

45-02630

RECEIVED

APR 26 1985

Transfer No. 3141

Water Right No. 45-2630

Department of Water Resources
Southeastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 25 1985

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant First Security Bank of Idaho, N.A. Phone 338-2125
Post Office address Attn: Mr. LaMar Giles, P. O. Box 7069, Boise, Idaho 83730

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 45-2630 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant by purchase; deeds have previously been supplied to the Department.

3. Source of water groundwater tributary to _____

4. Date of priority October 7, 1960

5. Water is used for the following purposes:

amount 2.4CFS for irrigation purposes from March 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.4 CFS cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW 1/4 of SW 1/4 of Section 26
Township 12S Range 22E B.M. in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	22E	26									40	40	40	40	40	40	40	40	320

Total number of acres to be irrigated 320

9. Describe any other water rights used for the same purpose as described above None

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years
No.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted same c.f.s. &/or _____ acre feet
- b. Description of diverting works same
- c. Describe the reasons for the proposed changes to change location of use and to reflect change to pivot sprinklers
2. Change in point of diversion
- Point of diversion same 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Change in place of use
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
The underlying property will be sold without water. The new owner will use Oakley Canal shares on the property.

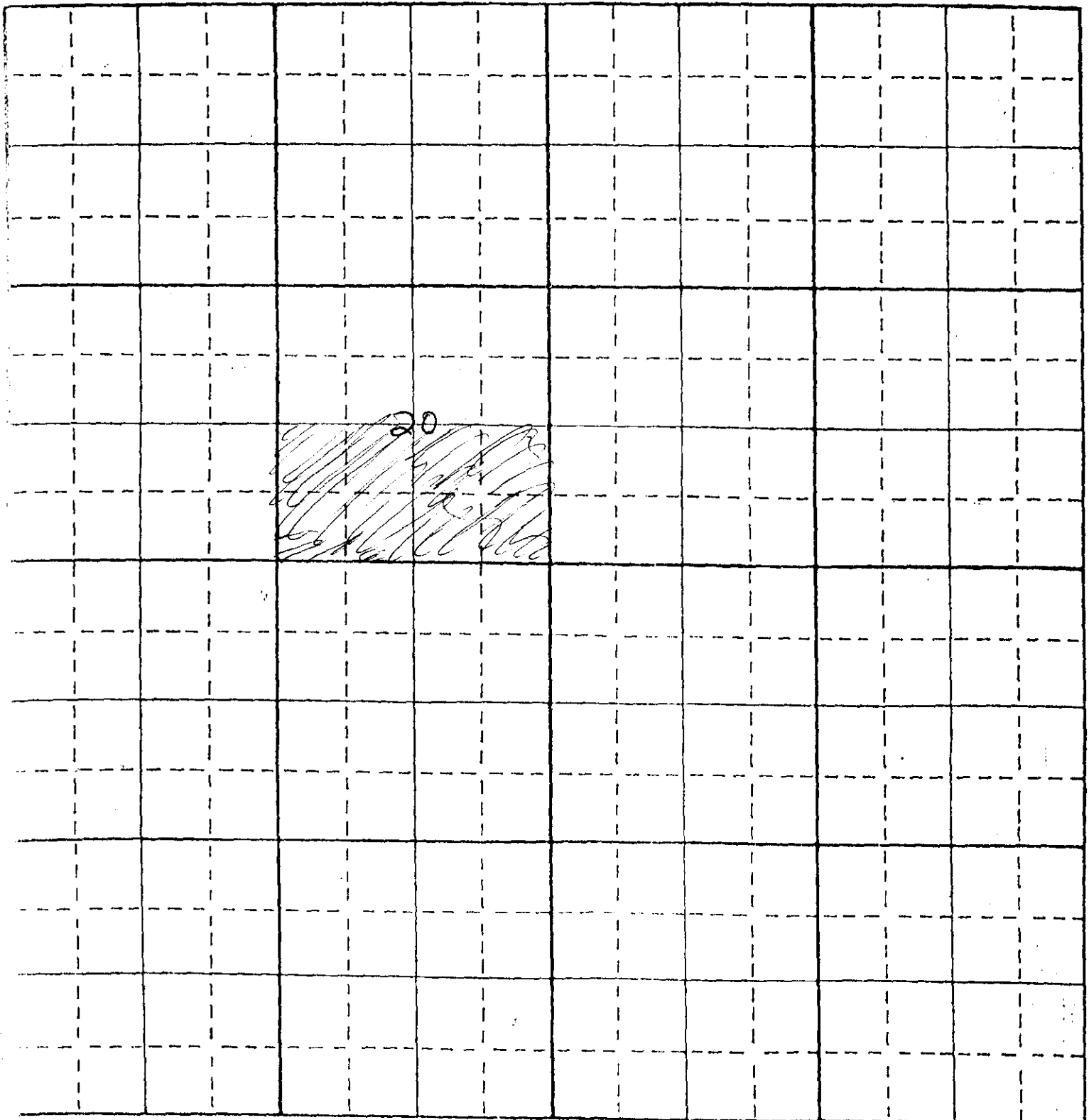
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c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	23E	20									X	X	X	X	X	X	X	X	320

Total number of acres to be irrigated 320

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



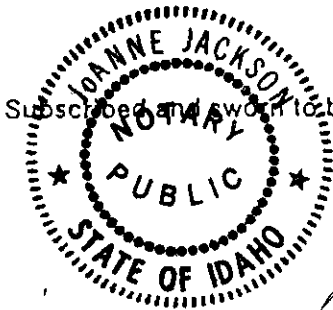
SCALE: 2 inches equal 1 mile. Draw plan in ink.

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D. REMARKS

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

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



Subscribed and sworn to before me this 12th day of March, 19 85

Marga W. Richard
(Signature of Applicant)
Attorney for First Security Bank of Idaho

Joanne Jackson
(Notary Public)

My commission expires September 15, 1987

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2630
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 13th day of August, 19 85

J. Glen Saxton
Chief, Operations Bureau

marga 4/26/85 FOR DEPARTMENT USE ONLY
Received by LJ Date 4/25/85 9:15am Protest filed by None
Prelim. check by JJ Fee \$7.00 35336
Receipted by marga Date 4/26/85
Published in South id press
Pub. dates 5/9 + 5/16/85
Watermaster recommendation requested on N/A
rec'd. _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial
by Adm

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SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Sue Subia being first

duly sworn, deposes and says that She 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 5-9 1985, and ending

with the issue dated 5-16, 1985.

Sue Subia

Subscribed and sworn to before me

this 4th day of June

1985.

Sally Staker Notary Public

Cost of Publication 29.04

Notary Fee .50

Total Cost 29.54

RECEIVED

JUN 5 1985

Department of Water Resources
Southwest District Office

85-137

No. 45-2630

Notice is hereby given that First Security Bank of Idaho, N.A., of Boise, Idaho has applied to the Department of Water Resources for a change of place of use of a right from a ground-water source. The right sought to be changed is evidenced by License No. 45-2630 as is recorded as follows:

Amount: 2.4 cfs
Priority: October 7, 1960
Point of Diversion: SWSW, Sec. 26 T12S, R22E, B.M., Cassia County

The water is used for irrigation of 320 acres from March 1 to November 1 within the S1/4, Sec. 26, T12S, R22E

TO BE CHANGED AS FOLLOWS:

Amount: No change
Point of Diversion: No change
Place of Use: S1/4, Sec. 20, T12S, R23E for irrigation of 320 acres from March 1 to November 1

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before May 27, 1985.

A. KENNETH DUNN, Director
Published in the South Idaho Press on May 9 and 16, 1985.

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State of Idaho License and Certificate of Water Right

Water License No. G-29091/45-2630

Amount 2.4 c.f.s.

Water District No.

Priority October 7, 1960

THIS IS TO CERTIFY that RAY ANDERSON - Assignee - ORE-IDA FOODS, Inc. of Burley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 7, 1960; that Permit No. G-29091 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.4 second feet, was issued thereunder on July 20, 1965, showing that said works were completed on the 28th day of September, 1962; and that on the 28th day of September, 1962, ORE-IDA FOODS, Inc.

of Burley, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-29091 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses at page 8184, on the 20th day of July, 1965;

The right hereby confirmed dates from October 7, 1960;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 26, Tp. 12 S., R. 22 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	22 E.	26	S1/2	320	320

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 20th day of July, 1965.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

45 2630

State of Idaho License and Certificate of Water Right

Water License No. G-28466

Amount 1.95 c.f.s.

Water District No.

Priority February 11, 1960

THIS IS TO CERTIFY that J. T. ROBINSON & SONS - Assignee - ORE-IDA FOODS, Inc. of Burley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 11, 1960; that Permit No. G-28466 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.95 second feet, was issued thereunder on July 20, 1965, showing that said works were completed on the 1st day of February, 1965; and that on the 1st day of February, 1965, ORE-IDA FOODS, Inc.

of Burley, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of one well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-28466 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

13 of Licenses at page 8183, on the 20 day of July, 1965;

The right hereby confirmed dates from February 11, 1960;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 16, Tp. 12S, R. 21E, B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.95 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	21E.	16	NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	39
			S 1/2 NW 1/4	80	80
			SW 1/4	160	160
			E 1/2	320	320
			Total number of acres to be irrigated:		639

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

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

20th day of July, 1965.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

45-2630

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37086
Permit No. G- 29091
District No.

Assigned to Mr. J. A. Moody, Jr.
209 40 - (Antenna)
(Circuit)

1. Name of Applicant: **Ray Anderson**

Postoffice address: **Oakley**

County: **Cassia**

State: **Idaho**

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second **4.5** or Idaho
Miners' inches **225** or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: **Subterranean**

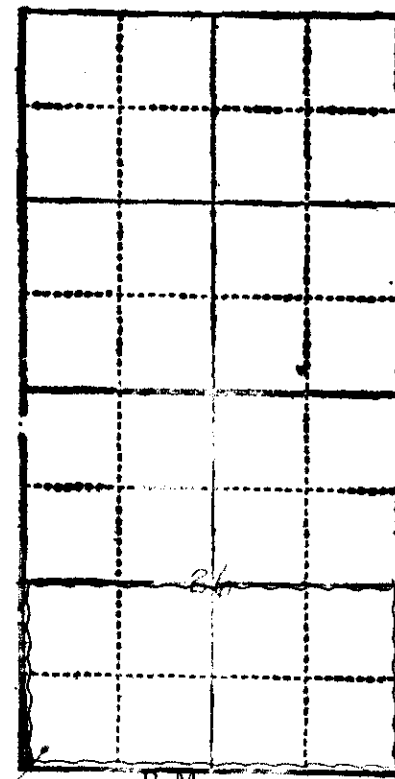
4. Location of point of diversion or well is in the **SW 1/4** of the **SW 1/4** of Section **26**
Twp. 12 S, Rge. **22 E**, B.M., County of **Cassia**

5. Water is to be used for: **Irrigation**

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the **1/4** of the **1/4** of Section **26**, Twp.
Rge., B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the **1/4** of the **1/4** of Section **26**, Twp., Rge. **22 E**, B.M.



7. Kind of works: **Wells, pump and ditches**

8. Estimated cost of works: **\$35,000.00**

9. (a) Is reservoir to be used? **No**

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is **5**
years. **This well was drilled 5 yrs. ago and has been pumping for 5 yrs. Water is used on same land. Land is leveled & ditches in**

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

By s/ Ray Anderson Agent.

Corrected application received:

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
12 S	22 E	26								40	40	40	40	40	40	40	40	320	
A S S I G N M E N T																			
For value received, I hereby assign all my right, title and interest in and to Permit to Appropriate the Subterranean Waters of the State of Idaho, No. G-29091, to ORE-IDA FOODS, INC., an Oregon corporation qualified to do business in the State of Idaho, having its principal place of business in the State of Idaho, Burley, Idaho.																			
s/ Ray Anderson, Permit Holder																			
s/ Margene Anderson, Wife of Permit Holder																			
STATE OF IDAHO)) ss County of Cassia)																			
On this 3 day of May, 1961, before me, a Notary Public for the State of Idaho, residing at Heyburn, Idaho, personally appeared RAY ANDERSON and MARGENE ANDERSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.																			
s/ PHYLLIS C. BUTTERFIELD Notary Public, Residing at Heyburn, Idaho																			
My commission expires Dec. 9, 1962 seal																			

Permit No. G-29091

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that RAY ANDERSON - Assignee - ORE-IDA FOODS, Inc. of Burley, County of Cassia, and State of Idaho, the holder of Permit No. G-29091, issued upon Application No. G-37086 bearing date of priority of October 7, 1960, authorizing the diversion of 4.5 second feet of waters of a well County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.4 second feet of the waters of a well from subterranean flow that the point of diversion of said waters SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T. 12 S., R. 22 E. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: S $\frac{1}{2}$, Sec. 26, T. 12 S., R. 22 E., B. M.

Witness my hand this 20th day of July, A.D. 1965.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: September 28, 1962

LICENSE ISSUED FOR 2.4 SEC. F1.
LICENSE PAGE NO. 8184



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

August 29, 1985

RE: License Nos. 45-2066, 45-2109, 45-2519 (Trans. 1849), 45-2520, (Trans. 1849)
45-2526 (Trans. 1849), 45-2567, 45-2579 (Trans. 3139), 45-2611,
45-2613, 45-2614, 45-2620, 45-2629, 45-2630 (Trans. 3141),
45-2642, 45-2657, 45-2668 & 45-2254A (Trans. 3134)

Lambert Produce, Inc.
Attn: Mr. Chris Drakos
P.O. Box 793
Blackfoot, ID 83221

Gentlemen:

Our office acknowledges receipt of Assignment of the above referenced water rights. However, in reviewing the files I find that the water rights are Licenses.

In Idaho, a licensed water right is considered real property and is acquired when the property to which it is appurtenant to is purchased. Proof of owning the land is proof of owning the water right license.

Therefore, I have put the Assignment into the files for future reference only and no other action will be taken. I have also enclosed copies of the Licenses for your records.

If you have any questions please feel free to contact our office.

Sincerely,

KAY WALKER
Chief Clerk

KW:sc
Enclosures

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LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON

CHARTERED

FIRST SECURITY BUILDING

P.O. BOX 829

BOISE, IDAHO 83701

WILLIS C. MOFFATT
(1907-1980)

OFFICE ADMINISTRATOR
DONNA K. BROWN

TELEPHONE
(208) 345-2334

TELECOPIER
(208) 345-2340

EUGENE C. THOMAS
JOHN W. BARRETT
J. CHARLES BLANTON
R. B. ROCK
RICHARD C. FIELDS
RICHARD E. HALL
MYRON O. GABBERT, JR.
PAUL S. STREET
DONALD J. FARLEY
LOREN C. IPSEN
T. N. AMBROSE
LARRY C. HUNTER
PHILLIP S. OBERRECHT
JEFFREY A. STROTHER
GLENN M. CHRISTENSEN
MARK S. PRUSYNSKI
MORGAN W. RICHARDS, JR.
MICHAEL G. MCPECK

STEPHEN R. THOMAS
JON S. GORSKI
ROBERT C. GRISHAM
GERALD T. HUSCH
DONALD D. SAINT-JUST
THOMAS C. MANNSCHRECK
THOMAS V. MUNSON
KIRK R. HELVIE
RAYMOND D. POWERS
THOMAS C. MORRIS
CANDY WAGAHOFF DALE
ROBERT B. LUCE
MICHAEL E. THOMAS
DOUGLAS M. CONDE
STEVEN V. CAMPBELL
LARRY D. SPURGEON
KRISTI EMIG-MARK
MARK B. PERRY

August 5, 1985

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Department of Water Resources
450 West State
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Re: Lambert Produce, Inc.
MTB&B File No. 14-262

Gentlemen:

Enclosed please find copies of relevant deeds which transfer water rights from First Security Bank of Idaho, N.A. to Lambert Produce, Inc. This transfer is as a result of the purchase of part of First Security Bank's real property in Cassia County, Idaho by Lambert Produce, Inc. Any future correspondence regarding the water rights set out in the two documents should be addressed to:

Lambert Produce, Inc.
Attention: Mr. Chris Drakos
Post Office Box 793
Blackfoot, Idaho 83221

Thank you for your assistance.

Sincerely,

Woody
Morgan W. Richards, Jr.

MWR/lc

Enclosures

cc w/o encl.: Mr. Chris Drakos

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QUITCLAIM DEED

FOR VALUE RECEIVED, FIRST SECURITY BANK OF IDAHO, N.A.,
herein "Grantor," hereby quitclaims to LAMBERT PRODUCE COMPANY,
herein "Grantees," whose current address is Post Office Box 793,
Blackfoot, Idaho, all of Grantor's right, title and interest in
and to the following described water rights, copies of which are
attached hereto and incorporated herein by reference:

45-0166	45-2611
45-0168	45-2613
45-0169	45-2614
45-0695	45-2620
45-0696	45-2629
45-0698	45-2630
45-0701	45-2642
45-2066	45-2657
45-2109	45-2668
45-2519	45-4009
45-2520	45-4011
45-2526	45-4013
45-2567	45-4048
45-2579	45-7379

AND that portion of License No. 45-2254 which has not previously
been obligated for transfer to Vanco, Inc. and also an unnumbered
permit for appropriation of water from Land Creek and Willow Creek.

No warranty is given by Seller as to any water rights
transferred hereby or as to the quality of any water. Any other
water rights not specifically transferred herein, including but
not limited to other licenses and claims, are retained by the
Seller.

DATED this 9th day of April, 1985.

FIRST SECURITY BANK OF IDAHO, N.A.

By

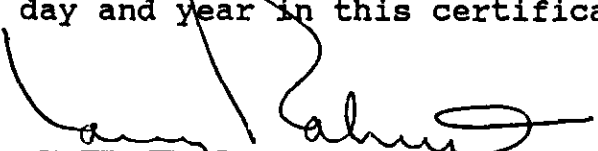
J. Lamar Giles
J. Lamar Giles
Senior Vice-president

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STATE OF IDAHO)
County of Cassia) ss.

On this 9th day of April, 1985, before me, a notary public in and for said county and state, personally appeared J. LAMAR GILES, known to me to be the Senior Vice-president of FIRST SECURITY BANK OF IDAHO, N.A., the corporation named in the above instrument and acknowledged to me that he executed the same on behalf of such corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



NOTARY PUBLIC for Idaho
Residing at Burley Idaho
My Commission Expires: 6-30-85

SUPPLEMENTAL AGREEMENT

WHEREAS on April 9, 1985, FIRST SECURITY BANK OF IDAHO, N.A., ("First Security") and LAMBERT PRODUCE, INC., ("Lambert") entered into a Real Estate Purchase and Sale Agreement ("Agreement"); and

WHEREAS certain terms of the transaction and agreement between First Security and Lambert should be added and/or clarified; and

WHEREAS First Security desires to assign to Lambert all of its right to obtain easements from Vanco, Inc., ("Vanco") for pipelines or ditches to transport irrigation water; and

WHEREAS First Security desires to quitclaim to Lambert all of its rights in certain additional water rights; and

WHEREAS First Security has advised Lambert of Vanco's right to approximately 3.91 c.f.s of water from First Security and Jackson W. Allred ("Allred"); and

WHEREAS Allred has applied to the Idaho Department of Water Resources to transfer License 45-2352 to Vanco and First Security has applied to the Idaho Department of Water Resources to transfer a portion of License 45-2254 to Vanco; and

WHEREAS to facilitate the transfer of the aforementioned water rights, the place of use for certain water rights has been or will need to be reduced or transferred by First Security and/or Allred; therefore

Based upon the consideration received by First Security and Lambert in the original Agreement and also independently based upon the consideration recited herein the parties agree as follows:

1. First Security hereby assigns to Lambert all of its

right and interest in obtaining easements for transportation of irrigation water from Vanco; and

2. First Security quitclaims all of its right, title and interest in and to water rights 45-4000, 45-4001, 45-4002, 45-4005, 45-4006, 45-4007, 45-4008 and 45-4014; and

3. First Security assigns and Lambert accepts any obligation or responsibility that First Security owes to Vanco to complete the transfer of approximately 3.91 c.f.s. of water to Vanco:

DATED this 11th day of April, 1985.

FIRST SECURITY BANK OF IDAHO,
N.A.,

By J. Lamar Giles J MWR
J. LaMar Giles,
Senior Vice President

LAMBERT PRODUCE, INC.

By Chris Drakos
Chris Drakos,
President

167339

QUITCLAIM DEED

FOR VALUE RECEIVED, ORLAND E. BATEMAN and MARY G. BATEMAN, husband and wife, ~~Bank of Idaho, N.A., 1111 Broadway, Boise, Idaho 83725, Box 7060, Boise, Idaho 83720~~ all right, title and interest in and to ~~the above described property~~ a copy of which is attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto First Security Bank of Idaho, N.A., its successors and assigns forever.

DATED this 8TH day of February, 1985.

Orland E. Bateman
Orland E. Bateman

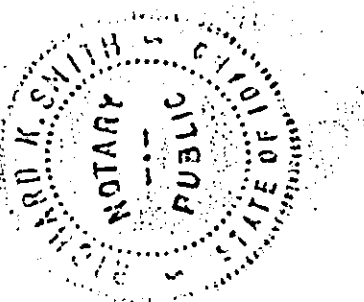
Mary G. Bateman
Mary G. Bateman

STATE OF IDAHO)
) ss.
County of)

On this 8TH day of February, 1985, before me, a notary public in and for said county and state, personally appeared ORLAND E. BATEMAN and MARY G. BATEMAN, husband and wife, known to me to be the persons whose names are subscribed to the within Quitclaim Deed, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public for Idaho
Residing at



MICROFILMED

August 15, 1985

RE: Transfer of Water Right No. 45-2630

First Security Bank of Idaho
Attn: LaMar Giles
Box 7069
Boise, ID 83730

Dear Mr. Giles:

Enclosed is a copy of your approved Application for Transfer of the
above referenced water right (Transfer No. 3141).

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 45-2630

Notice is hereby given that First Security Bank of Idaho, N.A., of Boise, Idaho has applied to the Department of Water Resources for a change of place of use of a right from a groundwater source. The right sought to be changed is evidenced by License No. 45-2630 and is recorded as follows:

Amount: 2.4 cfs

Priority: October 7, 1960

Point of Diversion: SWSW, Sec. 26 T12S, R22E, B.M., Cassia County

The water is used for irrigation of 320 acres from March 1 to November 1 within the S1/2, Sec. 26, T12S, R22E

TO BE CHANGED AS FOLLOWS:

Amount: No change

Point of Diversion: No change

Place of Use: S1/2, Sec. 20, T12S, R23E for irrigation of 320 acres from March 1 to November 1

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before May 27, 1985.

A. KENNETH DUNN
Director

Published South Idaho Press on May 9 and May 16, 1985.

MICROFILMED

ok
AD

85-137

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

No. 45-2630

Notice is hereby given that First Security Bank of Idaho, N.A., of Boise, Idaho has applied to the Department of Water Resources for a change of place of use of a right from a ground-water source. The right sought to be changed is evidenced by License No. 45-2630 and is recorded as follows:

Amount: 2.4 cfs

Priority: October 7, 1960

Point of Diversion: SWSW, Sec. 26 T12S, R22E, B.M., Cassia County

The water is used for irrigation of 320 acres from March 1 to November 1 within the S $\frac{1}{2}$, Sec. 26, T12S, R22E

TO BE CHANGED AS FOLLOWS:

Amount: No change

Point of Diversion: No change

Place of Use: S $\frac{1}{2}$, Sec. 20, T12S, R23E for irrigation of 320 acres from March 1 to November 1

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before May 27, 1985.

A. KENNETH DUNN, Director

Published in the South Idaho Press on May 9 and 16, 1985.

*ok
may
8/6/85*



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

May 1, 1985

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Notice of Proposed Change of Water Right 45-2579 & 45-2630

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

MICROFILMED

WATER RIGHT NUMBER 45-2630

OWNER LAST NAME - ANDERSON
OWNER LAST NAME - ORE-IDA FOODS INC.
ADDRESS LINE 1 - P.O. BOX 474
ADDRESS LINE 3 -
SOURCE - GROUNDWATER
STAGE - LICENSE
TOTAL DIV. VOLUME -
DIVERSION POINT - SWSW 26 12S 22E LOT
FROM - TO -
USE - IRRIGATION

STATUS -
TRFR/AMEND -
REDIV -
USE - IRRIGATION

TRIBUTARY OF -
PRIORITY - 10-07-1960
WATER DIST. -
0.0 0.0 0.0 0.0 0.0 0.0
USE DIV. RATE -
2.4000 CFS
PLACE OF USE - TWN 12S RNG 22E SEC 26

FIRST NAME - RAY
FIRST NAME -
ADDRESS LINE 2 -
CITY - BURLEY
STATE - ID ZIP CODE - 83318
COUNTY - CASSIA
DLE/CAREY ACT -
RIGHT BASIS -
0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
CFS
TRACT NESW LOT
TRACT SWSW LOT
TRACT NESE LOT
TRACT SWSE LOT

ORIG OWNER - D
ORIG OWNER -
TOTAL DIV. RATE -
2.4000 -CFS
USE DIV. VOLUME -
.00 AFA
TRACT NWSW LOT
TRACT SESW LOT
TRACT NWSE LOT
TRACT SESE LOT
TOTAL ACRES
320

DECREE NAME -
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED -
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

PROTESTED -
HEARING -
OLD NO. - 29091

100 000000



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

August 3, 1983

RE: License Nos. 36-2412 (Transfer No. 2299), 36-2665, 36-7119, 36-7157, 36-7304, 36-7366, 36-7402, 36-7480, 36-7561, 37-7001, 37-7019, 37-7315, 37-7316, 37-7363, 37-7470, 45-2016, 45-2018, 45-2019, 45-2020, 45-2028, 45-2029, 45-2031, 45-2050, 45-2053, 45-2066, 45-2109, 45-2254 (Transfer No. 2590), 45-2299, 45-2351 (Transfer No. 2329), 45-2490, 45-2494, 45-2512, 45-2519 (Transfer No. 1849), 45-2520 (Transfer No. 1849), 45-2526 (Transfer No. 1849), 45-2556, 45-2567 (Pending Transfer No. 2332), 45-2579, 45-2611, 45-2613, 45-2614, 45-2620, 45-2628, 45-2629, 45-2630, 45-2642, 45-2657, 45-2668 (Pending Transfer No. 2332), and 45-2688

First Security Bank of Idaho
ATTN: Mr. LaMar Giles
P.O. Box 7069
Boise, ID 83730

Dear Mr. Giles:

Our office acknowledges receipt of Assignment of the above referenced water rights. However, in reviewing the files I find that the water rights are Licenses.

In Idaho, a licensed water right is considered real property and is acquired when the property to which it is appurtenant to is purchased. Proof of owning the land is proof of owning the water right license.

Therefore, I have put the Assignment into the files for future reference only and no other action will be taken. I have also enclosed copies of the Licenses for your records.

If you have any questions please feel free to contact our office.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosures

MICROFILMED

OK to process
Re 8/2/83

ASSIGNMENT OF WATER RIGHTS

The undersigned (hereinafter "Grantor"), for good and valuable consideration, receipt of which is hereby acknowledged, does hereby sell, assign, transfer, grant, convey and warrant to FIRST SECURITY BANK OF IDAHO, N.A. (hereinafter "Grantee"), all right, title and interest in the licenses, decrees, adjudications, claims, permits, written agreements and stock in water companies, listed in Exhibit J attached hereto and incorporated by reference, along with any and all interest the Grantor may have, acquire, claim or otherwise hold over any other unspecified public waters of the State of Idaho (hereinafter "Water Rights") which have been or are now used and applied to beneficial purposes upon the real property described in Exhibits A and C attached hereto and incorporated by reference.

Grantor warrants that it has performed all acts and made all filings necessary to maintain in full force and effect all of the Exhibit J Water Rights, and that there are no written or oral agreements which adversely affect or change the aforementioned Water Rights.

Grantor further covenants and warrants that a notice of claim has been or will be filed prior to June 30, 1983, pursuant to Idaho Code Section 42-243 by Grantor for the benefit of Grantee for all unspecified public waters of the State of Idaho which have been or are now used and applied to beneficial purposes upon the real property described in Exhibits A and C attached hereto and by this reference incorporated herein.

MICROFILM

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Assistant Secretary effective January 31, 1983.

ALBERT ANDERSON AND SONS COMPANY

By 15/
President

ATTEST:

15/
Assistant Secretary

STATE OF IDAHO)
County of Cassia) ss.

On this 17th day of May, 1983, before me, a notary public in and for said county and state, personally appeared Wm. A. Anderson and Wm. A. Parsons, known to me to be the President and Assistant Secretary, respectively, of ALBERT ANDERSON AND SONS COMPANY, the corporation named in the above instrument, and acknowledged to me that they executed the same on behalf of such corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

15/
NOTARY PUBLIC for Idaho
Residing at _____, Idaho

WATER RIGHTS

EXHIBIT J

Licenses and Permits

36-2412	37-7363	45-2066	45-2579
36-2665	37-7470	45-2109	45-2611
36-7119	✓37-7480	45-2254	45-2613
36-7157	37-7531	45-2299	45-2614
36-7304	37-7806	45-2351	45-2620
36-7366	45-2016	45-2490	45-2628
36-7402	45-2018	45-2494	45-2629
36-7480	45-2019	45-2512	45-2630
36-7561	45-2020	45-2519	45-2642
✓36-7877	45-2028	45-2520	45-2657
37-7001	45-2029	45-2526	45-2668
37-7019	45-2031	~~45-2547~~	45-2688
37-7315	45-2050	45-2556	45-7379
37-7316	45-2053	45-2567	

Decrees and Adjudications

45-0166	45-0170	45-0514	45-0698
45-0168	45-0171	45-0695	45-0701
45-0169	~~45-0425~~	45-0696	45-0702

Claims

45-4000	45-4006	45-4011	45-4023
45-4001	45-4007	45-4013	45-4026
45-4002	45-4008	45-4014	45-4048
45-4005	45-4009		

Agreements

1. "99 YEAR LEASE" dated April 1, 1954, between Albert Anderson and Sons Company and Parley C. Clark, Clarence A. Elquist and Dallon Elquist.
2. "AGREEMENT" dated April 3, 1963, between Albert Anderson and Sons Company and Parley C. Clark, Clarence A. Elquist, Bertha Elquist, Dallon C. Elquist and Norma Jean Elquist.

Stock in Water Companies

<u>Name of Company</u>	<u>Number of Shares</u>
Oakley Canal Co.	1,167.02
Northside Canal Co.	1,006.02

ACT
ION

N OWNER LAST NAME - ANDERSON

FIRST NAME - RAY

ORIG OWNER - O

N ~~OWNER LAST NAME - ORE-IDA FOODS INC.~~

CITY - BURLEY

STATE - ID

N SOURCE - GROUNDWATER

N ~~STAGE - LICENSE~~

PRIORITY - 10-07-1960 COUNTY - CASSIA TOTAL DIV. RATE - 2.4000CFS

N DIVERSION POINT - SWSW 26 12S 22E

N USE - IRRIGATION

USE DIV. RATE - 2.4000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 12S RNG 22E SEC 26 TRACT NESW

AC 40 TRACT NWSW AC 40

N

TRACT SWSW

AC 40 TRACT SESW AC 40

N

TRACT NESE

AC 40 TRACT NWSE AC 40

N

TRACT SWSW

AC 40

N USE - IRRIGATION

PLACE OF USE - TWN 12S RNG 22E SEC 26 TRACT SESE

AC 40

N

OLD NO. - 29091

IDENT. NO. 45-2630

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG[illegible]

July 20, 1965

Re: Permit Nos. G-27069; G-28466
G-29091

Ore-Ida Foods, Inc.
P.O. Box 474
Burley, Idaho

Gentlemen:

Enclosed are Certificates of Completion of Works
and Licenses and Certificates of Water Right on the above
numbered permits.

Also enclosed is departmental receipt No. G-9472
in the amount of \$79.00 which partially covers fee on
Permit No. G-28402.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Encl certificates (6)
receipt

29091

500 - July 8, 1964

June 22, 1965

RE: Permit No. G-29091

Ore-Ida Foods, Inc.
Box 474
Burley, Idaho

Dear Sirs:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29091 shows the well is ~~now~~ capable of conveying 170 miner's inches, or 2.40 c.f.s. of water for the irrigation of 320 acres.

Upon receipt of the statutory fees, totaling \$ 21.00 , we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of October 7, 1960 , to the use of 2.40 second feet of subterranean water with the point of diversion in the SW¹/₄ SW¹/₄, Sec. 26 for irrigation of 320 acres in the S¹/₂, Sec. 26, T. 12 S., R. 22 E., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

29091

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-29091

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

1. Name of applicant Ore-Ida Foods, Inc.,
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the SW 1/4 SW 1/4 of Section 26
T. 12S R. 22 EBM County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: 200 HP U.S. Motor
*1223289, Layne Pump (No Nameplate) 10" x 35' discharge pipe cast
into open ditch
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S 1/2 Sec. 26., Twp. 12 S., Rge. 22 E.B.M.

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

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Jake Haxby along.

Temp 63 1/2 °F

Measured by Sparking Meter 5 Rev. 3 min 24 sec. : 2.40 cfs.

This examination was made on the 9th day of June, 1965

(Signed)

Layne Johnson

Examiner.

29091

Ore-Ida Foods, Inc.,
Box 474
Burley, Idaho
Permit No. G-29091

Examination for Completion of Works & Beneficial Use

County Cassia
Sec 26 T 12S R 22E
Quantity: 4.5 acs.

Source: Well

P. D.: SW. SW., Sec. 26, T. 12S. - R. 22E. 1/4

Use: Irrigation

Filed: Oct. 7, 1960

Due: Oct. 20, 1965

Extension: —

Protest: —

Completion of Works: —

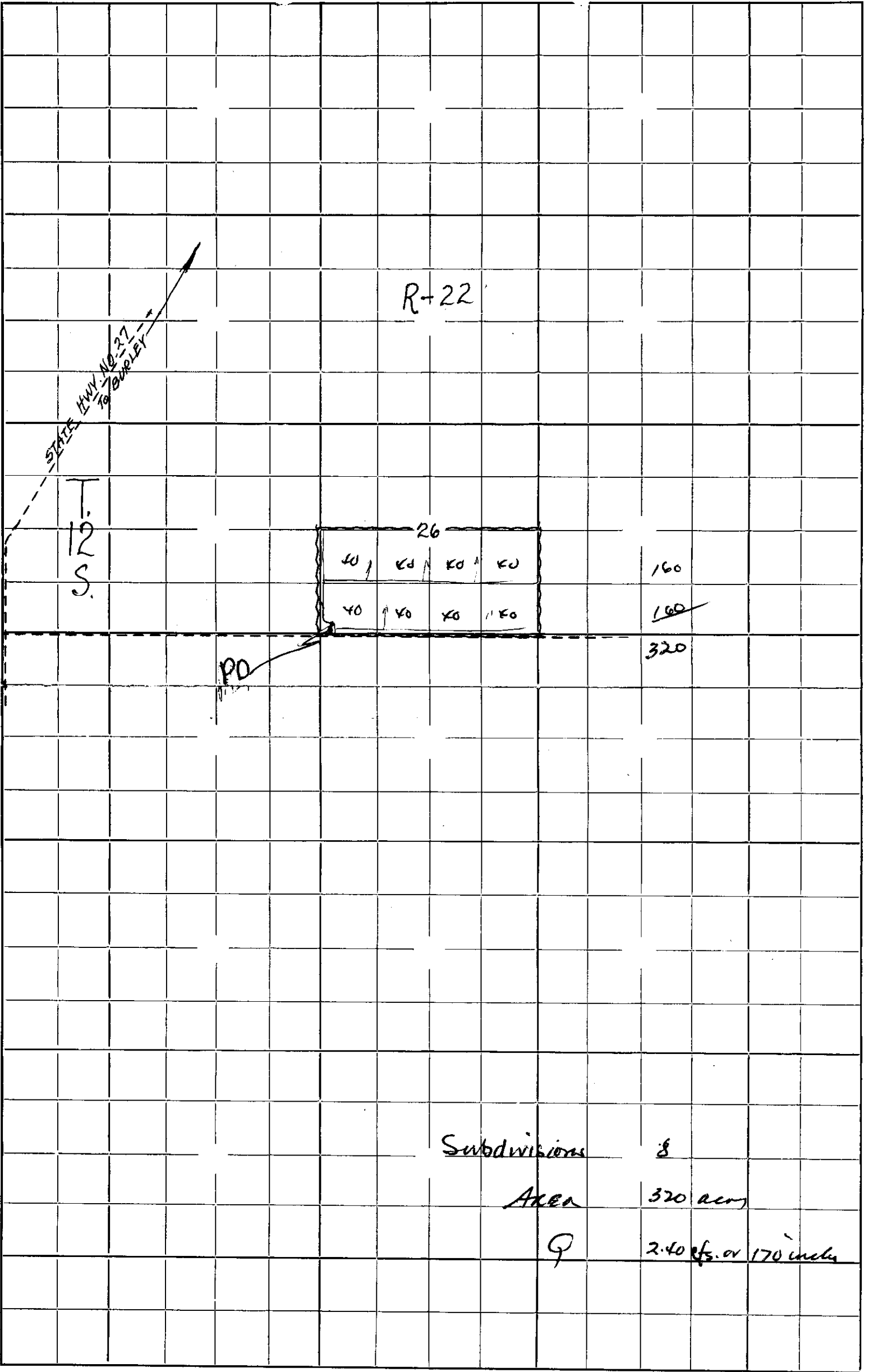
Other Rights: none

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
OCT 21 1965

Department of Reclamation



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29091

REPORT ON PROOF OF Completion of Works & Beneficial Use

Ore-Ida Foods, Inc., Box 474, Burley, Idaho

June 7, 1965

RE: Permit Nos. G-27069, G-27935, G-28402,
G-28424, G-28466, G-28579,
G-29069, G-29091, G-29523,
G-29542

Ore-Ida Foods
Box 474
Burley, Idaho

Gentlemen:

This is a follow up of the notice from the Department of Reclamation office that an inspection would be made on your water filing as soon as possible.

I will plan to inspect the above numbered permits on or about the week of June 8 through 11, 1965.

Please arrange to be on the premises so that you can accompany me over the work.

Very truly yours,

CHARL E. TAPPAN
State Reclamation Engineer
By

Loy H. Johnson
Field Engineer

LHJ:mr

29091

1M April 1962

November 21, 1962

Re: Permit No. S. 0-27935 & 0-29092

Ore-Ida Foods, Inc.,
Box 174
Burley, Idaho

Gentlemen:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Herald-Bulletin, all submitted in proof of completion of works and beneficial use on Permit No. S. 0-27935 & 0-29092.

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

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

Very truly yours ,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

cc: Harley H. McDowell
P. O. Box 2161
Boise, Idaho

29091

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF CASSIA

ss.

Dean Stanley Leake II first being duly sworn, deposes and says: That he is the printer of The Herald-Bulletin, a daily newspaper published at Burley in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published daily and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at last four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for *seventy-eight* consecutive weeks, commencing with the issue dated *Aug 24, 1962*, and ending with the issue dated *Sept 14, 1962*

Subscribed and sworn to before me this *14* day of *Sept*, 19*62*

Stanley Leake
Notary Public in and for the State of Idaho
Residing in *Idaho*
My Commission Expires

APRIL 2, 1963 29091

NOTICE TO THE PUBLIC
Notice is hereby given that at 10:30 A.M. on the 28 day of September, 1962, at Boise, County of Ada, State of Idaho before Joan H. Bain, Notary Public at 229 Idaho Bldg., Boise, Ida., proof will be submitted of the completion of works for the diversion of 4.5 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28891, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of the person or corporation holding said permit is: *Ida. Power Co., P.O. Box 171, Burley, Idaho.*

2. Said works of diversion will be fully complete on the date set for completion and the amount of water which said works are capable of conveying to the place of use is 4.5 cubic feet per second.

3. The use of which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 4.5 cubic feet per second.

4. The point of diversion of said water is SW 1/4 SW 1/4, Sec. 26, T12N R12E, B.M., Ida.

5. The place where said water is used is SW 1/4, Sec. 26, T12N R12E, B.M., Ida.

6. The date of priority which said user is prepared to establish is 10/7/60.

GEO. N. CARTER
State Reclamation Engineer
Residing at Burley, Herald-Bulletin Aug. 28, 31; Sept. 7 and 14, 1962.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF CASSIA

SS.

Dean Stanley Lebeck II
first being duly sworn, deposes and says:
That he is the printer of The Herald-Bulletin, a daily newspaper published at Burley in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published daily and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at last four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for *seventy-eight* consecutive weeks, commencing with the issue dated *Aug 24, 1962*, and ending with the issue dated *Sept 14, 1962*

Subscribed and sworn to before me this *14* day *Sept*, 19*62*

Verne E. Nelson
Notary Public in and for the State of Idaho
Residing in *COOKS* *Idaho* EXPIRES

APRIL 2, 1963 29091

Notice is hereby given that at 10:30 A.M., on the 28 day of September, 1962, at Boise, County of Ada, State of Idaho before Joan H. Bain, Notary Public, at 329 Idaho Bldg., Boise, Ida., proof will be submitted of the completion of works for the diversion of 4.5 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29091, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation holding said permit is *Ida Food Co., Inc., PO Box 474, Burley, Idaho.*

2. Said works of diversion will be fully completed on the date set for completion and the amount of water which said works are capable of conveying to the place of use is 4.5 cubic feet per second.

3. The use of which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 4.5 cubic feet per second.

4. The point of diversion of said water is *SW 1/4 SW 1/4, Sec. 26, T12S-R22E, B.M., Ida.*

5. The place where said water is used is *S 1/2, Sec. 26, T12S-R22E, B.M., Ida.*

6. The date of priority which said user is prepared to establish is *10/7/60.*

GEO. N. CARTER
State Reclamation Engineer
Published in Burley Herald-Bulletin Aug. 24, 31; Sept. 7 and 14, 1962.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 19 1960

Department of Reclamation

Permit No. G-29091

Proof of Application of Water to Beneficial Use

and Completion of Works Deposition of Holder

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

Ans. Ore-Ida Foods, Inc.; residence, Burley, Ida; occupation, potato processing;
postoffice address, Box 474, Burley, Ida.

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

Ans. Ore-Ida Foods, Inc; PO Box 474, Burley, Idaho;

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

Ans. Permit G-29091; date of permit, 10/20/60; date of priority, 10/7/60

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

Ans. A well drilled in SW 1/4, Sec. 26, T12S-R22E., B.M., Ida.

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

Ans. Well drilled to 900'; 189' of 20" casing, 266' of 18" casing, 542' of 16" casing;
39' of 14", equipped with 250 hp turbine type pump & motor. Distribution is
by private ditches. Water stands at 356'. Production 150".

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

Ans. Water is used for irrigation of all of S₂, Sec. 26, T12S-R22E., B.M., Ida.

This is all cultivated land and all improvements were made as a direct result of
said use.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. Ray Commons, Rupert, Ida.

29091

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

Ans. Irrigation only.

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

Ans. All water now being used is necessary.

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

Ans. Assigned from Ray Anderson.

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

Ans. This well was drilled in February of 1955 and use has been continuous.

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

Ans. ~~XXXXXX XXXX Permit G-29069 on which proof is being submitted also.~~

None

Ore-Ida Foods, Inc.

(Sign) By

Golden T. Grigg

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada,

State of Idaho, on this 28 day of September, A. D. 19 62.

Joan H. Bain
Notary Public for the State of Idaho

My commission expires 6/20/65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 19 1942
Department of Reclamation

PERMIT NO. G-29091

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
AND Completion of Works
DEPOSITION OF WITNESS

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

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

Ans. Charles L. Taylor; age, 26; residence, Burley, Ida; occupation, assistant
personnel manager; postoffice address 253 E. 23rd Dr., Burley, Idaho.

Ques. 2. Are you acquainted with Ore-Ida Foods, Inc. by Golden T. Grigg the holder of Permit No. G-29091? How long have you known him and where does he reside?

Ans. I have known him three years and know he resides in Burley, Ida.

Ques. 3. Have you read or heard said Permit No. G-29091, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Source of the water is a well drilled in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T12S-R22E., B.M., Ida.
Well is 900' deep, cased all the way, 20" hole equipped with 250 hp turbine type pump & motor. Conveyance is by private ditch.

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

Ans. 200". 150".

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

Ans. 150"
~~225"~~ This is just my estimate from having seen irrigation and pumping
equipment.

29091

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

Ans. This water is used for irrigation of all S¹/₂ Sec. 26, T12S-R22E., B.M., Ida.

All cultivated land and all improvements have been made as a direct result of said use.

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

Ans. None.

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

Ans. This is a lava ash soil. All the water being used is required for profitable cultivation.

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

Ans. No.

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

Ans. I have seen this operation frequently since it was started.

(Signed)

Charles L. Taylor

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise County of Ada, State of Idaho, on this 28 day of September, A. D 19 62

Joan H. Bain

Notary Public

My commission expires 6/20/65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 19 1942

Department of Reclamation

PERMIT NO. G-29091

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works
DEPOSITION OF WITNESS

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

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

Ans. Phyllis Butterfield; age, 47; residence, Heyburn, Idaho; occupation,
accountant; postoffice address, Heyburn, Idaho.

Ques. 2. Are you acquainted with Ore-Ida Foods, Inc. by Golden T. Grigg, the holder of Permit No. G-29091? How long have you known him and where does he reside?

Ans. I have known him 6 years and know that he resides in Burley, Idaho;

Ques. 3. Have you read or heard said Permit No. G-29091, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Water is from a 900' deep well, cased all the way and equipped with 250 hp turbine
type pump & motor. Distribution is by private ditches.

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

Ans. 150". 150".

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

Ans. 150". This is an estimate from past experience.

29091

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

Ans. Water is used to irrigate all of S₂, Sec. 26, T12S-R22E. There is no
natural meadow land and all the improvements were made as a direct result of said
use.

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

Ans. None.

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

Ans. Soil is lava ash and all this water is needed for profitable cultivation.

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

Ans. No.

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

Ans. I have seen this development several times per year since it was started
in 1955.

(Signed) Phyllis C. Butterfield

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Ada, State of Idaho, on this 28 day of September,
A. D 19 62

Jean W. Bain

Notary Public

My commission expires 6/20/62

RECEIVED

AUG 21 1962

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 16, 1962

(P. O.) Burley, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Herald-Bulletin of Burley, Idaho published in
the county in which the works are situated.

Ore-Ida Foods, Inc.

By X *Norman Arden*

IDAHO LAND & APPRAISAL SERVICE WILL GUARANTEE PAYMENT OF PUBLICATION CHARGES. PLEASE
SEND AFFIDAVIT OF PUBLICATION AND STATEMENT TO US AT PO BOX 2161, BOISE, IDA.

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

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

Engineer.

AUG 21 1962

Department of Reclamation

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

Notice is hereby given that at _____ M., on the _____
day of _____, 19~~62~~⁶² at _____²⁸, County ~~Boise~~^{September}
of _____^{Boise}, State of Idaho, before _____
_____ ~~Jean H. Bain~~^{329 Idaho Bldg.}, proof will be submitted of the completion
of works for the diversion of _____ cubic feet per second of underground
waters from a well, and of the application to beneficial use of said water, in
accordance with the terms and conditions of Permit No. _____ heretofore
issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding
said permit are _____

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

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

4. The point of diversion of said water is _____
_____ ~~SW 1/4, Sec. 26, T12S-R22E, B.M., Ida.~~

5. The place where said water is used is _____
_____ ~~S 1/2, Sec. 26, T12S-R22E, B.M., Ida.~~

6. The date of priority which said user is prepared to establish is _____
_____ 10/7/60

Geo. H. Carter
State Reclamation Engineer

29091

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-29091
Ore-Ida Foods, Inc.

Date: August 21, 1962

Herald Bulletin,
Burley, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **September 28, 1962** the date set for proof; the expense of the publication is to be paid by the ~~applicant~~

Idaho Land and Appraisal Service of **Box 2161, Boise, Idaho** to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

29091

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

August 21, 1962

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

Re: Permit No. G-29091
Ore-Ida Foods, Inc.

IS ATTACHED

Mr. Harley M. McDowell,
Idaho Land and Appraisal Service,
Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29091, in the name of Ore-Ida Foods, Inc.. Final Proof is to be made before you, as Notary on the 26th day of September, 1962, at 10:30 o'clock A.M., at 329 Idaho Bldg., Boise, Idaho.

As of this date we have mailed the Notice to the Herald-Bulletin, Burley with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (Holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Rule

(Mrs.) Edna P. ~~XXXXXXXXXX~~
Chief Clerk

Encl.

EPR:Pk
cc: Applicant

29091

June 2, 1961

Re: Permit No. G-25766 ; G-27069 - Albert Anderson &
Sons Company
G-27935 - Anderson Brothers
G-28490 Elaine Curtis & Sons and
Trigg and Anderson
G-29091 - Ray Anderson

Harley McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed is departmental receipt No. S-5980
in the amount of 13.50 covering fees for the above permit
certified copies, mailed to your office on May 23, 1961.

Very truly yours,

WEO. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Hule
Chief Clerk

EPH:ew

Enc. receipt

29091

May 23, 1961

RE: Permit No. G-25766, Albert Anderson and Sons Company
G-27069, Albert Anderson and Sons Company
G-27935, Anderson Brothers
G-28490, Blaine Curtis & Sons and Grigg & Anderson
G-29091, Ray Anderson

Harley M. McDowell
Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed are certified copies of the above numbered permits which you requested.

The fee for making the copies is \$13.50.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. certified copies 5

29091

May 22, 1961

RE: Permits G-25766, G-26872, G-27069, G-27935, G-28466,
G-28550, G-28551, G-28552, G-28553, G-28554,
G-28578, G-28579, G-28580, G-28588, G-28589,
G-28741, G-28892, G-29069, G-29078, G-29091,
G-29523, G-29536, G-29537, G-29541, G-29542

Harley M. McDowell
Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed are assignments on the above numbered permits to Ore-Ida Foods, Inc. The assignments have been recorded in this office.

Departmental receipts G-5943, \$4.00; G-5944, \$6.00; G-5945, \$6.50; G-5946, \$4.00, covering the fees for recording the permits, have been mailed to you.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

WFR:mr

Enc. assignments

29091

October 27, 1960

Re: Permit No. G-29091

Mr. Ray Anderson,
Oakley, Idaho.

Dear Mr. Anderson:

We enclose Permit No. G-29091 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-5310 which was issued covering payment in the amount of \$6.00 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer
By

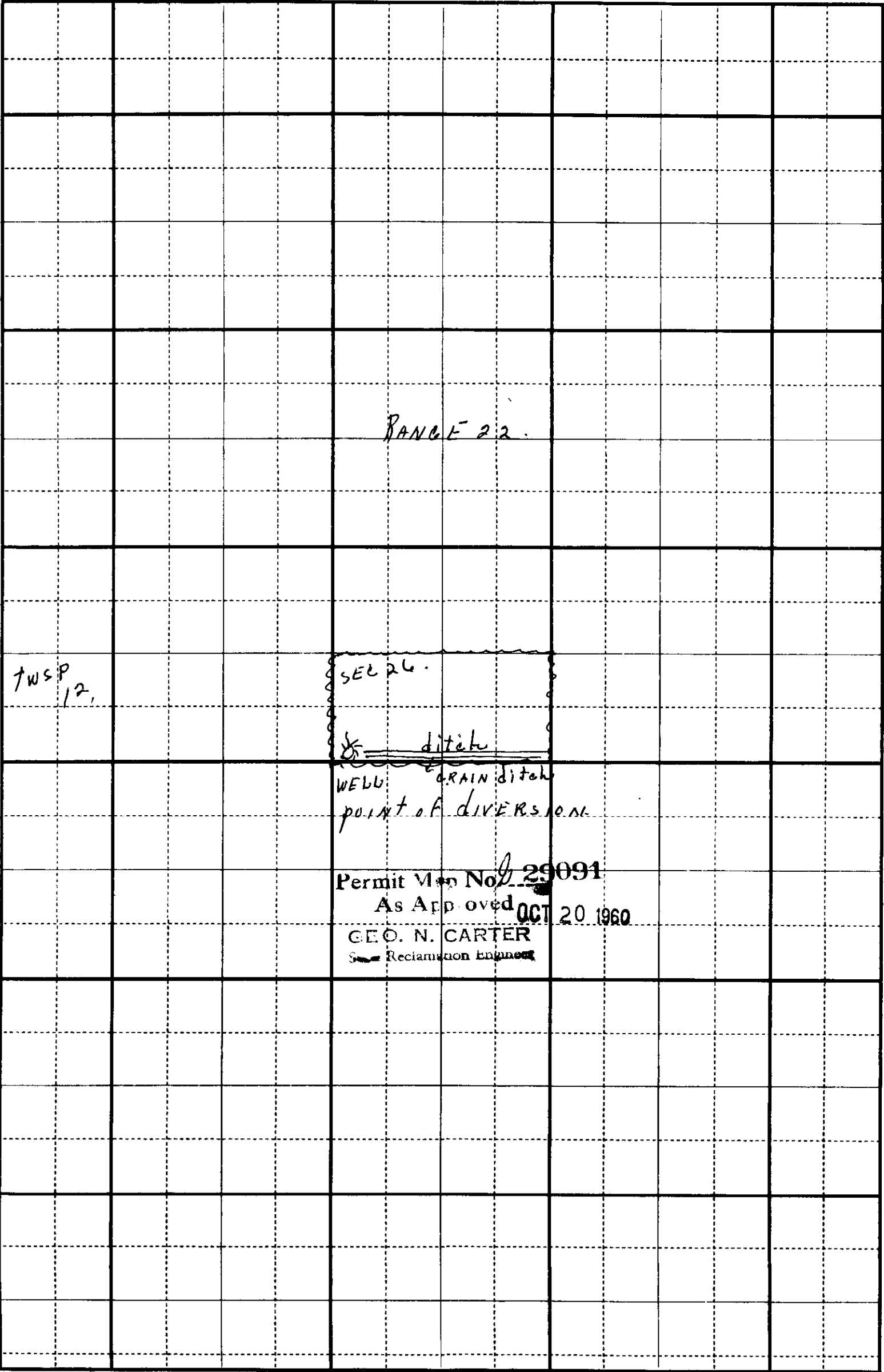
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

29091

NAME OF APPLICANT Ray Anderson

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

29091

October 7, 1960

Re: Application for Permit

Ray Anderson
Oakley, Idaho

Dear Mr. Anderson:

Your application for permit to appropriate 4.5 cubic feet per second of subterranean water with the filing fee of \$6.00 is acceptable except for the land description.

The maps indicate the land to be irrigated is the S $\frac{1}{2}$, Sec. 26, T. 12 S., R. 22 E. whereas the land list on the application under 12 shows the NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26.

Kindly notify us at your earliest convenience of the proper land description and also if the well is actually in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Kule
Chief Clerk

RT:EPR:ew

29091



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE

RECEIVED
OCT 19 1960
Department of Reclamation

October 7, 1960

Re: Application for Permit

Ray Anderson
Oakley, Idaho

Dear Mr. Anderson:

Your application for permit to appropriate 4.5 cubic feet per second of subterranean water with the filing fee of \$6.00 is acceptable except for the land description.

The maps indicate the land to be irrigated is the S $\frac{1}{2}$, Sec. 26, T. 12 S., R. 22 E., whereas the land list on the application under 12 shows the NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26.

Kindly notify us at your earliest convenience of the proper land description and also if the well is actually in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: *Edna P. Rule*
(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:ew

Dear Sirs:

The description of the land on the original application should have been south $\frac{1}{2}$, Sec. 26, T. 12 S., R. 22 E. and the well is actually on SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26

Phyllis
Phyllis Butterfield
Grigg & Anderson Farms

29091

LEGAL NOTICE

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

Notice is hereby given that at 10:30 A.M., on the 28 day of September, 1962, at Boise, County of Ada, State of Idaho before Joan H. Bain, Notary Public, at 329 Idaho Bldg., Boise, Ida., proof will be submitted of the completion of works for the diversion of 4.5 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. D-29091 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Ore-Ida Foods, Inc., PO Box 444, Burley, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.5 cubic feet per second.

3. The use of which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 4.5 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T12S, R22E, B.M., Ida.

5. The place where said water is used is S $\frac{1}{2}$, Sec. 26, T12S, R22E, B.M., Ida.

6. The date of priority which said user is prepared to establish is 10/7/60.

GEO. N. CARTER
State Reclamation Engineer
Published in Burley Herald-
Bulletin Aug. 24, 31; Sept. 7 and
14, 1962.

29091