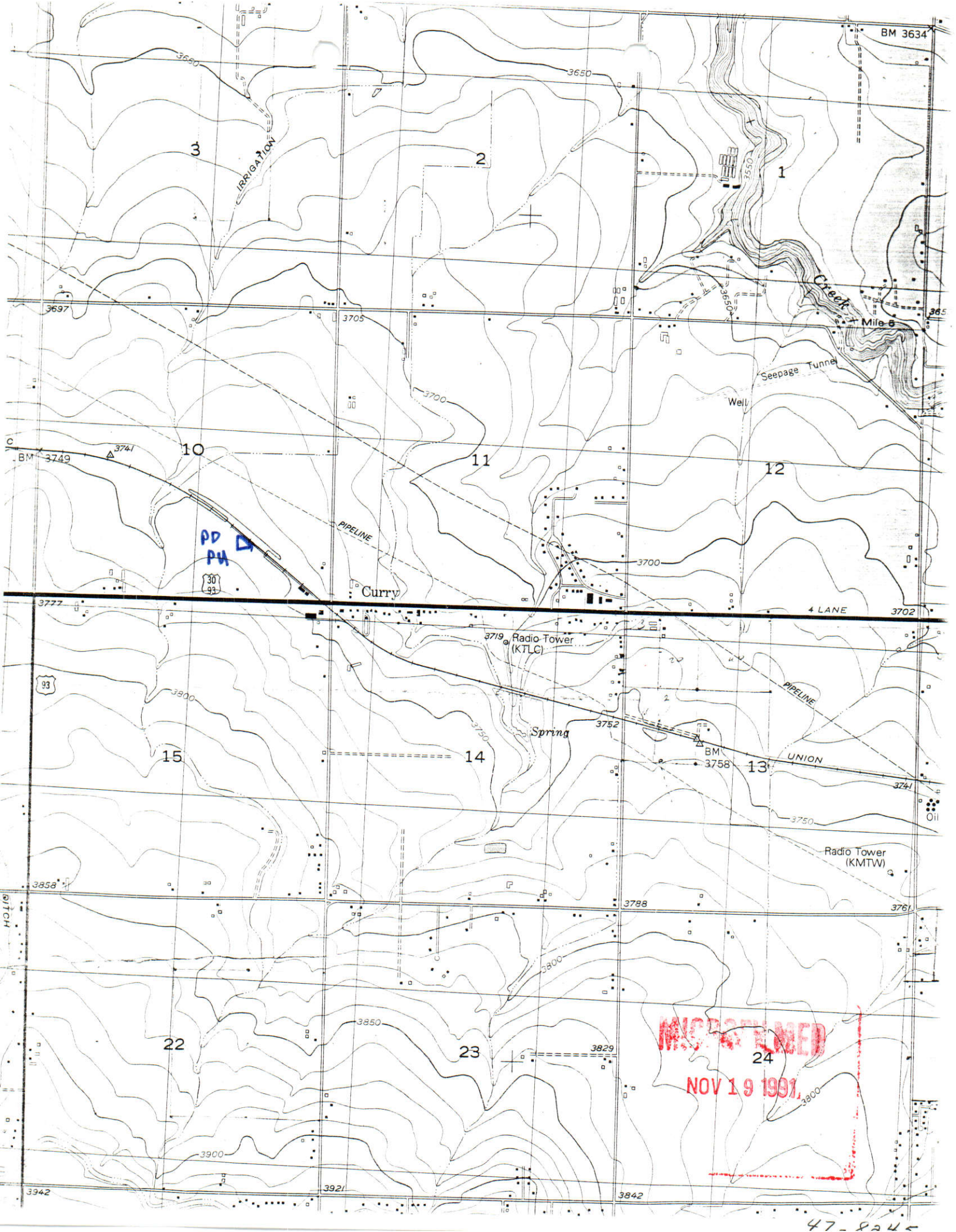




BM 3634

3

2

1

3697

3705

365

Seepage Tunnel

Well

10

11

12

BM 3749

3741

PD
PH

Curry

3700

4 LANE

3702

3777

93

15

14

13

Spring

Radio Tower (KTLC)

BM 3758

UNION

Oil

Radio Tower (KMTW)

3858

3788

3761

22

23

24

NOV 19 1991

47-8245

3942

3921

3842

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 9-21-93
Receipt No. 0028621
Receipt by J. Vansant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 21 1993

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 47-08245 Telephone No. 208 733-4072
2. Name(s) of Permit Holder(s): PLANT Foods INC.
3. Mailing Address: Po Box 727 Filer ID 83328
4. Source of Water: Ground

If GROUNDWATER, Well Driller's Name: Elsing Drilling Date Drilled: 1-23-91

OPTIONAL:

Pump horsepower: 5 Pressure (psi): 0 Dynamic pumping level (ft.):

5. Extent of Use (as authorized by the permit):

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

Irrigation (No. of acres) Other Commercial - making Fertilizer

6. Total rate and/or volume for which proof is submitted 0.20 cfs OR acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes No Installed? Yes No

OR

Flow Measurement Port: Required? Yes No Installed? Yes No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

Ralph W. Denton 208-733-4072
Name Telephone No.

Po. Box 727 Filer ID. 83328
Address

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

9/14/93
Date

Plant Foods Inc. by R. W. Denton Field Rep
Signature (and title, if on behalf of a company or organization)

OCT 21 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 47-08245

Proposed Priority: June 28, 1990

Maximum Diversion Rate:

0.33 CFS

This is to certify, that **PLANT FOODS INC**
PO BOX 727
FILER ID 83328

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

COOLING

01/01 to 12/31

0.33 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESWSE

Sec. 10, Township 10S, Range 16E
TWIN FALLS County

PLACE OF USE: COOLING
TWN RGE SEC

10S 16E 10

SWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1993**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
6. The point of diversion is located within the Twin Falls Groundwater Management Area and use of water with a temperature greater than 85 degrees Fahrenheit is not authorized under this permit.
7. Cooling use is for a fertilizer production facility.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

21st day of October, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

NOV 19 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 47-08245

To appropriate the public waters of the State of Idaho

1. Name of applicant Plant Foods Inc. Phone 733-4072
Post office address P. O. Box 727, Filer, ID 83328

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 10 Township 10S Range 16E B.M. Twin Falls County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.33 for Cooling purposes from 3-1 to 7-1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.33 for Cooling purposes from 10-1 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.33 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 8 inches; proposed depth of well is 200 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

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

NOV 19 1991

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Cooling equipment during production of fertilizer

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	16E	10															X		

X is P/U for cooling

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Applicant

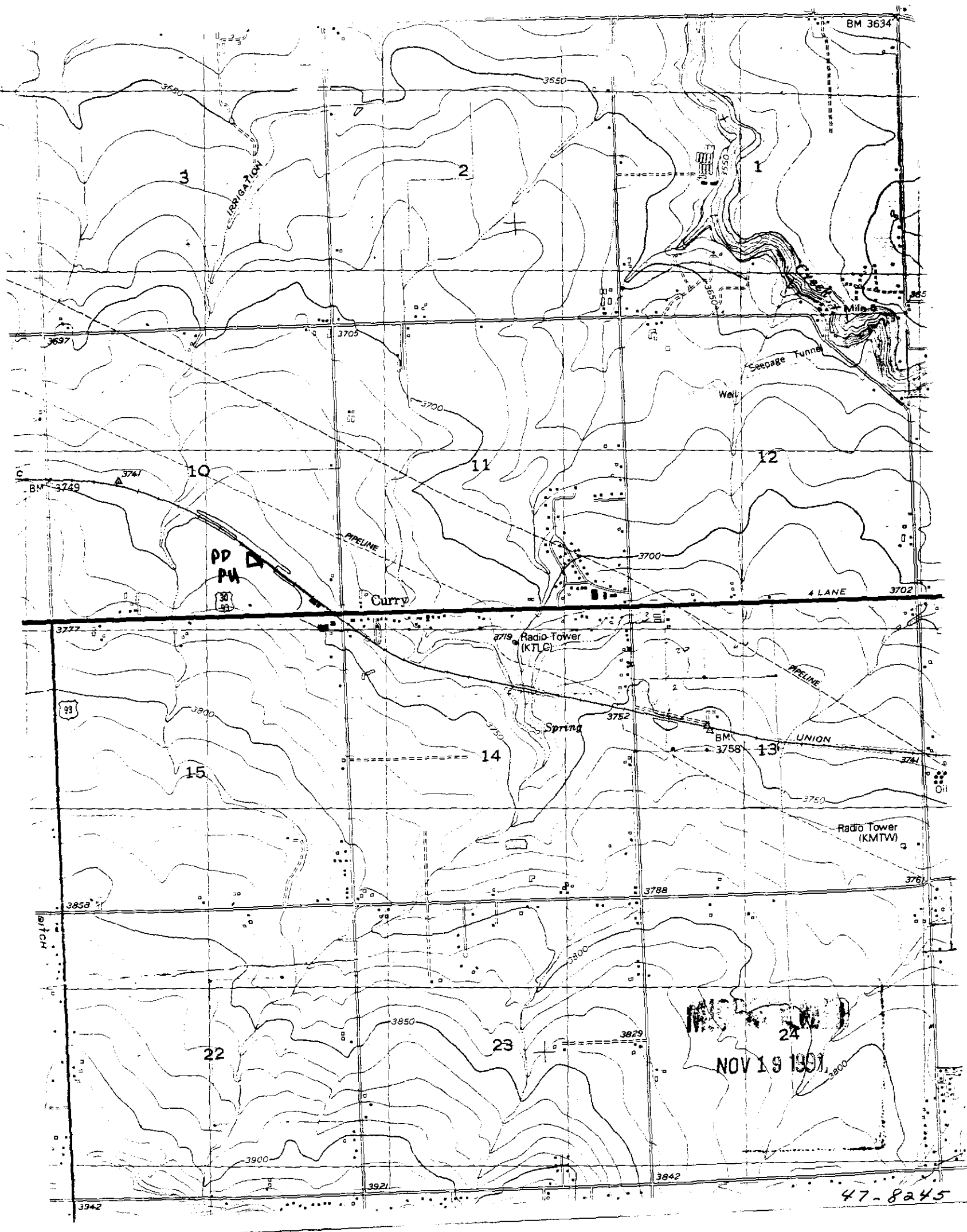
b. Who owns the land to be irrigated or place of use? "

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

12. Remarks: Total use will be about 45 days per year.

Corporate Officers per Telecon with Bill Lewis on 11-14-91
Pres: Roy Young Vice Pres: Steve Young
Sec: Bill Lewis Treas: Susie Lee

NOV 19 1991



BM 3634

IRRIGATION

Seepage Tunnel

Well

Curry

3719 Radio Tower (KTLC)

Spring

Radio Tower (KMTW)

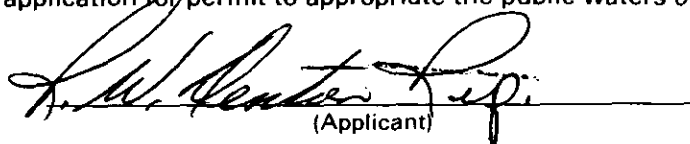
NOV 19 1991

47-8245

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

Scale: 2 inches equal 1 mile.

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


(Applicant)

Received by J.P. Stanton Date 6-28-90 Time 2:10 pm Preliminary check by A.D.
Fee \$ 45. Receipted by J.P. # 5012453 Date 6-28-90
Publication prepared by M. Baldwin Date 8/15/90 Published in Times News
Publication approved M. Baldwin Date 10/9/90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

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

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

e. Other:

RECEIVED
NOV 19 1991

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

45-07677
PERKINS, BRAD W.
PERKINS, ETHYLEN
3319 NORTH 4625 EAST
MURTAUGH, ID 83344
Source: DRY CREEK
Tributary: SNAKE RIVER
Diversion Pt: SWSW Sec
8 T 11S R 20E
Use: IRRIGATION (140 CFS)
Total Diversion (140 CFS)

Date Filed: 6/12/1990
In: T-1S R20E S08 SWSW
1.0 ACRES TOTAL
47-08245

PLANT FOODS INC.
P.O. BOX 727
FILER, ID 83328
Source: GROUNDWATER
Diversion Pt: NESWSE
Sec 10 T 10S R 16E
Use: COOLING (330 CFS)
COOLING (330 CFS)
Total Diversion: (330 CFS)

Date Filed: 6/28/1990
In: T10S R16E S10 SWSE
47-08248

SUDIK, JOHNNY
C/O NORTHWEST
FREIGHT AND SALVAGE
CO.
242 MAIN AVENUE
NORTH
TWIN FALLS, ID 83301
Source: GROUNDWATER
Diversion Pt: SWSW Sec
9 T 11S R 18E
Use: COMMERCIAL (400 CFS)
STOCKWATER (400 CFS)
Total Diversion: (400 CFS)

Date Filed: 7/19/1990
In: T11S R18E S09
NESW NWSW SWSW
SESW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 322 Shoshone Street East, Twin Falls, Idaho 83301 on or before SEPTEMBER 24, 1990.
R. KEITH HIGGINSON,
Director
PUBLISH: Thursday,
September 6 and 13, 1990.

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

I, Linda Capps McQuinn being first duly sworn upon oath, depose and say that I am Bruce Capps of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated September 6, 1990, and ending with the issue dated September 13, 1990.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 18 day of September in the year of 1990, before me, a Notary Public, personally appeared Linda Capps McQuinn, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shirley R. Zellman
Notary Public for Idaho
Residing at Twin Falls County
My commission expires: 5/19/94

OK
ms
10/9/90

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS TIMES NEWS
132 3RD ST. N.
P. O. BOX 548
TWIN FALLS ID 83303

Forwarding & address correction requested

INVOICE NO.	CLASS	BILLING DATE
21546	343	09/18/90
INDEXING TERM		
445-07677, 47-8245, 47-8246		
START DATE	TELEPHONE NO.	
9/06/90	734-3573	
LINES/WORDS	TIMES	RATE
75	2	
AFFIDAVI		3.00
PAY THIS AMOUNT		3.00
GROSS AMT DUE AFTER 10/03		3.00

RECEIVED

SEP 24 1990

Department of Water Resources
Southern Region Office

RETURN THIS PORTION WITH YOUR REMITTANCE

21546

3556

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

222 SHOSHONE ST EAST
TWIN FALLS ID

83301

MICROFILMED

NOV 19 1991

September 24, 1993

PLANT FOODS INC
PO BOX 727
FILER ID 83328

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08245

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED

OCT 21 1993

Permit No. 47-08245 Reviewed by Klg Date 9/22/93

needs a flow

Proof Made 9/24/03

9/24/03

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
47-90-S-0092-000	O	PLANT FOODS INC C/O RALPH DENTON BOX 727 FILER, ID 83328	10S	16E	10	SW SE		TWIN FALLS

Subdivision Location and Description:

Subdivision Name:

Well Site Address: 21300 C HWY 30

City, State: TWIN FALLS, ID

Lot(s):

Block(s):

Geographic Location:

Accuracy Code:

Lat: : : N

Long: : : W

Proposed Use of Well: Other

Proposed Casing Diameter: 8 In.

Proposed Depth: 200 Ft.

Well Use Comments: NON-DOMESTIC

Driller License No: 0031

Firm Name: ELSING DRILLING & PUMP CO INC

Official: ARNOLD ELSING

Permit Status: Permit

Verbal Issue Date:

Date Received: 11/07/1990

Date Approved: 11/07/1990

Proposed Start Date: 01/07/1990

Extension Date:

Extension Expiration:

Receipt No.

S012453

Receipt Date

06/28/1990

Fee

\$ 155.00

Specific Conditions:

Permit Remarks:

----- WELL DRILLER'S LOG REPORT -----

Drilling Permit No: 47-90-S-0092-000

Water Right No: 47-08245

Injection Permit No:

Nature of Work: NEW WELL

Construction Method: ROTARY AIR

Number of Monitor Wells:

Casing Diameter: 8 In.

Depth of Casing: 19 Ft.

Total Depth: 240 Ft.

Screen Installed? No

Static Water Level: 70 Ft.

Temperature: F.

Production Rate: GPM

Actual Start Date: 01/23/1991

Well Finish Date: 01/23/1991

Log Received Date: 01/30/1991

Certification Date: 01/28/1991

Field Inspection Date:

Inspector:

Well Log Remarks: SURFACE SEAL 19 FT.

FILED
OCT 21 1993

July 31, 1993

PLANT FOODS INC
PO BOX 727
FILER ID 83328

PROOF DUE NOTICE

RE: PERMIT NO. 47-08245

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

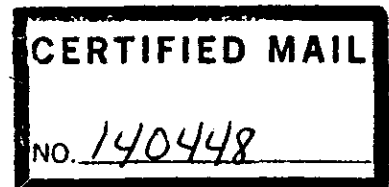
SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

MICROFILMED

OCT 21 1993





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

47-8245

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

M E M O R A N D U M

DATE: JULY 31, 1992 139418

TO: WATER RIGHT HOLDERS AND APPLICANTS IN TWIN FALLS
LOW-TEMPERATURE GEOTHERMAL MORATORIUM AREA

FROM: NORM YOUNG

RE: EXTENSION OF MORATORIUM

Enclosed is a copy of an order extending the order designating the Twin Falls Low-Temperature Geothermal Moratorium Area. I appreciated the attendance of many of the users at the public information meeting on this matter held in Twin Falls last week. I understood those in attendance favored an extension of the moratorium, and some of the users were encouraging that the size of the area be increased and that additional actions be taken to protect artesian pressures. I indicated at the meeting that the moratorium would be extended without modification to keep its continuity and that IDWR will schedule as time and resources permit a review of the following matters:

- Expansion of the area.
- The need for repair or reconstruction of wells in and adjacent to the area.
- Evaluate the adequacy of the agreement to manage pumpage to prevent withdrawal in excess of the average rate of recharge or to maintain artesian pressures in the public interest.
- Review need for and adequacy of monitoring programs.

With respect to monitoring, the data recorded by the USGS from the well at the Nazarene Church is an important part of the information now being collected. The Church will soon be finished and will be using water from the well. Data from an unused well is more reliable for evaluating aquifer conditions. USGS and IDWR are evaluating alternatives for replacing this source of data. If you are aware of a well that is finished into the low-temperature geothermal aquifer and is not being used, please call Loren Holmes, IDWR Regional Manager at Twin Falls, a call at 736-3033.

OCT 21 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 23, 1991

PLANT FOODS INC
PO BOX 727
FILER ID 83328

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-08245

Dear Permit Holder:

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Please be advised that water quality is subject to regulations of the Idaho Department of Health and Welfare. We suggest that you check with them before starting construction.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

NOV 19 1991

APPLICATION FOR PERMIT REVIEW

Application #: 47-8245
Date: 10-14-91

Reviewer: Pam Skaggs *BS*

- ✓ Existing:
- ✓ No - 26A-P17
 - Complete in 1 year - P16
 - Yes
 - Proof not submitted - P16
 - Proof submitted - N/A
 - ✓ Groundwater:
 - ✓ GT. 0.2 cfs - 01G-P03, 01C-P03 (existing well)
 - LT. 0.2 cfs - N/A
 - ✓ Drilling Permit:
 - Approved w/permit - P99
 - Not included *Already approved* - 046-P23 (All GW, even existing wells)
 - ✓ Location:
 - Water Districts - WD No. _____
 - Surface water - 005, 005-01H-P01 (LT.2 w/pump)
005-01J-P08 (GT.2)
 - Groundwater - P05
 - Irrigation Districts - 023
 - Canal Co. Areas - 023
 - Drainage Districts - 024
 - Boise Front (63) - 058 (Groundwater)
 - ✓ Swan Falls Flag - C (1, Blank or Other)
 - ✓ Trust - 051-052-053-P74 (Consumptive Uses)
 - Non Trust - 048-049
 - River Basins:
 - (Surface Water) Water District Control Condition &....
 - Boise (63) - 05A & 11E
 - Payette (65) - 047-P04, 059-P71
 - Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)
 - Use:
 - Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)
 - Power - Water Quality Use Power Review
 - Mining - 06A or 010, 09E-P10 & 054(req.)
 - Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
 - Rec. & Aesthetic - 027(Non-Consumptive)
 - Domestic - 021(restricted areas)
 - Ownership:
 - Non land owner - 004
 - Protested:
 - Agreement - 020

Beneficial Use Due Date: - 10-01-1993
Other Conditions Recommended Twin Falls GWMA Remark

NOV 19 1991

MEMORANDUM

TO: File No. 47-08245 in the Name of Plant Foods, Inc.
FROM: Gary Spackman *Gary*
DATE: September 23, 1991

RE: Concerns Regarding Water Quality

I spoke to Mike McMasters of DEQ in Twin Falls regarding application for permit no. 47-08245. Mike stated that he did not see a problem with this particular proposal. The application can be approved with the condition that the proposed use satisfy Idaho water quality standards.

NOV 13 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 5, 1991

Plant Foods Inc.
P.O. Box 727
Filer, ID 83328

RE: Application to Appropriate Water No. 47-08245

Dear Sirs:

You recently filed an application for permit to appropriate water with the Idaho Department of Water Resources, proposing to drill a well, and divert water for cooling purposes in the production of fertilizer.

We routinely coordinate these applications with the Idaho Department of Health and Welfare, Division of Environmental Quality (DEQ). DEQ expressed concern in a letter dated September 13, 1990. I have enclosed a copy of the letter for your reference.

This letter is a request that you consult with DEQ, and resolve their concerns. The Department of Water Resources will require a written sanction from DEQ, expressly stating that your proposal will satisfy Idaho water quality standards, and also any EPA discharge permit requirements.

Upon receipt of the above requested information, the Department will consider your application. Please submit the information within sixty (60) days of the date of this letter, or request an extension of time to allow further planning. Failure to do so could jeopardize the validity of your application.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

cc: Southern Region
Mike McMasters

NOV 10 1991

Drilling permit No. 47-90-S-092

Water right No. 47-8245

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Plant Foods Inc., Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

Well needs to be in place so construction of fertilizer business can proceed.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date ~~6-28-90~~ 11-7-90 ^{Rwk}

Signature L. W. Denton Rep.

Applicant



STATE OF IDAHO

DEPARTMENT OF HEALTH
AND WELFARE

DIVISION OF ENVIRONMENTAL QUALITY
Twin Falls Field Office
Post Office Box 1626
Twin Falls, Idaho 83303-1626

September 13, 1990

Gary Funderburg
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Water Appropriation Permit Application #47-08245

Dear Gary,

We have reviewed the above referenced permit application for water right by Plant Foods, Inc. The proposed right indicates a daily use of over 400,000 gallons. Since the proposed use is listed as cooling water, we request that the applicant submit plans on the cooling water system to insure no contamination occurs from the fertilizer production and discharges are in compliance with state wastewater treatment requirements and EPA discharge permit requirements.

Should any questions arise, please contact me.

Sincerely,

M. J. McMaster

Michael J. McMaster
Water Quality Field Supervisor

MJM/ta
cc: Susan Martin

RECEIVED

SEP 17 1990

Department of Water Resources
Southern Region Office

47-08245

NOV 19 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Plant Foods Inc

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY AB DATE 8-9-90 APPLICATION NUMBER 47-08245

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt ***PROPOSED PRIORITY DATE 6-28-90

ADDITIONAL INFORMATION

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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

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Department of Water Resources

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from:

☐ City	☐ Idaho Fish & Game	☐ Irrigation District
☐ County	☐ Idaho Health & Welfare	☐ Canal Company
☐ Reservations	☐ Division of Environment	☐ Other _____

Project impacts/implications report

COMMENTS

47-08245

PLANT FOODS INC.
P.O. BOX 727
FILER, ID 83328

Source: GROUNDWATER

Diversion Pt: NESWSE Sec 10 T 10S R 16E

Use: COOLING	(.330 CFS)
COOLING	(.330 CFS)
Total Diversion:	(.330 CFS)

Date Filed: 6/28/ 1990

In: T10S R16E S10 SWSE

RECORDED

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The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, Idaho 83301 on or before SEPTEMBER 24, 1990.

R. KEITH HIGGINSON, Director

Published 9/ 6/1990 & 9/13/1990

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208)734-3578

AUGUST 15, 1990

TIMES NEWS
P.O. BOX 548
TWIN FALLS, ID 83303-548

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 24, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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15-Aug-1990

PLANT FOODS INC
C/O R W DENTON
PO BOX 727
FILER ID 83328

Re: Application for Permit No. 47-08245

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Times News on 9/6 & 9/13/90. A period of ten days following the second publication will be allowed for the submittal of protests.

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

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please see attached list for additional information requirement. Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

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15-Aug-1990

IDAHO DEPT OF HEALTH & WELFARE
PO BOX 1626
TWIN FALLS ID 83303-1626

Re: Application(s) for Permit

Gentlemen:

Please find enclosed copy(ies) of an Application(s) for
Permit for your information and files.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosure(s)

Drilling Permit No. 47-90-5-092
Water Right Perm. No. 47-8245
Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) PLANT Foods INC.

2. Mailing Address Box 727 FILER ID. 83328

Telephone 733-4072

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

3. Proposed well location S ^W 1/4 SE 1/4, or Gov't Lot No. _____

Sec. 10, Twp. 10 S., Rge. 16 EAST, County TWIN FALLS

Street Address of Well Site 21300 C Highway 30 TWIN FALLS ID.

Lot, block and subdivision _____

4. Proposed use of well:

- () Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

☒ Non-Domestic: Any beneficial use not included within the definition of domestic.

() Injection

() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

5. Well construction information:

A. ☒ New well () Deepen () Replace - See Condition 9

B. Proposed Surface Diameter 8" Proposed Maximum Depth 200'

C. Anticipated bottom hole temperature:

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

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6. Construction Start Date Approx ~~98-30-90~~ Fall of this year

7. Anticipated Well Driller ELSON DRILLING
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature [Signature] Date 6-28-90

Title PLANT Foods INC.
(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date

11/7/90

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

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Loren O. Fisher

Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION

Title

Receipt No. 50/2453 Received by JS Fee \$100. Date 6-28-90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.