

45-02601

State of Idaho
Department of Water Administration
AMENDED
LICENSE OF WATER RIGHT

License of Water Right No. 28424/45-2601 Priority Jan. 21, 1960 Amount 3.47 cfs

THIS IS TO CERTIFY, that ORE-IDA FOODS, INC.
of Burley, Idaho, has complied with the terms and conditions of Permit
No. 28424/45-2601 issued pursuant to Application for Permit dated January 21, 1960,
and has submitted proof to the Department of Water Administration on February 1, 1965,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.47 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 3.47 cfs for irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 3.47 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, Twp. 12 S, Rge. 23 E, B.M.

in the county of Cassia; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,686.3 acre feet per year or _____
4.0 acre feet per acre.

Description and location of place of use:

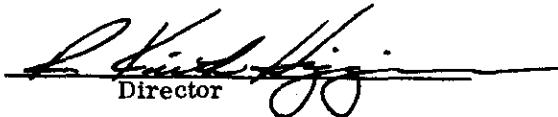
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12 S	23 E	5	40	39	40	40	40	40	40	40	40	40	40	40	40	40	40	40	639

Total number of acres irrigated 639

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19 day of

April, 19 72.


Director

45 2601

State of Idaho

License and Certificate of Water Right

Water License No. G-28424Amount 3.47 c.f.s.

Water District No. _____

Priority January 21, 1960

THIS IS TO CERTIFY that GRIGG & ANDERSON FARMS - Assignee - ORE-IDA FOODS, INC. of Burley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 21, 1960; that Permit No. G-28424 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.47 second feet, was issued thereunder on August 3, 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 a well, a tributary of subterranean flow, for the purpose of irrigation

, under Use Permit No. G-28424 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 8202, on the 3 day of August, 1965;

The right hereby confirmed dates from January 21, 1960;

The Point of Diversion is located

in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, Tp. 12 S., R. 23 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 3.47 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	23 E	6	E $\frac{1}{2}$ NE $\frac{1}{4}$	80	80
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	39
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	39
			E $\frac{1}{2}$ SE $\frac{1}{4}$	80	80
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	39
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	39
			Total number of acres to be irrigated: 316		

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

3rd day of August, 1965.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

45 2601

State of Idaho

License and Certificate of Water Right

Water License No. G-24830

Amount 4.61 c.f.s.

Water District No.

Priority March 29, 1954

Trans. # 1063

THIS IS TO CERTIFY that JAY O. TILBY
 of Burley, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated March 29, 1954; that Permit No. G-24830
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 4.61 second feet, was issued thereunder on August 3, 1965, showing that said works
 were completed on the 15th day of April, 1963; and that on the 15th
 day of April, 1963,

JAY O. TILBY

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 2 wells
 , a tributary of subterranean flow, for the purpose of domestic use and
 irrigation, under Use Permit No. G 24830 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 8201, on the 3 day of August, 1965;
 The right hereby confirmed dates from March 29, 1954;
 The Point of Diversion is located NE $\frac{1}{4}$ SE $\frac{1}{4}$;

in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, Tp. 11 S. R. 21 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 4.61 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S	21 E	26	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	38
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	31
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	15
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	35
			N $\frac{1}{2}$ SE $\frac{1}{4}$	80	80
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	29
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			Total number of acres to be irrigated:		268

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

3rd day of August, 1965.

Deputy /s. RALPH W. THOMAS
 State Reclamation Engineer.

(SEAL)

45-2601

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36378
 Permit No. G- 28424
 District No.

Assigned to Ore-Ida Foods Inc
Box 474 - Burley -
Idaho

1. Name of Applicant: **Grigg and Anderson Farms**

Postoffice address: **Box 474, Burley** County: **Cassia** State: **Idaho**

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second **6.4** or Idaho
 Miners' inches **320** 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** $\frac{1}{4}$ of the **SE** $\frac{1}{4}$ of Section **6**
 Twp. **12 S**, Rge. **23 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 $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. PD, B.M.

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

8. Estimated cost of works: **\$ 30,000**

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

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is **5** years.

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:

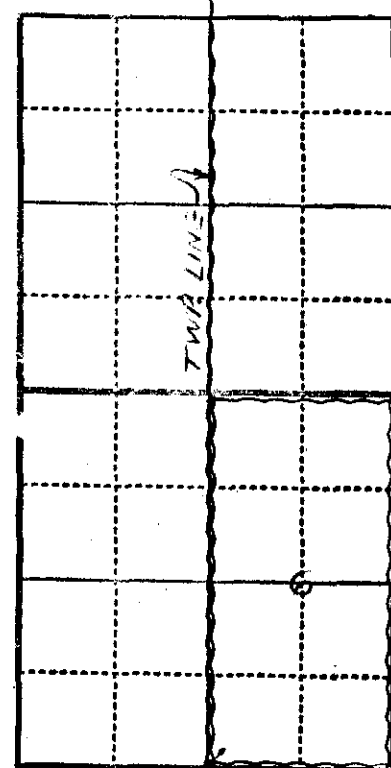
(d) Other resources:

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: **none**

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



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.

Applicant.

Agent.

Corrected application received:

Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
12 S	23 E	6	40	40	40	40										40	40	40	40	320
ASSIGNMENT For value received, I hereby assign my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28424 to Ore-Ida Foods, Inc. of P. O. Box 474, Burley, Idaho. Grigg-Anderson Farms /s/By Golden T. Grigg, Partner Permit Holder STATE OF IDAHO) : County of Cassia) ss On this 17 day of Jan, 1962, before me, a Notary Public for the State of Idaho, residing at Heyburn, Idaho Office Burley, Idaho personally appeared Golden T. Grigg known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, The day and year in this certificate first above written. /s/ Phyllis C. Butterfield Notary Public Residing at Heyburn, Idaho My commission expires Dec. 1962 (SEAL)																				

Application for Amendment ✓
POINT OF DIVERSION
Permit No. G-28424

Comes now Ore-Ida Foods, Inc. and represents to the State Reclamation Engineer of the State of Idaho:
That they are the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. G-28424.
That the point of diversion is described in said Permit as being located: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 12 S., R. 23 E., B.M.

That they now request that the point of diversion be changed to a point located: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 12 S., R. 23 E. .
., Ida.

That the reason for desiring to make such change is as follows: More efficient site for distribution

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 23 day of August, 1962.

Ore-Ida Foods, Inc.
By: Harley M. McDowell
Agent

of Receipt at Department of Reclamation: August 27, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-28424. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

dated: August 28, 1962

Application for Amendment ✓
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. G-28424

Comes now Ore-Ida Foods, Inc., and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-28424, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

~~SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6; All Section 5, T. 12 S., R. 23 E., B. M., Ida., making a total of 960 acres.~~

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 23 day of August, 1962.

Ore-Ida Foods, Inc.
by HARLEY M. McDowell, Agent

of receipt at office of Department of Reclamation: August 27, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-28424. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

dated: August 28, 1962

Permit No. G 28424 ✓
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Griggs and Anderson Farms - Assignee - ORE-IDA FOODS, INC. of Burley, County of Cassia, and State of Idaho, the holder of Permit No. G-28424, issued upon Application No. G-36378 bearing date of priority of January 21, 1960, authorizing the diversion of 6.4 second feet of waters of a well County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the laws of the State of Idaho relating to the proof 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 3.47 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. 5, T. 12 S., R. 23 E., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: E $\frac{1}{2}$, Sec. 6, T. 12 S., R. 23 E., B.M.

Witness my hand this 3rd day of August, A. D. 1965

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: February 1, 1965

LICENSE ISSUED FOR 3.47 SEC. FT.
LICENSE PAGE NO. 8202

Application for Amendment
POINT OF DIVERSION
Permit No. G-28424

Comes now Ore-Ida Foods, Inc. and represents to the State Reclamation Engineer of the State of Idaho:
That they are the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. G-28424.
That the point of diversion is described in said Permit as being located: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, T. 12 S., R. 23 E., B.M.

Ida.

That they now request that the point of diversion be changed to a point located: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 12 S., R. 23 E. B. M., Ida.

That the reason for desiring to make such change is as follows: More efficient site for distribution

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 23 day of August, 1962.

Ore-Ida Foods, Inc.
By: Harley M. McDowell
Agent

Date of Receipt at Department of Reclamation: August 27, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-28424. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded: August 28, 1962

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Application for Amendment
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. G-28424

Comes now Ore-Ida Foods, Inc., and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-28424, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

~~SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, T. 12 S., R. 23 E., B. M., Ida., making a total of 960 acres.~~

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 23 day of August, 1962.

Ore-Ida Foods, Inc.
by HARLEY M. McDowell, Agent

Date of receipt at office of Department of Reclamation: August 27, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-28424. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded: August 28, 1962

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Permit No. G 28424
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Griggs and Anderson Farms. - Assignee - ORE-IDA FOODS, INC. of Burley, County of Cassia, and State of Idaho, the holder of Permit No. G-28424, issued upon Application No. G-36378 bearing date of priority of January 21, 1960, authorizing the diversion of 6.4 second feet of waters of a well County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the laws of the State of Idaho relating to the proof 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 3.47 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. 5, T. 12 S., R. 23 E., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: E $\frac{1}{2}$, Sec. 6, T. 12 S., R. 23 E., B.M.

Witness my hand this 3rd day of August, A. D. 1965
/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: February 1, 1965

LICENSE ISSUED FOR 3.47 SEC. FT.
LICENSE PAGE NO. 8202

WATER RIGHT NUMBER 45-2601

OWNER LAST NAME - GRIGG & ANDERSON FARMS
OWNER LAST NAME - ORE-IDA FOODS INC.

FIRST NAME - ORIG OWNER - 0

FIRST NAME -

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BURLEY

STATE - ID ZIP CODE - 83318

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 01-21-1960 COUNTY - CASSIA

TOTAL DIV. RATE - 3.4700 -CFS

TOTAL DIV. VOLUME - 1686.30 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSW 05 12S 23E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 03-15 TO - 11-15 USE - IRRIGATION

USE DIV. RATE -

3.4700 CFS

USE DIV. VOLUME - 1686.30 AFA

USE - IRRIGATION

PLACE OF USE - TWN 12S RNG 23E SEC 05

TRACT NENE LOT	AC 40	TRACT NWNE LOT	AC 39
TRACT SENE LOT	AC 40	TRACT SENE LOT	AC 40
TRACT NENW LOT	AC 40	TRACT NWNW LOT	AC 40
TRACT SHNW LOT	AC 40	TRACT SENW LOT	AC 40
TRACT NESW LOT	AC 40	TRACT NWSW LOT	AC 40
TRACT SWSW LOT	AC 40	TRACT SESW LOT	AC 40
TRACT NESE LOT	AC 40	TRACT NWSE LOT	AC 40
TRACT SWSE LOT	AC 40	TRACT SESE LOT	AC 40

DATE - TOTAL ACRES 639

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 28424

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED DDT
4/28/82

VERIFIED DDL

4/26/85

IDENT. NO. 45-2601

ID 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]

- DATA ENTRY -

Record

Present Owner: Ore. Ida Foods Inc

from _____ to _____ for _____ purposes. Amount _____

April 20, 1972

C
Re: License No. 28424/45-2601

Mr. John A. Catey, Gen. Mgr.
Agricultural Operations
ORE-IDA FOODS, INC.
P.O. Box 10
Boise, Idaho 83707

Dear Mr. Catey:

P
Enclosed herewith is the Amended Water License issued in connection with the above referenced license.

Also enclosed is departmental receipt No. 8276 in the amount of \$16.00 covering the additional fee.

Very truly yours,

Y
BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License
Receipt #8276

45 2601

March 29, 1972

C
O
P
Y
Mr. John A. Catey, Gen. Mgr.
Agricultural Operations
ORE-IDA FOODS, INC.
P. O. Box 10
Boise, Idaho 83707

Re: License No. G-28424

Dear Mr. Catey:

The Department is prepared to issue an Amended License in connection with the above referenced license as follows:

Amount: 3.47 cfs

Source: ground water

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, Twp. 12 S, Rge. 23 E, B. M.
Cassia County

Place of use: All of Sec. 5, Twp. 12 S, Rge. 23 E, B. M. (639 acres)

Priority date: January 21, 1960

Y There will be an additional \$16.00 licensing fee due before the Amended License can be issued. The license fee is based upon the rate of \$2.00 for each of the eight legal subdivisions which were added. Please submit the fee to this office within 30 days of the date of this letter.

If you do not concur with these findings, or have any questions, please contact us within the 30 day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

45 2691

Ore-Ida Foods, Inc.

An Affiliate of H. J. Heinz Company



P.O. Box 10
Boise, Idaho 83707

Telephone: 208 343-7941

RECEIVED

February 1, 1972
Department of Water Administration

February 28, 1972

45-2601

Mr. Donald W. McEldowney
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. McEldowney,

Enclosed are the original "LICENSE AND CERTIFICATE OF WATER RIGHT"
and the original "CERTIFICATE OF COMPLETION OF WORKS", G-28424.

Ore-Ida Foods, Inc. is hereby requesting that the above license be
changed so that the "Description and location of use" reads, Sec. 5,
T-12S, R-23 EBM.

As I explained to you, the water produced under this license has
always been used on Section 5. The error on the above mentioned
license was caused by a mistake we made in applying for that license.
I apologize for taking seven years to discover the error.

Thank you for your assistance in correcting the license.

Sincerely yours,

John A. Catey
John A. Catey
General Manager
Agricultural Operations

encl

JAC/gn

45 2601

State of Idaho

License and Certificate of Water Right

Water License No. G-28424 Priority January 21, 1960 Amount 3.47 c.f.s.

THIS IS TO CERTIFY that GRIGG AND ANDERSON FARMS - Assignee - ORE-IDA FOODS, INC. of Burley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 21, 1960¹⁹; that Permit No. G-28424 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.47 second feet, was issued thereunder on August 3, 19 65, 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 a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-28424 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 8202, on the 3rd day of August, 1965. The right hereby confirmed dates from January 21, 1960.

The Point of Diversion is located in the SW ¼ SW ¼, Sec. 5, Twp. 12 S., R. 23 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 3.47 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	23 E.	6	E½ NE¼	80	80
			NW¼ NE¼	40	39
			SW¼ NE¼	40	39
			E½ SE¼	80	80
			NW¼ SE¼	40	39
			SW¼ SE¼	40	39
			Total number of acres to be irrigated:		

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 3rd day of August, 19 65.

Ralph W Thomas
Deputy State Reclamation Engineer.

45 2601

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. G-28424

To Ore-Ida Foods, Inc.
Burley, Idaho

Source of Supply a well

Cassia County

Amount 3.47 Sec. Ft.

Point of Diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5;

T. 12 S., R. 23 E., B.M.

Place of Use E $\frac{1}{2}$, Sec. 6, T. 12 S.,

R. 23 E., B.M.

Purpose irrigation

Date of Priority January 21, 1960

Recorded August 3, 1965

in Book 13 of Licenses, Page 8202

47
1001

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN: Griggs and Anderson Farms - Assignee -

This is to certify that ORE-IDA FOODS, INC.....
 of Burley....., County of Cassia....., and State of
Idaho....., the holder..... of Permit NoG-28424..., issued upon
 Application No. G-36378bearing date of priority of ...January 21, 1960 authorizing the
 diversion of 6.4..... 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 3.47..... second feet of the waters of a well.....
 from subterranean flow;

that the point of diversion of said waters SW1/4SW1/4, Sec. 5, T. 12 S.,
 R. 23 E., B.M.....

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: E1/2 Sec. 6, T. 12 S., R. 23 E., B.M.....

Proof of Completion of Works Made:.. February 1, 1965.....

Witness my hand this 3rd.... day of August....., A. D. 19...65.

Ralph W. Thomas
 Deputy State Reclamation Engineer

Permit No. ...G-28424.....

**Certificate of Completion
of Works**

Dated .. August 3, 19 65

Stream a well

County Cassia

Amount 3.47 c.f.s.

Date of Priority .. January 21, 1960

Recorded in Book 100

of Permits , page 28424

MEMO

TO: File No. 45-2601

FROM: Donald W. McEldowney

DATE: February 9, 1972

SUBJECT: Recommendations on License No. 45-2601

On February 4, 1972, Mr. John Cady, Agricultural Operations Manager for Ore-Ida Foods, came into the office and revealed an apparent discrepancy in the above referenced license. When this permit was filed in 1960, the permit was for 320 acres in Section 6. In 1962 the permit was amended to a total of 960 acres which included in addition to Section 6, all of Section 5. Ore-Ida contends that at the time they submitted proof of beneficial use in 1965, it was their intention to delete Section 6, and only claim benefits in Section 5. Through an error of their own, this was not accomplished and, in fact, their beneficial use form did not claim any use in Section 5.

Our examiner in 1965 found a total of 955 acres irrigated in the two sections. On July 22, 1965, Ralph Thomas advised Ore-Ida that since their despositions failed to list any ground in Section 5 and they could not receive any benefit for ground in Section 5, the license was issued only for the ground in Section 6. Ore-Ida requested that the license be re-issued for benefit of all of Section 5 and no benefit in Section 6, as prior to beneficial use proof, they found that the ground in Section 6 is at a higher elevation than the well, and the water cannot be beneficially used in Section 6.

I recommend that a full evaluation of this contention be made, and if water cannot be used on Section 6, I recommend that an amended license be issued benefiting Section 5. If the theory of non-use in Section 6 cannot be verified, Ore-Ida will file a transfer from Section 6 to Section 5.


Don

DWM:cr

45 2601

RE : 45-2601

To : Don

From : JG

MR. Higginson made an inspection of the ~~wh~~ location of the wells described in this permit. Two wells are located in SW SW Sec 5 and irrigate only lands in Sec. 5. There is a culvert under the road near the wells however the ditches are in no condition to carry water to Sec. 6. Lands in Sec 6 also appear to be uphill from Sec 5. The lands irrigated in Sec 6 apparently get water from a well in SW SE Sec 6.

2-11-1962

45 2601

NOTE FOR EXAMINER:

Verify where the wells in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5
are being used and if these wells can be used
in Section 6.

45 2601

343-7941 John Cady

John Called Back 2-25-72 will obtain
original license & return it so we can issue
amended license for all of Sec 5 D

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

May 7, 1970

Mr. Ed Barnes, Mineral Examiner
Department of Interior
Bureau of Land Management
Idaho Land Office, 550 W. Fort,
Room 334, Federal Building
Boise, Idaho 83702

Dear Mr. Barnes:

The following is the findings of the Department which you requested:

<u>28424/45-2601</u>	Copy of Water License enclosed
28402/45-2600	Copy of Water License enclosed
28550/45-2611	Copy of Water License enclosed
28551/45-2612	Copy of Water License enclosed
28552/45-2613	Copy of Water License enclosed
28553/45-2614	Copy of Water License enclosed
29079/22-2185	Copy of Water License enclosed
29069/45-2628	Copy of Water License enclosed
32543/36-2628	Copy of Water License enclosed

and

28554	Relinquished
28589	Relinquished
28555	Relinquished
29854	Cancelled
28892	Cancelled
28604	Cancelled
29471	Cancelled

If you have further need of any of the information that may be obtained from the files of the above, please contact me directly and I will be glad to assist you in anyway I can.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:tg

28424
45-2601

August 3, 1965

RE: Permit Nos. G-28424, G-29523

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

Gentlemen:

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

Also enclosed is departmental receipt No. G-9504 in the
amount of \$42.00 covering the fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
by

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. certificates 2
licenses 2
receipt

28424

July 22, 1965

RE: Permit No. G-28424

Gre-Ida Foods, Inc.
Burley, Idaho

Gentlemen:

The report of the field investigation of the works under Permit No. G-28424 shows the new well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 12 S., R. 23 E., B.M. was producing 3.86 c.f.s.

The permit shows the place of use as the NE $\frac{1}{4}$, Sec. 6 and all of Sec. 5, T. 12 S., R. 23 E., B.M., however your deposition of proof of works describes the place of use as only the NE $\frac{1}{4}$ of said Sec. 6.

Upon receipt of the statutory fees of \$5.00 we will issue the Certificate of Completion of Works and License and Certificate of Water Right, confirming the right, with priority of January 21, 1960, to the use of 3.47 c.f.s. of subterranean water with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5 for irrigation of 316 acres in the NE $\frac{1}{4}$, Sec. 6, T. 12 S., R. 23 E., B.M. This with License No. G-28579 allows a full water right of 0.02 c.f.s. per acre of land irrigated.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:MR

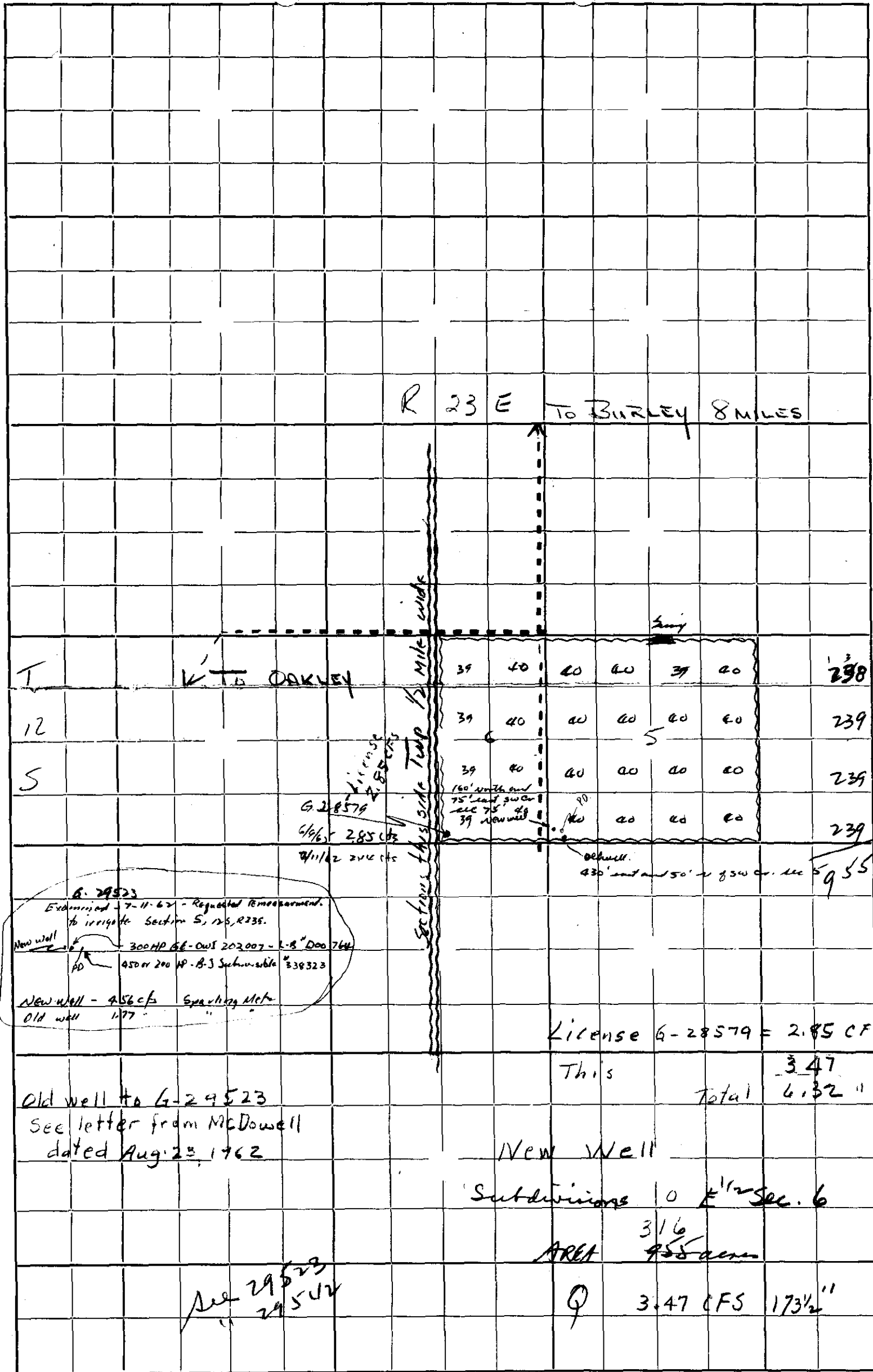
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-28424

REPORT ON PROOF OF Completion of Works & Beneficial Use

Otis Williams, Vice Pres., Ore-Ida Foods, Inc.,
P. O. Box 109, Burley, Idaho



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

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

Permit No. G-28424

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 $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5
T. 12 S R. 23 E.B.M. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: (Old Well) 200 HP
B-J Submersible Pump # 338323 (5 stage - 2600 RPM @ 550')
10" x 40' discharge pipe into open ditch • New Well = 300 HP GE Motor
OWJ 202007, Layne & Bowler Pump # D00764, 450' x 10' column
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):

E $\frac{1}{2}$, Sec. 6., all Sec. 5., Twp. 12 S., Rge. 23 E.B.M. (960 acres)

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

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

Remarks: Take Haxby Foreman along.

from Mc Dowell - old well drilled under # G-29523

Check for other Permit (see G-29523)

Old well Spouting Meter 3 Rev 4 min 50 sec. = 1.35 cfs - 1.77 in 1962
New well " " 5 Rev 2 min 7 sec = 3.86 cfs

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

(Signed) _____

Examiner.

Rechecked 6/10/65 zmg

28424

OD
1500' deep
798' x 14' 10" dia
P. O. Box 109
200 HP pump

Otis Williams, Vice President
Ore-Ida Foods, Inc.,
P. O. Box 109, Burley, Idaho
Permit No. G-28424

Examination for Completion of Works & Beneficial Use

County Cassia

Quantity: 6.4 Sec. 5 T. 12S R. 23 EBM

Source: Well

P. D.: SW SW - 5 - 12 S - 23 E

Use: Irrigation

Filed: 21 Jan 60

Due: 2 Feb 65

Extension:

Protest:

Completion of Works:

Other Rights: None
(6-29523)

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
JUL 22 1965
Department of Reclamation

28424

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,

CARL E. TAPPAN
State Reclamation Engineer
By

Loy H. Johnson

LHW:mr

1M April 1962

February 11, 1965

Re: Permit No. 28424

Otis Williams, Vice Pres.,
Ore-Ida Foods, Inc.,
P. O. Box 109
Burley, Idaho

Dear Sir:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the BURLEY HERALD-BULLETIN, all submitted in proof of completion of works and beneficial use on Permit No. 28424.

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:

284-24

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Vern A. Miller, being first

duly sworn, deposes and says that he is the

General Manager of Burley Herald-Bulletin, a weekly 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 weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing with the issue dated December 21, 1964 and ending with the issue dated January 11, 1965

Vern A. Miller

Subscribed and sworn to before me this

14th day of January, 1965

Mason A. Seywick Notary Public

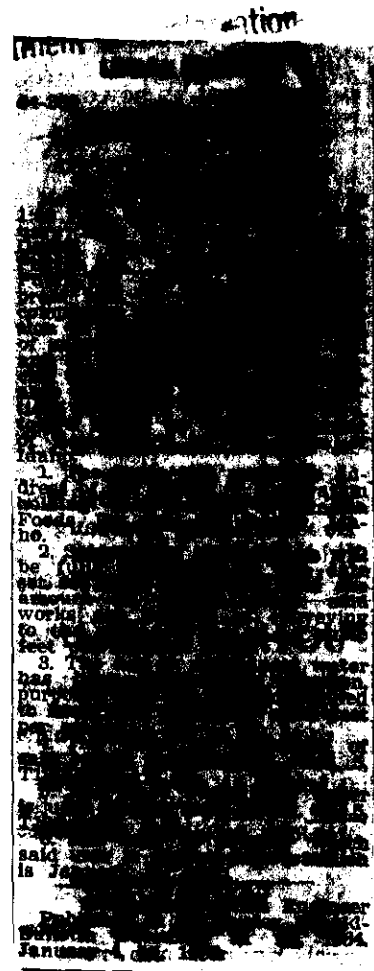
Cost of Publication MY COMMISSION EXPIRES 1-4-67

Notary Fee _____

Total Cost _____

RECEIVED

FEB 10 1965



The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Vern A. Miller, being first

duly sworn, deposes and says that he is the

General Manager of Burley Herald-Bulletin, a weekly 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 weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing with the issue dated December 21, 1964 and ending with the issue dated January 11, 1965

Subscribed and sworn to before me this

14th day of January, 1965

Carl E. Tappan Notary Public

Cost of Publication MY COMMISSION EXPIRES 1

Notary Fee _____

Total Cost _____

RECEIVED

LEGAL NOTICES

64-333

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

Notice is hereby given that at 1:00 P.M. on the 1st day of February 1965, at Burley, County of Cassia, State of Idaho, before Phyllis C. Butterfield, Notary Public, at Ore-Ida Fast Office, proof will be submitted of the completion of works for diversion of 6.4 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. 3-26424, 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, Box 474, 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 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is SW 1/4 SW 1/4, Sec. 5, T12S, R23E, E. M.

5. The place where said water is used is 214, Sec. 6, All, Sec. 5, T12S, R23E, E. M.

6. The date of priority which said user is prepared to establish is January 21, 1965.

CARL E. TAPPAN

State Reclamation Engineer
Published in the Burley Herald-Bulletin December 21, 28, 1964, January 4, 11, 1965.

28424

RECEIVED
FEB 10 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28424

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: Ore-Ida Foods, Inc,
by Otis Williams, Burley, Idaho, Vice President in charge of Production of Ore-
Ida Foods, food processors, P. O. Box 109, Burley, Idaho.

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:
Ore-Ida Foods, Inc., Burley, Idaho. I am Vice-President in charge of Production
and am acting in that capacity.

Ques. 3. State number, approval date of permit, and date of priority you propose to
establish under the permit; No: G-28424; Approved: 2/2/60; Priority: 2/21/60

Ques. 4. State source of water supply: drilled well
Give location of point of diversion, showing subdivision, section, township and range:
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 12 South - Range 23 East, B.M.

Ques. 5. Describe your works of diversion: well, 200 hp pump & motor, ditches.
_____; state amount of water they are capable of con-
veying from point of diversion to place of use 300"; Give name of canal or ditch
or other works by which water is conducted to such place of use: Private ditches.
_____; if a well, state depth of well 1500'; depth and size of cas-
ing: 798' of 24"; depth to water 440'; if pump is used,
state discharge of pump: 300"; tell how it was measured or determined: Pressure
Meter; if sprinkler irrigation, give number and size of nozzles and
operating pressure: Gravity.

Ques. 6. State for what purpose water is used: Irrigation.
If for irrigation, name each subdivision in which used and number of acres in each
subdivision that have actually been irrigated with said water :
Township 12 South - Range 23 East, B.M., Section 6 - E $\frac{1}{2}$ - 320 ac.

State nature of all improvements which have been made as a direct result of said use:
All improvements are 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: Richard McClure, Kimberley, Idaho

Ques. 7. If for other than irrigation purposes, state purpose and how used:
Irrigation only.

Ques. 8. What is the minimum amount of water required for the purpose specified above:
All of the water used is required for productive cultivation of this land.

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:

This permit was assigned to Ore-Ida Foods, Inc., by Grigg-Anderson Farms.

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: Spring, 1960 Time used since first use:

Every irrigation season since.

Ques. 11. Describe all other water rights appurtenant to same place of use:

G-28579

Ore-Ida Foods, Inc.

(sign) Phyllis C. Butterfield

Vice President in charge of Production.

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

Burley, County of Cassia

State of Idaho, on this 1st day of February, A.D. 19 65.

Phyllis C. Butterfield

My Commission expires: 12/11/66

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28424

RECEIVED
FEB 10 1965

Department of Reclamation

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:

LePage Layton, 63, 1450 Oriental Avenue, Burley, Idaho, Irrigation Superintendent,
1450 Oriental Avenue, Burley, Idaho

Ques. 2. Are you acquainted with Ore-Ida Foods by Otis Williams, the holder of

Permit No. G-28424? How long have you known him and where does he reside:

I have been familiar with Ore-Ida Foods since it originated and Mr. Williams for
many years and I know he lives in Burley, Idaho.

Ques. 3. Have you read or heard said Permit No. G-28424 read, and are you familiar
with its provisions and conditions: Yes: xxx No:

Ques. 4. State source of water supply: well

State place of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T12S-R23E, B.M.

Describe works for conveying water to place of use: Drilled well, pump, motor and ditches.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 6 How much water have you seen being so
conveyed: 6 cfs.

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

E $\frac{1}{2}$, Sec. 6, T12S-R23E, B.M. - 320 ac.

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Irrigation only.

Ques. 8. (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:

Lava Ash Soil and all of the water is required for productive, profitable cultivation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: No interest.

Ques. 10. When did you first see this water used: Early, 1960.

Other times you have seen such use: Several times during every irrigation season since.

(Signed)

LePage Layton

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 Burley,

 , County of Cassia, State of Idaho, on this 1st day of February,

A. D., ~~1962~~ 1965.

Phyllis C. Butterfield

Notary Public for State of Idaho

Residing: Myburn, Idaho.

My commission expires: 12/11/66

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-28424

RECEIVED
FEB 10 1965
Department of Reclamation

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:

Wilbur Haxby, 58, Heyburn, Idaho, Ranch Foreman, Heyburn, Idaho

Ques. 2. Are you acquainted with Ore-Ida Foods, Inc. by Otis Williams, the holder of Permit No. G-28424? How long have you known him and where does he reside:

I have know Mr. Williams over 5 years and he lives in Burley, Idaho.

Ques. 3. Have you read or heard said Permit No. G-28424 read, and are you familiar with its provisions and conditions: Yes: xxx No:

Ques. 4. State source of water supply: well

State place of diversion: SW $\frac{1}{2}$ SW $\frac{1}{2}$, Sec. 5, T12S-R23E, B.M.

Describe works for conveying water to place of use: well, ditches, pump & motor.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 6 How much water have you seen being so conveyed: 6

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

Lots 1, 2, 3, 4, 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 6, Township 12 South - Range 23 East,

B.M. -m Every acre in each subdivision.

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Irrigation

Ques. 8. (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:

Lava Ash Soil and all of the water is required for profitable cultivation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: No interest.

Ques. 10. When did you first see this water used: Spring, 1960.

Other times you have seen such use: Almost every day during every irrig. season since.

(Signed)

Wilbur Hays

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 BURLEY Burley

 , County of Cassia, State of Idaho, on this 1st day of February,

A. D., ~~1962~~ 1965.

Phyllis C. Butterfield

Notary Public for State of Idaho

Residing: Heppner, Ida

My commission expires: 12/11/66

DEC 16 1964

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 8, 1964

(P. O.) Box 474, 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 Burley Herald of
Burley, Idaho published in the
county in which the works are situated.

Warren Arthur

(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

NOTICE OF PROOF OF COMPLETION OF WORKS

DEC 16 1964

and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 1:00 P.M., on the 1st day of February 1965, at Burley, County of Cassia, State of Idaho, before Phyllis C. Butterfield, Notary Public, at (address) Ore-Ida Farm Office, proof will be submitted of the completion of works for the diversion of 6.4 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-28424, 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. 474
EXXXXXXXXXXXXXXXXXX, Box 262, 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 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is SW1/4, Sec. 5
XXXXXXXXXXXX, T12S-R23E, B.M.

5. The place where said water is used is E1/2, Sec. 6; A11, Sec. 5, T12S-R23E, B.M.

6. The date of priority which said user is prepared to establish is January 21, 1960

CARL E. TAPPAN

State Reclamation Engineer

28424

Re: Permit No. G-28424
Ore-Ida Foods, Inc.

Date: Dec, 16, 1964

Burley Herald
Burley, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to February 1, 1965
the date set for proof; the expense of the publication is to be paid
by the applicant Ore-Ida Foods, Inc.,
of Box 474, Burley, 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,

Carl E. Tappan
CARL E. TAPPAN
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

December 16, 1964

Re: Permit No. **G-28424**

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

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. **G-28424**. The proofs are to be made at **1:00 o'clock P.M.** on the **1st** day of **February**, 19**64**, before **Phyllis C. Butterfield, Ore-Ida Farm Office, Burley, Idaho**, Notary Public.

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

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. 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, the 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,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

28424

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 28424

Ore-Ida Foods

Dec. 1, 1964

Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 28424, are due not later than **Feb. 2, 1965**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

CARL E. TAPPAN

State Reclamation Engineer

Enclosures Form 36 and 11

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

284-24

August 28, 1962

Permit No. G-28424
Ore-Ida Foods, Inc.

Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed are Amendments to the point of diversion and to the land list which have been recorded in this office, in connection with Permit No. G-28424, in the name of Ore-Ida Foods, Inc.

Also enclosed is departmental receipt No. G-7302 in the amount of \$2.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. amendments (2)
receipt

RECEIVED

AUG 27 1962

Department of Reclamation

Application for Amendment

POINT OF DIVERSION

Permit No. G-28424

Comes now Ore-Ida Foods, Inc. and
represent to the State Reclamation Engineer of the State of Idaho:

That ~~they are~~ (are) the owner s and holder s of Permit to appropriate the Public
Waters of the State of Idaho, No. G-28424.

That the point of diversion is described in said Permit as being located:

SW 1/4 Sec. 6, T12S-R23E., B.M., Ida.

That t he y now request that the point of diversion be changed to a point located:
SW 1/4 Sec. 5, T12S-R23E., B.M., Ida.

That the reason for desiring to make such change is as follows:

More efficient site for distribution.

That no one will be injured by such change, and that such change will be made
at Permit Holder's own risk.

Signed at Boise, Idaho, this 23 day of August,
19 62.

Ore-Ida Foods, Inc.
By Barry L. C. Howell
Agent

Date of Receipt at Department of Reclamation August 27, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

RALPH W. THOMAS, Deputy

I, ~~XXXXXXXXXX~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE
the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. G-28424. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

Ralph W. Thomas
Deputy
State Reclamation Engineer

Recorded in Book 100 of
Permits, at Page 28424
August 28, 19 62

28424

RECEIVED

AUG 27 1962

Department of Reclamation

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. G-28424

Comes now Ore-Ida. Foods, Inc., and represents
to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho, No. G-28424. . . ., and requests that the list of lands to be irrigated,
as described in said permit, be changed to read as follows:

. E₁, Section 6;
. All, Section 5, T12S-R23E., B.M., Ida.
.
.
.
.
.
.
.
.
. making a total of . . .960. acres.

That an additional amount of water is not asked for, and that the rights of others
will not be adversely affected by such change.

Signed at . Boise, Idaho this 23 day of . August 19 62

. . Ore-Ida. Foods, Inc.
By Harley M. McDowell . . .
Harley M. McDowell, Agent

Date of receipt at office of Department of Reclamation August 27, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy
I, ~~George H. Thomas~~, State Reclamation Engineer of the State of Idaho, hereby approve
the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. G-28424. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers, and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

Recorded in Book 100 of
Permits, at Page 28424
August 28, 1962

Ralph W. Thomas
Deputy
State Reclamation Engineer

28424

ALL PROPERTY APPRAISALS

CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT

FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL — E. J. McDOWELL, MGR. OWNERS
MERVIN J. CHRISTENSEN JOSEPH J. THACKABERRY
(LICENSED SURVEYOR)

329 IDAHO BLDG.

P. O. Box 2161
PHONE 344-2525

BOISE, IDAHO

RECEIVED
AUG 27 1962

Department of Reclamation

August 23, 1962

Mr. Ralph Thomas, Deputy
State Reclamation Engineer
107 Statehouse
Boise, Idaho

Re: Ore-Ida Foods, Inc.

Dear Mr. Thomas:

I refer to our telephone conversation and also your letter of August 21st on a permit submitted by Ore-Ida, Inc.

I have contacted these people by telephone and find that the information given me in filing this permit was erroneous and they do not wish to have a new permit; however, they have already drilled two wells in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T12S-R23E.

The first well was drilled under Permit G-29523 in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5 and the place of use to cover all of Sec. 5, both being in T12S-R23E. The proof showed a discharge of 300".

The amendment to the place of use and point of diversion enclosed herewith on permit G-28424 would change the point of diversion from SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6 to the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5 which would be well within your policy of amending points of diversion in this area (less than 1 mile). The place of use has been made to include not only Section 6, E $\frac{1}{2}$ but all of Sec. 5.

Now considering the place of use, the only permits that are appurtenant to these locations would be the two cited above and, in addition, Permit G-28579 which has a point of diversion in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6 and has the E $\frac{1}{2}$, Sec. 6 as the place of use. The proof on this showed discharge of 225".

As I have noted, and no doubt you have too, on proofs of this nature that have been measured by orifice or pressure method, ordinarily the discharges, when they are actually measured by competent engineers from your office over a weir, do not show the amount of discharge originally expected; however, if they did, this would

Proofs no inspection 1.77 measure

6.4 cfs. 4.56 measure

inspected 122" 318 Ac.

*1.77
4.56
1.22
7.55
378 1/2"
960 Ac.*

28424

*29522
6.0 cfs proof
SW NE 1/4 - 125-22E
SW NW 1/4 - 125-23E
to Sec 5 - 125-23E*

ALL PROPERTY APPRAISALS

CUSTOM DRAFTING, MAPPING

LAND PURCHASES

OIL AND GAS LEASES

GRAZING MANAGEMENT

FEDERAL LAND APPLICATIONS

WATER FILINGS & PROOF

STATE LAND LEASES & ASSIGNS

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL — E. J. McDOWELL, MGR. OWNERS
MERVIN J. CHRISTENSEN JOSEPH J. THACKABERRY
(LICENSED SURVEYOR)

329 IDAHO BLDG.

P. O. Box 2161
PHONE 344-2525

BOISE, IDAHO

RECEIVED
AUG 27 1962

Department of Reclamation

August 23, 1962

Mr. Ralph Thomas, Deputy
State Reclamation Engineer
107 Statehouse
Boise, Idaho

Re: Ore-Ida Foods, Inc.

Dear Mr. Thomas:

I refer to our telephone conversation and also your letter of August 21st on a permit submitted by Ore-Ida, Inc.

I have contacted these people by telephone and find that the information given me in filing this permit was erroneous and they do not wish to have a new permit; however, they have already drilled two wells in the SW¹/₄SW¹/₄, Section 5, T12S-R23E.

The first well was drilled under Permit G-29523 in SW¹/₄SW¹/₄, Sec. 5 and the place of use to cover all of Sec. 5, both being in T12S-R23E. The proof showed a discharge of 300".

The amendment to the place of use and point of diversion enclosed herewith on permit G-28424 would change the point of diversion from SW¹/₄SE¹/₄, Sec. 6 to the SW¹/₄SW¹/₄, Sec. 5 which would be well within your policy of amending points of diversion in this area (less than 1 mile). The place of use has been made to include not only Section 6, E¹/₂ but all of Sec. 5.

Now considering the place of use, the only permits that are appurtenant to these locations would be the two cited above and, in addition, Permit G-28579 which has a point of diversion in SW¹/₄SE¹/₄, Sec. 6 and has the E¹/₂, Sec. 6 as the place of use. The proof on this showed discharge of 225".

As I have noted, and no doubt you have too, on proofs of this nature that have been measured by orifice or pressure method, ordinarily the discharges, when they are actually measured by competent engineers from your office over a weir, do not show the amount of discharge originally expected; however, if they did, this would

Proofs no inspection 1.77 measure

inspected 122" 318 Ac.

*1.77
4.56
1.22
7.55
378 1/2"
960 Ac.*

28424

*29542
6.0 cfs put
SW NE 1/4 - 125-22E
SW NW 1/4 - 125-23E
to Sec 5 - 125-23E*

*6.4 cfs.
- 4.56 measure*

Mr. Ralph Thomas -2-

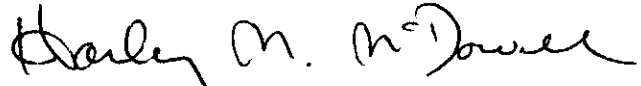
make a total from the three permits of 845" and the area to be irrigated would be 960 acres.

In view of the above changes and amendments, it is hereby respectfully requested that the point of diversion and place of use amendments be accepted and we will not submit any further or additional permit for this well which was completed late in 1961 or early in 1962.

If you wish to have further discussion on this, I will be glad to talk this over with you at any time.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE



Harley M. McDowell

1/jb

February 21, 1962

Re: Permit No. G-28424

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

Dear Mr. McDowell:

We enclose departmental receipt No. G-6831
in the amount of \$4.90 covering fees for copies of well
logs mailed to your office on February 19th.

Very truly yours,

GED.N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. receipt

February 19, 1962

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

Dear Mr. McDowell:

Enclosed are the copies of the well logs you requested by phone.

The fee for making the copies is \$3.00.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. copies of well logs

February 19, 1962

Re: Permit No. G-28424
Grigg & Anderson Farms

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

Dear Mr. McDowell:

In accordance with your telephone request of this date, we are enclosing two copies of Permit No. G-28424.

The fee for these copies is \$1.90, which you may remit to the Department of Reclamation.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pak

January 25, 1962

RE: Permits No. G-28424, G-28490, G-29537
G-29096 61

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

Dear Mr. McDowell:

Enclosed are assignments of Permits No. G-28424, G-28490 and
G-29537, and amendment to the point of diversion on Permit
No. G-29096.

Also enclosed is departmental receipt No. G-6791 in the amount
of \$2.50 covering the fees for recording the assignments and
the amendment.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

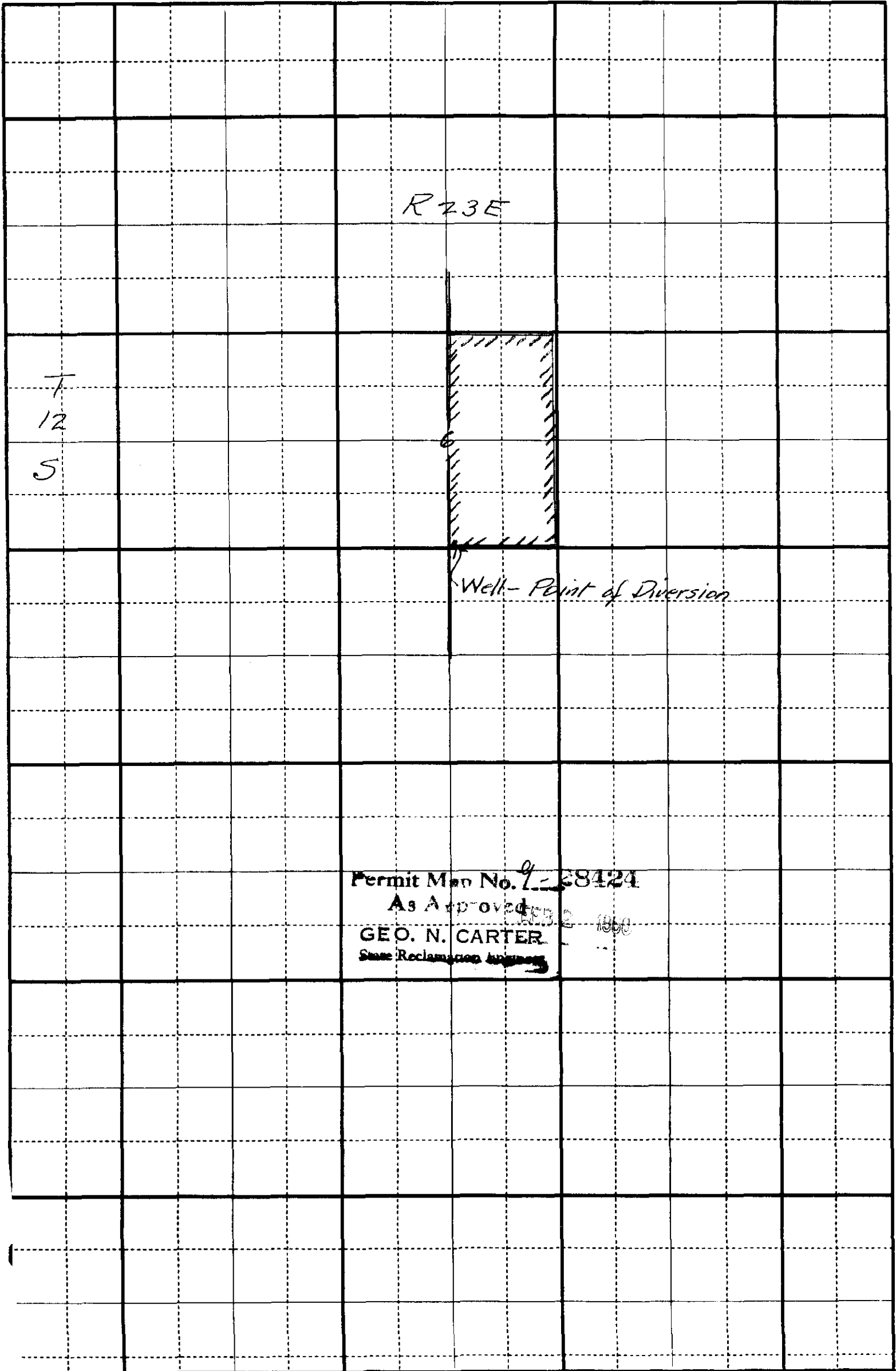
(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. assignments
amendment
receipt

NAME OF APPLICANT Grigg 1d Anderson Farms

Form No. 0



Permit Map No. 9-28424
As Approved
GEO. N. CARTER
State Reclamation Engineer

February 16, 1960

Re: Permit No. G-28402
Permit No. G-28424 ✓

Grigg and Anderson Farms,
Box 474,
Burley, Idaho.

Gentlemen:

We enclose Permit No. G-28402 and G-28424 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental Receipt No. G-4577 which was issued covering payment in the amount of \$13.75, which includes \$7.25 for the filing fee for G-28402, and \$6.50 for the filing fee for G-28424, was given to you while in this office.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pak

28424

LEGAL NOTICE

64-333

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

Notice is hereby given that at 1:00 P.M., on the 1st day of February 1965, at Burley, County of Cassia, State of Idaho, before Phyllis C. Butterfield, Notary Public, at Ore-Ida Farm Office, proof will be submitted of the completion of works for the diversion of 6.4 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-28424, 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. Box 474, 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 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T12S, R23E, B. M.

5. The place where said water is used is E $\frac{1}{2}$, Sec. 6, All, Sec. 5, T12S, R23E, B.M.

6. The date of priority which said user is prepared to establish is January 21, 1960.

CARL E. TAPPAN

State Reclamation Engineer
Published in the Burley Herald-Bulletin December 21, 28, 1964,
January 4, 11, 1965. 28424