 1955, consolidated working capital was \$3,587,980.94.

UTAH-IDAHO SUGAR COMPANY AND SUBSIDIARY
SUMMARY OF CONSOLIDATED INCOME AND EARNED SURPLUS
Year ended February 28, 1955

Operating Income —from sugar and collateral operations	\$ 4,109,868.89
Interest and Other Income	129,737.73
	<u>\$ 4,239,606.62</u>
Less — ^{385,000} interest expense, ^{110,000.00} premiums on employees' annuity and ^{340.00} life insurance contracts, etc.	573,159.47
Income Before Taxes Thereon	<u>\$ 3,666,447.15</u>
Provision for Federal and State Taxes on Income	<u>1,951,834.06</u>
Net Income	\$ 1,714,613.09
Earned Surplus at March 1, 1954	<u>8,614,040.96</u>
	<u>\$10,328,654.05</u>

Deduct dividends paid:

Preferred—60 cents per share	\$ 256,917.00	
Common—15 cents per share	<u>355,692.45</u>	<u>612,609.45</u>

Earned Surplus at February 28, 1955 (earned since March 1, 1933)—see Note B to Consolidated Balance Sheet

	<u><u>\$ 9,716,044.60</u></u>
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Depreciation of property, plant, and equipment charged to operations for the year amounted to \$1,044,229.40.

2500.00
140000.00

ERNST & ERNST
SALT LAKE CITY

April 8, 1955

Board of Directors
Utah-Idaho Sugar Company
Salt Lake City, Utah

We have examined the consolidated balance sheet of Utah-Idaho Sugar Company and wholly-owned subsidiary as of February 28, 1955, and the related statements of consolidated income and surplus for the year then ended. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

In our opinion, the accompanying balance sheet and summary of income and earned surplus present fairly the consolidated financial position of Utah-Idaho Sugar Company and subsidiary at February 28, 1955, and the consolidated results of their operations for the year then ended, in conformity with generally accepted accounting principles applied on a basis consistent with that of the preceding year.

ERNST & ERNST

Certified Public Accountants

LOCATION OF FACTORIES

**GUNNISON, UTAH
GARLAND, UTAH
WEST JORDAN, UTAH
IDAHO FALLS, IDAHO
TOPPENISH, WASHINGTON
MOSES LAKE, WASHINGTON
BELLE FOURCHE, SOUTH DAKOTA**

Company-owned sugar storage warehouses located at Spanish Fork, Lehi, Utah; Blackfoot, Rigby, Idaho; and Sunnyside, Washington; dried beet pulp warehouses at Spanish Fork, Utah and Shelley, Idaho. Potato and fertilizer plants, Shelley, Idaho.

This is a report to the stockholders. It is not a representation, prospectus, or circular in respect of the stock or securities of this Corporation, and is not transmitted in connection with any proposed sale or offer to sell or buy any stock or securities of the Corporation.

Printed in the United States of America

UTAH-IDAHO SUGAR CO.



GENERAL OFFICES

SALT LAKE CITY, UTAH

June 3, 1955

RECEIVED
JUN 6 1955
Department of Reclamation

State Reclamation Engineer
State of Idaho
Boise, Idaho

Dear Sir:

You will find attached application for permit for underground water.

Relative to financial information, we are attaching a copy of our annual statement for the year ending February 28, 1955.

Yours truly,


T. W. Cockayne
Secretary-Treasurer

TWC:srh
Encl.

cc: Mr. W. J. O'Bryant
District Manager
Idaho Falls, Idaho

825743

NOTICE OF PROOF OF COMPLETION
OF WORKS

and
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that at 9:00 A.M. on the 19th day of May, 1957, at Idaho Falls, County of Bonneville, State of Idaho, before Jean W. Woodland, Notary Public, proof will be submitted of the completion of works for the diversion of six cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25743 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation holding said permit are Utah-Idaho Sugar Company, P.O. Box 2010, Salt Lake City, Utah.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is six cubic feet per second.

3. The use to which said water has been applied is Industrial purposes, and the amount applied to beneficial use is six cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 2 North, Range 38 East, Boise Meridian.

5. The place where said water is used is Same.

6. The date of priority which said user is prepared to establish is June 10, 1955.

MARK R. KULP

State Reclamation Engineer.

Published: April 16, 23, 30, May 7, 1957.