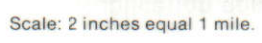


T 4 N R 3 W



DEC 08 1988

Russell Greer
(Applicant) *Sixtans*

RECEIVED
JUN 23 1988

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Debra Kalousek

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

June 15, 22, 1988

Debra Kalousek
Subscribed and sworn to before me this

22nd day of June
19 88

Jeanne Shuck
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1991

NOTICE OF APPLICATION
FOR WATER RIGHT

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

63-10629 *44*

J.R. SIMPLOT COMPANY
P.O. BOX 27
BOISE, ID 83707
Source: GROUNDWATER
Diversion Pt: SENENE Sec 19 T
04N R 03W
Use: FISH PROPAGATION
(10,000 CFS)
Date Filed: 5/12/1988
In: T04N R03W S19 NENE
63-10645

BIRT, AL
RT. 3 BOX 3392C
NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt. NWSE Sec 11 T 02N
R 02W
Use: IRRIGATION (1.260 CFS)
DOMESTIC (.020 CFS)
Date Filed: 5/20/1988
In: T02N R02W S11 NESW SESW
NWSE
63.0 ACRES TOTAL

The permits will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before JULY 5, 1988.

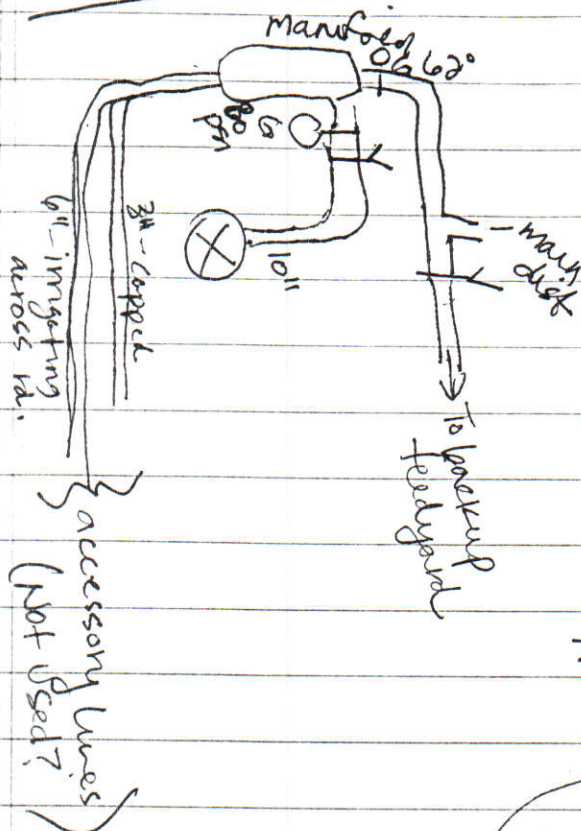
R. KEITH HIGGINSON
Director
June 15, 22, 1988

MICROFILMED

DEC 08 1988

pg 2

COLD WELL



FEED KFER)
122 UNDER 63-10034 ?
extended Season
reduced rates.
25,500 minutes

25,500 minutes

Tim Hathaway - ghse mgr
ca. 0.1 gpm, avg 20 sec
10-30 times daily
depending on conditions

4 ~~rows~~ rows at a time

~320 emitters per row
season 9-11 mos, plant
about end of December

3 ~~5~~ FT yr-round
12 Seasonal (9 mos)

ofc: 12 FT

1. ~~68, 000~~ 3

Greenhouses :
21,000 ft²

秋風

3504 30

Quonset

> floor heat

20

 504×30

w

~~241, 920 ft³~~

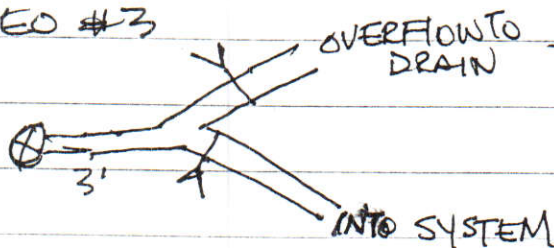
30,240

$$108900 \text{ ft}^2 \times \frac{1 \text{ acre}}{43560 \text{ ft}^2} = 2.5 \text{ acres}$$

Main house 108900ft²

2 1/2 acre peaked roof
house, plastic panel
overflow goes to floor
and 4 Quonsets

GEO #3



well flowing, not controlled
not used, ~ 45 gpm

Pipe-Maint

GEO #1
closed ~~open~~ 80%

Closed line

OPEN 20%

Diagram of a closed line sewerage system. It shows a sewer line starting from a manhole labeled 'open' and ending at a 'To collection box'. The line is labeled 'closed lines' and has a diameter of '8"'. The diagram illustrates a closed line system where the sewer line is not open to the atmosphere at the end.

75HP Siemens
3ph

1D 56183-9

5/2/96

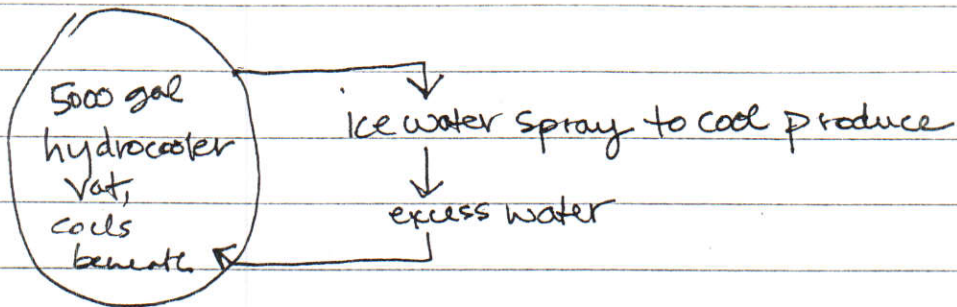
pg 3

Geo #1 850-920 gpm Pumped flows } meas w/
Geo #3 375 gpm " " } manometer

~~3~~

Processing

2 1/2 mos process sweet corn, refrigerated water
cooling July - Sept 25 FT (long shift)



refill 500-1000 gal 2-3 times a day (10 weeks)

+ mix clean water

assume seven day
weeks

Evaporative cooling - 24 coolers (east end of houses)

each w/ recirc pump/fan est 2 gpm

avg supply thru ^(each) 1/2" copper tube -

avg run time thru cooling season 12 ^{hrs}/day

use - May 1 → Sept 30 ~ 150 days

under 63-10034 ?

25-30K lb/wk
30 peak



POD



~~POD~~

Drip emitter
System from
cold well
(Not recommended
this permit)

63-10629
gjh



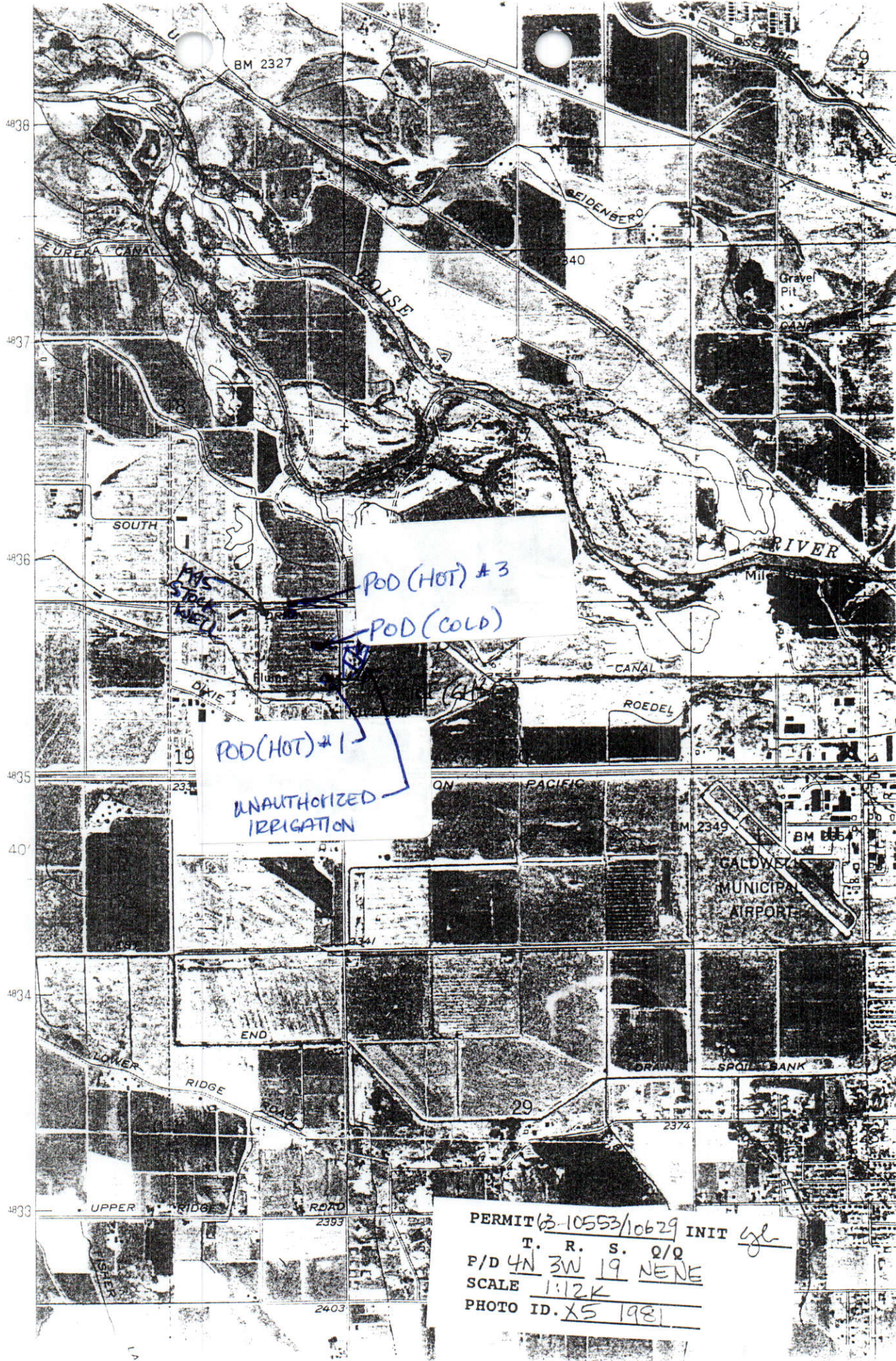
Hydrocooler for
sweet corn
processing *



Irrigation of
nursery stock
Sec 20 *

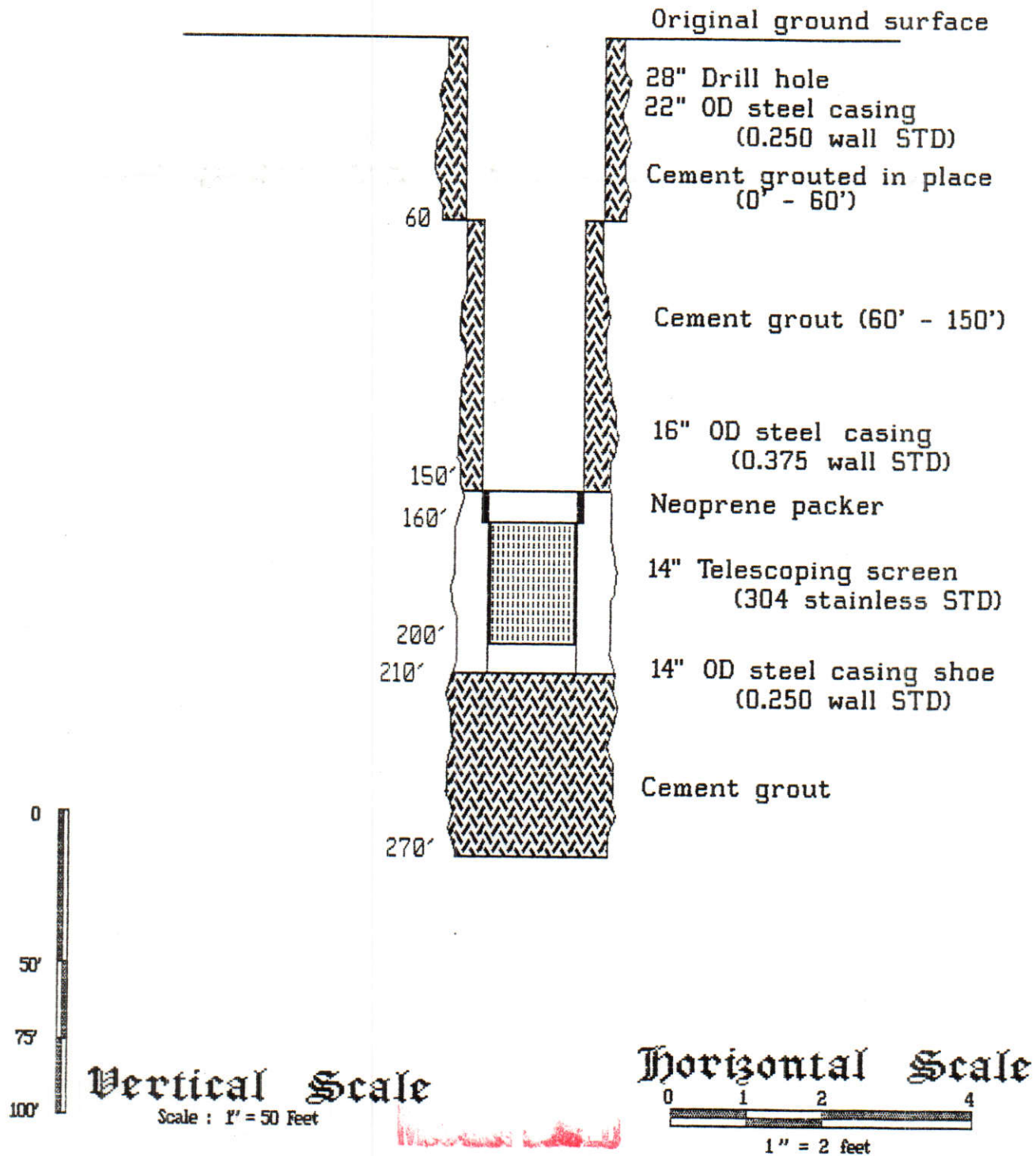
* Neither of these uses may be
recommended under the permit

63-10629
cjh



PERMIT 63-10553/10629 INIT *ghe*
T. R. S. Q/Q
P/D 4N 3W 19 NENE
SCALE 1:12K
PHOTO ID. X5 1981

J R SIMPLOT COMPANY
FRESH WATER WELL #1
CALDWELL, IDAHO



DEC 08 1988

1070'



WATER RESERVOIR
(I) 300' (720,000 gallons)

WATER RESERVOIR
(II) 500' (1,340,000 gallons)

DOMESTIC
SEWER 150'
50'

300'
LAGOON
(III)
(2,000,000 gallons)
150'

300'
LAGOON
(II)
(2,000,000 gallons)
150'

PLANT - WATER
TREATMENT
(3,280,000 gallons)
Raceways
400'
500'

COLD STORAGE	OFFICE
FEED PROCESS	PROCESS BLDG.

PROCESS WATER
DISTRIBUTION
COND. 150'
50'

300'
LAGOON
(II)
(2,000,000 gallons)
150'

300'
LAGOON
(I)
(2,000,000 gallons)
150'

230'
PONDS
(300,000 gallons)
70'

230'
PONDS
(300,000 gallons)
70'

488'
HATCHERY
(1,860,000 gallons)
Ponds
220'

50'
CLARIFICATION
BLDG.
40'

(120,000 gallons)
Tanks.

492'
GROW-OUT
FACILITY
(600,000 gallons)
Raceways
480'

1090'

IRRIGATION PITCH

6. W. WELL
MICROFILMED

DEC 08 1988

(TOTAL SYSTEM VOLUME:
16,520,000 gallons.
= 50.7 AF DRY

SIMPLOT AQUACULTURE
- FACILITIES LAYOUT -
SOT - 10/20/87
3/8" = 50'

1200' ROAD

IN THE MATTER OF PERMIT NO. 63-10629)
)
) **ORDER OF**
IN THE NAME OF J.R. SIMPLOT COMPANY) **REINSTATEMENT**
)


L. GLEN SAXTON
Chief, Water Allocation Bureau

REPRODUCED
FEB 14 1995

RECEIVED

JAN 18 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 63-10629 Telephone No. (208) 336-2110

2. Name(s) of Permit Holder(s): J.R. Simplot Company

3. Mailing Address: P.O. Box 27 Boise, Idaho 83707

4. Source of Water: Groundwater (Approx.) If **GROUNDWATER** (well), Date Drilled: mo. 11 / yr. 88

a. Well Driller: Thomas Well Drilling Drilling Permit Number: 63 - 88 - Z - 233

b. **OPTIONAL:**

Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): _____ Other: Fish Propagation & Processing

6. Total rate of diversion and/or volume for which proof is submitted: 5.0 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X

Flow Measurement Port: Is a flow measurement port required? Yes X or No _____
Has the measurement port been installed? Yes X or No _____

8. Fee Enclosed: \$ 200.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Gregg Bradshaw Telephone Number: (208) 454-4263

Address: 20875 Wagner Road Caldwell, Idaho 83605

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

J.R. Simplot Company

Signature of permit holder: By: Ronald N. Graves Date: 1-11-95
(include your title, if on behalf of company or organization)

Ronald N. Graves, Secretary

RECEIVED

Form 204
11-91

OCT 31 1994

Department of Water Resources

For Office Use Only
\$15 Fee Received by RT
Date 10-31-94
Receipt No. 0031579

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 63-10629

Name(s) of Permit Holder: J.R. Simplot Company

Mailing Address: P.O. Box 27 Boise, Idaho 83707

Date Proof is Due November 1, 1994 Telephone No. (208) 336-2110

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

See Exhibit A

Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

See Exhibit B

Permit holder(s) request an extension to November 1, 19 99

FEE: \$15.00

Ronald N. Graves
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.
Ronald N. Graves, Secretary
J.R. Simplot Company

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be **DENIED** since the department is not authorized to grant additional extension requests.

FEB 14 1995

Signed this 21st day of November, 19 94

R. Keith Higginson
R. KEITH HIGGINSON, Director

Form 204
4/88

RECEIVED
NOV 20 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by _____
Date _____
Receipt # _____

Department of Water Resources
TO PROVIDE

REQUEST FOR EXTENSION OF TIME

**TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 63-10629

Name(s) of Permit Holder: J.R. Simplot Company

Post Office Address: P.O. Box 27 Boise, ID 83707

Telephone No. (208) 336-2110

Date Proof Is Due: 11/1/91

Describe what work has been completed toward the development of this water right: _____
(This must be filled out! If no work has been completed, show "none".)

A fish propagation facility was constructed including development of diverting works.

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Facility was operated as a fish propagation operation. The facility was temporarily
closed and options are currently being evaluated.

Permit holder(s) request an extension to Nov. 1, 1996.
(1 yr. minimum)

Ronald N. Graves
(Signature)*
Ronald N. Graves
Vice President, Secretary &
General Council, J.R. Simplot Company

FEE: \$15.00

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MICROFILMED

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED DEC 11 1991
and the time within which to submit proof of beneficial is extended
to November 1, 1994.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced
to May 31, 1988, pursuant to Section 42-218A, Idaho Code.

Signed this 26th day of November, 19 91.

L. Glen Saylor
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

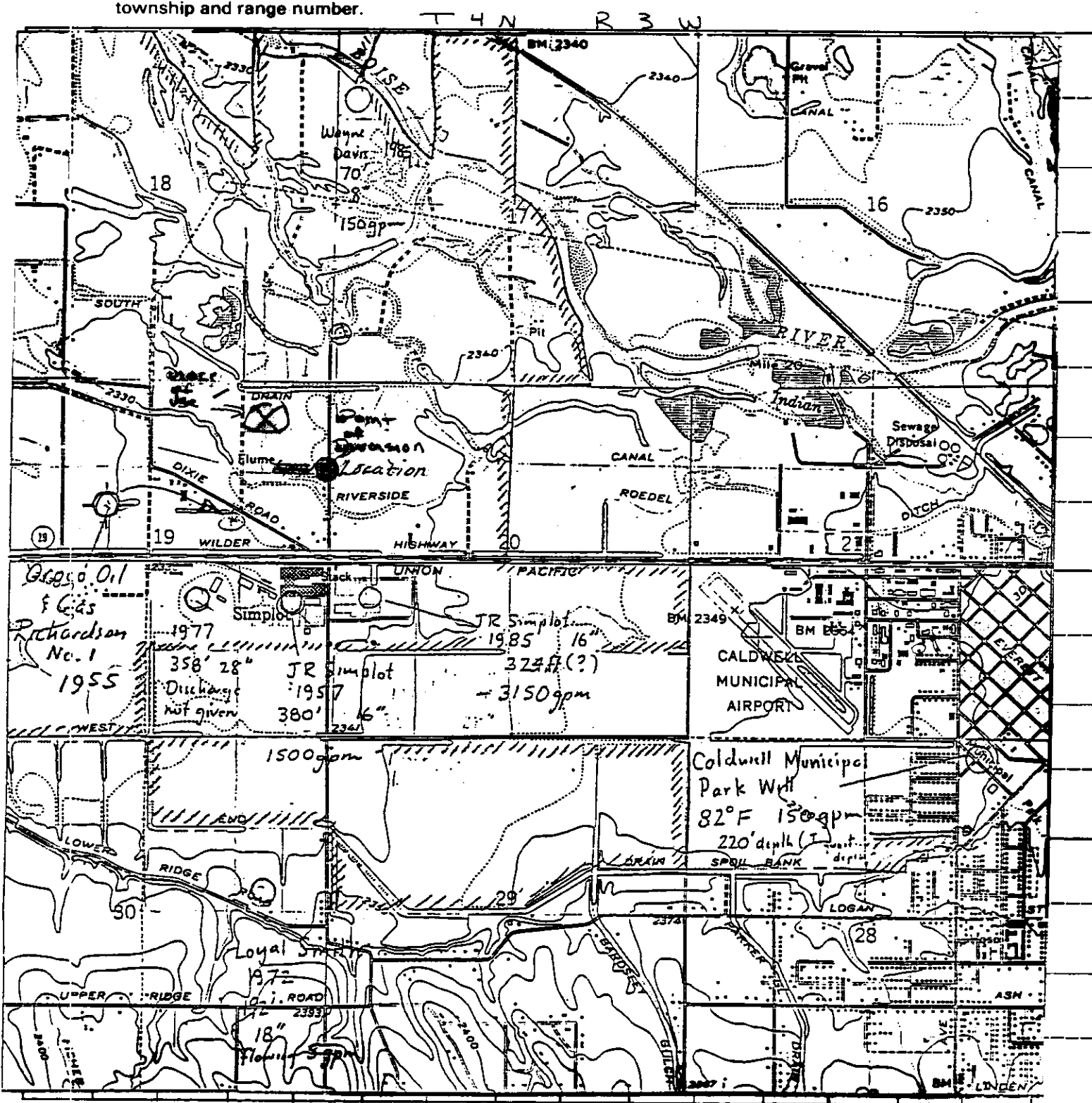
APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant J. R. Simplot Company Phone (208) 336-2110
Post office address P.O. Box 27, Boise, Idaho 83707
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 19 Township 4 N Range 3 W B.M. Canyon County; additional
points of diversion if any: 2 wells proposed
4. Water will be used for the following purposes:
5.0 cfs per telephonic request from Bruce Belzer, Atty, 9/20/1988 *
Amount 10 cfs for fish farming purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) 5.0 cfs *
5. Total quantity to be appropriated is (a) 10 cfs and/or (b) 3,620 BD
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Vertical pumps, delivering fresh water
via underground PVC pipe to the fish rearing raceways about 500' from the wells.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c. Proposed well diameter is 12" & 16" inches; proposed depth of well is 450 & 660 feet.
- d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the proposed beneficial use is
5 years (minimum 1 year).

DEC 06 1988

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Robert L. Grover
(Applicant) Secretary

5/12/88

Received by ML Date 5-12-88 Time 11:00 am Preliminary check by BD

Fee \$ 225. Received by JP # W000204 Date 5/17/88

Publication prepared by GC Date 6-8-88 Published in Press Tribune

6/15 & 6/22/88

Publication approved JS

Date 6/27/88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

Idaho No. 63-10629

APPROVED

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

November 1

19 91

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

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

e. Other: SEE ATTACHED SHEET FOR CONDITIONS e thru o.

Witness my hand this 35th day of October, 1988.

for Director

D. Allen Sawyer

DEC 06 1988

ATTACHMENT TO CONDITIONS OF APPROVAL
For Permit No. 63-10629

- e. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
- f. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- g. Unperforated well casing shall be used to a minimum depth as identified on the permit and shall be extended into the next confining layer.
- h. Use of water under this permit shall be non-consumptive.
- i. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
- j. The maximum rate of diversion for fish propagation purposes under this permit shall not exceed 5.0 cfs.
- k. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- l. Assignment or sale of this permit is subject to a determination by the Department that the permit holder has proceeded to develop the permit with due diligence and without speculation.
- m. Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
- n. The permit holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
- o. The Director retains jurisdiction of this permit if water with a bottom hole temperature of 85°F or more is encountered.

Witness my hand this 25th day of October, 1988.

for J. Glen Saxton
Director

DEC 08 1988

County of Canyon)

MY COMMISSION EXPIRES
JULY 12th, 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Staff Analysis Sheet
Beneficial Use Field Report

RECEIVED

MAY 17 2002

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form
- ☐ Copy of Permit
- ☐ Copy of Proof of Beneficial Use
- ☐ Copies of any Amendments/Orders with Conditions of Approval
- ☐ Well Inspection Form (If Needed)
- ☐ Aerial Photo Required? ☐ yes ☐ no If yes: ☐ copy attached
- ☐ SRBA Claim Required (required if proof filed by 11-19-1987)
☐ Yes ☐ No If yes: ☐ claim filed? (check AJ5, AJQ1, AJQ4)
- ☐ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of government plat
- ☐ Check of P/D index _____ (initial & date)
- ☐ Overlap ☐ yes ☐ no If yes: ☐ copy of exam(s) attached?*
- Type of Overlap: ☐ Same source ☐ Other source
- ☐ Check of P/U index _____ (initial & date)
- ☐ Overlap? ☐ yes ☐ no If yes: ☐ copy of water right(s) attached?*
- Type of Overlap: ☐ Same land, same source
☐ Same land, other source
☐ Other land &/or other uses

*copies attached only if needed for analysis

- ☐ Irrigation from groundwater (all basins):
 Surface water currently or previously used ☐ Yes ☐ No
 If yes: identify water source, water right, and explain current or previous use.
- ☐ Scheduling Letter Sent? _____ (initial & date)
- ☐ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully Completed and Signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use

C. Review and Processing:

Exam Completed 63 4/10/02 (signature of examiner & date)
 Exam Sent to State Office dt 5-16-02 (initial & date)

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipe i.d. as applicable.

size/ditch size/pipe i.d. as applicable.

See attached notes

See attached notes

Scoring 7 **EX**

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

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

Photo of Diversion and System Attached

4

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US ELEC	60	1D6234545059R123R9	Langmuir	8 11

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

D. FLOW MEASUREMENTS

1

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

2. Measurements: $SWL = 128$ pump set approx 170', 80 PSI @ manifold

MEMORANDUM

DATE: April 2, 2002

FROM: Lori Graves

TO: Exam File No. 63-10553 & 63-10629

Cindy Hodges conducted the field exam for this permit and permit no. 63-10553 5/2/1996. The exams have not been forwarded to the SO for licensing because she was unable to get a measurement for two pumped artesian geothermal wells under 63-10553. Since both rights were developed together for the same commercial establishment, Cindy was going to send both permits together as one package for licensing.

A measurement on the hot wells was never obtained. The permits were never licensed.

I contacted Vic Conrad with Simplot, and he confirmed that the commercial establishment Cindy found during her exam is now gone. Only two wells remain: the cold water well Cindy described in the NENE S19 on the beneficial use field report for permit no. 63-10629 and the artesian geothermal well Cindy described as the greenhouse well in the SENENE S19 on the beneficial use field report for 63-10553. However, the pump equipment in each well has been removed, eliminating the possibility of a measurement.

Vic does not want to lose the rights. He requested that the permits be licensed for the uses found, limited to the conditions permitted so that he could then transfer the rights for use elsewhere.

Fortunately, Cindy provided enough detail in her field notes to allow the permits to be licensed as follows:

63-10629—as Cindy recommended in her report, limited to 2500 GPD.

63-10553—Cindy found 160,140 sq ft of greenhouse space heated from the well. Based on the heating equation, operating at 75 degrees, 7.49 cfs is required for commercial heating use. Operating at 70 degrees, 5.8 cfs is required for commercial heating use. The well log listed an artesian closed in pressure of 32 psi. Using a theoretical equation and assuming operation at 60 psi, the pumping capacity calculates to: $75 \text{ hp} \times 8.8 \times .7 / (60 - 32 \text{ psi}) \times 2.31 = 7.14 \text{ cfs}$.

After reviewing the 63-10553 field findings and available info with Scott King, he considered the permit limit of **5.0 cfs** a reasonable licensing recommendation.

Please see Cindy's memo dated 6/7/1999 and beneficial use field reports for greater detail.

MEMORANDUM

June 7, 1999

TO: Western Region Water Allocation Staff and Attachment to Beneficial Use Report

FROM: Cindy Hodges *Cjh*

RE: 63-10553 and 63-10629

I conducted a field exam in May 1996 for the two referenced permits, owned by Simplot Co. Permit 63-10553 is for the development of a geothermal well, and 63-10629 is for associated development of a cold water supply. There are some complex issues surrounding development under these permits, the most significant of which is that use has changed from heating and fish propagation to greenhouse space heating and hydroponic tomato production. The facility is now operating under the name of Simplot Sungro. The uses of the cold water well have been expanded to include consumptive uses which do not conform with the permit.

System Description

1. There are four wells found in NENE Section 19, T04N R03W. Two are pumped artesian geothermal sources and two are cold water wells. One point of diversion was permitted under 10553 (hot) and two PODs were permitted for 10629 (cold), but two wells were developed in the geothermal zone and the third developed into cold water. The fourth well is not associated. Well logs are attached for the geothermal wells.
2. The primary greenhouse building is of peaked-roof construction with rigid plastic siding, covering approximately 2.5 acres. Hot water from both wells under 10553 is used to heat the primary house using in-floor pipes and forced air heat exchangers. All flows go to a common diversion box then are distributed by relift pump into the floor grid or the heat exchangers. Exit flows and/or excess flows from the main house go into a floor heating system in four auxiliary Quonset houses. See the attached calculations for estimated space heating requirements. Discharge of spent geothermal water from the greenhouses goes to cooling ponds and then to a west-bound drain running north of the property.
3. The cold well developed under 63-10629 is used for year-round production (9-11 month irrigation plus re-plant period) and seasonal evaporative cooling within the greenhouse, domestic use in the offices and employee areas, commercial use for sweet corn and tomato packing, and also was found to have an irrigation supply line connected to an approximately 10 acre nursery stock holding area to the east in NWNW Section 20. This well is said to have been drilled in 1988. I cannot locate a log. See the attached pages for information regarding annual volume for all uses (consumptive and non-consumptive) from this well.
4. A fourth cold well in NWNENE is not used at Sungro but was said to be used at the feedlot immediately to the west. This well may have been drilled in 1995 and the legal misidentified on the well log as NENWNE. It may be interconnected with the Sungro cold water well as backup supply for the feedlot.

2500
GPD
Comm

NO -

Licensing problems and considerations

1. Measurement of both hot wells is required. There is no way to estimate the pumped artesian flow. A measurement should also be taken for the cold well even though flow may be estimated for purposes of issuing this license. There are no measuring devices but there are locations for polysonic measurements on the cold well, and I recall an anubar port at one of the geothermal wellheads. There may also be a commingled line at the hot water distribution box where a polysonic measurement would be possible.
2. A specific condition of use on (cold water) permit 63-10629 was that use of water be non-consumptive. Both the irrigation and evaporative cooling uses within the operation are significantly consumptive, and the irrigation found in section 20 is simply not authorized under this permit. The non-consumptive portion of the commercial activity found during the exam may be recommended under the permit, but the greater share of the cold water diversion is not authorized.
3. The hatchery originally developed under the permits was closed in 1991. The conversion to greenhouses began shortly thereafter and was declared only partly completed by Simplot in late 1994 when the first proof came due. Simplot tried and failed to obtain a second extension of time and it was at this time that IDWR first became aware that the use had changed under the permit. IDWR recommended that proofs be filed and the licenses issued for that development which occurred at the hatchery, with a transfer of nature of use to be made subsequently. Proof was filed in January 1995 (late) for 10629 and in February 1996 for 10553. At the time of my field exam in May 1996 the greenhouse appeared to be in full production.

Changing nature of use for geothermal wells

The nature of use under geothermal permit 63-10553 should be modified with a licensing amendment rather than with a transfer. There is sufficient data to evidence that the greenhouses were completed by the proof date of February 1996, a few months before the exam. If, as IDWR once recommended, we license this right to fish propagation as originally permitted, more comprehensive information on the old hatchery operation than we presently have must be collected from Simplot. And, we would be further burdening ourselves by first requiring the processing of the license and then the transfer.

In the permanent file there is basic information regarding the size and configuration of the hatchery and production records for the first year. An early piece of correspondence from Simplot also estimates the amount of hot water necessary at various developed temperatures to operate the facility at full production. From this, I was able to estimate that the *implied* permit limit for fish propagation is significantly greater than the discovered beneficial use for space heating. The change in Nature of Use should cause no injury to other rights and represents no expansion of use.

Changing nature of use of cold water well

The change in nature of use argument presented above is also applied to the cold water permit 10629 to the extent of the non-consumptive uses *only*. Those uses are limited to domestic use in the office and employee areas, and some of the commercial use in tomato and corn

processing (clean water). The non-consumptive uses, including the office building, were essentially carried over from one operation to the other and have likely not changed much.

Commercial uses for greenhouse production (irrigation) and evaporative cooling, both in the houses and for hydrocooling of produce (spray with chilled water) are consumptive and not within the implied limit of the permit. Irrigation of outside nursery stock also cannot be considered under this permit. The timing of their development with respect to proof filing is moot.

Overlap review and considerations for authorizing consumptive uses

The attached POU overlap review shows claim nos. 63-05036, 05037, 05038, 05039, and permit 63-10034 used for irrigation within NENE S19 and NWNW S20. PODs for these rights are located in NESE S19 and NWSW S20. According to a BU exam conducted for the permit 10034 in 1987 this irrigation is a part of a processing plant waste water land application system used on the Simplot tracts. (The industrial rights used are 63-02731, 03107, 04968 and 07244. The industrial use shown on the irrigation rights also refers to these processing plants in SE S19 and SW S20.) Also from the exam notes, about 25% of the required irrigation water is fresh water which supplements the industrial waste. The exam map verified about 30 ac irrigation in NENE S19 and about 21 ac in NWNW S20 and mentions "a research plot with 12 acres of trees" (the nursery stock?) but does not specify the location of that plot. With the exception of the nursery plot, the uses from both hot and cold wells found at Sungro in 1996 were new uses developed after the 10034 BU exam. This field exam is still at the regional office.

Consumptive beneficial use from cold water wells verified in NENE S19 and NWNW S20 pursuant to the 10034 field exam will not automatically benefit the Sungro operation because of the timing of the development. A license amendment of 63-10034 is not an option to authorize the non-permitted consumptive uses. Whether this use may be transferred to the Sungro well after licensing to cover the unauthorized uses found is unknown. The hatchery development began in about 1988. Consumptive uses were developed at the greenhouse between about 1991 and 1994.

An older transfer application filed and numbered #4615, which relates to many of the overlapping rights, also overlaps the permitted place of use. This transfer cannot be located at the State Office. The purpose of the transfer is not clear but I suspect from the rights involved it was to more fully consolidate the waste application system. Perhaps this application is still at the region? Depending on the disposition of this application, it may be of some use to Simplot, but it will have to be located first.

Recommended actions

1. As soon as possible when geothermal wells are in use (late summer or early fall 1999?) measure all three wells at Sungro. If necessary, collect any missing information needed to complete exam 63-10034.
2. Finalize all three license recommendations (10034, 10553, 10629) and forward to S.O. to facilitate future transfer.
3. Locate/resurrect transfer 4615 or solicit a new transfer providing for consumptive uses of cold water at Sungro. Use figures in 63-10629 BU exam for consumptive volume requirements.

E. NARRATIVE/REMARKS/COMMENTS

See attached memo. This permit limited to non-consumptive use only therefore a large percentage of uses found cannot be recommended for licensing. Information on those uses is included in field notes for purposes of future transfer analysis.

Only one POD developed.

Overlaps: all pertinent overlaps discussed in memo
All others are from surface water and do not affect permit

Commercial use is limited to ~~domestic~~ use by office and greenhouse staff and clean water ~~for~~ for greenhouse operations and vegetable packing but shall be non-consumptive. Does not include commercial irrigation or evaporative cooling.

No meas device or port.
Consumptive uses found.

Have conditions of permit approval been met? ☐ yes ☒ no

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$\frac{60 \times 8.8 \times 1.7}{160 + (80 \times 2.31)} = 1.07 \text{ cfs} *$$

*Theoretical used because pump capacity greatly exceeds recommendation. MUST be measured for further consideration

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

See attached

$$V_{REQ} = 1.2 \text{ AF (non consumptive portion)}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
COMMERCIAL	1-1	12-31	1.07	1.2
Totals:				

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Cy Hodges Date 6-8-99

Reviewer _____ Date _____

SEAL

63-10629

SIMPLOT SUNGRO COLD WATER VOLUME

cjh
6-7-99

1. EMPLOYEES

12 full-time office staff

3 full-time greenhouse staff

2 Seasonal greenhouse staff (9 mos)

25 Seasonal packing/process (2 1/2 mos)
Sweet corn - long shift

[Office workers @ 15 gal/shift
Other workers @ 50 gal/shift]

$$(12 \text{ FT office} \times 15 \text{ gal/shift} \times 260 \text{ shifts/yr}) \div 325850 = .14 \text{ AF}$$

$$(3 \text{ FT other} \times 50 \text{ gal/shift} \times 260 \text{ shifts/yr}) \div 325850 = .12 \text{ AF}$$

$$(2 \text{ FT Seasonal} \times 50 \text{ gal} \times 180 \text{ shifts}) \div 325850 = .06 \text{ AF}$$

$$(25 \text{ Seasonal} \times 60 \text{ gal} \times 50 \text{ shifts}) \div 325850 = .23 \text{ AF}$$

.6 AF

2. CORN PROCESSING (CONSUMPTIVE)

$$[5000_{\text{gal}} \text{ initial fill} + (3000 \text{ gal refill/day} \times 70 \text{ days})] \div 325850$$

.7 AF

3. EVAPORATIVE COOLING (CONSUMPTIVE)

$$24 \text{ coolers} \times 2 \text{ gpm/cooler} = 24 \text{ gpm or } .05 \text{ cfs}$$

$$.05 \text{ cfs} \times 150 \text{ days} \times 1.9835 = ~~1.49~~ \text{ AF}$$

$$(\times \frac{12}{24} \text{ hrs/day})$$

7.4 AF

4. IRRIGATION - Not evaluated for Sec 20 irrigation line

cannot be recommended under permit

63-10629 (continued)

→ Must be recommended
under permit

5. COMMERCIAL - GREENHOUSE DRIP SYSTEM (CONSUMPTIVE)

$$25,500 \text{ emitters} \times .1 \text{ gpm/emitter} \times 7 \text{ min/day} = 17,850 \text{ gal/day}$$

$$\begin{array}{l} \text{20 Sec run time} \\ \text{avg 20 times daily} \end{array} \quad \frac{400 \text{ Sec}}{60} = 6.6$$

$$(17,850 \text{ gal/day} \times 300 \text{ days}) \div 325850 = \boxed{16.4 \text{ AF}}$$

6. MISC USES

- cleaning of houses & equipment (nonconsumptive)

estimate $\boxed{.6 \text{ AF}}$

(with employee volume would be the equivalent
of a domestic right w/ de minimis consumptive use)
~~CONF~~

5/2/96 63-10553 (Geothermal) 63-10629 (Cold)

pg 1 Simplot Sungro - RON PARKS

Geothermal System - Greenhouse well is primary,
Ditch Well (#3) is backup.

Using both in-floor pipes & heat exchangers
with forced air, heating only, greenhouses
2 1/2 acres under one building -

Waste flows - discharged to cooling ponds
then to drain ditch

All flows to common diversion box, pumped
to floor grids or heat exchangers on demand.
Pump runs continually. From box to ponds

Cold Water System - pumped well, runs continuously
used for irrig inside greenhouses, cooling (evap pads),
process/packaging for tomatoes & sweet
corn. Also in office bldg, & backup
for feedlot. Also connected to 1995 feedlot
well.

COLD WELL: 60 HP US Elec 3 ph

ID 6234/S04S059R123R-9

layne pump, 8" discharge

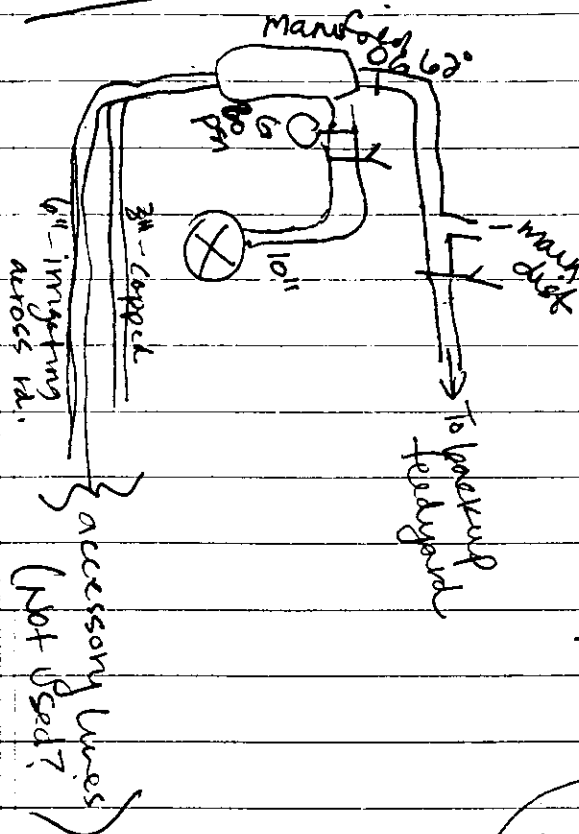
80 psi at manifold

(Riverside) - pump set ~170

TD=220 SWC 128 1176 GMP

5/2/96
Pg 2

COLD WELL



660 KFER)
122 UNDER 63-10034?
extended Season
reduced rates.
25,500 emitters

Tim Hathaway - glase mgr
ca .1 gpm, avg 20 sec
10-30 times daily.

depending on conditions

4 rows at a time

~320 emitters per row
season 9-11 mos, plant
about end of December

3 FT yr-round

12 Seasonal (9 mos)

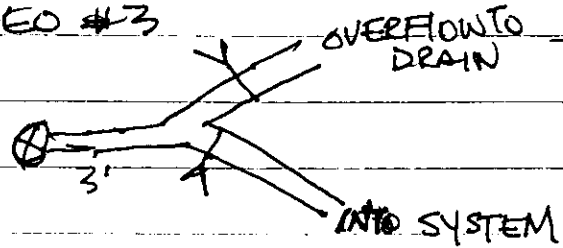
OFC: 12 FT

~~168,000 ft³~~ Greenhouses:
21,000 ft² ~~gleaser~~
2 @ 3504 x 30 Quonset
2 @ 504 x 30 "
~~241,920 ft³~~ 30,240

> floor heat

~~108,900 ft³~~ ~~198,900 ft³~~
Main house 108,900 ft²
2 1/2 acre peaked roof
house, plastic panel
overflow goes to floor
and in Quonsets

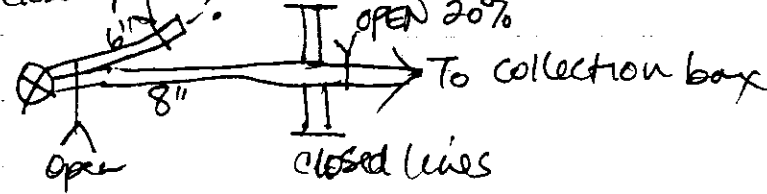
GEO #3



well flowing, not controlled
not used, ~45 gpm

Pete - Maint

GEO #1
closed open 80%



75 HP Siemens
3ph

ID 56183-9

5/2/96

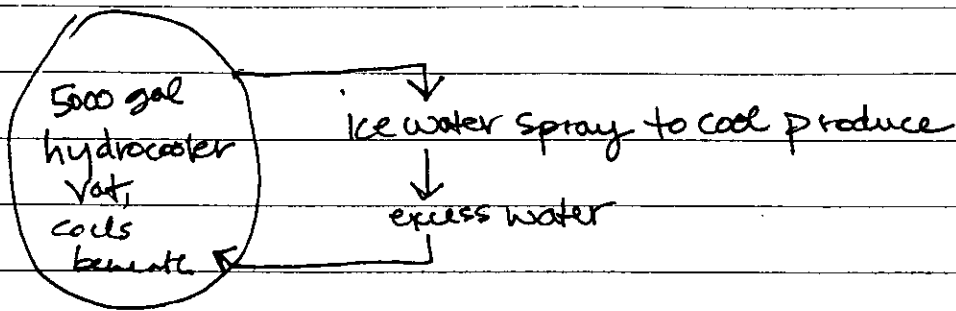
Pg 3

Geo #1 850-920 gpm Pumped flows } meas w/
Geo #3 375 gpm " " } manometer

~~300000~~

Processing

2 1/2 mos process Sweet corn, refrigerated water
cooling July - Sept 25 FT (long shift)



refill 500-1000 gal 2-3 times a day (10 weeks)

+ mix clean water

assume seven day
weeks

Evaporative cooling — 24 coolers (east end of houses)

each w/ recirc pump/fan est 2 gpm

avg supply thru ^(each) 1/2" copper tube —

avg run time thru cooling season 12 hrs/day

use — May 1 → Sept 30 ~ 150 days

under 63-10034?

25-30K lb/wk
@ peak



POD



~~POD~~

Drip emitter
system from
cold well
(Not recommended
this permit)

63-10629
cjh



Hydrocooler for
sweet corn
processing *

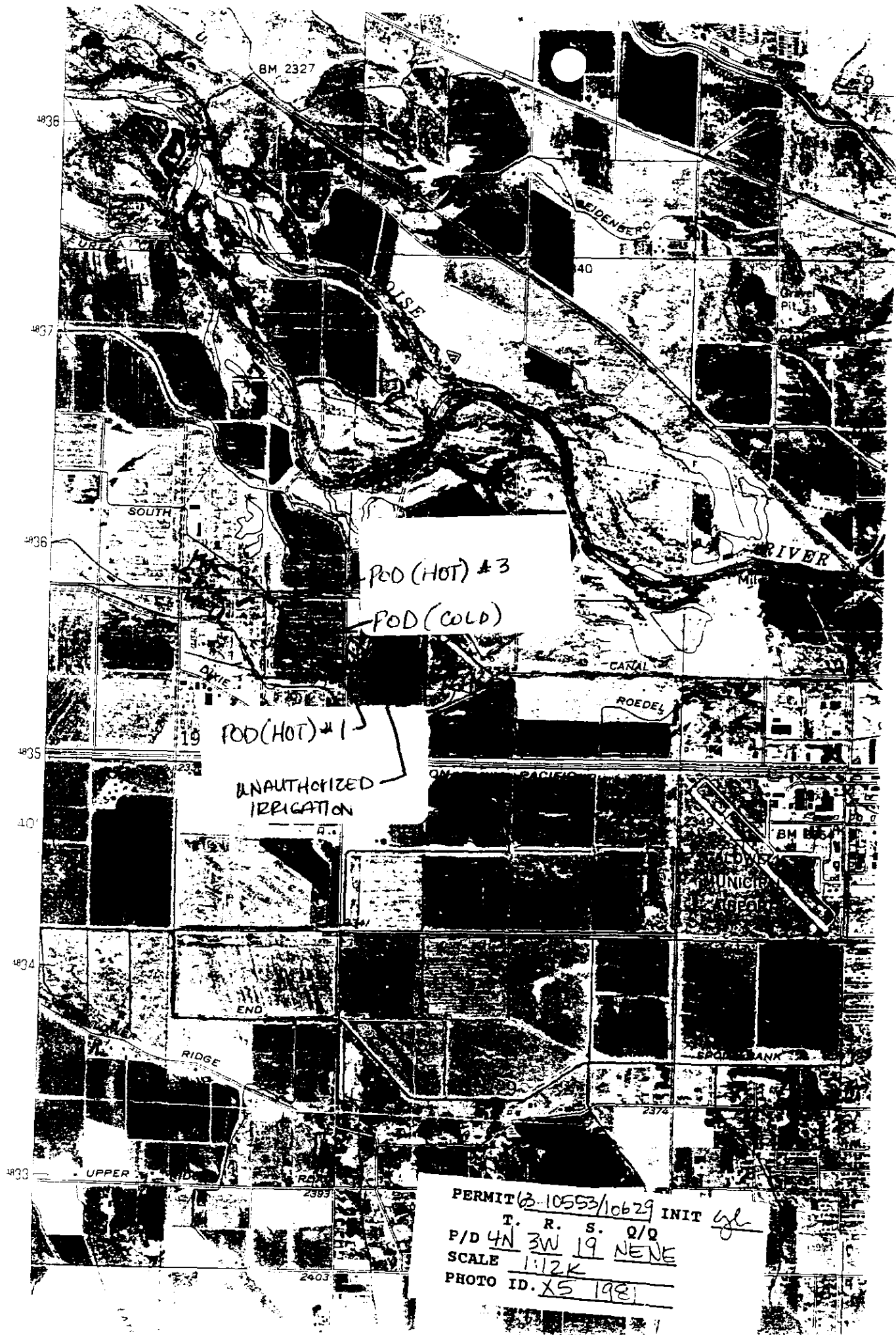


Irrigation of
nursery stock
Sec 20 *

* Neither of these uses may be
recommended under the permit

63-10629

gjh



PERMIT 62-10553/10629 INIT *gl*
T. R. S. Q/Q
P/D 4N 3W 19 NENE
SCALE 1:12K
PHOTO ID. X5 1981

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

COLD WATER

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: _____
2. OWNER: JR SIMPLOT Phone: _____
Address: _____
3. WELL LOCATION: Twp _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4
County _____ (Provide sketch map and photo on reverse.)
4. DRILLER: _____ Lic. No. _____
When Drilled? 1988
5. WELL CONSTRUCTION:
Casing Diameter _____ inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☐ Good ☒ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☐ No
Condition of Piping and Valving OK - slight leak @ shaft
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water _____ ft. Water Temperature COLD °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☐ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:

☐ Domestic	☐ Irrigation	☐ Stock
☐ Test	☐ Municipal	☐ Industrial
☐ Abandoned	☐ Waste Disposal/Injection	☐ Not Used
☐ Other: _____		

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☐ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☐ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: _____

Signature of Dept. Representative & Title

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 63-10629 Reviewed by [Signature] Date 1-25-95

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

Fish Prop.

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

yes Copy in the file?

100.00 Amount paid for permit

no Well log in the file?

Drilling Permit No. 63-88-2-0233-000

yes Correct?

LICENSE EXAMINATION FEE

yes Required?

200.00 Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

yes Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received 1-18-95

Date proof due 11-1-94

No. of days late 78 = 78

Priority Date 5-31-88 + 151

New Priority Date 8-17-88 229

Δ ~~proof~~ permit lapsed
12/5. Proof received
within 60 days

DEFICIENCIES OR ACTION ITEMS

Reinstate & advance Priority to August 17, 1988.
Proof acceptable.

DATA ENTRY

New Address [Signature]

Proof Made 1-18-95



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 25, 1995

J R SIMPLOT COMPANY
P O BOX 27
BOISE ID 83707

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 63-10629

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since proof of beneficial use was received after the proof due date. Please note that the priority date has been advanced to August 17, 1988.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

RECEIVED
FEB 14 1995



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

January 16, 1995

RECEIVED

JAN 18 1995

Certified Mail

Department of Water Resources

L. Glen Saxton
Chief, Water Allocation Bureau
State of Idaho
Department of Water Resources
1301 Orchard Street
Boise, Idaho 83720-9000

Re: IDWR Permit No. 63-10629

Dear Mr. Saxton:

In following the suggestion made in your letter dated December 5, 1994, enclosed for filing is a completed proof of beneficial for the above referenced permit and a \$200.00 check to cover your license examination fee.

The facility constructed in connection with this permit has been substantially modified since it was used for fish propagation. Since the water is now being used for a different non-consumptive purpose, it may be a challenge to determine the amount of water beneficially used for the permitted use while operating the facility for fish propagation. We will cooperate in providing to the Department any information accumulated while constructing and operating the facility that you feel is relevant in making your beneficial use determination.

Before the license examination is conducted, please arrange for the representative of the Department that will be conducting the exam to contact me to discuss the information about our former fish propagation operation that is available.

Sincerely,

Vic Conrad
Associate, Simplot
Land and Development

encl. Proof of Beneficial Use

J. R. Simplot Company Check No. 109817 for \$200.00

FEB 14 1995

I certify that file No. 63-10629

has been reviewed and is ready to be

MICROFILMED and DESTROYED.

The attached proof report is the water right as it appeared in the database prior to final status entry and deletion from the database.

S. Curtis
Reviewer

1/11/95
Date

RECEIVED

FEB 14 1995

Water Right Number - 63-10629

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

J.R. SIMPLOT CO.

1 - P.O. BOX 27

2 -

3 -

City- BOISE

State- ID Zip- 83707

Phone - 208-336-2110

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/31/1988 14 WESTERN P - PERMIT

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
04N	03W	19	SE NE NE		(27)	CANYON				

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
19	FISH PROPAGATION	01/01	12/31	5.000	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
5.000

TwN	Rng	Sec	Tract	Lot	Acres	Code	Place of Use Description	County
04N	03W	19	NE NE			19	FISH PROPAGATION	(27) CANYON

+ - - Diversion Means - PUMPS & PIPELINE.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 63-10553.

+ - - - - - Remarks - - - - - +
2 P/D LOCATED IN SENENE, S19, T4N, R3W.
THE MAX. RATE OF DIVERSION FOR FISH PROP. PURPOSES UNDER THIS
PERMIT SHALL NOT EXCEED 5.0 CFS. THE DIRECTOR RETAINS
JURISDICTION OF THIS PERMIT IF WATER WITH A BOTTOM HOLE TEMP. OF
85 DEGREES FAHRENHEIT OR MORE IS ENCOUNTERED.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
026 - Permit holder shall commence the excavation or construction of
- diverting works within one year of the date this permit is issued
- and shall proceed diligently until the project is complete.
046 - Right holder shall comply with the drilling permit

Water right number - 63-10629

Prefix Translation: WATER RIGHT

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

- 01G - Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- 07A - Assignment or sale of this right is subject to a determination by the Department that the right holder has proceeded to develop the right with due diligence and without speculation.
- 09C - Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
- 042 - The right holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
- 044 - Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
- 019 - Unperforated well casing shall be used to a minimum depth as identified on the right and shall be extended into the next confining layer.
- 016 - See remarks for additional conditions of approval.
- 027 - Use of water under this right shall be non-consumptive.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

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

Date: 11/08/1991 User Id: VAULT	Subject: Lapse Notice Sent
Lapse Notice Sent	
Date: 11/21/1991 User Id: VAULT	Subject: Extension of Time Received
Extension of Time Received	
Date: 11/26/1991 User Id: VAULT	Subject: Extension of Time Received
Extension of Time Received	
Date: 11/01/1994 User Id: VAULT	Subject: Extension of Time Received
Extension of Time Received	
Date: 12/05/1994 User Id: VAULT	Subject: Lapse Notice Sent
Lapse Notice Sent	

+ - - Audit Fields - 05/31/88 06/08/88 11/25/88 12/09/88 11/08/91
11/21/91 11/26/91 11/26/91 11/01/94 12/05/94

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 11/01/1994	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 10/25/1988	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - W000204	Water District -
Licensed Date - 00/00/0000	Appl Received - 05/12/1988	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag-

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 63-10629

Reviewed by [Signature]

Date 11/15/94

BASIC INFORMATION

10-31-94 Date stamp received

yes Extension received timely

yes Fee received and receipted

yes Name and signature same as permit

no Address Change

BASIS FOR EXTENSION REQUEST

_____ Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?

_____ Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?

_____ Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Recommend denial since a previous extension was granted for due diligence & the department is not authorized to grant an additional extension.

PRIORITY CALCULATION

Date extension received _____

Proof due date _____

Number of days late _____

Priority date _____

New Priority Date _____

~~_____ = _____
_____ = _____
_____ = _____
_____ = _____
_____ = _____~~

DATA ENTRY

New Address _____

Change Proof Due Date _____

Change Priority Date _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 5, 1994

Vic Conrad
J.R. Simplot Company
P.O. Box 27
Boise, ID 83707

RE: Permit No. 63-10629

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that the department can only grant one extension of time based on due diligence. Please note that the department has previously granted an extension of time in connection with this permit.

Your best option at this point would be to file proof of beneficial use for the portion of the water right that has been developed. I have enclosed the necessary form for your convenience. Be advised that since the extension was denied, the permit lapsed on November 1, 1994, and is of no further force nor effect unless it is reinstated by submitting proof of beneficial use.

Additionally, you state that water is being used for a commercial greenhouse as well as fish propagation. Your water right permit only authorizes diversion for fish propagation. The permit can be licensed for the use made during the permit development period and by a transfer the change in use can be approved.

RECEIVED
FEB 14 1995

Vic Conrad
Page 2
December 5, 1994

If you have any questions or if the department can be of any further assistance, please feel free to contact us or any of the regional offices.

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton".

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

C: IDWR - Regional Office

RECEIVED
FEB 14 1995



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

October 31, 1994

Hand Delivery

Julie Yarbrough
State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-9000

Re: IDWR Permit No. 63-10629

Dear Julie:

Enclosed for filing is a completed request for extension of time to provide additional time in which to submit proof of beneficial use for the above referenced permit and a \$50.00 check to cover your filing fee.

Please file the enclosed and arrange for a photocopy with your date stamp indicating receipt to be provided to the company's representative making the delivery.

If you have any questions, please don't hesitate to call me at 389-7359.

Sincerely,

Vic Conrad
Associate, Simplot
Land and Development

encl. Extension Request, J. R. Simplot Company Check No. 54613 for \$50.00

cc: K Meier w/enclosures

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FEB 14 1995

Exhibit A
Request for Extension of Time (IDWR Permit No. 63-10629)

The development of this water right was originally connected with the construction and operation of a fish propagation facility near Caldwell, Idaho. A well was drilled under this permit to provide a cold water supply that could be blended with water from low-temperature geothermal wells to obtain the optimum temperature for raising a warm water species at the facility. Water from the well drilled under this permit was also used in processing the fish for sale.

Construction of the fish propagation facility began in 1988 and portions of the facility were still under construction when the facility finally closed in March, 1991. While in production, water from the well was used to produce approximately 4 million pounds of tilapia in 1989 and 10 million pounds in 1990.

In spring, 1992, a portion of the facility was converted into a greenhouse and vegetable processing center as alternative uses for the structures. After a successful trial, more of the facility was modified into additional greenhouse space and improvements were added to the vegetable processing facility. The space converted was used to produce and process 1,380,000 pounds of corn in 1992, 2,990,000 pounds of corn and 92,000 pounds of marketable tomatoes in 1993 and 2,760,000 pounds of corn and 321,000 pounds of marketable tomatoes to date for 1994.

Since the spring of 1992, 30 % of the fish propagation facility has been converted into the commercial greenhouse and vegetable processing operation at a cost exceeding \$1,000,000.00. Water from this well is essential in operating the greenhouse environmental control, processing, and office facilities used to operate that portion of the facility that has been converted. Further needs are being contemplated for expansion of the fresh vegetable processing facility.

RECEIVED
FEB 14 1995

Exhibit B
Request for Extension of Time (IDWR Permit No. 63-10629)

Because of the large cost involved with modifying the structures, the amount of time necessary to develop the market to consume products produced at the facility, production capacity limitations and the amount of time required for product line development, converting the remaining portion of the fish propagation complex will occur over a period of time. While so much of the facility is still available for an alternative use, we request an extension to allow more time to convert the balance of the project to complement the existing greenhouse and vegetable processing operation. We anticipate the amount of water beneficially used in these operations to be directly related to the conversion of additional portions of the former aquaculture site. For this reason we request an extension to allow more time to complete development under this permit.

RECEIVED
FEB 14 1995

Exhibit B

August 31, 1994

J.R. SIMPLOT CO.
P.O. BOX 27
BOISE ID 83707

PROOF DUE NOTICE

RE: PERMIT NO. 63-10629

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

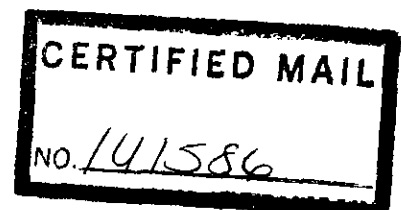
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED
FEB 14 1995





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 26, 1991

J. R. Simplot Company
P.O. Box 27
Boise, ID 83707

Re: Permit No. 63-10629

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to November 1, 1994. However, since the extension was received after the proof of beneficial use date, it was necessary for the department to reinstate your permit and advance your priority date to May 31, 1988.

Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECEIVED

DEC 11 1991

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 63-10629

Reviewed by KLG

Date 11/25/91

BASIC INFORMATION

11/20/91 Date stamp received
no Extension received timely (not too early not too late)
yes Fee received and receipted
yes Name and signature same as permit
no Address change

BASIS FOR EXTENSION REQUEST

☒ Has adequate work been completed to demonstrate due diligence?
☐ Has the cost incurred been adequate to demonstrate an intent to complete the project?
☐ Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

 Date litigation completed _____
 Date litigation began _____
 Total period of delay = _____
 Present proof due date + _____
 NEW PROOF DUE DATE = _____

☐ Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN

*approved Based on due diligence
 extend to 11/1/94*

☐ Reinstate	Date extension received	<u>11/20/91</u>	=	<u>324</u>
	Proof due date	<u>11/1/91</u>	=	<u>-305</u>
	No. of days late		=	<u>19</u>
	Priority date	<u>5/12/88</u>	=	<u>+132</u>
	ADJUSTED PRIORITY DATE	<u>5/31/88</u>	=	<u>151</u>

DATE ENTRY

KLG Change proof due date _____ Address change
KLG Priority date change _____

11-26-91

November 7, 1991

J.R. SIMPLOT CO.
P.O. BOX 27
BOISE ID 83707

LAPSE NOTICE

RE: PERMIT NO. 63-10629

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated August 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

RECEIVED
DEC 11 1991

CERTIFICATION OF MAILING

I hereby certify that on 11-8-91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

KLG

138007
August 31, 1991

J.R. SIMPLOT CO.
P.O. BOX 27
BOISE, ID 83707

PROOF DUE NOTICE

RE: PERMIT NO. 63-10629

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED

DEC 11 1991

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED
NOV 18 1988
Department of Water Resources

1. Applicant J. R. Simplot Company
2. Address P.O. Box 27
Boise, ID 83707
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Water right permit no. 63-10629 ; Injection well permit no. _____
4. Proposed well location SE 1/4 NE 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 19, Twp. 4N, Rge. 3W, County Canyon,
Lot, block and subdivision _____
5. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
☐ Irrigation ☒ Industrial ☐ Municipal
☐ Injection ☒ Other, Specify Provide cold water for fish farming.
6. Well construction information: (See Attached)
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 28" - 14" Proposed depth 270'
Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
7. Anticipated construction start date Immediate
8. Well Driller (if known) Thomas Drilling
Address Afton, Wyoming
Date 11-17-88 Applicant's signature J. R. SIMPLOT COMPANY
Title _____ Secretary [Signature]

* After other pre-requisite approvals have been obtained.

DEC 11 1991

ACTION OF IDWR

(X) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.

2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.

3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.

4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.

5. Issuance of this drilling permit does not authorize trespass on the land of another party.

6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

7. The well shall be constructed as shown on the attached drawing or as approved by the Department.
8. The well owner or driller shall provide an estimate of the bottom hole temperature in the well.

Dated this 21st day of November, 1988.

Signed

John E. Reed

Title

Received by

JP

Fee

\$100.00

Date

11/21/88

Construction start date

DEC 11 1988

Receipt No. 0003484

Construction start extension to

Extension approved by



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Enclosed is the approved drilling permit for your proposed well. Your well driller is required to have a copy of this permit on site. If the permit application indicates a driller, the driller has been sent a copy of the permit.

If you have not indicated a driller, you may contact any of our offices to make sure the driller you select is properly licensed as required by Idaho Law.

If you have any questions or comments, please contact the Department.

Sincerely,

A handwritten signature in cursive script that reads "John E. Beal".

JOHN E. BEAL
Groundwater Protection Section

JEB:ldt(GP12-1.68)

DEC 08 1988

Drilling Permit No. 63-88-2-233
Water Permit No. 63-10629
Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

NOV 18 1988
Department of Water Resources

1. Applicant J. R. Simplot Company
2. Address P.O. Box 27
Boise, ID 83707

(X) Well Owner () Well Operator () Other, specify _____

3. Water right permit no. 63-10629; Injection well permit no. _____

4. Proposed well location SE 1/4 NE 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 19, Twp. 4N, Rge. 3W, County Canyon,
Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)
() Domestic () Stockwater () Monitoring
() Irrigation (X) Industrial () Municipal
() Injection (X) Other, Specify Provide cold water for fish farming.

6. Well construction information: (See Attached)

(X) New well () Deepen () Replace

Proposed surface diameter 28"-14" Proposed depth 270'

Anticipated bottom hole temperature:

(X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)

7. Anticipated construction start date Immediate

8. Well Driller (if known) Thomas Drilling

Address Afton, Wyoming

Date 11-17-88 Applicant's signature J. R. SIMPLOT COMPANY
[Signature]

Title _____ Secretary _____

ACTION OF IDWR

(X) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

7. This well shall be constructed as shown on the attached drawing or as approved by the Department.
8. The well owner or driller shall provide an estimate of the bottom hole temperature in the well.

Dated this 21st day of November, 1988.

Signed

Title

Received by CP Fee \$100.00 Date 11/21/88

Receipt No. C003484 Construction start date _____

Construction start extension to _____

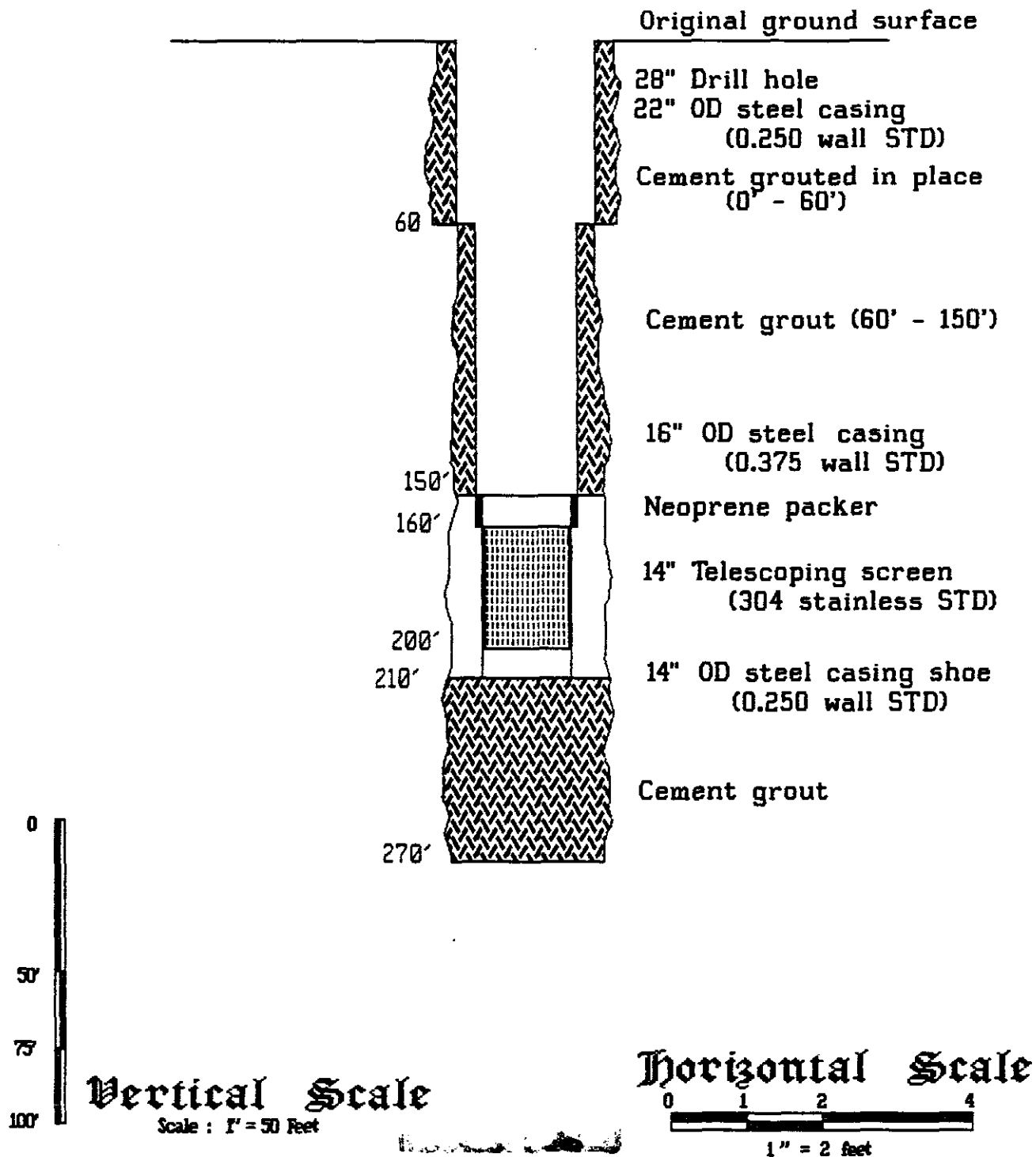
Extension approved by _____

DEC 10 1988

J R SIMPLOT COMPANY

FRESH WATER WELL #1

CALDWELL, IDAHO



DEC 08 1988

11/4/88



J. R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
PO BOX 27 BOISE, IDAHO 83707 (208) 336-2110 TELEX 368432

CORPORATE HEADQUARTERS

NOV 18 1988

Department of Water Resources

November 17, 1988

John Beal, P.E.
Ground Water Protection
Section Manager
Department of Water Resources
Statehouse Mail
Boise, ID 83720

RE: Aquaculture Project -- Caldwell

Dear John:

I have enclosed another application for drilling permit in conjunction with our aquaculture project. We do have approval of the water permit. As usual, we are in a rush, especially considering the weather.

Please give me a call if you have any questions. Thanks.

Sincerely,

BRUCE L. BELZER
Assistant General Counsel

1996v

Enclosures

DEC 08 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

November 3, 1988

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RE: Permit No. 63-10629

J.R. Simplot Co.
Box 27
Boise, ID 83707

Dear Permit Holder(s):

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

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

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

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the Department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

DEC 08 1988

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:sc
Enclosures

Form No. 202a
1/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY BD DATE 5/24/88 APPLICATION NUMBER 63-10629REQUIRED INFORMATION

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

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.) 63-10553 : geothermal well permit for fish prop.
- ☐ Overlapping point of diversion
- ☐ Yes ☐ No Field check required
- ☐ Yes ☐ No Field check by _____
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☐ No Critical groundwater area
- ☐ Yes ☐ No Groundwater management area
- ☐ Yes ☐ No Send dam safety information
- ☐ Yes ☐ No Send power requirement letter
- ☒ Yes ☐ No Send fish farm requirement letter
- ☐ Yes ☐ No Power residency affidavit
- ☐ Yes ☐ No Power efficiency form
- ☐ Yes ☐ No Within trustwater boundary (If yes, attach trustwater supplementary analysis sheet.)
- ☒ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. yes attach large diversion supplementary analysis sheet yes
- ☐ See reverse side for additional information

REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested JUL 03 1988

Department of Water Resources

Form No.
7/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHECKLIST OF REQUIREMENTS
LARGE DIVERSION SUPPLEMENTARY
ANALYSIS SHEET*

EFFECT ON EXISTING RIGHTS

- ☐ Yes ☒ No Springs/surface streams with 5 or less existing users
☐ Identify number of impacted rights
☐ Name and address of users
☐ Location of points of diversion
☐ Nature of use of the existing rights
- ☐ Yes ☒ No Groundwater wells are deeper than other wells in area
☐ Plat showing proposed well and any other wells &/or
springs within 1/4 mile radius
- ☒ Yes ☐ No Statement of design construction, or operation techniques
which will be used to reduce impact on existing rights

SUFFICIENCY OF WATER SUPPLY

Water Requirements of Proposed Project

- ☐ Required diversion rate during peak use (Maximum rate)
☐ Required diversion rate during average use period
☐ Annual volume
☐ Season of use
☐ Volume to be consumptively used/year

Quantity of Water Available from Source

- ☐ Flow rates for surface water sources available during peak
and average water demand period
☐ Properties of aquifers
☐ Other sources available for supplementation

GOOD FAITH, DELAY OR SPECULATION

N/A

- ☐ Copies of deeds, leases, easements, and right-of-ways from _____
- ☐ Power applications affidavit form 205/206 is required
☐ Yes ☐ No Other needed permits, licenses, or approvals required. If
yes, _____.

FINANCIAL RESOURCES

Not Necessary

- ☐ Current certified financial statement
☐ Financial commitment letter/financial statement from
committed party
☐ Project design/plans along with cost estimation to
complete project

Dave,
Hydrology should
complete this
section.

*For applications of more than 5 cfs. or more than 500 AF.

Good

PROCESSING ☒ Yes ☐ No In form for advertising
☒ Yes ☐ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

ND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☒ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

NAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest July 5, 1988
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached Approve, DNR
☐ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 63
☐ Yes ☒ No Special conditions of approval or cover letter below.

26 A. Recommend that 3 years be allowed for completion of this project.

OIG, OTA, OAC. Facility volume is limited to ☐ See below for additional information

By DNR Date 7/8/88 28 (fish prop., 5. Oct 5)

STATE OFFICE REVIEW P23, P03, P17 **19 27 46 26 OIG OTA OAC 42

By KW Date 9/27/88 ☒ See below for additional information

ADDITIONAL INFORMATION

~~needs to be reviewed under Rules 4~~

~~Prop... 7/21/88~~

** Recommend condition #19 due to depth
of proposed wells and close proximity
of the wells to the river... also because
of the decline in water levels in
Canyon Co. this past irrig. season.



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

MEMORANDUM

RECEIVED

SEP 20 1988

TO: Gary Spackman

FROM: Dave Tuthill *Dave*

Department of Water Resources

DATE: September 20, 1988

RE: Application for Permit No. 63-10629

In lieu of providing to the Department information regarding items 1 through 4 of your attached memo dated August 18, 1988, the J.R. Simplot Co. (via attorney Bruce ^{Peter} Blazer) decided to reduce the requested rate of flow for this application to 5.0 cfs, so that the information is not required pursuant to Rule 4,5,3.

Mr. Blazer requested that processing of this application be expedited if possible.

DEC 08 1988

MEMORANDUM

TO: DAVE TUTHILL *DT*
FROM: GARY SPACKMAN *Gary*
RE: REQUIREMENTS OF RULES AND REGULATIONS
DATE: 8-18-88

=====

Dave, I am returning application No. 63-10629 to you because additional information pursuant to the Rules and Regulation for Water Appropriation is required.

Please refer to the "Checklist of Requirements, Large Diversion Supplementary Analysis Sheet". Many of the items have not been addressed. Use of the form insures that all of the information per Rule 4,5. has been submitted by the applicant.

All information required under the rules must be submitted by the applicant unless extraordinary circumstances would make submittal ridiculous. If the information is not required, the reason should be clearly documented prior to forwarding the application to the State Office.

J.R. Simplot should provide the following unless it is waived after submittal of documentation showing why information is not required:

1. Information on effect to existing water rights.
 - a. A plot showing proposed well and any other wells within 1/2 mile radius.
2. Information regarding sufficiency of the water supply.
- Not necessary for JR Simplot Co*
3. Information on Financial Resources.
4. Information on conflict with Local Public Interest.
 - a. See rule 4,5,3,5. for requirements.

RECEIVED

SEP 20 1988

Department of Water Resources

RECEIVED

DEC 08 1988

Department of Water Resources
Western Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

June 9, 1988

Stacy Gebhards
Regional Supervisor
Idaho Department of Fish & Game
Region 3/Statehouse
Boise, ID 83720

Re: Application for Permit No. 63-10629, in the Name J. R. Simplot Company

Dear Mr. Gebhards:

Enclosed is a copy(s) of the above-referenced application(s) for permit which may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by July 5, 1988.

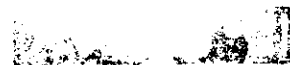
If you have any questions regarding the application, please contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure(s):



DEC 08 1988



J. R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707 (208) 336-2110 TELEX 368432

CORPORATE HEADQUARTERS

May 11, 1988

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

Gentlemen:

I have enclosed an Application for Permit to divert 10 cfs of cold water for a warm water fish farm Simplot hopes to develop near Caldwell. Additionally, I have enclosed a check for \$225 as the application fee. This application is in conjunction with 63-10553, which permit is for the warm water requirements. I submitted ownership data and construction plans with the application for 63-10553. Said information is pertinent to the enclosed application, as well, since it pertains to the same facility.

Please let me know if you need any further information in order to process the enclosed application. Thank you.

Sincerely,

BRUCE L. BELZER
Assistant General Counsel

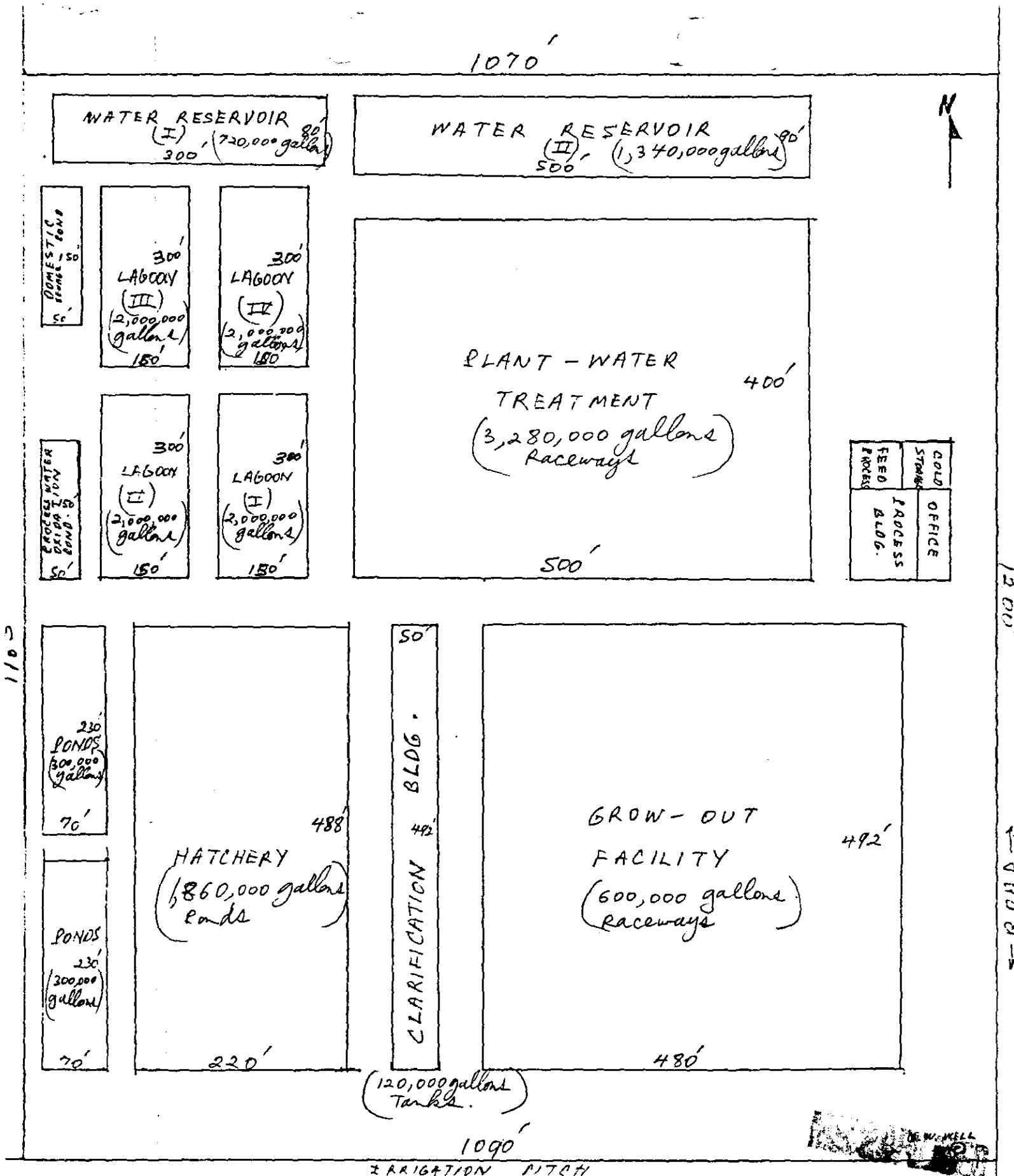
0102R

Enclosures

cc: Sot Chimonas



DEC 08 1988 Department of Water Resources
Western Regional Office



(TOTAL SYSTEM VOLUME:
16,520,000 gallons.
= 50.7 AF DRY

SIMPLOT AQUACULTURE
- FACILITIES LAYOUT -
SOT - 10/20/87
3/8" = 50'

SIMPLOT AQUACULTURE GEOTHERMAL WATER UTILIZATION

The aquaculture facility will basically be utilized for warm water fish rearing. It includes a Hatchery, a Grow-out facility, a Plant-Water Treatment System Oxidation lagoons for waste water and Water reservoirs. The main facilities of hatchery, grow-out and water treatment will be solar covered as to conserve heat.

The geothermal water will be primarily used to maintain the water temperature at 80° F during the winter months, inside the solar greenhouse structures. The major use of the 2,000+gpm will be the grow-out tanks amounting to 600,000 gallons capacity. The second smaller user will be the hatchery with pond capacity of 1,860,000 gallons. The water is fed to both of these facilities with 90% recycled water from water-treatment and flows out to clarification and plant water treatment to remove BOD and nitrogenous compounds. The water is then re-used. The clarified waste is sent to oxidation lagoons for further treatment with the ability to re-use that water as well.

The volumes of the various systems are shown on the enclosed layout.



DEC 06 1988

CORPORATE HEADQUARTERS

RECEIVED

APR 21 1988

April 20, 1988

Department of Water Resources

Mr. Jim Johnson
Water Rights Supervisor
Department of Water Resources
Statehouse Mail
Boise, ID 83720

RE: 63-10553

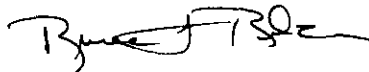
Dear Jim:

This will acknowledge receipt of your April 18th letter on this application. As we discussed by phone prior to you sending the letter, we can only make a best guesstimate at this time. However, the following data depicts the anticipated annual warm water requirement at varying temperatures. This will ultimately depend upon seasonal air temperatures, temperature and quality of any cold water source utilized to mix with the warm water, etc.

<u>Warm Water Temp (F)</u>	<u>Annual Volume in Million Gallons</u>
100	1,800
110	1,000
125	600
140	375
150	300

Jim, I hope this information is sufficient for your evaluation purposes. At this point it is really the best we can come up with, prior to knowing more about the warm water aquifer. We had anticipated having tested the well by now, but the driller did not complete the hole according to schedule. Please call if you have any questions.

Sincerely,



BRUCE L. BELZER
Assistant General Counsel

RECEIVED

0084R

DEC 08 1988

cc: Sot Chimonas

63-10629

J.R. SIMPLOT COMPANY
P.O. BOX 27
BOISE, ID 83707

Source: GROUNDWATER

Diversion Pt: SENENE Sec 19 T 04N R 03W

Use: FISH PROPAGATION (10.000 CFS)

Date Filed: 5/12/1988

In: T04N R03W S19 NENE

DEC 08 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

May 9, 1988

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Bruce Belzer
J.R. Simplot Company
One Capitol Center
P.O. Box 27
Boise, ID 83707

RE: Drilling Permits
Sec. 19, T4N, R3W

Dear Mr. Belzer:

Enclosed you will find check No. 38620 for \$200. Once you have submitted an application for permit for the cold water use, you may again submit the fee for the drilling permits. I doubt that the drilling permits can be approved until the water right permit is approved unless you can show an urgent need.

If you have any questions, contact me.

Sincerely,

JOHN E. BEAL, Manager
Groundwater Protection Section

JEB:ldt(GP11-1.4)

Enclosure

CC: IDWR - Western Region

J. R. SIMPLOT COMPANY

P. O. BOX 27
BOISE, IDAHO 83707

DEC 08 1988

No 38620

BOISE OFFICE
FIRST SECURITY BANK OF IDAHO
National Association
P.O. BOX 7069
BOISE, IDAHO 83707
92-8/1241

PAY

The sum of 200 dollars 00 cts

DATE

AMOUNT

TO THE ORDER OF
DEPARTMENT OF WATER RESOURCES

MAY 3, 1988

\$ 200.00

J. R. SIMPLOT COMPANY

AUTHORIZED REPRESENTATIVE

⑈0038620⑈ ⑆124100064:003 04499 12⑈

RECEIVED

State of Idaho
Department of Water Resources

(Authorizing Construction of a Well)* Department of Water Resources

- (X) Well Owner () Well Operator () Other, specify

4. Proposed well location SE 1/4 NE 1/4 NE 1/4, or Gov't lot No. _____
Sec. 19, Twp. 4N, Rge. 3W, County Canyon
Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)
- () Domestic () Stockwater () Monitoring
- () Irrigation () Industrial () Municipal
- () Injection (X) Other, Specify Commercial fish farm operation.

6. Well construction information:
- | | | |
|---------------------------|------------|---------------------|
| (X) New well (2) | () Deepen | () Replace |
| | #1 12" | 450' |
| Proposed surface diameter | #2 16" | Proposed depth 660' |

(X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)

8. Well Driller (if known) Vaughn Thomas

Date 5-3-88 Applicant's signature *James L. Shaw*

Title _____ Secretary _____

DEC 08 1988



J. R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707 (208) 336-2110 TELEX 368432

CORPORATE HEADQUARTERS

RECEIVED

MAY 04 1988

May 3, 1988

Department of Water Resources

Mr. John Beal
Section Manager-Groundwater Protection
Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

Dear John:

As we discussed by telephone yesterday, I have enclosed an application for Drilling Permit for two cold water wells to be located in the vicinity of the low temp geothermal well near our Caldwell feedlot. I have also enclosed a check for \$200 for the application fee for these wells. Once we have the opportunity to complete tests on the geothermal well, we will submit applications for the water rights on the two cold water wells. Please let me know if you need any additional information to process the enclosed applications. We have just completed drilling the geothermal well, and would like to use the same driller. It would be extremely convenient and practical if he could commence drilling within the next few days, which would eliminate the need to move his equipment to another job during the interim.

Again, thank you for your assistance in this matter.

Sincerely,

BRUCE L. BELZER
Assistant General Counsel

0094R

Enclosures

cc: Sot Chimonas
Bob Kimball

DEC 08 1988



(
CORPORATE HEADQUARTERS
P.O. BOX 27 · BOISE, IDAHO 83707

Mr. John Beal
Section Manager-Groundwater Protection
Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

|||||

5/5/88

I spoke to Bruce -

He asked that I
hold until tomorrow.

JB

But please hold till

Monday.

JB



DEC 08 1988