

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4309
WATER RIGHT NO(S). 45-07002/45-07512

This is to certify that: **MAX HERBOLD INC**
PO BOX 533
RUPERT ID 83350

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 45-07002 :			
IRRIGATION	04/01 to 10/31	2.52 CFS	504.0 AF
COMMERCIAL	01/01 to 12/31	4.00 CFS	* 1576.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	SUBTOTAL:	4.00 CFS	1796.5 AF
Right No. 45-07512 :			
COMMERCIAL	01/01 to 12/31	1.57 CFS	* 379.9 AF
	SUBTOTAL:	1.57 CFS	379.9 AF
	TOTAL:	5.57 CFS	1796.5 AF

DATE OF PRIORITY:

Right No. 45-07002 : 08/24/1967

Right No. 45-07512 : 09/28/1982

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 22, Township 10S, Range 22E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	22E	22	Lot 2(SWNE) 12	NESE 21	NWSE 40	
			SWSE 33	SESE 20		126
				Total number of acres irrigated:		126

PLACE OF USE: COMMERCIAL

TWN RGE SEC

10S 22E 22 SESE

PLACE OF USE: DOMESTIC, same as COMMERCIAL use

JUN 29 1994

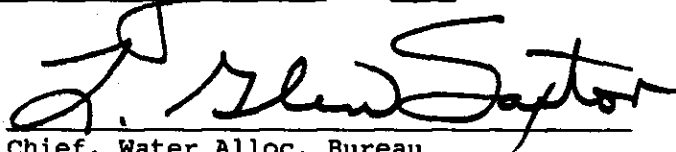
TRANSFER NO. 4309
WATER RIGHT NO(S). 45-07002/45-07512

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Prior to diversion of water under this approval, the right holder shall install a totalizing measuring device acceptable to the Department at all authorized points of diversion which will allow determination of the total rate of diversion and total diversion volume.
6. The total instantaneous diversion of water from all points of diversion under Transfer No. 4309 shall not exceed 5.57 cfs.
- * 7. The total combined diversion volume for commercial use under Right Nos. 45-07002 and 45-07512 shall not exceed 1576.0 afa.
8. Two points of diversion are located within SESE, S22, T10S, R22E.

Dated this 5th day of

May, 1994


Chief, Water Alloc. Bureau

JUN 29 1994

WATER RIGHT LICENSE

MICROFILMED

MICROFILMED

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

c. Any water right confirmed in this license 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 license 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 license.

Commercial use is for food processing plant.

*This right when combined with Right 45-7002 shall not exceed 1576.0 af/annum for commercial use.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10TH day of FEBRUARY, 19 86.

Acting for the Norm C Young
Director



135 ✓

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

SEP 28 1982

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant Del Monte Corporation Phone 208-678-9446

Post office address P.O. Box 458 Burley, Idaho 83318

2. Source of water supply Groundwater RC 11/23/82
~~Underground~~ which is a tributary of _____

3. Location of point of diversion is S. E. 1/4 of S. E. 1/4 of Section 22 Township 10 S

Range 22 E B.M. Cassia County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

* Commercial
Amount 2.0 cfs for Food Processing purposes from June 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 2.0 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Deep well 13 stage 10 JKH bowl and
pump. 16" casing to 100' - 12" casing 0' - 360' depth of well 360'

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 12" inches; proposed depth of well is 360 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: S. E. 1/4 of S. E. 1/4 of Section 22 Township 10 S
Range 22 E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered none

(4) _____ of municipality to be served none, or number of families to be
supplied with domestic water _____

water is to be used for other purposes describe: _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
* 10S	22E	22													20	40	40	20	120
* Deleted as per phone conv.						9/29/82	ADM												

Total number of acres to be irrigated 120

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

9. a. Who owns the property at the point of diversion Del Monte Corporation

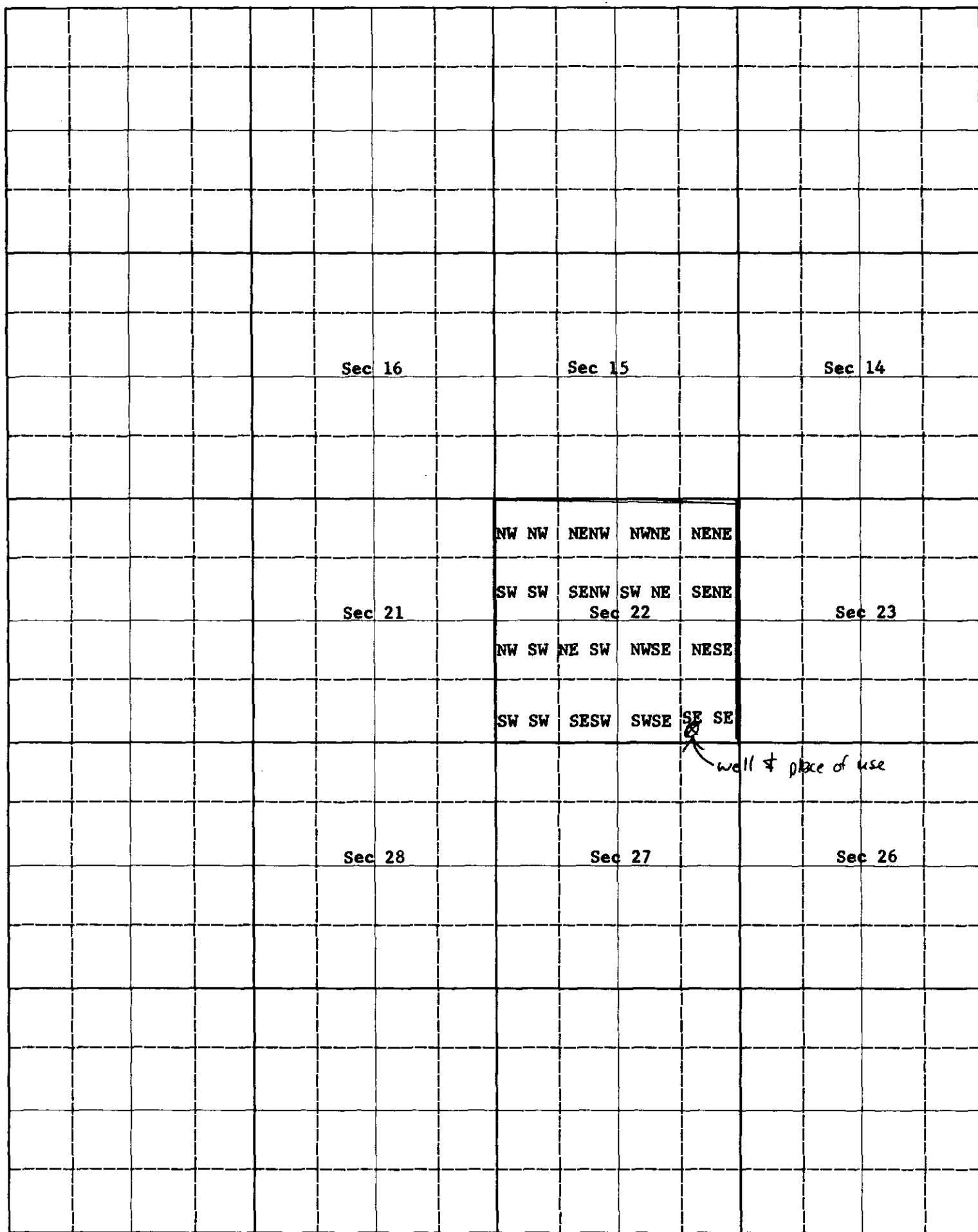
b. Who owns the land to be irrigated or place of use _____

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks This well is to be used to supplement water provided by a deep well completed December 18, 1968 permit No. 45-7002. The water from food processing is applied to pasture as a method of disposal.

As Per Phone Conv. 9/29/82 ADM
At present existing well provides water via a 250,000 gal water tank to the plant. During peak demand the water tank is emptied and the pressure in the system drops to less than 70 psi at which time the water requirement of the plant is not met. This application is for additional water to be used during the peak demand period.

11. 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.

Del Monte Corporation
Area Manager

Michael R. Elthemy
(Applicant)

MICHAEL R. ELTHEMY

Proposed Priority 9/28/1982

Received by maup Date 9/28/82 Time 2:45 p
Preliminary check by ADM Fee \$ 65.00
Receipted by maup Date 9/28/82 # 20975
Publication prepared by maup Date 9/30/82
Published in south ida press
Publication dates 10/1 + 10/4/82
Publication approved maup Date 10/6/82
Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM RC

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. 45-7512, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 83.
- 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. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
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.

Witness my hand this 24th day of November, 1982.

L. Glen Sayton
Chief, Operations Bureau

MINUTES



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J
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F
18.3

A253

Michael R. Thompson

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 45-7002 Priority August 24, 1967 Amount 4.0 cfs

THIS IS TO CERTIFY, that DEL MONTE CORPORATION
of Burley, Idaho, has complied with the terms and conditions of Permit
No. 45-7002 issued pursuant to Application for Permit dated August 24, 1967,
and has submitted proof to the Department of Water Administration on September 25, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.0 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic & Maintenance	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>2.4</u> cfs and	<u>0.60</u> acre feet
Irrigation	from <u>April 1</u> to <u>Oct. 15</u>	at <u>2.52</u> cfs and	<u>504</u> acre feet
Food Process	from <u>May 15</u> to <u>Dec 1</u>	at <u>1.0</u> cfs and	<u>1,576</u> acre feet

(both dates inclusive)

Subject, however, to the condition that no more than 4.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,606.6 acre feet per year, said waters to be diverted within the

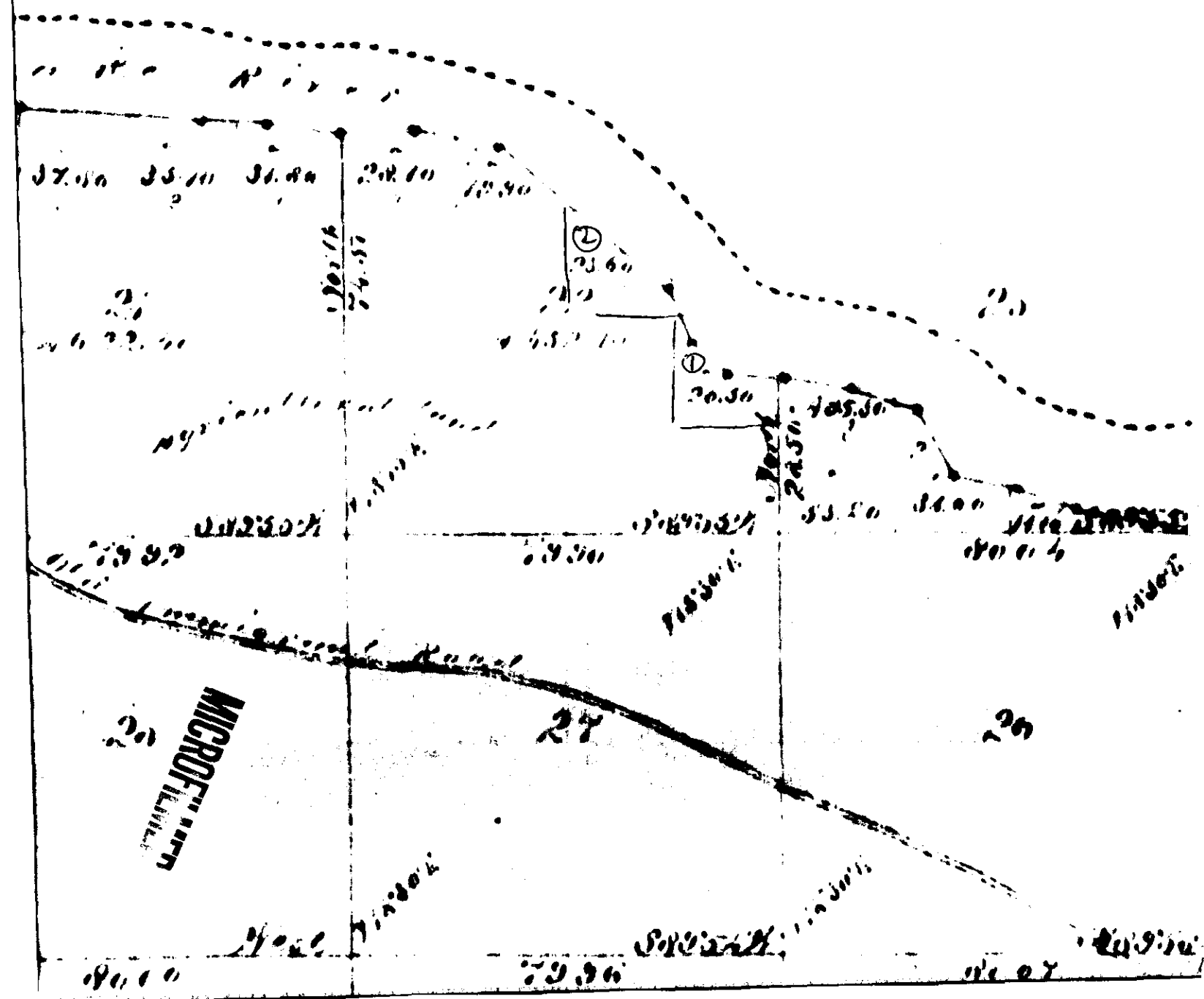
SE 1/4 Sec. 22, Twp. 10 S, Rge. 22 E, B. M. in the County of Cassia

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			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	
10S	22E	22			12										21	40	33	20	126
		22													(other uses)			X	

Total number of acres irrigated 126

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.



TOWNSHIP	RANGE	SECTION	TRACT	LOT	ACRES	USE	INCHES PER ACRE	FEET PER ACRE	RIGHT NUMBER	STAGE	STATUS	PRIORITY DATE	SOURCE OF WATER
105	21E	35	SHSH	25	A		.4213	*	45-2417	L		05-23-1952	GROUNDWATER
			SHSH	25	A		.2852	*	45-2418	L		05-23-1952	GROUNDWATER
			SHSH	40	A		1.1960	1.90	45-7263	L		07-30-1976	GROUNDWATER
		36	NEME	40	A		1.0631	*	45-2563	L		01-17-1958	GROUNDWATER
			NNNE	40	A		1.0631	*	45-2563	L		01-17-1958	GROUNDWATER
			SENE	29	A		1.0631	*	45-2563	L		01-17-1958	GROUNDWATER
			SHNE	40	A		1.0631	*	45-2563	L		01-17-1953	GROUNDWATER
			NNNH	40	A		1.0631	*	45-2563	L		01-17-1958	GROUNDWATER
			NNNH	40	A		1.0631	*	45-2563	L		01-17-1953	GROUNDWATER
			SENN	40	A		1.0631	*	45-2563	L		01-17-1958	GROUNDWATER
			SHNN	32	A		1.0631	*	45-2563	L		01-17-1958	GROUNDWATER
105	22E	03	NNNH	40	A		1.0000	*	36-2216	L		04-23-1953	GROUNDWATER
			NNNH	10	A		1.0000	*	36-2216	L		04-23-1953	GROUNDWATER
			NNNH	40	A		1.0000	*	36-2216	L		04-23-1953	GROUNDWATER
		13	SENN	11	A		.9050	*	36-7892	L		02-04-1980	GROUNDWATER
		18	NHSE	15	A		.6024	4.00	36-7108	L		01-12-1970	GROUNDWATER
			SHSE	02	A		.6024	4.00	36-7108	L		01-12-1970	GROUNDWATER
			NESH	09	A		.6024	4.00	36-7108	L		01-12-1970	GROUNDWATER
			NHSH	02	A		.6024	4.00	36-7108	L		01-12-1970	GROUNDWATER
			SESH	25	A		.6024	4.00	36-7108	L		01-12-1970	GROUNDWATER
			SHSH	38	A		.6024	4.00	36-7108	L		01-12-1970	GROUNDWATER
		19	NNNE	09	A		.6024	4.00	36-7108	L		01-12-1970	GROUNDWATER
			NNNH	15	A		.6024	4.00	36-7108	L		01-12-1970	GROUNDWATER
			NNNH	05	A		.6024	4.00	36-7108	L		01-12-1970	GROUNDWATER
			SESH	03	12	A	3.5333	*	01-2073	L		03-22-1951	SNAKE RIVER
			SESH	03	12	A	.8849	*	45-7315	L		06-10-1977	GROUNDWATER
			SHSH	04	03	A	3.5333	*	01-2073	L		03-22-1951	SNAKE RIVER
			SHSH	04	03	A	.8849	*	45-7315	L		06-10-1977	GROUNDWATER
		21	NEME	01	A		2.0000	*	01-7033	L		08-27-1979	SNAKE RIVER
			NEME	01	01	A	.0194	*	01-7034	L		09-04-1979	SNAKE RIVER
			NEME	01	01	A	2.0000	*	01-7035	L		09-10-1979	SNAKE RIVER
			NEME	01	01	A	1.0000	*	01-7055	L		07-17-1980	SNAKE RIVER
			NNNE	02	01	A	1.0000	*	01-7052	L		04-25-1980	SNAKE RIVER
			SENE	32	A		.3833	*	45-2259	L		05-24-1948	GROUNDWATER
			SHNE	40	A		.3833	*	45-2259	L		05-24-1948	GROUNDWATER
			NNNH	03	01	A	1.0000	*	01-7050	L		04-03-1980	SNAKE RIVER
			SENN	12	A		.3833	*	45-2259	L		05-24-1948	GROUNDWATER
		22	SHNE	12	A		1.0000	4.00	45-7002	L		08-24-1967	GROUNDWATER
			NNNH	16	A		.9433	*	01-4000	L		05-01-1960	SNAKE RIVER
			NNNH	03	23	A	1.0000	*	01-4033	L		03-01-1948	SNAKE RIVER
			NNNH	10	A		.9433	*	01-4000	L		05-01-1960	SNAKE RIVER
			NNNH	04	28	A	1.0000	*	01-4033	L		03-01-1948	SNAKE RIVER
			SENN	40	A		.9433	*	01-4000	L		05-01-1960	SNAKE RIVER
			SENN	40	A		1.0000	*	01-4033	L		03-01-1948	SNAKE RIVER
			SHNN	40	A		.9433	*	01-4000	L		05-01-1960	SNAKE RIVER
			SHNN	40	A		1.0000	*	01-4033	L		03-01-1948	SNAKE RIVER
			NESE	21	A		1.0000	4.00	45-7002	L		08-24-1967	GROUNDWATER
			NHSE	40	A		1.0000	4.00	45-7002	L		08-24-1967	GROUNDWATER
			SESE	20	A		1.0000	4.00	45-7002	L		08-24-1967	GROUNDWATER
			SHSE	33	A		1.0300	4.00	45-7002	L		08-24-1967	GROUNDWATER

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TOWNSHIP	RANGE	SECTION	TRACT	LOT	ACRES	USE	INCHES PER ACRE	ACRE FEET PER ACRE	RIGHT NUMBER	STAGE	STATUS	PRIORITY DATE	SOURCE OF WATER
105	22E	22	NESH		40	A	.9545	*	45-7112	P	P	10-31-1972	GROUNDWATER
			NESH		40	A	.0511	*	45-7344	P	P	05-01-1978	GROUNDWATER
			NESH		40	A	.5666	*	45-7460	P	P	01-16-1981	GROUNDWATER
			SESW		25	A	.9545	*	45-7112	P	P	10-31-1972	GROUNDWATER
			SESW		25	A	.0511	*	45-7344	P	P	05-01-1978	GROUNDWATER
			SESW		40	A	.5666	*	45-7460	P	P	01-16-1981	GROUNDWATER
			SWSW		23	A	.9545	*	45-7112	P	P	10-31-1972	GROUNDWATER
			SWSW		23	A	.0511	*	45-7344	P	P	05-01-1978	GROUNDWATER
			SWSW		40	A	.5666	*	45-7460	P	P	01-16-1981	GROUNDWATER
			NESE		45	A	.9774	*	45-7430	P	P	11-29-1979	UNPAVED SPRINGS
			NHSE		20	A	.9774	*	45-7430	P	P	11-29-1979	UNPAVED SPRINGS
			SESE		03	A	.9774	*	45-7430	P	P	11-29-1979	UNPAVED SPRINGS
			SESE		03	A	.9774	*	45-7430	P	P	11-29-1979	UNPAVED SPRINGS
			SWSE		32	A	.9774	*	45-7430	P	P	11-29-1979	UNPAVED SPRINGS
			NENH		04	A	1.5000	4.00	45-7442	L	L	04-04-1980	GROUNDWATER
			NENH		13	A	1.0000	*	45-7458	P	P	12-16-1980	GROUNDWATER
			SWNH		02	A	1.5000	5.00	45-7146	L	L	07-18-1973	GROUNDWATER
			SWNH		02	A	1.0000	4.00	45-7185	L	L	08-16-1974	GROUNDWATER
			NESE		39	A	.7341	4.00	45-7087	L	L	12-20-1971	GROUNDWATER
			NHSE		40	A	.7341	4.00	45-7087	L	L	12-20-1971	GROUNDWATER
			SESE		39	A	.7341	4.00	45-7087	L	L	12-20-1971	GROUNDWATER
			SESE		40	A	.7341	4.00	45-7087	L	L	12-20-1971	GROUNDWATER
			SESW		40	A	1.0000	*	45-7164	P	P	01-17-1974	GROUNDWATER
			SWSW		40	A	1.0000	*	45-7164	P	P	01-17-1974	GROUNDWATER
			NENH		06	A	.8849	*	45-7315	P	P	06-10-1977	GROUNDWATER
			NENH		25	A	.8849	*	45-7315	P	P	06-10-1977	GROUNDWATER
			NHSE		35	A	.7489	*	45-2621	L	L	06-09-1960	GROUNDWATER
			SWSE		30	A	.7489	*	45-2621	L	L	06-09-1960	GROUNDWATER
			NESH		33	A	.7489	*	45-2621	L	L	06-09-1960	GROUNDWATER
			NESH		07	A	1.0000	*	45-7261	P	P	03-13-1976	GROUNDWATER
			SESW		29	A	.7489	*	45-2621	L	L	06-09-1960	GROUNDWATER
			SESW		11	A	1.0000	*	45-7261	P	P	03-13-1976	GROUNDWATER
			NENH		37	A	.7489	*	45-2621	L	L	06-09-1960	GROUNDWATER
			NENH		03	A	1.0000	*	45-7261	P	P	03-13-1976	GROUNDWATER
			NENH		29	A	.7489	*	45-2621	L	L	06-09-1960	GROUNDWATER
			NENH		11	A	1.0000	*	45-7261	P	P	03-13-1976	GROUNDWATER
			SENH		25	A	.7489	*	45-2621	L	L	06-09-1960	GROUNDWATER
			SENH		15	A	1.0000	*	45-7261	P	P	03-13-1976	GROUNDWATER
			SWNH		27	A	.7489	*	45-2621	L	L	06-09-1960	GROUNDWATER
			SWNH		13	A	1.0000	*	45-7261	P	P	03-13-1976	GROUNDWATER
			NESE		39	A	*	*	45-25098	L	L	11-30-1955	GROUNDWATER
			NESE		39	A	1.0000	*	45-2587	L	L	07-29-1959	GROUNDWATER
			SWSE		38	A	1.0000	*	45-2587	L	L	07-29-1959	GROUNDWATER
			NHSE		31	A	1.0000	*	45-2587	L	L	07-29-1959	GROUNDWATER
			SESW		39	A	1.0000	*	45-2587	L	L	07-29-1959	GROUNDWATER
			SWSW		34	A	1.0000	*	45-2587	L	L	07-29-1959	GROUNDWATER
			NENH		35	A	.7341	4.00	45-7087	L	L	12-20-1971	GROUNDWATER
			NENH		40	A	.7341	4.00	45-7087	L	L	12-21-1971	GROUNDWATER
			SENE		39	A	.7341	4.00	45-7087	L	L	12-21-1971	GROUNDWATER

WR0420

TOWNSHIP

105

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SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Shirley L. Krieger, being first

duly sworn, deposes and says that he is the

clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for Two consecutive weeks, commencing with the issue dated Oct. 7 1982, and ending with the issue dated Oct. 14, 1982

Subscribed and sworn to before me

this 12th day of Nov.

1982
Cathy Staker Notary Public

Cost of Publication \$16.25

Notary Fee

Total Cost \$16.25

RECEIVED

NOV 15 1982

Department of Water Resources
Southern District Office

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Shirley L. Krieger, being first
duly sworn, deposes and says that he is the
clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of
The South Idaho Press for Two
consecutive weeks, commencing with the issue
dated Oct. 7 1982, and ending
with the issue dated Oct. 14, 1982

Subscribed and sworn to before me
this 12th day of April

1982
[Signature] Notary Public

Cost of Publication \$16.25
Notary Fee
Total Cost \$16.25

82-294

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following ap-
plication(s) have been submitted for permit to
appropriate the public waters of the State of
Idaho:

45-512

DEL MONTE CORP., P.O. Box 458, BURLEY, ID.
83318. Source: GROUNDWATER. Date Filed:
09/28/1982. Amount: 2.00 CFS. Diversion Point:
SESE Sec. 22 T 10 S R 22E, CASSIA Co. Use:
COMMERCIAL (2.00 CFS) from 06/01 to 10/01.
Place of Use: SESE Sec. 22 T 10 S R 22E. Diversion
Means: WELL, PUMP.

If issued, the permit(s) will be subject to all
prior water rights. Protests against the granting of
any permit must be filed with the Director of the
Idaho Department of Water Resources, 1041 Blue
Lakes Blvd. North, Twin Falls, Idaho 83301 and
received on or before OCTOBER 25, 1982.

/s/ A. KENNETH DUNN
Director

Published in the South Idaho Press October 7
and 14, 1982.

de macy
RECEIVED

NOV 15 1982

NOTARY PUBLIC
IDAHO DEPARTMENT OF WATER RESOURCES

MEMORANDUM

TO: FILE 45-7512

FROM: PAM SKAGGS *ck*

RE: TRANSFER # 4309

DATE: 2-11-94

=====

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 45-7002.

JUN 28 1994

MEMORANDUM

TO: FILES 45-07002 & 45-07512

FROM: PAM SKAGGS/²⁸STATE OFFICE

SUBJECT: TRANSFER NO. 4309

DATE: April 19, 1994

=====

Transfer No. 4309 was filed to change the season of commercial use to year round and reflect both wells as part of a single system under Right Nos. 45-07002 and 45-07512. The processing plant will be changing from the original seasonal canning facility to a year round potato fresh and processing plant which will require no additional water, but use water on an annual basis.

OK Right No. 45-07002 was found to have 0.04 cfs/0.6 afa for domestic use according to the field exam report. The license reflects 0.40 cfs/0.6 afa and appears to be a simple clerical error of transposed figures. The transfer approval will correct the error and reflect the 0.04 cfs found at the time of the exam.

The total volume limit of 1606.6 afa found on license 45-07002 will also be adjusted to reflect the volume of overlapping uses as described on the license.

Months of the Year											
1	2	3	4	5	6	7	8	9	10	11	12
<-----Domestic Use----->											
<-----Irrigation Use----->											
<-----Commercial Use----->											

DOM: 0.04 X 135 days (Until 5-15) X 1.9835 = 10.7 > 0.6
 IRR: 2.52 X 44 days (Until 5-15) X " = 219.9 < 504.0
 COM: 4.00 X 199 days (Season) X " = 1576.0 = Maximum
TOTAL MAXIMUM VOLUME = 1796.5 AFA

Right No. 45-07512 was originally licensed with a condition limiting the combined commercial volume with Right No. 45-07002. The transfer can be approved without expansion as long as the total combined commercial volume is limited to the licensed quantities. Since multiple points of diversion are used under this combined system, an acceptable means of measurement to determine the total system rate of diversion will be required which will provide means of verifying compliance with volume limitations.

Recommended conditions include irrigation overlap, combined volume limit, multiple points of diversion, measuring devices and standard transfer conditions.

JUN 29 1994



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

February 18, 1986

RE: Permit No. 45-7512

Del Monte Corporation
Rt. 4, Box 4085
Burley, ID 83318

Gentlemen:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

December 17, 1985

RE: Permit No. 45-7512

DeMonte Corp.
Attn: Mike Etchevarry
Rt. 4, Box 4085
Burley, ID 83318

Dear Mr. Etchevarry:

I am in receipt of your correspondence requesting a re-measurement of the discharge from the well covered by the above referenced permit.

I have since discussed this matter with our regional office and have been informed that in their opinion the amount measured is probably accurate for the water used for food processing, since the water must be delivered to the storage tank then to the plant.

It is their understanding that water diverted, without going to the storage tank, would be used for supplementing irrigation rather than food processing. Since the permit only identifies food processing as the water use, the diversion rate to irrigation should not be considered.

In light of this, I concur that the rate of flow shown should be the amount licensed for food processing. However, the shortcoming of the permit is that it did not also include water use for irrigation. If it had, then 2.0 cfs could have been used rather than the 1.57 used for food processing.

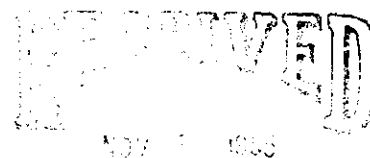
I will not take any further action toward issuing the license for 30 days to give you an opportunity to respond to this correspondence. If I do not hear from you within the 30 days, I will assume that you no longer have any objections to the issuance of a license as set forth in our correspondence of 10/21/85.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

RECEIVED
DEC 21 1985



Department of Water Resources

5 November 1985

Mr. Jim Johnson, Supervisor
State of Idaho
DEPARTMENT OF WATER RESOURCES
State Office, 450 W. State Street
Boise, ID 83720

Re: Permit No. 45-7512

Dear Mr. Johnson:

In reference to your letter, dated 21 October 1985, we have a question and a request concerning the amount of water that can be recognized as beneficially used under Idaho law. This well was designed to pump 2.0 cfs. Your letter indicates 1.57 cfs.

We would like to have your people retest the flow rates in May of 1986 to determine actual flow. At the time of the testing, the well may have been pumping against a head and not registering total flow rate.

If you concur, we will reschedule testing in May of 1986.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. R. Etcheverry".

M. R. Etcheverry
Plant Manager

MRE:pr

483
1985

CONVERSATION MEMORANDUM

DATE 11-5-85

FILE 45-7512

NAME OF PARTY MIKE ETCHEVARRY

EMPLOYEE Jim Johnson

RE: THE ABOVE CALLED IN REFERENCE TO THE PRELIMINARY
LETTER OF 10-21-85.

HE CALLED BECAUSE HE WAS CONCERNED
THAT 1.57 CFS PROPOSED WAS LESS THAN WHAT WAS
ACTUALLY USED AT TIMES.

BOTH THE PERMIT AND FIELD EXAM DISCLOSE THAT
THE WELL IS USED AS AN SUPPLEMENT SUPPLY AND AT
TIMES IT CAN BE USED SUPPLEMENT ANOTHER WELL.

APPARENTLY, WHEN THE MEASUREMENT WAS
TAKEN THE WELL WAS PUMPING WATER TO THE STORAGE
TANK WHICH IS 150' ABOVE THE GROUND. THE PRESSURE
LOAD ~~WAS~~ WOULD HAVE CAUSED A LESS THAN
MAXIMUM RATE OF FLOW.

MR. ETCHEVARRY, WILL BE SENDING
A REQUEST TO REMEASURE THE SYSTEM.

MICROFILMED

October 21, 1985

RE: Permit No. 45-7512

Del Monte Corp.
Attn: Mike Etchevarry
Rt. 4, Box 4085
Burley, ID 83318

Dear Permit Holder(s):

A representative of this Department made an examination of the works covered by your Permit No. 45-7512 and has found the following:

Amount of water that can be recognized as beneficially used
under Idaho law: 1.57 cfs Source: groundwater

The maximum quantity diverted shall not exceed * acre feet per
year.

Point(s) of diversion: SESE, Sec. 22, Twp 10S, Rge 22E

Beneficial Use: Commercial use for food processing plant within
SESE, Sec. 22, Twp 10S, Rge 22E

Priority date established: September 28, 1982

Conditions (if any): *This right when combined with Rt. 45-7002
shall not exceed 1575.0 af/annum for commercial use.

If you do not concur with these findings, please contact us within 10 days;
otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
OCT 2 1985

45-7512
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

measured 1.57 cfs.

- b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

- c) Volume Calculations for Other Uses:

$$1.57 \text{ cfs} \times 1.9835 \text{ AF/cfs} \times 49 \text{ days/year} = 152.6 \text{ AFA}$$

2. Overlap Review

- a) Other water rights with same place of use: 45-7002
- b) Other water rights with same point of diversion: -
- c) Analysis:

MICROFILMED

10 day letter)

NON-PROFIT LIMITED

4. Permit Holder: Del Monte Corporation ^{address line 1} Attn: Mike Etchevarry
Address: Rt. 4, Box 4085, Burley, ID 83318

6. Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial ✓	~~Aug 15~~	~~Oct 2~~	1.57 cfs ✓	~~152.6~~ ✗
	ALLOW 6-1	10-1 per permit.		

1.57 cfs

[illegible]

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
105	22E	22																X	
Total Acres _____																			

9. Recommended Conditions/Remarks: Not to exceed 1576 AFA when combined with license 45-7002.
OK - see copy of 45-7002 under permit. [^] for commercial use in food processing

① Commercial use is for food processing plant.

② * This Right when combined with Right 45-7002 shall not exceed 1,576,000 Acre Feet PER Annum for commercial use.

☐ 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

11. Examiner's Signature J. F. Stanton

Date 10-2-84

Checked in Regional Office by TB

Date 10-9-84

Approved in State Office by K. Updegr

Date 10-17-85

Department of Water Resources

Permit No. 45-7512
Phone No. 678-9446

1. Owner: Del Monte Corporation Phone No. 678-9446
Current Address: P.O. Box 458, Burley, ID 83318
2. Accompanied by: Paul Schaeffer EXAM. DATE: 10-1-84
Address: same Phone No. _____
Relationship to Permit Holder: plant production supervisor
3. Source: Groundwater tributary to ~

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	U.S. Motors	125	R-9982-00-807	Aurora	3x3 70009

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
Well, pump, motor, mainline to food-processing plant.

6.	Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
	See attached sheet						

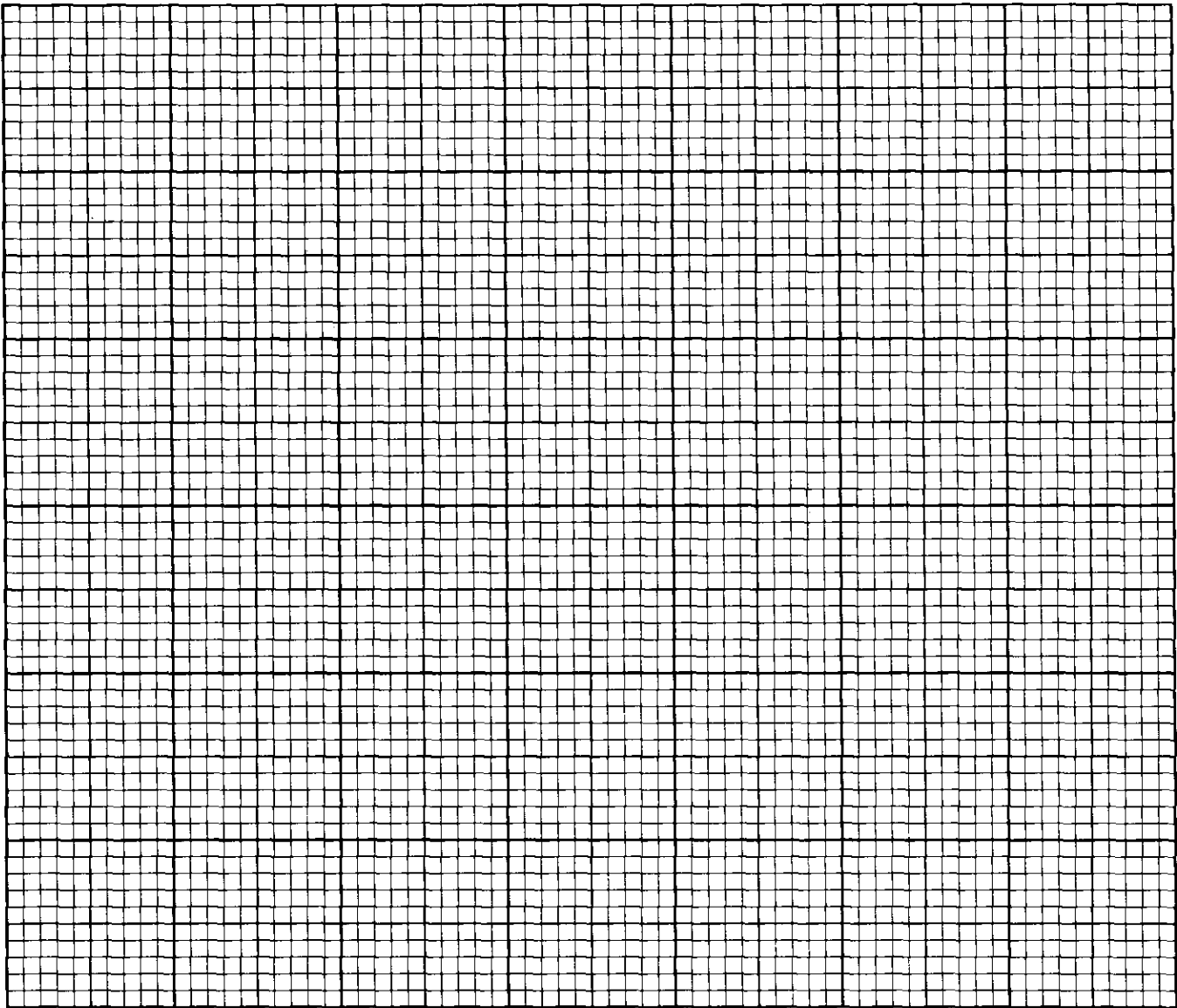
7. Measurements ☒ Additional data/computation sheets attached
- Measured 1.57 cfs

- [illegible]

- [illegible]

10. Other water rights on these lands 45-7002
11. Other water right diverted from same p.d. -

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached
- ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks The old well (45-7002) pumps into a quarter-million-gallon storage tower for fire protection & food processing. The new well pumps into the line coming out of the tower. The new well is temporarily the main supply for food processing, but will be changed to a supplemental source this winter (it was constructed to supplement the old well).

15. 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
16. Examiner's/Consultant's Signature J. G. Hutton Date 10-2-84
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct
- Beneficial Use Examination _____

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

RECEIVED
OCT 3 1985
1985

Department of Water Resources
Department of Water Resources

Measured by: J. F. Henton
Owner: Del Monte Corp.

Date 10-1-84
Permit No. 45-7512

Description of well &/or measuring site
- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Measured inside diameter of pipe in inches
Size of Annubar used in test 7.981"
Model No. of Annubar Meter Used 75
(Model No. = 75 for 6" and larger)
(Model No. = 73 for 4")

(A) 7.981"
State ID No. -

Size Eagle Eye Meter Used 0-13"
Date of Last Calibration of Meter 5-29-84

State ID No. 091464

Observed inches of H₂O read on Meter
Flow Correction Factor (From Calibration Graph)
(Use 1 if Error is $\pm 2\%$ at observed pressure)

(B) 7.7"
(K) 1.036

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

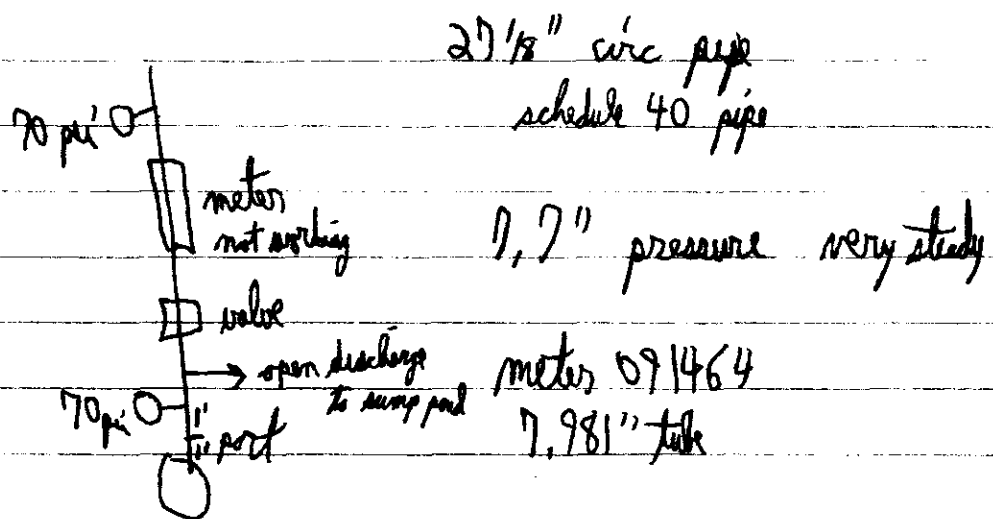
CALCULATION: $\frac{K (A^2) (\sqrt{B}) C}{448.8} = 705 \text{ gpm}$

(C) 3.85
= 1.57 ✓ cfs measured

SKETCH (If not shown on Field Report):

MICROFILMED

U. S. Motors 125 hp # R-9982-00-807 R2097161
 Aurora pump #3x3 70009 900 gpm at 435' head
 → = 2.0 cfs



wants license ASAP
 to attn of Mike Etcheberry ✓

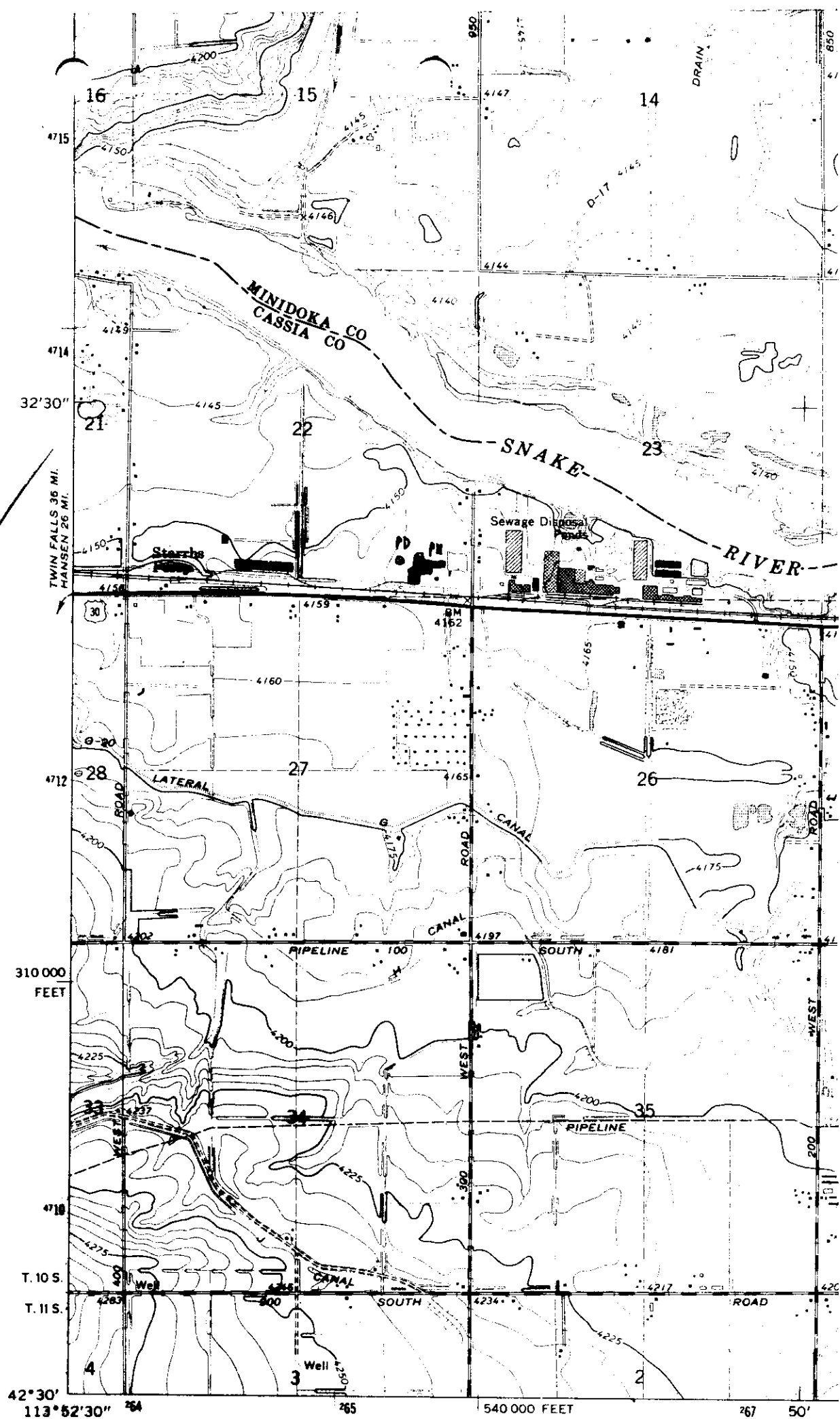
Paul Schaeffer, plant production superintendent

$$\frac{125 \times 8.8 \times .7}{230 + (2.3 \times 70)} = \frac{770}{391.7} = 1.97 \text{ cfs} \checkmark$$

use period Aug 15 - Oct 2
 for processing corn & lima beans

$$\text{at } 659 = 1.83 \text{ cfs} \checkmark$$

MICROFILMED



(BURLEY BUTTE)
300 IV NW

Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Planimetry by photogrammetric methods from aerial photographs taken 1962. Topography by planetable surveys 1964

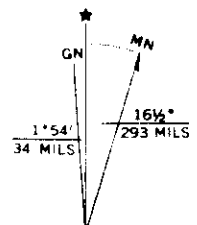
Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
central zone
1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue

Red tint indicates area in which only landmark buildings are shown

Fine red dashed lines indicate selected fence lines

Revisions shown in purple compiled from aerial photographs taken 1976 and other source data. This information not field checked. Map edited 1978

Purple tint indicates extension of urban areas



UTM GRID AND 1978 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

JULY 8, 1983

DEL MONTE CORP. PLANT 134
RT. 4 BOX 4085
BURLEY ID 83318

RE: Permit No. 45-7512

Dear Permit Holder:

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

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

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

If you have any questions regarding the field examination, please contact this office by phone at 734-3578 or in person at our office at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary A. Newby
Secretary

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 45-7512

Name(s) of Permit Holder: Del Monte Corp. Plant #134

Post Office Address: Route 4 Box 4085

Burley, Idaho 83318 Tel. No. 208-678-9446

Source of Water: Ground Water

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☒ Other Food Processing

Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

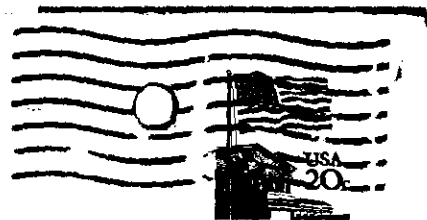
The above information is a true statement of the extent to which the above numbered permit has been developed.

6-8-83

Date

[Signature]
Signature of Permit Holder

DEL MONT  CORPORATION #1
ROUTE 4, BOX 4085
BURLEY, IDAHO 83318



MICROFILMED



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
JUN 9 1983
DEPT. OF WATER RESOURCES

S T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

DEL MONTE CORP.
P.O. BOX 458
BURLEY, ID 83318

DECEMBER 07, 1982

RE: PERMIT NO. 45-7512

DEAR PERMIT HOLDER:

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

PLEASE BE ADVISED THAT NUMEROUS PRIOR APPLICATIONS FOR PERMIT HAVE BEEN FILED TO APPROPRIATE WATER FROM YOUR SOURCE, TO BE USED ON DESERT LAND ENTRY AND/OR CAREY ACT LANDS. DEVELOPMENT OF THESE WATER RIGHTS IS CURRENTLY PREVENTED BY THE U.S. BUREAU OF LAND MANAGEMENT. HOWEVER, IF THE LANDS ARE RELEASED FOR DEVELOPMENT, THE ASSOCIATED WATER RIGHTS WILL RECEIVE WATER PRIOR TO YOUR WATER RIGHT ENCLOSED. THEREFORE BE SURE TO ANALYZE THE FUTURE IMPACT OF THESE RIGHTS BEFORE MAKING A MAJOR INVESTMENT IN A WATER SUPPLY SYSTEM.

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

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS 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 ACCESS PORT.

ENCLOSURE

RE: PERMIT 45-7512

PAGE 01
DECEMBER 07, 1982

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

RECEIVED
DEC 11 1982

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

45-2512

DEL MONTE CORP.

P.O. BOX 458, BURLEY, ID 83318

Source: GROUNDWATER

Date Filed: 09/28/1982

Amount: 2.00 CFS

Diversion Point: SESE Sec 22 T 10S R 22E, CASSIA Co.

Use: COMMERCIAL (2.00 CFS) from 06/01 to 10/01

Place of Use: SESE Sec 22 T 10S R 22E

Diversion Means: WELL, PUMP

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd, North, Twin Falls, Idaho 83301 and received on or before OCTOBER 25, 1982.

A. KENNETH DUNN

Director

Published 10/7 & 10/14/82.

MICROFILMED

82-294

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

45-7512

DEL MONTE CORP., P.O. Box 458, BURLEY, ID.
83318. Source: GROUNDWATER. Date Filed:
09/28/1982. Amount: 2.00 CFS. Diversion Point:
SESE Sec. 22 T 10 S R 22E, CASSIA Co. Use:
COMMERCIAL (2.00 CFS) from 06/01 to 10/01.
Place of Use: SESE Sec. 22 T 10 S R 22E. Diversion
Means: WELL, PUMP.

If issued, the permit(s) will be subject to all
prior water rights. Protests against the granting of
any permit must be filed with the Director of the
Idaho Department of Water Resources, 1041 Blue
Lakes Blvd. North, Tula Falls, Idaho 83301 and
received on or before **OCTOBER 25, 1982.**

/s/ A. KENNETH DUNN
Director

Published in the South Idaho Press October 7
and 14, 1982.

ok
merge
10/6/82

STATE OF IDAHO -
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 30, 1982

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before OCTOBER 25, 1982.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED