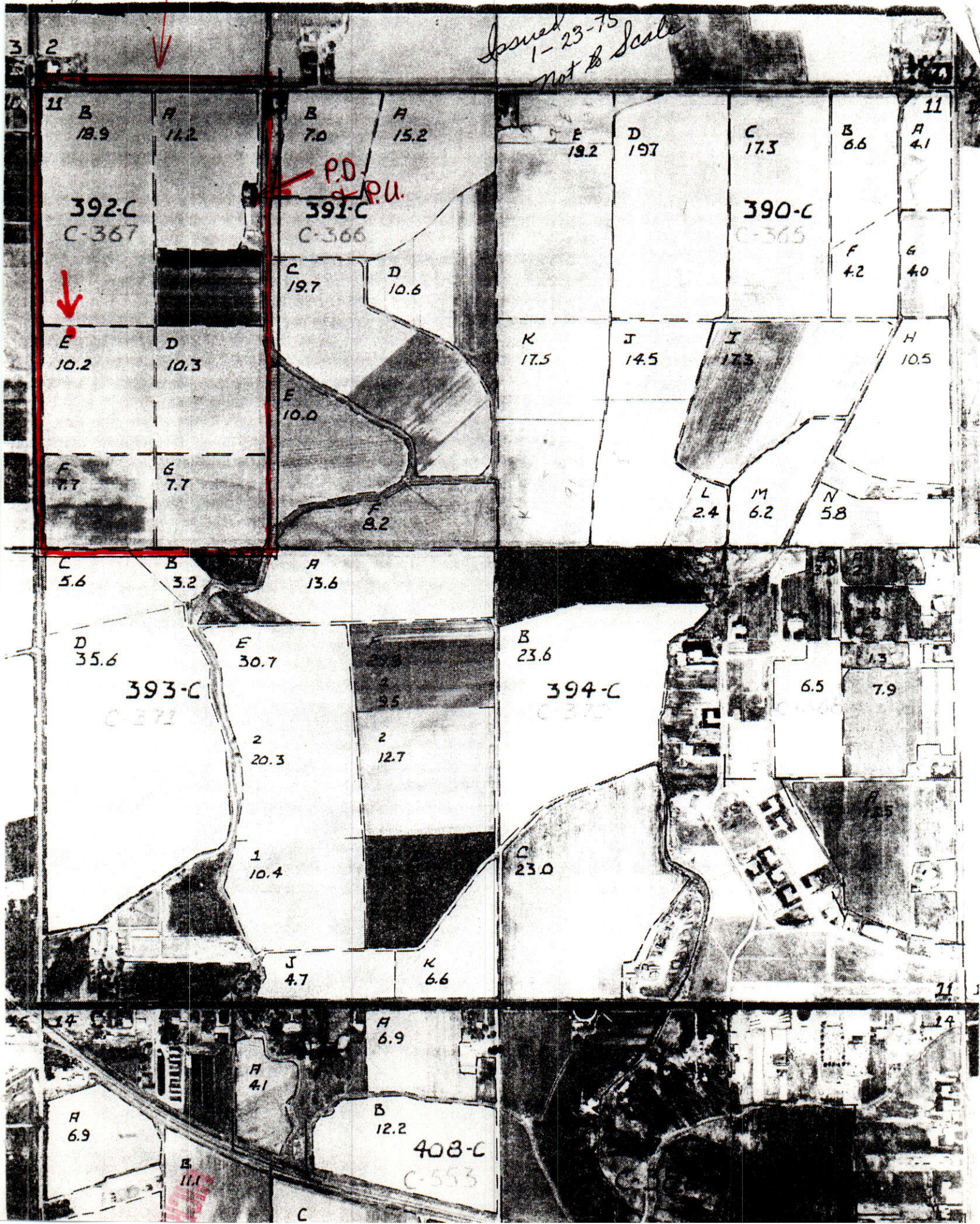


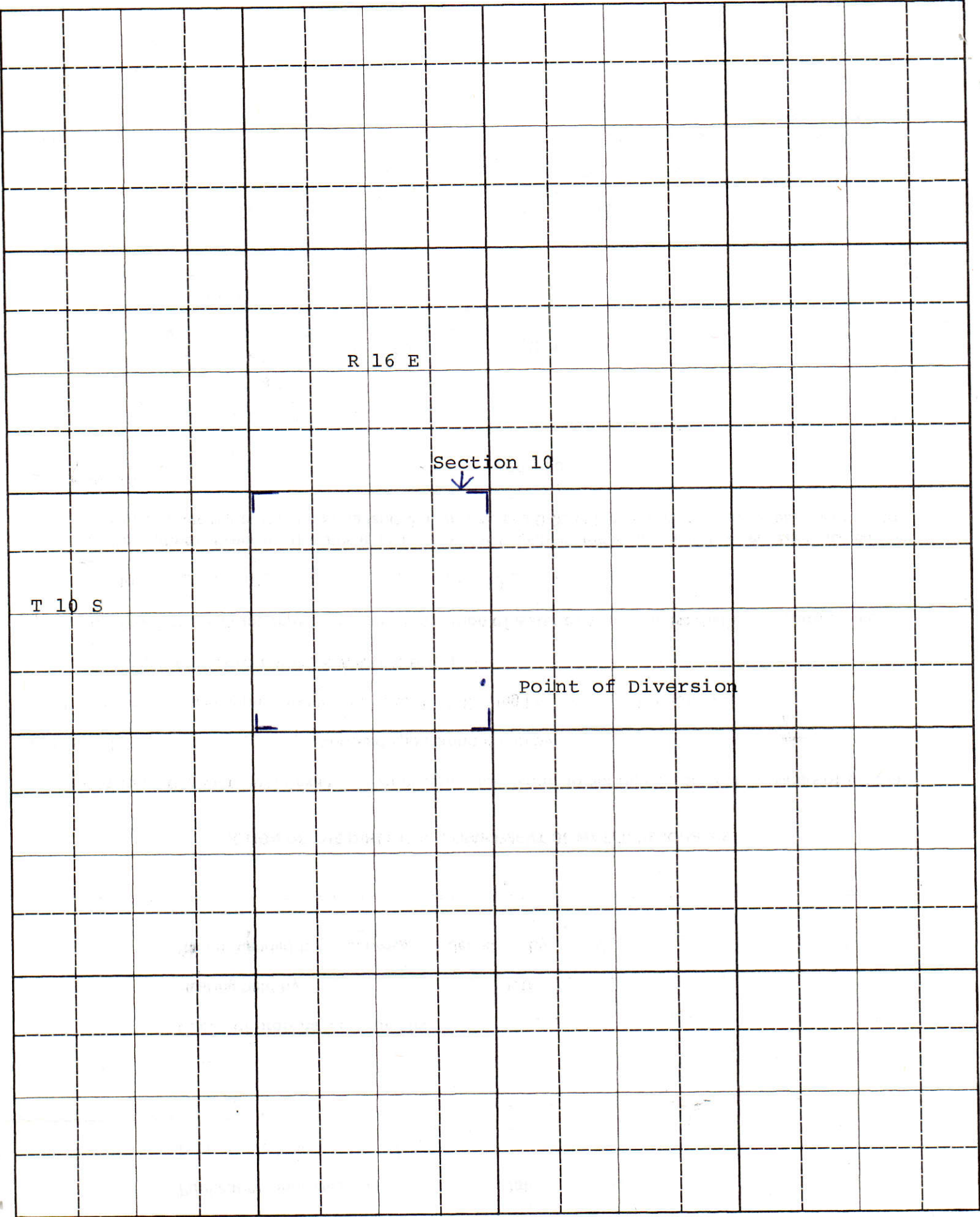
Sec. 11
Twp. 10
Range 16

Farm No. C367

Issued
1-23-75
Not to Scale



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



Scale: 2 inches equal 1 mile.

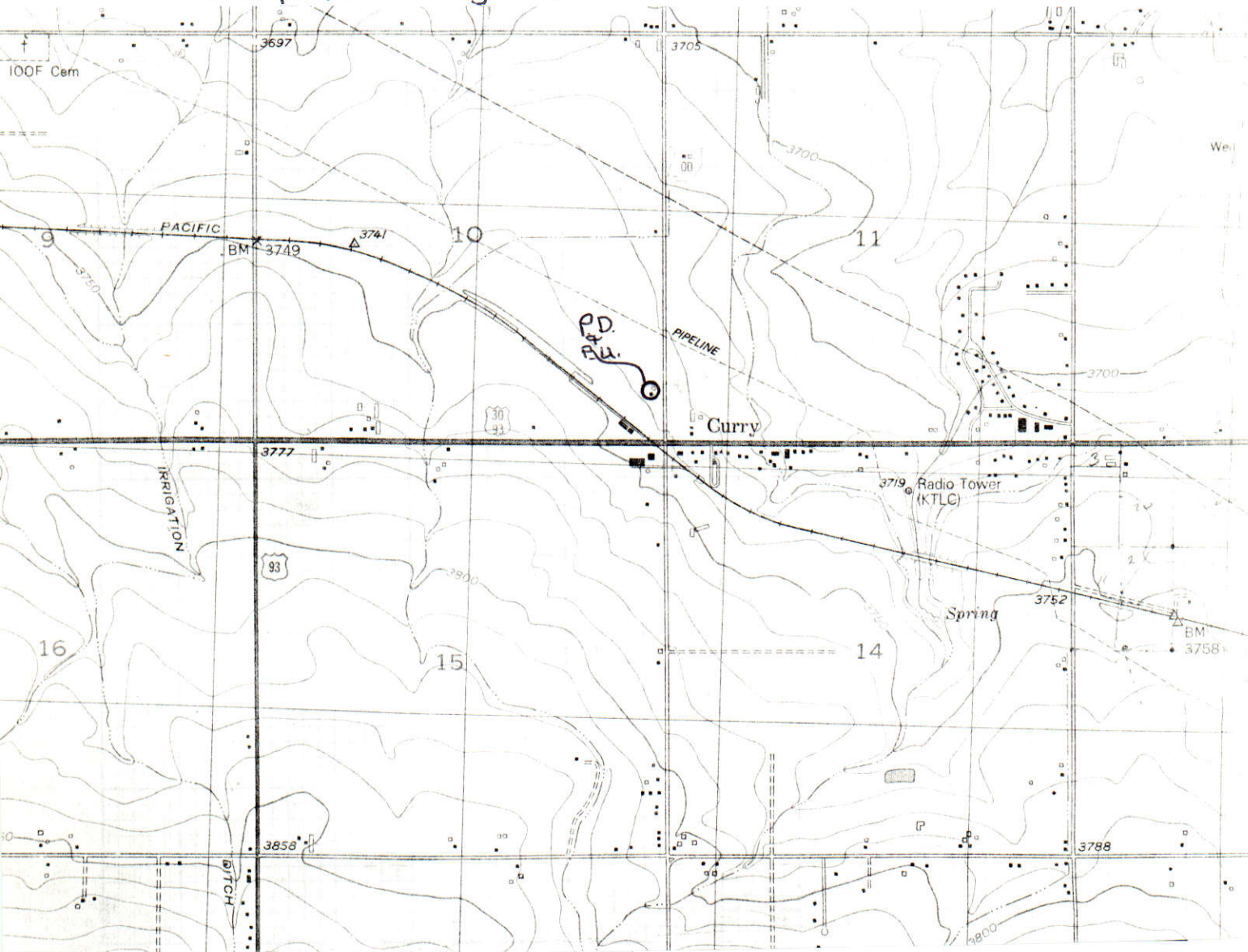
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

FILED

Alden E. Zell, VICE-PRESIDENT
(Applicant)

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

Twp 10S. Rge 16E.



13. ☐ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks *Water used in Tenant house and for processing & canning peas + Beans. 2-3 hrs /day 6 days /week for 4 Wks Approx 6 gpm With a maximum use of Approx. 9 gpm*

15. Recommended Amendments

- ☒ Change P.D. as reflected above
- ☒ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above

- ☐ None
- ☐ Other

16. Examiner's/Consultant's Signature *Larry S. Blau* Date *6-28-84*

Consultant's License Number _____

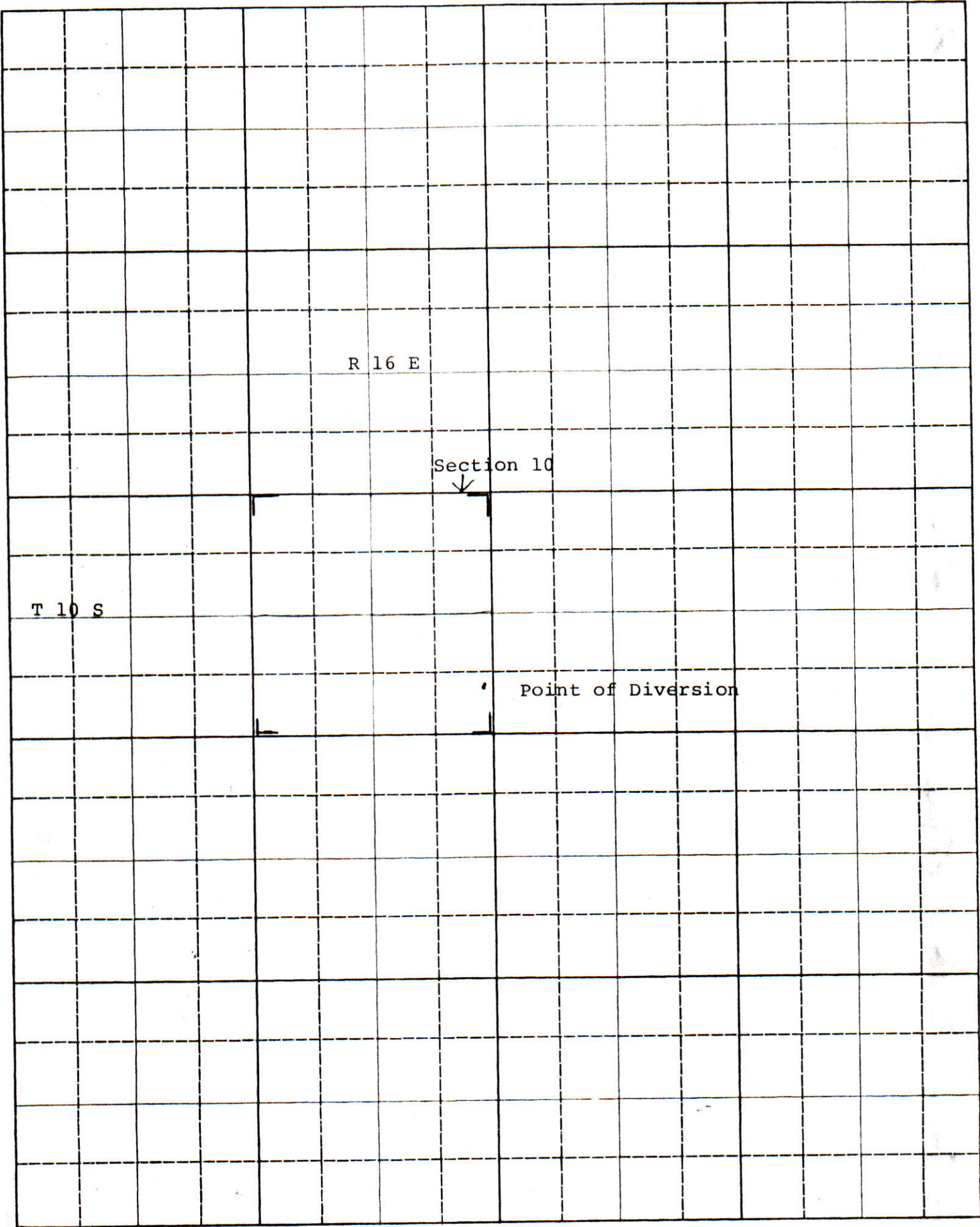
IDWR Director's Authorization to Conduct Beneficial Use Examination _____

Date

MICROFILMED
AUG 15 1990

CONSULTANT SEAL

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



Scale: 2 inches equal 1 mile.

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

MICROFILMED
AUG 15 1990

William E. Zell, VICE-PRESIDENT
(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07839

Priority: October 6, 1982

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume:¹ 1.3 AF

This is to certify, that ROGERS BROTHERS SEED CO.

P.O. BOX 4727

BOISE, ID 83711

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 6, 1982; and has submitted Proof of Beneficial Use on October 24, 1983. An examination indicates that the works have a diversion capacity of .030 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
INDUSTRIAL	01/01 to 12/31	0.03 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.03 CFS	1.2 AF
	Totals	0.03 CFS	1.3 AF

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

10S 16E 10 SESE

PLACE OF USE: DOMESTIC, same as INDUSTRIAL use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.

MICROFILMED

SEP 26 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

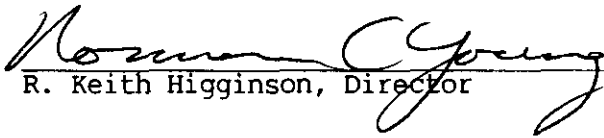
WATER RIGHT NO. 47-07839

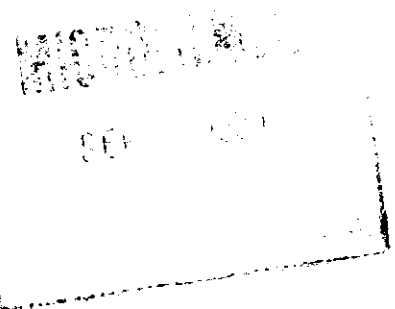
CONDITIONS/REMARKS:

6. Industrial use is for processing & canning peas and beans;
domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 18TH
day of September, 1990.

Acting for


R. Keith Higginson, Director



State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-07839

RECEIVED
SEP 4 1990

Department of Water Resources

Date of Priority: October 6, 1982

Maximum Diversion Rate
Maximum Diversion Volume

0.03 CFS
1.3 AF

Comes now ROGERS BROTHERS SEED CO.

P.O. BOX 80
IDAHO FALLS, ID 83402

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-07839, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
INDUSTRIAL	01/01 to 12/31	0.03 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.03 CFS	1.2 AF
	Totals	0.03 CFS	1.3 AF

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

10S 16E 10 SESE

PLACE OF USE: DOMESTIC, same as INDUSTRIAL use

Permit holder asserts 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 24th day of AUGUST, 1990.

Alden E. Hill
(Signature) VICE-PRESIDENT

MICROFILMED

SEP 26 1990

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-07839

FOR DEPARTMENT USE ONLY

#C018209

Preliminary check by SA Fee = \$20.00

Receipted by J.D. Date 9/4/90

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 47-07839 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.
6. Industrial use is for processing & canning peas and beans; domestic use is for 1 home.

Witness my hand this 18TH day of September, 1990.

Acting for Norman C. Young
R. Keith Higginson, Director

MICROFILMED

SEP 28 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

RECEIVED

OCT 6 1982

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant Rogers Brothers Seed Company Phone 208-522-0143

Post office address P. O. Box 80, Idaho Falls, Idaho 83402

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 11 Township 10

Range 16 E. B.M. Twin Falls County, additional points of diversion if any: --

None

4. Water will be used for the following purposes:

Amount .03 cfs for domestic & industrial purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. .03 cubic feet per second and/or b. -- acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump 1/2 horsepower

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

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

c. Proposed well diameter is 6 inches; proposed depth of well is 150 feet.

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

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 11 Township 10 S
Range 16 E. B.M.

(2) Amount of power to be generated: -- horsepower under N/A feet of head.

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

(4) Name of municipality to be served None, or number of families to be supplied with domestic water 1

(5) If water is to be used for other purposes describe: Small industrial canning kitchen.

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

[illegible]

Total number of acres to be irrigated

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

9. a. Who owns the property at the point of diversion Rogers Brothers Seed Company

b. Who owns the land to be irrigated or place of use Rogers Brothers Seed Company

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

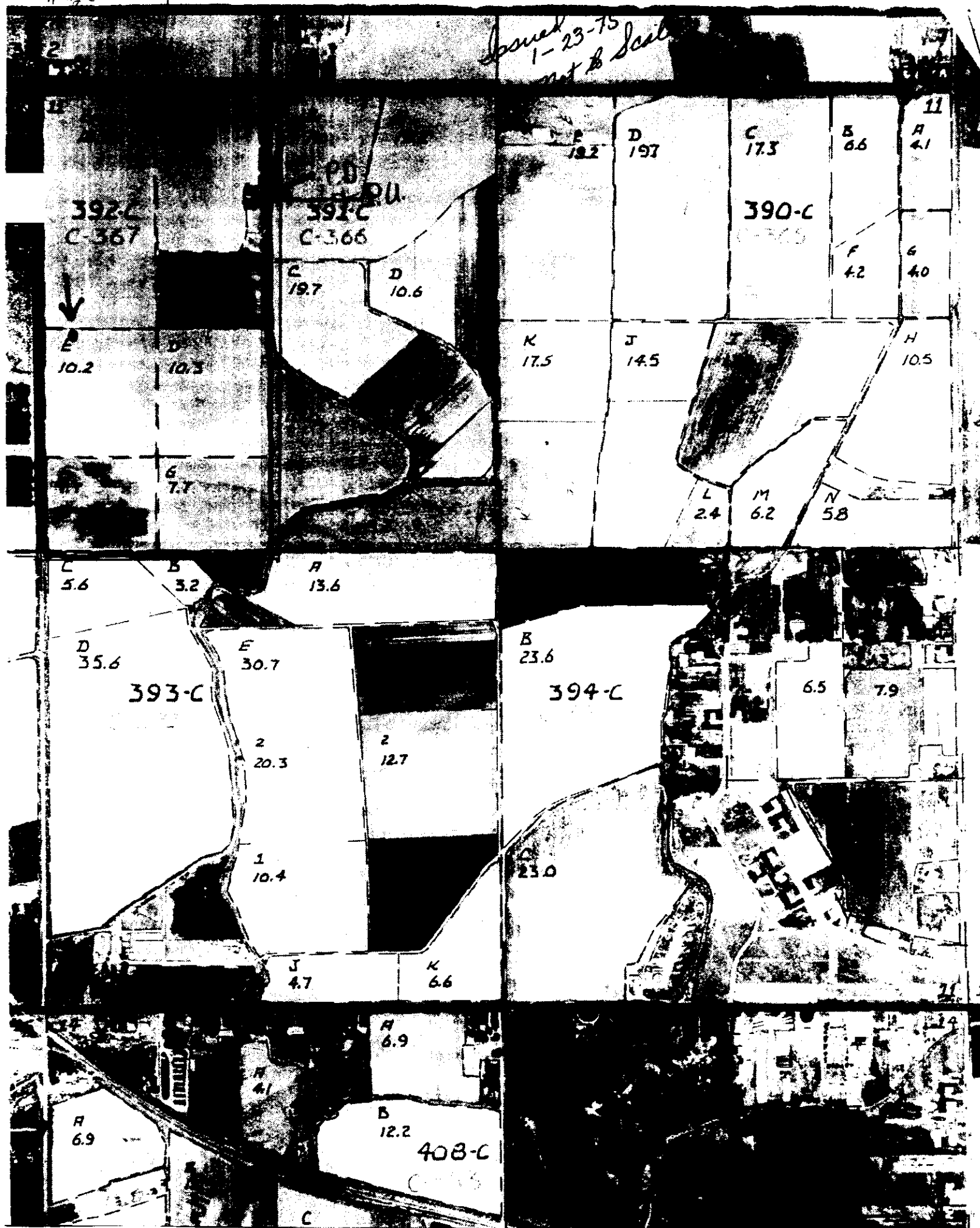
10. Remarks

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

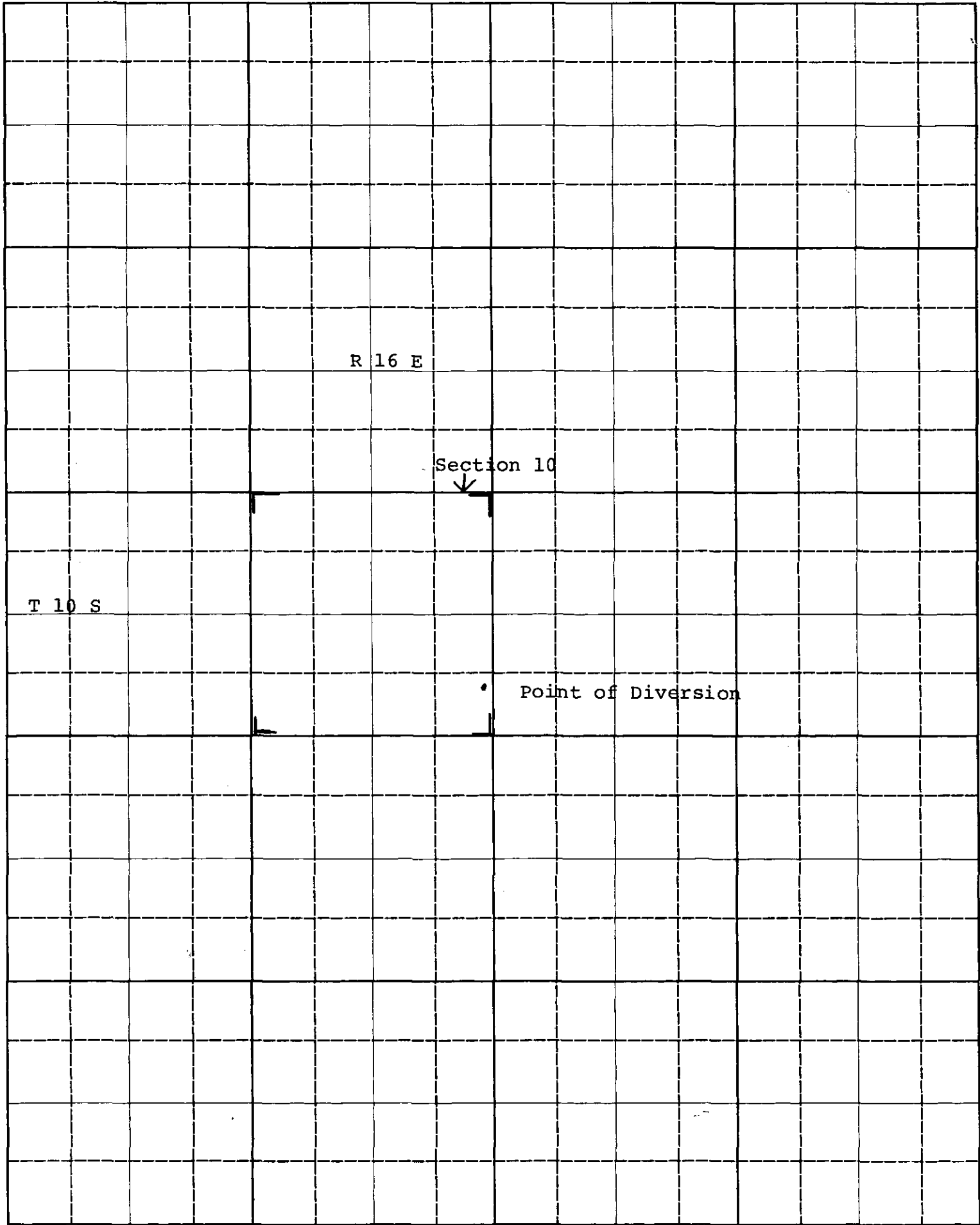
Sec. 11
Twp 54p. 10
Range 16

Farm No. C367

Issued
1-23-75
not to scale



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



Scale: 2 inches equal 1 mile.

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

Alden E. Zell, VICE-PRESIDENT
(Applicant)

Proposed Priority 10/6/1982

Received by marja Date 10/6/82 Time 3:00 p
Preliminary check by TGB Fee \$ 30.00
Receipted by marja Date 10/6/82 # 20988
Publication prepared by marja Date 10/12/82
Published in times news
Publication dates 10/21 & 10/28/82
Publication approved marja Date 10/15/82
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by ADM RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7839, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 83.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet intrastate water quality standards.

Witness my hand this 23rd day of November, 1982.

J. Glen Saxton
Chief, Operations Bureau

Ririe, Lee, Jenkins, Hall & McNamara, Chartered
Attorneys at Law,

T. Harold Lee (1914-1976)

James A. Ririe
Royce B. Lee
Gordon W. Jenkins
Blake G. Hall
Harlow McNamara

Idaho First National Bank Bldg.
330 Shoup Ave., Suite 201
Idaho Falls, Idaho 83402
—
(208) 524-2650

30 September 1982

State of Idaho
Department of Water Resources
1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301

Dear Sirs:

Please find enclosed an Application form with accompanying filing fee for application for a permit for water on behalf of Rogers Brothers Seed Company.

We will appreciate this matter being filed.

Very truly yours,

RIRIE, LEE, JENKINS, HALL
& McNAMARA, Chartered

By *Harlow J. McNamara*
Harlow J. McNamara

HJMcN/bjw

Enclosures

cc: Mr. Alden E. Hill

RECEIVED
SEP 21 1982
TWIN FALLS, IDAHO

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-7839

ROGERS BROTHERS
SEED CO.
P.O. BOX 80, IDAHO
FALLS, ID 83402

Source:

GROUNDWATER

Dated Filed: 10/06/1982

Amount: 0.03 CFS

Diversion Point: NWNW

Sec 11 T 10S R 16E, TWIN
FALLS Co.

Use: INDUSTRIAL (0.03
CFS) from 01/01 to 12/31

DOMESTIC (0.03 CFS)
from 01/01 to 12/31

Place of Use: NWNW
Sec 11 T 10S R 16E

Diversion Means: WELL,
PUMP

The permit(s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water Re-
sources, 1041 Blue
Lakes Blvd. North, Twin
Falls, Idaho 83301 and
received on or before
NOVEMBER 8, 1982.

KEN DUNN,

Director

PUBLISH: Thursday,
October 21, and 28, 1982.

Affidavit of Publication

STATE OF IDAHO.

COUNTY OF TWIN FALLS

ss.

Nº 12066

I, Sherry Kesler

being first duly sworn up

oath, depose and say that I am Print Clerk 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

publications

, commencing with the issue dated

October 21

1982

, and ending with the issue dated

October 28

1982

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 com-
petent 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 the
day, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this

Sherry Kesler
October 28th

28th

day of

Goldie L. Lawrence

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

RECEIVED
NOV 10 1982
TWIN FALLS, IDAHO
COUNTY CLERK'S OFFICE

September 18, 1990

ROGERS BROTHERS SEED CO.
P.O. BOX 4727
BOISE, ID 83711

RE: PERMIT NO. 47-07839

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

SEP 26 1990

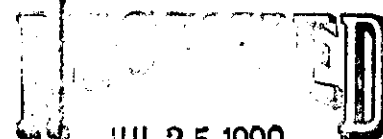
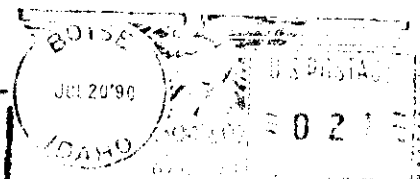
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

RETURNED
TO
SENDER
MOVED, LEFT NO ADDRESS

MICROFILMED

SEP 26 1990

POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



Department of Water Resources

As of telecon w/ appropriate
office 8/6/90 Current address
is: P.O. Box 4727
Boise 83711
resent
8/6/90
JS

August 6
July 19, 1990

ROGERS BROTHERS SEED CO.
P.O. BOX 80
IDAHO FALLS, ID 83402

RE: PERMIT NO. 47-07839

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

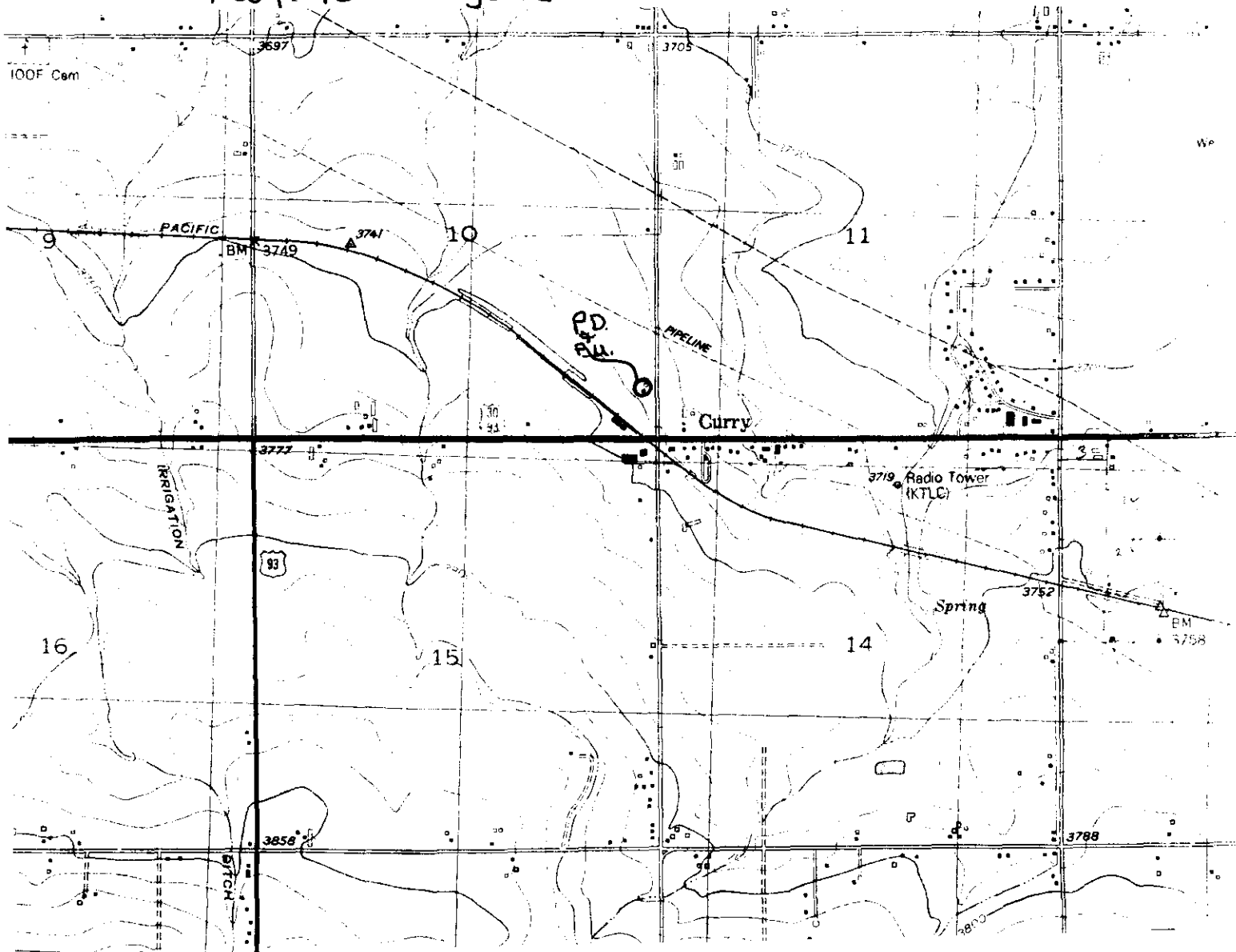
MICROFILMED

AUG 15 1990

[illegible]

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

Tw p 10S. Rge 16E.



13. ☐ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks Water used in Tenant house and for processing & canning
peas + Beans. 2-3 hrs /day 6 days /week for 4 Wks Approx 6 gpm
With a maximum use of Approx. 9 gpm

15. Recommended Amendments
- | | | |
|--|--|--------------------------------|
| ☒ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☐ None |
| ☒ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |
16. Examiner's/Consultant's Signature Terry A. Blau Date 6-28-84
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct Beneficial Use Examination _____

MicroFILMED
AUG 15 1990
CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

ACT 15 1985

47-7839
Permit No.

Department of Water Resources

1. Measurement Calculations

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

Theoretical System Capacity 675 gph (See pump chart attached)

$$675 \text{ gph} \div 60 \text{ min/hr} = 11.25 \text{ gpm} \div 448.8 \text{ gpm/cfs} = 0.0251 \text{ cfs}$$

This flow is Assuming discharge pressure of 40 psi and p.w.l. of 40 ft. Well log shows standing water level @ 34' Allowing for a higher p.w.l. than 40 ft. and a discharge pressure of less than 40 psi.

The discharge of the pump could be very Near 0.03 cfs The Amt Applied for $\therefore$ I recommend that 0.03 cfs be Allowed.

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{i.r.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}} \\ V_{d.r.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}} \\ V &= \text{Smaller of } V_{i.r.} \text{ and } V_{d.r.} = \underline{\hspace{2cm}} \end{aligned}$$

c) Volume Calculations for Other Uses:

Industrial Vol: 6 gpm for 3 hrs/day for 6 days/week for 4 weeks

$$= 6 \text{ gpm} \times 60 \text{ min/hr} \times 3 \text{ hrs/day} \times 6 \text{ days/wk} \times 4 \text{ wks} = 25,920 \text{ gal/ANN} \div 325,900 \text{ gal/AF} = 0.08 \text{ AF/ANN}$$

Allow 0.1 AF/ANN. = MIN Allowable

Allow 1.2 AF/ANN. domestic use (standard Amt allowed)

2. Overlap Review

a) Other water rights with same place of use: NONE

b) Other water rights with same point of diversion: NONE

c) Analysis:

MICROFILMED

AUG 15 1990

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity

4. Permit Holder: Rogers Bros. Seed Co.

Address: P.O. Box 80, Idaho Falls, Idaho 83420

5. Source: groundwater tributary to _____

[illegible]

Industrial 7-1 8-31 0.02 Cfs. 0.10 afa

Domestic 1-1 12-31 0.03 CFS 1.2 qfo

Allowable Maximums: 0.03 cfs. 1.3 afa

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks: Due to an erroneous assumption made at the time this application was recieved it was Confused with The Rogers Bros Trial seed farm located approx 1 mile away. The attached letter should suffice to correct The P.O. + P.U. for the license.

MICROFILMED

AUG 15 1990

10. Recommended Amendments

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

☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature Terry A. Blau Date 12-5-84

Checked in Regional Office by J. P. Stanton JA Date 12-5-84

Approved in State Office by _____ Date _____

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER

Name

Address

Owner's Permit No.

NAME OF WELL

New well ☐ Deepened ☐ Abandoned ☐

Water is to be used for

METHOD OF CONSTRUCTION Rotary ☐ Cable ☐ Dug ☐ Other ☐

explain

CASING JOINTS Cased ☐ Welded ☐

Joint	From	To	Material
1	ft.	to	ft.
2	ft.	to	ft.
3	ft.	to	ft.
4	ft.	to	ft.

Thickness of casing

Steel ☐ Concrete ☐ Wood ☐ Other ☐

explain

PERFORATOR Yes ☐ No ☐ Type of perforator used

Size of perforator	By
1	ft. to ft.
2	ft. to ft.
3	ft. to ft.
4	ft. to ft.

Perforations from

Perforations from

Perforations from

Perforations from

Perforations from

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Size of drilled hole ☐ Total depth of well ☐ Standing water level below ground ☐ Temp. ☐ Test delivery ☐ gpm ☐ or ☐ cfs Pump ☐ Bail ☐ Size of pump and motor used to make test:

Length of time of test ☐ hrs. ☐ Min.

Drawdown ☐ ft. Artesian pressure: ft.

Above land surface ☐ GIVE FLOW ☐ cfs

or ☐ cfs. Shut-off pressure:

Controlled by: Valve ☐ Cap ☐ Plug ☐

No control ☐ Does well leak around casing?

Yes ☐ No ☐

WATER

YES OR NO

MICROFILMED

AUG 15 1990

RECEIVED



ROGERS BROTHERS SEED COMPANY

JUN 11 1984

June 6, 1984

Department of Water Resources
Southern District Office

STATE OF IDAHO
Department of Water Resources
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301

Attention: Mr. Terry Blau

SUBJECT: ROGERS BROTHERS SEED COMPANY
APPLICATION FOR PERMIT NO. 47-7839

Dear Mr. Blau:

Pursuant to our telephone conversation Friday, June 1, we wish to advise you that the approved Permit No. 47-7839 was filed with the intention of covering the well near the house on the Gallatin Valley Seed Co. trial and nursery farm. The application was submitted with an incomplete legal description. Somehow this description was misinterpreted and subsequently became an identical description as listed on Permit No. 47-7835. The correct description for Permit No. 47-7839, item No. 3, is as follows:

--Location of point of diversion is SE 1/4 of SE 1/4 of Section 10 Township 10 Range 16 E.B.M. Twin Falls County--

Item 8.a.(1) should have the same description.

We are enclosing a photocopy of our original Application for Permit No. 47-7839 as it was submitted. There was a typographical error in the legal description in Item 3 and in Item 8 a.(1) most of the description was omitted.

These items were both changed and initialed by J.M. and dated 10/7/82. However, the map in Item 11 clearly shows the location of the point of diversion. In the approved permit which was returned to us, this page was substituted by an arial sketch with my signature, as originally submitted, at the bottom of

MICROFILMED

AUG 15 1990

Mr. Terry Blau

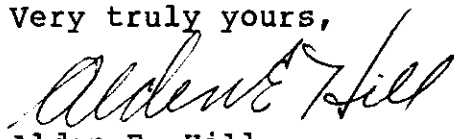
-2-

June 6, 1984

the page. It looks as if the arial sketch may have been placed over the map and photocopied to make it look like a copy of an original document. We think a person from your office made the changes and secured the initials of Rogers' employee Dr. John Morris to authorize the change.

In light of the above, please make the necessary corrections to Permit No. 47-7839 to be effective back to the date of the original filing. If anything further is required from us please let us know.

Very truly yours,



Alden E. Hill
Vice President

lvt

Enclosures

cc: Dr. John Morris
Harlow J. McNamara, Esq.

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AUG 15 1990



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No.

RECEIVED

JUN 11 1984

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant Rogers Brothers Seed Company Phone 208-522-0143

Post office address P. O. Box 80, Idaho Falls, Idaho 83402

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

3. Location of point of diversion is SE $\frac{1}{4}$ of N/A $\frac{1}{4}$ of Section 10 Township 10

Range 16 E. B.M. Twin Falls County, additional points of diversion if any: None

4. Water will be used for the following purposes:

Amount .03 CFS for domestic & industrial purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. .03 cubic feet per second and/or b. -- acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump 1/2 horsepower

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

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

c. Proposed well diameter is 6 inches; proposed depth of well is 150 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is years (minimum 1 year — maximum 5 years). Already in use.

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of $\frac{1}{4}$ of Section Township

Range B.M.

(2) Amount of power to be generated: N/A horsepower under N/A feet of head.

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

(4) Name of municipality to be served None, or number of families to be supplied with domestic water 1

(5) If water is to be used for other purposes describe industrial canning kitchen.

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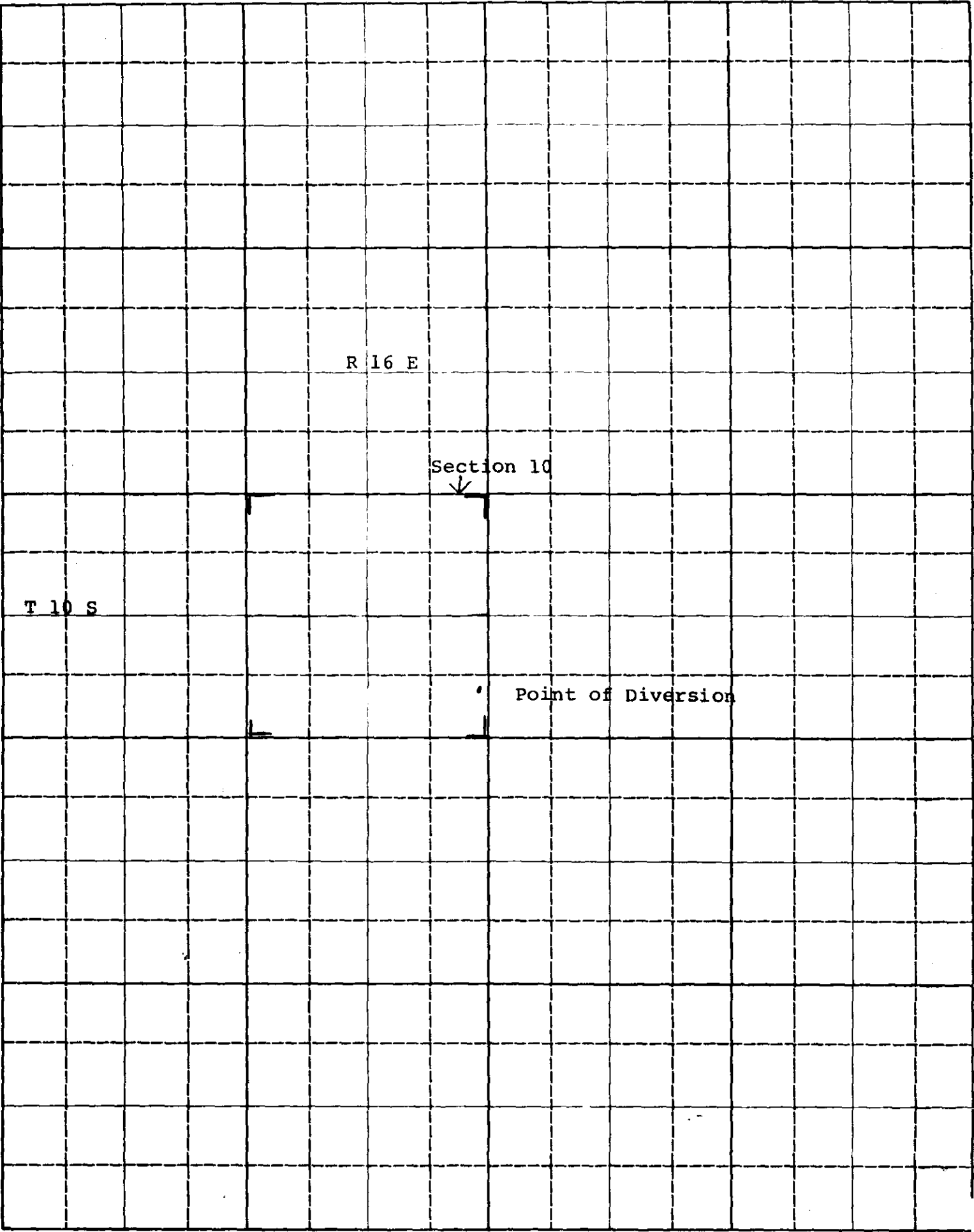
AUG 15 1990

RECEIVED

OCT 15 1985

Department of Water Resources

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



Scale: 2 inches equal 1 mile.

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

MICROFILMED
AUG 15 1990
Robert E. Hill, VICE-PRESIDENT
(Applicant)

Received by _____ Date _____ Time _____
Preliminary check by _____ Fee \$ _____
Receipted by _____ Date _____
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

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. Other:

MICROFILMED
AUG 15 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

DECEMBER 14, 1987

ROGERS BROTHERS SEED CO.
BOX 80
IDAHO FALLS ID 83401

RE: Permit No. 47-7839

Dear Permit Holder:

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

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

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

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

Sincerely,
s/Mary A. Newby
Secretary

MICROFILMED

AUG 15 1990

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 47-7839.

Name(s) of Permit Holder: Rogers Brothers Seed Company

Post Office Address: Box 80

Idaho Falls, Idaho 83401 Tel. No. 208 522-0143

Source of Water:

Extent of Use:

- ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☒ Other industrial

Measuring Device:

Required? ☐ Yes ☒ No

Installed? ☐ Yes ☐ No

Access Port:

Required? ☐ Yes ☒ No

Installed? ☐ Yes ☐ No

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

October 20, 1983

Date

Alfred E. Hill
VICE-PRES Signature of Permit Holder

RIRIE, LEE, J. KINS, HALE
& McNAMARA, Chartered
330 Shoup Avenue Suite 201
Idaho Falls, Idaho 83402



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138022

ROGERS BROTHERS SEED CO.
P.O. BOX 80
IDAHO FALLS, ID 83402

PROOF DUE NOTICE

SEPTEMBER 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7839 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED
SEP 30 1983
IDAHO DEPT. OF WATER RESOURCES

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

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

ROGERS BROTHERS SEED CO.
P.O. BOX 80
IDAHO FALLS, ID 83402

DECEMBER 07, 1982

RE: PERMIT NO. 47-7839

DEAR PERMIT HOLDER:

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

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

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

SINCERELY,

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

ENCLOSURE

NOTICE OF APPLICATION FOR WATER RIGHT

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

42-2839

ROGERS BROTHERS SEED CO.

P.O. BOX 80, IDAHO FALLS, ID 83402

Source: GROUNDWATER

Date Filed: 10/06/1982

Amount: 0.03 CFS

Diversion Point: NWNW Sec 11 T 10S R 16E, TWIN FALLS Co.

Use: INDUSTRIAL	(0.03 CFS)	from 01/01 to 12/31
DOMESTIC	(0.03 CFS)	from 01/01 to 12/31

Place of Use: NWNW Sec 11 T 10S R 16E

Diversion Means: WELL, PUMP

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before NOVEMBER 8, 1982.

KEN DUNN, Dir.

Published 10/21 & 10/28/82.

**NOTICE OF
APPLICATION
FOR WATER RIGHT**

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

47-7839

ROGERS BROTHERS
SEED CO.
P.O. BOX 80, IDAHO
FALLS, ID 83402

Source:

GROUNDWATER

Dated Filed: 10/06/1982

Amount: 0.03 CFS

Diversion Point: NWNW

Sec 11 T 10S R 16E, TWIN
FALLS Co.

Use: INDUSTRIAL (0.03
CFS) from 01/01 to 12/31

DOMESTIC (0.03 CFS)
from 01/01 to 12/31

Place of Use: NWNW
Sec 11 T 10S R 16E

Diversion Means: WELL,
PUMP

The permit(s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water Re-
sources, 1041 Blue
Lakes Blvd. North, Twin
Falls, Idaho 83301 and
received on or before
NOVEMBER 8, 1982.

KEN DUNN,
Director

PUBLISH: Thursday,
October 21, and 28, 1982.

*ok
maye
10/15/82*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

OCTOBER 12, 1982

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before NOVEMBER 8, 1982.

Yours truly,

Mary A. Hill
Secretary

Encl.

