

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-7504

Priority: September 20, 1979 Amount: 3.25 CFS 672.7 AFA

This is to certify, that PENICK & FORD, LTD.

P.O. BOX 1529

VANCOUVER, WA 98668-1529

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated July 26, 1979, and has submitted proof to the Department of Water Resources on September 26, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 3.25 cfs of water from a **GROUNDWATER** source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Industrial	01/01 to 12/31	3.23 cfs	672.1 afa
Domestic	01/01 to 12/31	.02 cfs	.6 afa
Totals		3.25 CFS	672.7 AFA

LOCATION OF POINT OF DIVERSION(S):

SESW , Sec. 16, Township 6S, Range 34E
Bannock County

PLACE OF USE: Industrial

TWN RGE SEC

6S 34E 16 SESW

PLACE OF USE: Domestic, same as Industrial use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Return water shall be treated to insure that the effluent meets Idaho water quality standards.
5. 5 points of diversion located in SESW, S16, T6S, R34E.
6. Domestic use is for employees at malting & distilling plant.
7. Industrial use is for Great Western Malting Co.

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 4th day of February, 1988.

REPROFILMED

Director

FEB 25 1988

State of Idaho
Department of Water Resources

RECEIVED

DEC 23 1987

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-7504

Department of Water Resources

Date of Priority: September 20, 1979

Comes now PENICK & FORD, LTD.
P.O. BOX 1529
VANCOUVER, WA 98668

and represents to the Director of the

APPROVED

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. 29-7504, 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>VOLUME</u>
Industrial	01/01 to 12/31	3.23 cfs	672.1 afa
Domestic	01/01 to 12/31	.02 cfs	.6 afa
	Totals	3.25 CFS	672.7 AFA

LOCATION OF POINT OF DIVERSION(S):

SESW, Sec. 16, Township 6S, Range 34E
Bannock County

PLACE OF USE: Industrial

TWN RGE SEC

6S 34E 16 SESW

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 Vancouver WA, this 16 day of DEC, 1987.

MICROFILMED

FEB 23 1988

Irvin L. Thompson
(Signature)

IRVIN L. Thompson
Engineering Manager *

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-7504

FOR DEPARTMENT USE ONLY

48217

Preliminary check by KW Fee = \$20.00 ✓ Received by af Date 12-28-87

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. 29-7504 with the following;

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Return water shall be treated to insure that the effluent meets Idaho water quality standards.
5. 5 points of diversion located in SESW, S16, T6S, R34E.
6. Domestic use is for employees at malting & distilling plant.
7. Industrial use is for Great Western Malting Co.

Witness my hand this 4th day of February, 19 88.

R. Keith Higginson
(Director)

RECEIVED

FEB 25 1988

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	29-7504	Edwin Kahm &/or Emanuel Kahm	3.34 cfs
Full Assignment	29-7504	Penick & Ford, Ltd. P.O. Box 1529 Vancouver, WA 98668	3.34 cfs

UNRECORDED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 29-7504 IN THE
NAME OF PENICK & FORD, LTD.

)
) ORDER OF REINSTATEMENT
)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before August 1, 1984; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holders that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, on September 26, 1984, the permit holders assigned all right, title, and interest in and to Permit No. 29-7504 to Penick and Ford, Ltd.; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on September 26, 1984;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 29-7504 be REINSTATED and the priority advanced to September 20, 1979.

Dated this 24th day of October, 1984.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

WATER TRANSFER AGREEMENT

RECEIVED

SEP 26 1984

Department of Water Resources
Eastern District Office

The undersigned, Ed Kahm and Emanuel Kahm, in consideration for good and adequate consideration, hereby transfer all of their right, title and interest to Penick and Ford, Ltd. all rights, title and interest to Water Permit No. 297504, issued by the Department of Water Resources, State of Idaho.
DATED THIS 25th day of September, 1984.

RECEIVED

OCT 1 1984

Department of Water Resources

Ed Kahm

Ed Kahm

Emanuel Kahm

Emanuel Kahm

State of Idaho)

County of Bannock)

On this 25th day of September, 1984, before me, the undersigned, personally appeared Ed Kahm and Emanuel Kahm known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

James J. Olney
Notary Public

Residing at: Pocatello, Idaho

Commission Expires: Lifetime

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Edwin Kahm and/or Emanuel Kahm Phone 237-4455

Post office address Box 2087 Pocatello, ID 83201

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16 Township 6S

Range 34E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.34 for Industrial purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for Domestic purposes from Jan 1 to Dec 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)

5. Total quantity to be appropriated:

a. 3.34 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump storage tank and distributing system through out the plant.

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

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

c. Proposed well diameter is 16 inches; proposed depth of well is 100 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16 Township 6S
Range 34E B.M.

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

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: Malting and distilling grain and domestic water for 30 employees

MICROFILMED

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

R 34 E

T
L
S

16

PD and place of Use.

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.

Emanuel Kahn
(Applicant)

Proposed Priority 7/26/79

Received by CW Date 7-26-79 Time 9:55 A.

Preliminary check by JW Fee \$ 65.00

Receipted by CW Date 7-26-79 # 13618

Publication prepared by dh Date 7-27-79

Published in Idaho State Journal

Publication dates August 2 & 9, 1979

Publication approved QP Date 8/24/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date: _____

Recommended for approval denial by EMC SS

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. 29-7504, 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 August 1, 19 84.

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: (1) Return water shall be treated to insure that the effluent meets intrastate stream water quality standards. (2) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 30th day of August, 19 79.

A. Glen Saxton
Chief, Operations Bureau

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Jeri Larsen

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

August 2, 1979, 19
August 9, 1979, 19
, 19, 19
, 19, 19
, 19, 19

That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this 9th

day of August, 1979

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

AUG 10 1979

Department of Water Resources
Eastern District Office

MICROFILMED

80

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Jeri Larsen

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

August 2	19 79	19
August 9	19 79	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this 9th

day of August, 19 79

Notary Public, State of Idaho
Residence: Pocatello, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-7504
KAHM, EDWIN &/or EMANUEL
BOX 2087, POCATELLO, ID 83201
Source: GROUNDWATER
Date Filed: 07/26/1979
Amount: 3.34 CFS
Diversion Point: SESW 16 T 06 R 34E, BANNOCK CO.
Use: INDUSTRIAL (3.34 CFS from 01-01 to 12-31)

DOMESTIC (0.02 CFS from 01-01 to 12-31)
Place of Use: SESW Sec 16 06S R 34E

Diversion Means: WELL, PUMP & DELIVERY SYSTEM

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before AUGUST 20, 1979.

S/ C. Stephen Allred
Director
August 2, 9, 1979
No. 650

80

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Jeri Larsen

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

August 2, 1979, 19.....
August 9, 1979, 19.....
19....., 19.....
19....., 19.....
19....., 19.....

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this 9th day of August, 1979

Dyanne Roberts

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

AUG 10 1979

Department of Water Resources
Eastern District Office

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Jeri Larsen

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

August 2, 1979, 19
August 9, 1979, 19
19, 19
19, 19
19, 19

That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this 9th

day of August, 1979

Stephen Allred

Notary Public, State of Idaho
Residence: Pocatello, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

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

29 7504

KAHM, EDWIN &/or EMANUEL
BOX 2087, POCATELLO, ID 83201

Source: GROUNDWATER

Date Filed: 07/26/1979

Amount: 3.34 CFS

Diversion Point: SESW 16 T 06S
R 34E, BANNOCK CO.

Use: INDUSTRIAL (3.34 CFS)
from 01-01 to 12-31

DOMESTIC (0.02 CFS)
from 01-01 to 12-31

Place of Use: SESW Sec 16 T
06S R 34E

Diversion Means: WELL, PUMP
& DELIVERY SYSTEM

If issued, the permit(s) will be
subject to all prior water rights.

Protests against the granting of
any permit must be filed with

the Director of the Idaho Depart-
ment of Water Resources, 1515

Lincoln Road, Idaho Falls, Idaho
83401 on or before AUGUST 20,

1979.

S/C Stephen Allred

Director

August 2, 9, 1979

No. 650



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

May 16, 1989

RE: Water Right No. 29-7504

Great Western Malting Co.
Pocatello, ID 83201

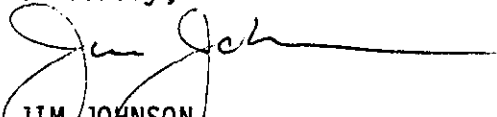
Dear Gentlemen:

We are in receipt of the correspondence concerning ownership of the above referenced water right license.

In Idaho, a claimed water right is considered real property and is acquired when the property to which it is appurtenant is purchased. Proof of owning the land is proof of owning the water right claim, if the previous land owner did not exclude the water right from the sale. Therefore, we will place your correspondence in the file for future reference only and no further action will be taken.

If you have any questions, please let us know.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:hm

MICROFILMED

MAY 17 1989

SKADDEN, ARPS, SLATE, MEAGHER & FLOM

1440 NEW YORK AVENUE, N.W.
WASHINGTON, D.C. 20005-2107

TELEX: 904343
SKARSLAW-WASH
TELECOPIER:
(202) 393-5760
DIRECT DIAL
(202) 371-

(202) 371-7000

May 1, 1989

RECEIVED

MAY 05 1989

919 THIRD AVENUE
NEW YORK, NEW YORK 10022
(212) 735-3000
ONE BEACON STREET
BOSTON, MASSACHUSETTS 02108
(617) 573-4800
2100 RODNEY SQUARE
WILMINGTON, DELAWARE 19801
(302) 651-3000
300 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071
(213) 687-5000
333 WEST WACKER DRIVE
CHICAGO, ILLINOIS 60606
(312) 407-0700
18 FLOOR, HIBIYA CENTRAL BUILDING
1-2-9 NISHI SHINBASHI,
MINATO-KU, TOKYO 105, JAPAN
011-81-3-595-3850

Department of Water Resources

Ms. Sharla Curtis
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706-2237

Dear Ms. Curtis:

This is to confirm our conversation of April 28. I am enclosing a copy of a letter dated March 13, 1989, from Mr. Scott R. Vokey of Shidler McBroom Gates & Lucas to Mr. Jim Johnson of your office. I would appreciate your confirming our understanding that no further action is required by the new owner of the Great Western Malting Co. facility in Pocatello, Idaho in order to transfer Water Right License No. 29-7504 to the new owner.

Very truly yours,

John R. Miles
John R. Miles

Enclosure as stated

RECEIVED

MAY 17 1989

S. J. DLER McBROOM GATES & LUCAS

ATTORNEYS AT LAW • A PROFESSIONAL SERVICE CORPORATION

Seattle

1500 First Interstate Center
99 Third Avenue
Seattle, WA 98104-4083
Telephone (206) 223-4600
Telecopier (206) 622-5110
Telex: 29-2988

Bellevue

1700 Security Pacific Plaza
108th Ave. N.E.
Bellevue, WA 98004-5196
Telephone (206) 453-0300
Telecopier (206) 646-3081

Please Reply to Seattle Office

March 13, 1989

VIA OVERNIGHT MAIL

Mr. Jim Johnson
State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, ID 83706-2237

RE: Great Western Malting Co.
Pocatello, Idaho
Water Right License No. 29-7504
Request for Transfer Due to Ownership Change.

Dear Mr. Johnson:

We are legal counsel for PENWEST, LTD. and its subsidiary Penford Products Co. Penford Products Co. was formerly known as Penick & Ford, Limited. Great Western Malting Co. has been a division of Penford Products Co.

PENWEST, LTD. and Penford Products Co. have entered into an asset purchase and sale agreement with Canada Malting Co. Limited and CM Acquisition Corp., whereby PENWEST, LTD. and Penford Products Co. will sell substantially all of the assets and business of Great Western Malting Co. to CM Acquisition Corp., including the facility located in Pocatello for which the above referenced water right license is issued. Upon closing of the sale currently scheduled for March 13, 1989, CM Acquisition Corp. will change its name to Great Western Malting Co.

On behalf of PENWEST, LTD. and Penford Products Co. we hereby request that you begin transfer of the above water right license to the new Great Western Malting Co. However, we request that you not finalize the transfer until you have been notified Closing of the sale has taken place.

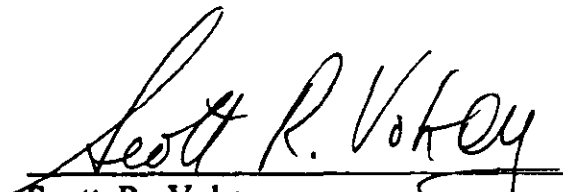
MICROFILMED

MAY 17 1989

Should you have any questions, please do not hesitate to call me or to contact Ms. Bettina Poirier of Skadden, Arps, Slate, Meagher & Flom of Washington, D.C. (202) 371-7230), legal counsel for Canada Malting Co., Limited and CM Acquisition Corp.

Thank you for your cooperation.

Sincerely,


Scott R. Vokey,
Shidler, McBroom, Gates & Lucas

SRV:sma

cc: Jeffrey T. Cook, PENWEST, LTD.
Jonathan Bamberger, Canada Malting Co. Limited
Robert Frost, Great Western Malting Co.
✓ Bettina Poirier, Skadden, Arps, Slate, Meagher & Flom
Irvin Thompson, Great Western Malting Co. (Vancouver)

MICROFILMED

MAY 17 1989

February 8, 1988

PENICK & FORD, LTD.
P.O. BOX 1529
VANCOUVER, WA 98668-1529

RE: Permit No. 29-7504

Dear Permit Holder(s):

Enclosed herewith is a copy of your 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

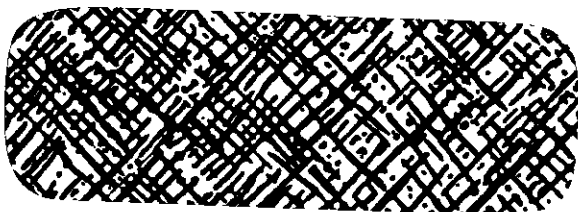
RECEIVED

FEB 25 1988

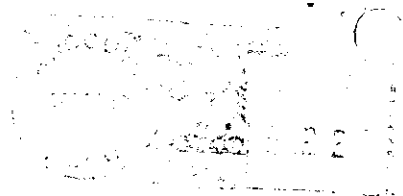
Great Western Malting Co.

A division of
Penwest

Post Office Box 1529
Vancouver, WA
98668-1529



note
zip code
correction-
kw
1/11/88



PENICK & FORD, LTD.
P.O. BOX 1529
VANCOUVER, WA 98668

Nov. 27,
~~May 1~~, 1987

RE: Permit No. 29-7504

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

RECEIVED

FEB 25 1988

CONVERSATION MEMORANDUM

DATE November 18, 1987FILE 29-7504NAME OF PARTY Harold "Skip" JonesEMPLOYEE Gary SpackmanRE: Field examination for licensing

Skip informed me that the malting plant operates 365 days per year, and they are billed by the City of Pocatello for processing 600,000 gal/day of sewage. The volume calculated using 600,000 gal/day for 365 days, or 671.2 ac-ft/yr. is reasonable.

MICROFILMED

FEB 25 1988

CONVERSATION MEMORANDUM

DATE 4-8-87FILE 29-7504

(Skip)
NAME OF PARTY Harold Jones - examiner
EMPLOYEE Ray Walker

RE: Re-exam of permit

When Skip went out and made the re-examination of this system he found that Benick & Ford have not established a "regular" schedule for their processing of malt. They are still in the "trial & see" stage. Some days they shut off one or more of the wells, some days they don't shut any of them down.

Skip could not get the right holders to commit themselves to a limited number of days they divert water - they ~~also~~ divert when the water is needed for processing. This is the reason for allowing a volume amt. based on 600,000 gallons per day - 365 days a year.

MICROFILMED

FEB 25 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT
RECEIVED
MAR 27 1987
SEP 19 1986

29-7504
Permit No.

1. Measurement Calculations Department of Water Resources

Department of Water Resources

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

THEORETICAL SYSTEM CAPACITY

pump/dw. #	A	$\Rightarrow \frac{150 \text{ hp} \times 8.84 \times 814}{485 \text{ ft} \times 2.31 \times 20 \text{ psi}} \Rightarrow 1.99 \text{ cfs}$
	E	$\Rightarrow \text{"SAME"} \Rightarrow 1.99 \text{ cfs}$
	B	$\Rightarrow \frac{30 \text{ hp} \times 8.84 \times 814}{300 \text{ ft} \times 2.31 \times 20 \text{ psi}} \Rightarrow 0.61 \text{ cfs}$
	C	$\Rightarrow \frac{40 \text{ hp} \times 8.84 \times 814}{300 \text{ ft} \times 2.31 \times 20 \text{ psi}} \Rightarrow 0.82 \text{ cfs}$

b) Volume Calculations for Irrigation:

TOTAL DISPLACEMENT 5.41 cfs
SYS. CAP. NA.

$V_{i,r} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement})$

$V_{d,r} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$

$V = \text{Smaller of } V_{i,r} \text{ and } V_{d,r} =$

c) Volume Calculations for Other Uses:

① SONIC METER READING / 1 1/2" pipe $\Rightarrow 1458 \text{ gpm} \times 0.00223 \Rightarrow 3.25 \text{ cfs}$
(diverted flow)
process discharge $\Rightarrow$
② CITY METER 600,000 gpd day $\Rightarrow \frac{600,000}{24 \text{ hrs} \times 60 \text{ min}} \Rightarrow 416.66 \text{ gpm}$
(production/discharge)
or .929 cfs
 $V_i = \frac{600,000 \times 365 \text{ days}}{325850} = 5.524 \times 10^2$

2. Overlap Review

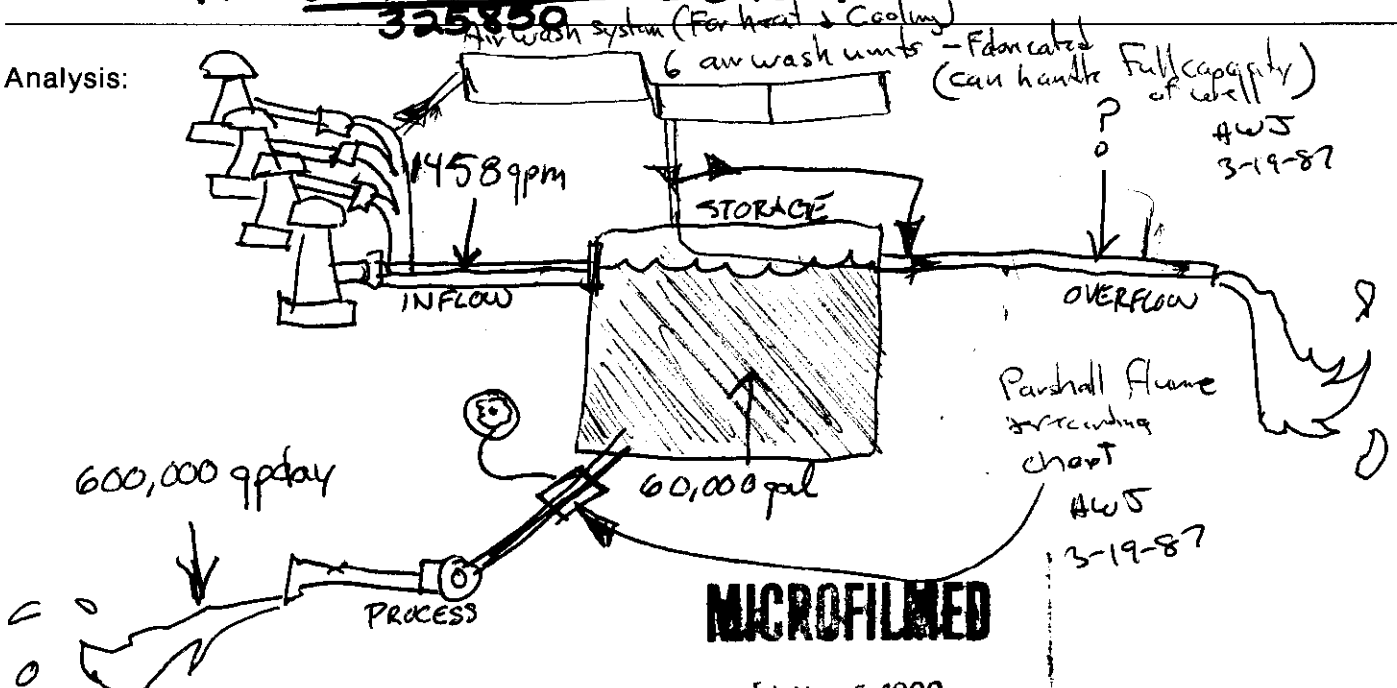
a) Other water rights with same place of use: NA.

$V_2 = 0.93 \times 1.9835 \times 365 = 673.3 \text{ AFA}$
 $= 3.25 \times 1.9835 \times 365 = 2352.9 \text{ AFA}$

b) Other water rights with same point of diversion: NA.

$V_1 = \frac{600,000 \times 365}{325850} = 672.1 \text{ AFA}$

c) Analysis:



fee paid \$175.00
for 3.34 cfs - RECOMMENDED AMOUNTS
(late proof) 3.25 cfs

30 day

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	29-7504	9-20-1979	~~3.34~~ 3.25	7-26-1979	9-26-1984	3.25 cfs

4. Permit Holder: Penick and Ford, Ltd.
Address: P.O. Box 1529, Vancouver, WA 98668

5. Source: g.w. tributary to

6. Beneficial Use

	Period of Use From	To	Rate of Diversion ALLOW Q (cfs)	Annual Volume V (afa)
INDUSTRIAL ✓	1/1 ✓	12/31 ✓	~~3.34~~ 3.25	~~672.1~~ 672.7 AF
DOMESTIC ✓	1/1 ✓	12/31 ✓	0.02 cfs	0.6 AF

Allowable Maximums: Allow 3.25 cfs / 672.7 AF
3.25 cfs / 552.4 afa

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
(5 points)		SE	SW		16	6S	34E	Bannock

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	34E	16												X					
Total Acres _____																			

9. Recommended Conditions/Remarks:

Domestic water is for employees at malting & distilling plant.
RO9

Industrial use is for Great Western Malting Co.
~~and in malting plant.~~

10. Recommended Amendments

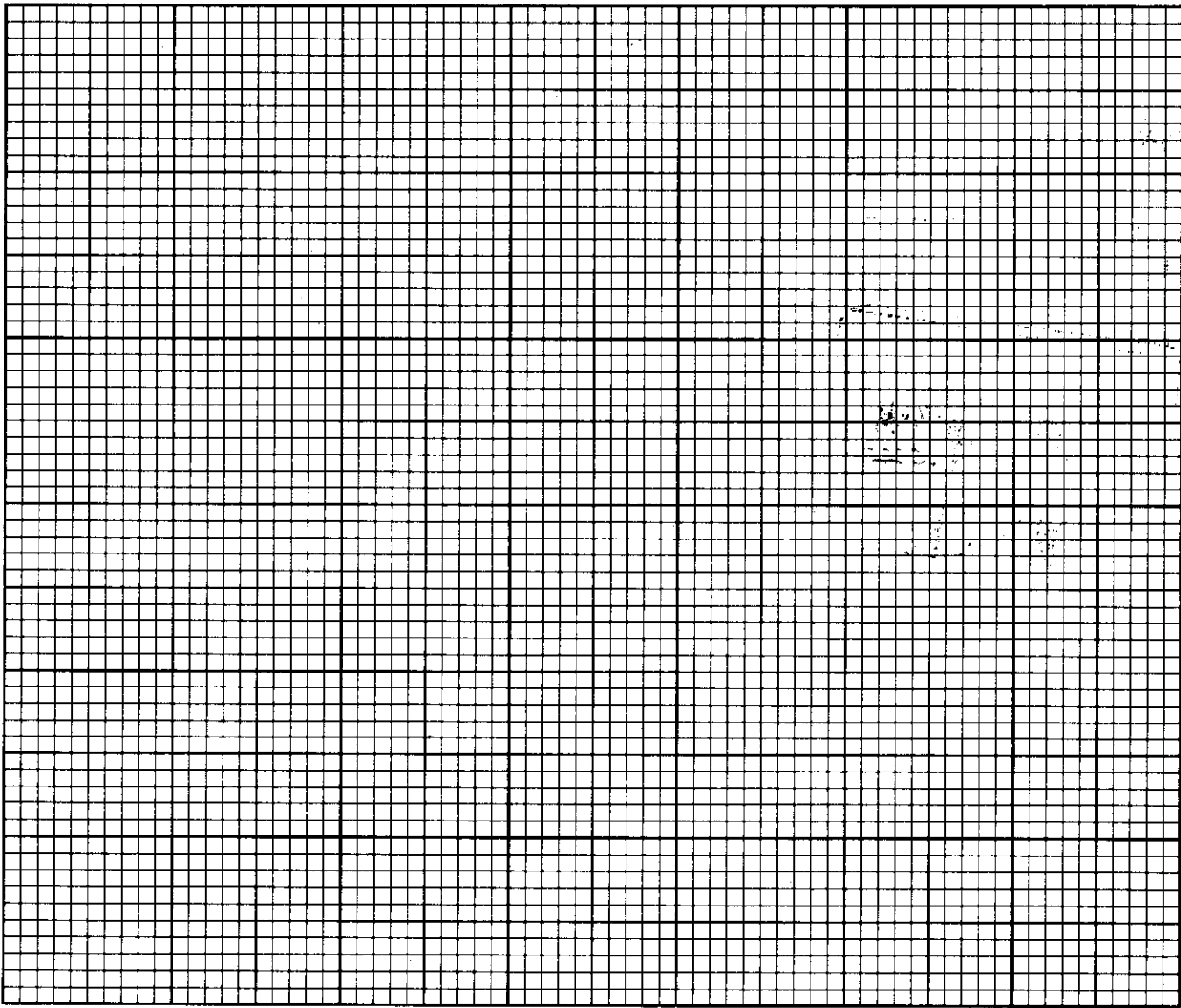
☐ Change P.D. as reflected above ☒ Add P.D. as reflected above ☒ None developed 5 wells instead of 1 **MICROFILMED** FEB 25 1988

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

11. Examiner's Signature D. Vince Gorb Date 7-21-86
Checked in Regional Office by Al Jones Date 7-30-86
Approved in State Office by K. Walker Date 10/29/86
KW 4/8/87

[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.



13. ☒ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks This re-exam done to establish if another water use existed other than the process demands shown to be 600,000 gpd. With addition of Air Wash System there exists the ability to use 3.25 cfs when needed. Since this need or demand cant be quantified by number of days I recommend the afa reflect the 600,000 gpd, or 672.1 afa

15. Recommended Amendments
- ☐ Change P.D. as reflected above

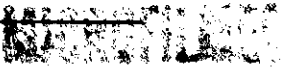
☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☐ Add P/U. as reflected above

☐ Other
16. Examiner's/Consultant's Signature David W. Jones Date 3-19-87
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct
- Beneficial Use Examination _____

Date 

CONSULTANT SEAL

FOR 25 1580

29-1504 Re-Exam



air blowers
on air wash
system



overflow pipe
to Portneuf River

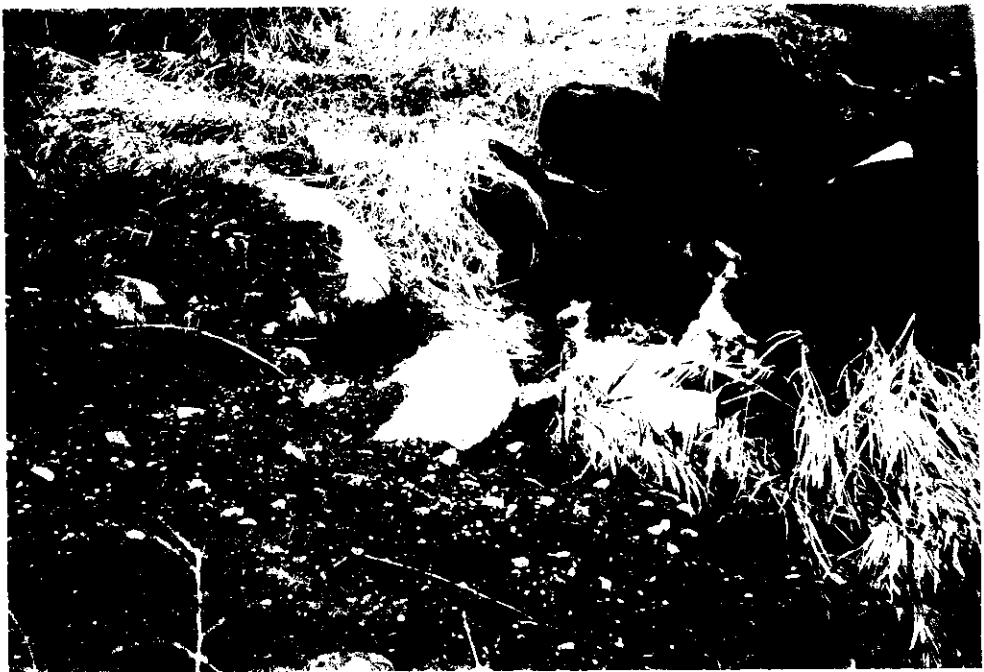
FILED

FEB 25 1988

24-15-91 12-2-2001



on the
on the
section



on the
to the

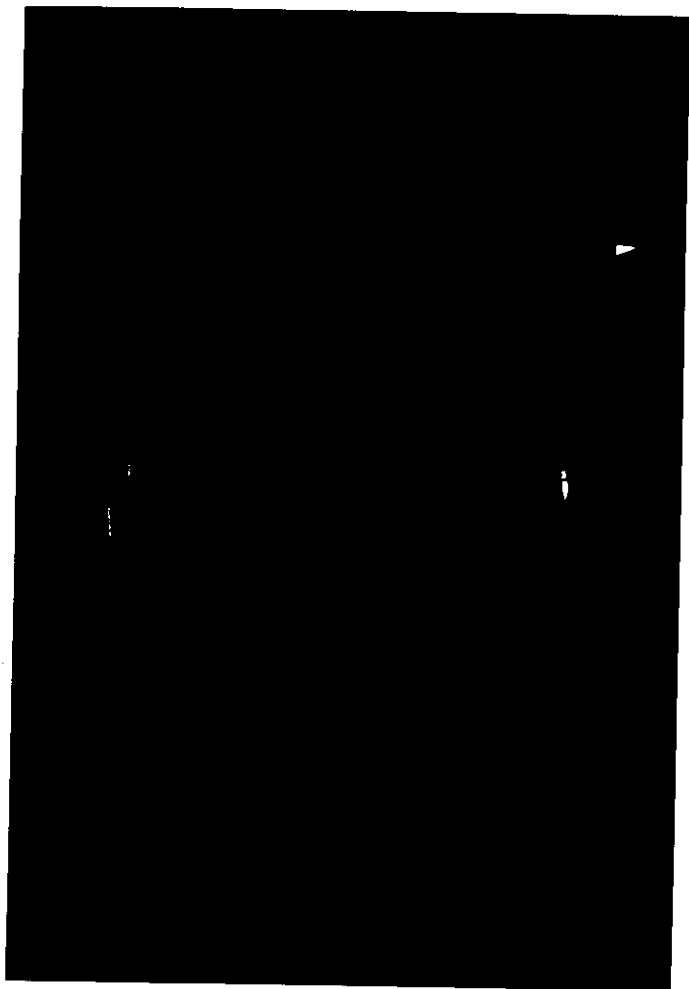
1110

29-7504
Re-Exam.

Air wash pump & blowers



Chiller unit



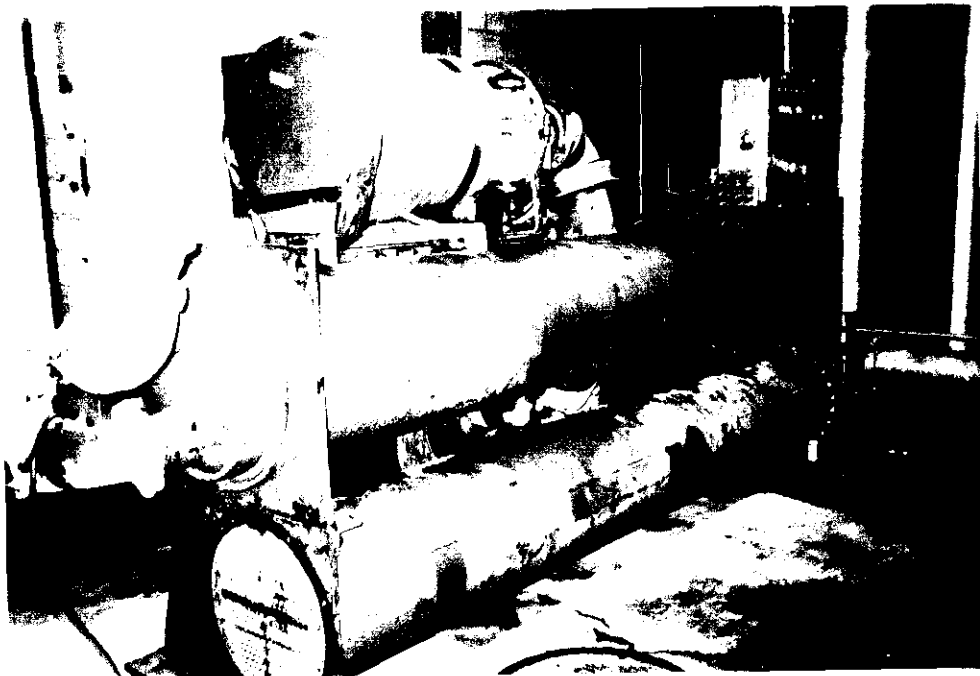
Air wash blower

MICROFILMED

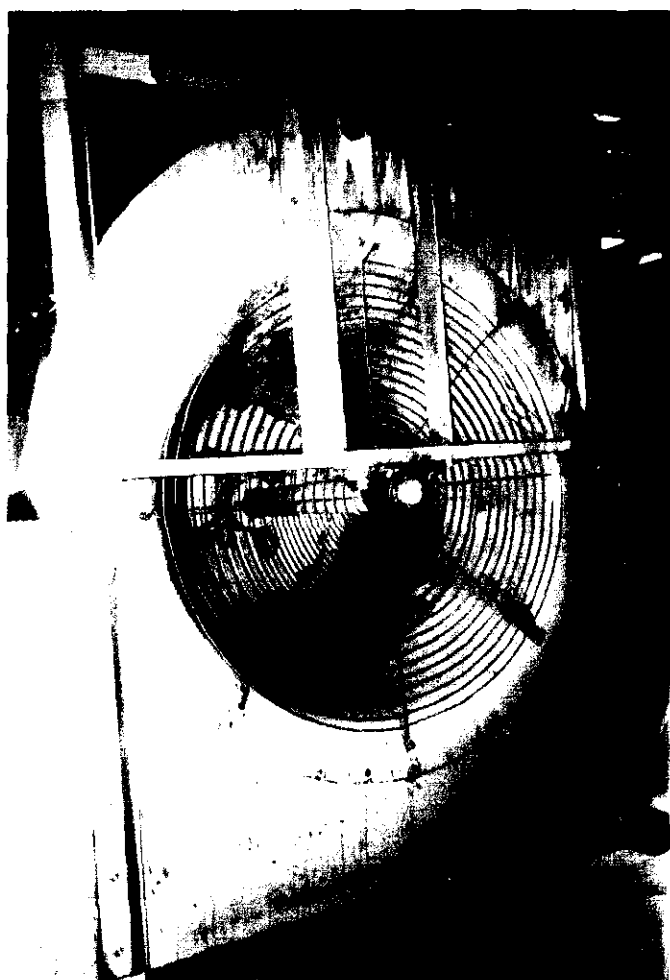
FEB 25 1988

229 15004
120 20000

Also 6 inch pipe 3 valves

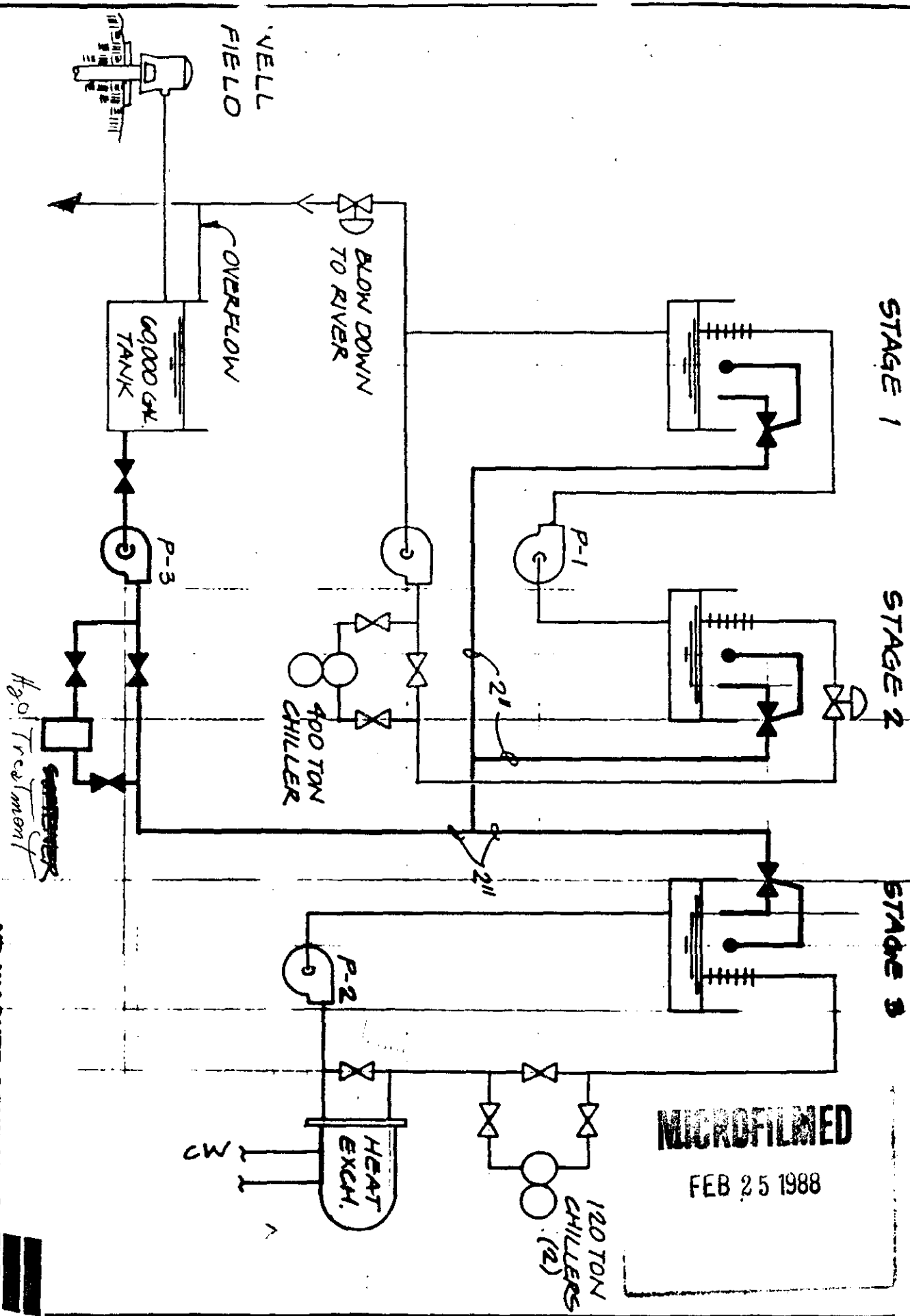


Chiller unit



Also 6 inch pipe 3 valves

29-7504



MICROFILMED

FEB 25 1988

B20161 A0

ADP WASHNET SCHEMATIC



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

MAR 27 1987

Department of Water Resources
1987 22 7

Permit No. 29-1504

Phone No. 234-1260

1. Owner: PENICK B FORD LTD Department of Water Resources Phone No. 234-1260
Current Address: P.O. Box 1529 VANCOUVER, WA 98668

2. Accompanied by: DAVE KOLLARS EXAM. DATE: 7-17-1986
Address: BOX 2087 Poc. ID Phone No. 11
Relationship to Permit Holder: MAINTAINANCE MANAGER

3. Source: groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
A	GE	150	DTJ429121	JOHNSTON	485 ft
B	SUBM.	30	"	"	306 ft
C	"	40	"	"	300 ft
~~D~~	~~GE~~	~~250~~	~~DOWN~~	~~---~~	~~485~~
E	GE	150	←	BNJ202MD	485 ft

JOHNSTON

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

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
 (A) ~~485 ft~~ 485 ft loop bowls 900 ft deep well

into 60,000 gallon reservoir
overflow back to river. $\rightarrow$ 600

2,000 gpd day USED
24 hour days

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
POLYSONICS	DHT-P	POLYSONIC	DHT-P	7037		
UFM						

7. Measurements ☐ Additional data/computation sheets attached

ultrasonic flow meter 12" O.D. - 11½" I.D.

4.5 c/b

$\leftarrow 1552 \text{ gpm at } 12'' \text{ diam}$
 $\leftarrow 1458 \text{ gpm at } 11\frac{1}{2}'' \text{ diam}$

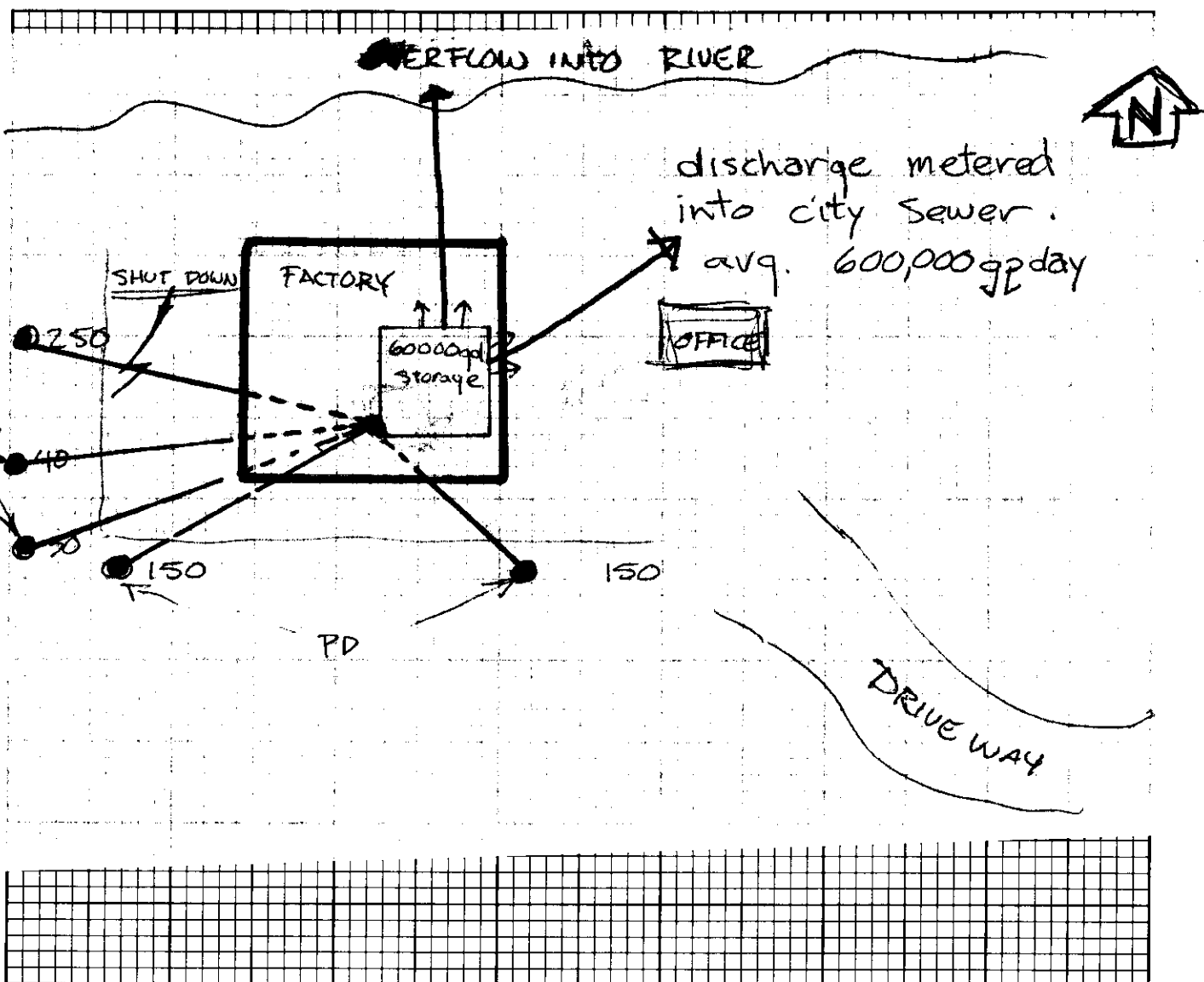
8. Point(s) of Diversion:	Indicate Method of Determination	USGS
---------------------------	----------------------------------	------

[illegible]

9.	Place(s) of Use:	Irrigation - give acres served by system at time of exam. Indicate Method of Determination	1565
----	------------------	---	------

[illegible]

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



13. ☒ Photo of Diversion & System Attached

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

14. Remarks 10² x V x 2.45
Actual amt. used in processing was 0.93 cfs, the rest
of the water was considered overflow

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 Divine Lark Date 7-17-1986

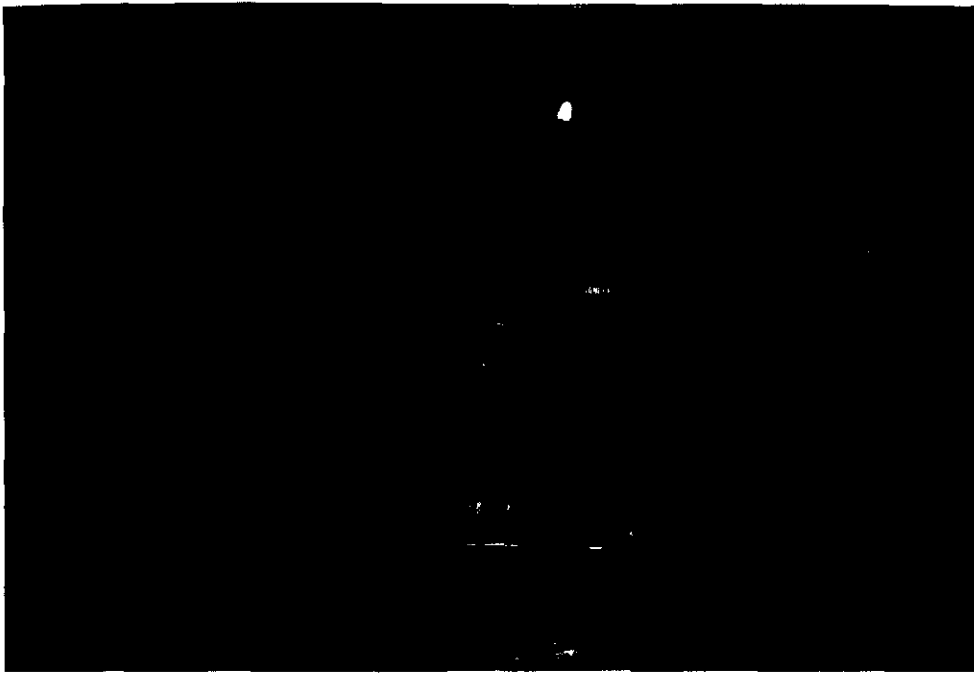
Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL



PUMP A ; 150HP DTJ429121 JOHNSTON

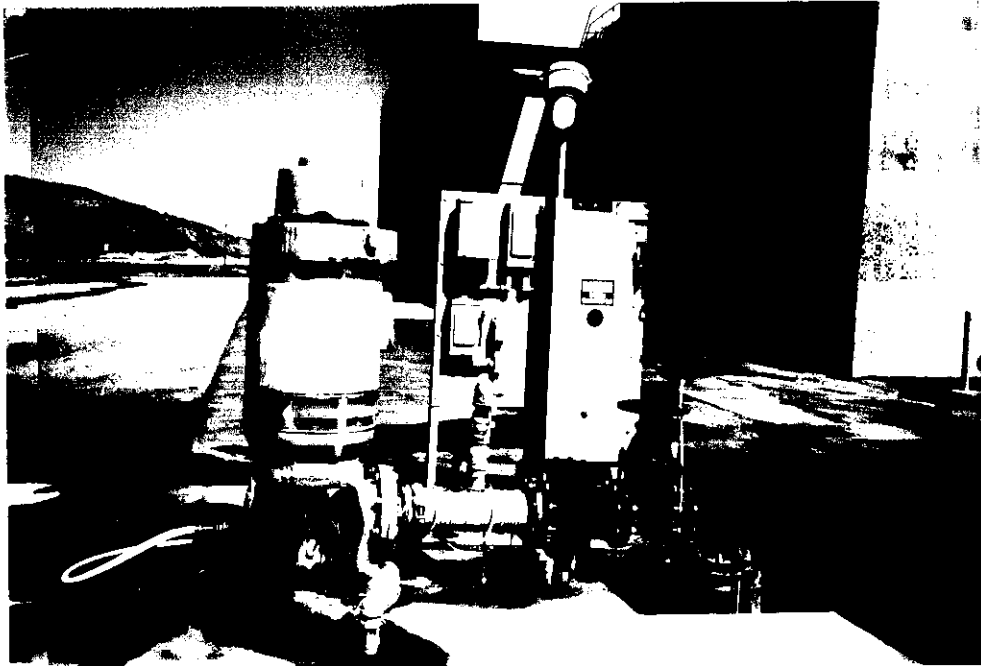


PUMP E ; 150HP BNT202140 JOHNSTON

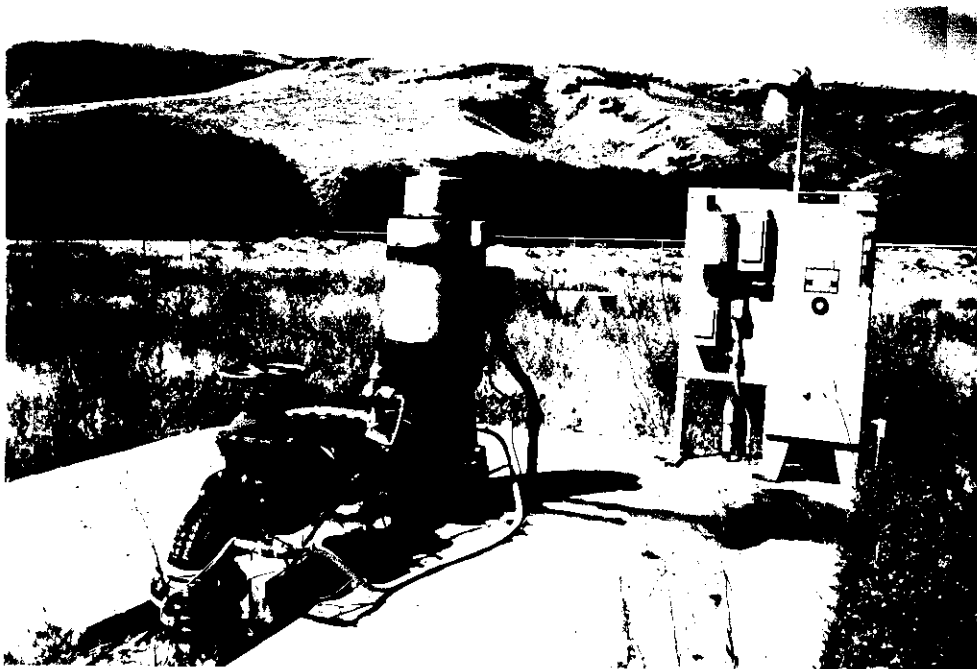
PUMPS ; B & C are submersibles 30HP & 40HP respectively
PUMP D ; DISCONNECTED.

RECORDED

FEB 25 1988



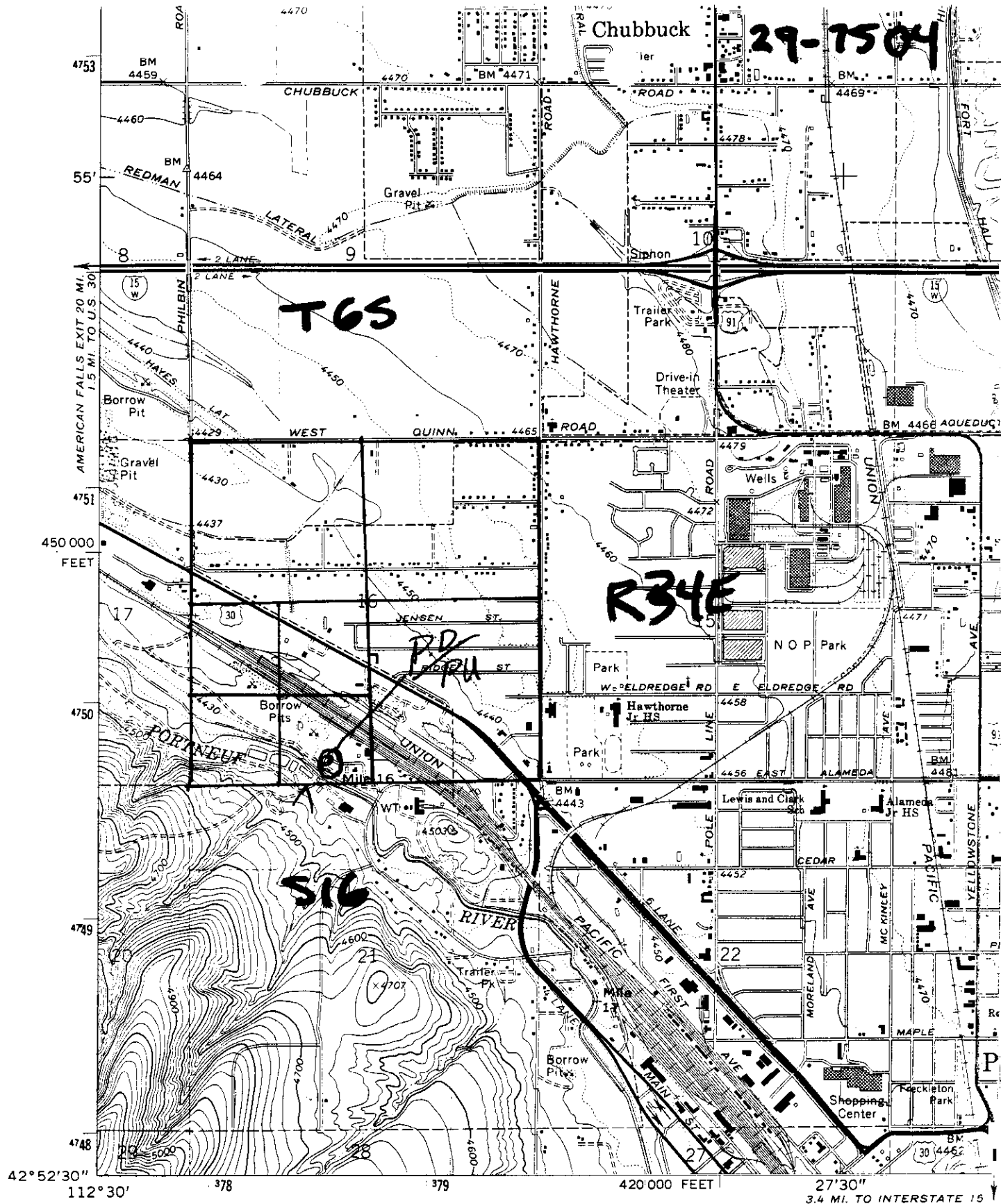
PUMP A ; ISOHP PT4427121 JOHNSON



PUMP E ; ISOHP BN120240 JOHNSON

Pumps B & C are somewhat 30-40 HP respectively.

Pump D is disconnected.



(MICHAUD CREEK)
3469 / SE

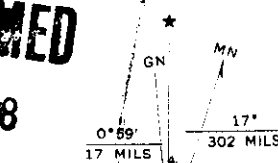
Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1969. Field checked 1971
Projection and 10,000-foot grid ticks: Idaho coordinate
system, east zone (transverse Mercator)
1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue. 1927 North American datum

Red tint indicates areas in which only landmark buildings are shown
Fine red dashed lines indicate selected fence lines

NOT FILMED

FEB 25 1988



UTM GRID AND 1971 MAGN
DECLINATION AT CENTER

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this case if the permit holder(s) has completed development to the extent shown below. Permit No. 29-7804

Name(s) of Permit Holder: Penick + Ford Ltd **SEP 26 1984**

Post Office Address: Po Box 1529
Vancouver, Wash. 98668
Department of Water Resources
Tel. 206-461-3661

Source of Water: Groundwater

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.

9-26-84 **MICROFILMED** Quin A. Thompson
Date Signature of Permit Holder

PLACE
13 CENT
STAMP
HERE

RECEIVED



RECEIVED

OCT 1 1984

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

A division of
Penwest

Post Office Box 7
Pocatello, ID
83204-0007
(208) 234-1260

RECEIVED

FEB 09 1987

Department of Water Resources

February 5, 1987

Jim Johnson
Water Rights Supervisor
State of Idaho
Department of Water Resources
State Office
450 West State Street
Boise, Idaho 83720

Re: Ground Water Permit #29-7504

Dear Mr. Johnson:

This letter is a request for a reexamination of our ground water use at our Pocatello facility. When your department evaluated the water use last year, it was only .93 cfs (418 gpm). This is not what we pump. We need to have access to the 3.34 cfs (1,500 gpm) as requested on the original application. Evidently, we were not pumping to capacity at the time of examination for some reason.

I understand we will be contacted for reexamination by your personnel at the Idaho Falls office.

Thank you.

Sincerely,



Irvin L. Thompson
Engineering Manager

RECEIVED

FEB 25 1988



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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

February 3, 1987

RE: Permit No. 29-7504

Great Western Malting Co.
Irvin Thompson
Box 1529
Vancouver, WA 98668-1529

Dear Mr. Thompson:

Per your request of 11/18/86, the Department has delayed processing of a license for the above referenced permit so that you could have additional time to review.

It now has been over 30 days since we have heard from you on this matter. If we do not receive the amendment previously sent within fifteen (15) days, we will issue a water right license which reduces the amount that could have been allowable to you.

If I can be of any further assistance, please let me know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

MICROFILMED

FEB 25 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

November 21, 1986

Great Western Malting Company
Irvin Thompson
P.O. Box 1529
Vancouver, WA 98668-1529

Dear Mr. Thompson:

I am in receipt of your request for an extension to review the license proposed by the department.

In responding to your request, we will not take any further action for thirty (30) days to allow you to review this matter further.

If I can answer any questions or be of any assistance to you, please feel free to call me at 334-4162.

Sincerely,

JIM JOHNSON

Water Right Supervisor

jf

RECEIVED

FEB 25 1988



A division of
Penwest

Post Office Box 1529
Vancouver, WA
98668-1529
(206) 693-3661
(503) 285-7711
TWX: 910-474-8666

RECEIVED
NOV 20 1986

Department of Water Resources

November 18, 1986

Mr. Jim Johnson
Water Rights Supervisor
State of Idaho
Department of Water Resources
State Office
450 W. State Street
Boise, ID 83720

Re: Permit #29-7504

Dear Mr. Johnson:

I am requesting an extension to review the license request in your letter dated November 10, 1986.

The original water volume that was requested on May 28, 1986 of 3.34 CFS or 1500 gpm is still needed.

I called your office this morning and talked to Kay about this problem of the license being for only .93 CFS for industrial use. She said she would make a note to the effect I had called.

We would like to review this in the near future at your convenience.

Thank you,


Irvin Thompson
Engineering Manager

bp

cc Bob Frost/Plant Manager
Dave Kollars/Plant Engineer

MICROFILMED

FEB 25 1988

CONVERSATION MEMORANDUM

DATE 11-18-1986FILE 29-7504NAME OF PARTY Remick & Ford representativeEMPLOYEE Kay WalkerRE: Pre-license correspondence

The owners of this permit do not think they are getting ~~the~~ the amount of water licensed that they are actually using.

stated that the plant is in operation 365 days a year instead of just 300.

will send in a request for re-exam — to the attention of Jim Johnson.

kw

MICROFILMED

FEB 23 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

November 10, 1986

RE: Permit No. 29-7504

Penick & Ford, Ltd.
Box 1529
Vancouver, WA 98668

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 all of the 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

RECEIVED

FEB 25 1988

4/86

KWOK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received \$175.00
Date 6/2/86
Receipt # 39663
Receipt by MT
Sent to S.O. 65-84

RECEIVED
JUN 6 1986

1. Permit No. 29-7504

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE **Department of Water Resources**

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Great Western Malting Company

3. Post Office Address: P.O. Box 1529, Vancouver, WA 98668

Telephone No. 206-693-3661/208-234-1260

4. Source of Water: Wells

5. Extent of Use:

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

BELOW

Irrigation (acres) Other/Remark Process and cooling water

Domestic water for 30 employees

6. Total rate &/or volume for which proof is submitted 5.34 cfs acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

September 1, 1981

8. Person to contact to accompany the department representative during the field examination:

David Kollars, Maintenance Manager

(Name)

1666 Kraft Road, Pocatello, ID

(Address) LD 25 1988

208-234-1260

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

5-28-86
Date

Don L. Thomas, Eng. Mgr.
Signature of Permit Holder (and title, if appropriate)

copy returned for file



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

Mailing address:
Statehouse
Boise, Idaho 83720

A. KENNETH DUNN
Director

29-7504
PENICK & FORD LTD.
P.O. BOX 1529
VANCOUVER, WA 98668

138207

April 17, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

RECEIVED
FEB 25 1988

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED
FEB 25 1988

October 24, 1984

Penick and Ford, Ltd.
P. O. Box 1529
Vancouver, WA 98668

Gentlemen:

Re: Permit No. 29-7504

This office acknowledges receipt of the assignment conveying the above-referenced permit to you. The Department has changed the records and has enclosed a copy of the permit for your records.

This office also acknowledges receipt of the statement of beneficial use submitted on the above-referenced permit. The permit has been reinstated with the enclosed order.

Before a license can be issued, the Department must conduct a field inspection to determine the extent of use. I cannot tell you just when this examination will be completed, but our examiner will try to contact you to set a convenient time.

If you have any questions concerning your permit, please feel free to contact this office or our Eastern Regional Office in Idaho Falls.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

cc: Eastern Region

MICROFILMED

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # *29-7504*

DATE: *10-17-1984*

Date proof received

269

Sept. 26

Proof due

-213

Aug. 1

Number of day proof late

56

Priority date

+207

July 26, 1979

New priority date

263

Sept. 20, 1979

Remarks:

MICROFILMED

Permit No. 29-7504

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? ☒
2. Notary? ☒
3. ☒ a. Full Assign?
b. Partial Assign?
4. "No assignment" condition on permit? *NO*
5. Commencement of works received? *proof submitted*
6. Affidavit of Residency required? *NO*

1. Type Permit Summary sheet ☒
2. Coding sheet ☒
3. Acknowledgement letter type *Rita- please ~~ack.~~ w/proof correspondence.*
4. Copy to region ☒

Date: 10-15-84

Employee: K. Walker

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KAHM, EDWIN & EMANUEL
BOX 2087
POCATELLO, ID 83201

LAPSE NOTICE

AUGUST 08, 1984

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 29-7504 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED MAY 31, 1984.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING

I hereby certify that on 8-24-1984
a true and correct copy of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Rita Lusk

RECORDED

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

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

138753

KAHM, EDWIN & EMANUEL
BOX 2087
POCATELLO, ID 83201

PROOF DUE NOTICE

MAY 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 29-7504 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1984. (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

RECORDED 5-17-84



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

August 31, 1979

Edwin & Emanuel Kahm
Box 2087
Pocatello, Idaho 83201

Dear Sirs,

RE: Permit No. 29-7504

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. The Department will provide specifications for the installation to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

MICROFILMED

Emanuel Kahn stated during
telecon, 8/24/79 that the waste
water will be discharged into
the sewer system for the
City of Peacotello.

Ernest.

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

29 7504

INITIAL REVIEW BY: Ernest

APPLICATION NUMBER: _____

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: dh Date: 7-30-79

PROCESSING:

- ☒ Yes ☐ No Platted by: Ernest Map No. G.W. Plat .65 34E.
☐ Yes ☒ No Other rights on same place of use. NONE N/A
☒ Yes ☐ No* In form for advertising.
Final date for protests: AUGUST 20, 1979
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: AUG 10 1979
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
7/20/79 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson

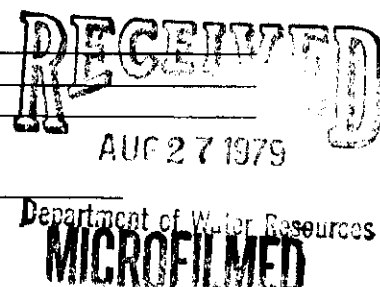
Date: 8/22/79

STATE OFFICE REVIEW:

- 09, OIC,
Short letter w/access port.
☐ See attached sheet for more information.

By: Jmi

Date: 8/29/79





STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

DIVISION OF ENVIRONMENT
636 Pershing
Pocatello, Idaho
83201

14 August 1979

Edwin and/or Emmanuel Kahm
Box 2087
Pocatello, Idaho 83201

Re: Application #29-7504
(Bannock County)

Dear Mr. Kahm:

We have been apprised of your application for a permit to appropriate the public waters of the State of Idaho (groundwater) to be used for industrial and domestic purposes.

It is the Department's determination that the system does have potential health significance because of uses specified in your application and would, therefore, be identified as a non-community public water system, pursuant to Title 39-103 Idaho Code. As such, the system must comply with the Idaho Regulations for Public Drinking Water Systems. These regulations set forth specific requirements for design/construction, water quality, monitoring, and maintenance and operation. A copy of these regulations is enclosed for your information.

If we may be of assistance to you in the clarification of these requirements, please do not hesitate to contact our office.

Yours very truly,

Henry L. Moran, P.E.
Rgnl. Environmental Supervisor

HLM/md
Enc.

CC: Ron Carlson ←
Jack Bennett

RECEIVED

AUG 16 1979

Department of Water Resources
Eastern District Office

EQUAL OPPORTUNITY EMPLOYER

MICROFILMED

July 30, 1979

Department of Health and Welfare
Statehouse
Boise, Idaho 83720

Dear Sirs:

Re: Application for Permit No. 29-7504 - Kahn

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is August 20, 1979 and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact our office.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Encl.

RECEIVED

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

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

JULY 27, 1979

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

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 AUGUST 20, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

1 @I@I@I

2 NOTICE OF APPLICATION FOR

3 WATER RIGHT

4 Notice is hereby given that the
5 following application(s) have been
6 submitted for permit to appropri-
7 ate the public waters of the State
8 of Idaho:

9 29-7504

10 KAHM, EDWIN &/or EMANUEL

11 BOX 2087, POCA TELLO, ID 83201

12 Source: GROUNDWATER

13 Date Filed: 07/26/1979

14 Amount: 3.34 CFS

15 Diversion Point: SESW 16 T 06S

16 R 34E, BANNOCK CO.

17 Use: INDUSTRIAL (3.34 CFS)

18 from 01-01 to 12-31

19 DOMESTIC (0.02 CFS)

20 from 01-01 to 12-31

21 Place of Use: SESW Sec 16 T

22 06S R 34E

23 Diversion Means: WELL, PUMP

24 & DELIVERY SYSTEM

25 If issued, the permit(s) will be
26 subject to all prior water rights.

27 Protests against the granting of
28 any permit must be filed with

29 the Director of the Idaho Depart-
30 ment of Water Resources, 1515

31 Lincoln Road, Idaho Falls, Idaho

32 83401 on or before AUGUST 20,

33 1979.

34 S/ C. Stephen Allred

35 Director

36 August 2, 9, 1979

37 No. 650

38 @I@I@I

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-7504-

KH^M, EDWIN &/or EMANUEL

BOX 2087, POCA TELLO, ID 83201

Source: GROUNDWATER

Date Filed: 07/26/1979

Amount: 3.34 CFS

Diversion Point: SESW Sec 16 T 06S R 34E, BANNOCK Co.

Use: INDUSTRIAL	(3.34 CFS)	from 01/01 to 12/31
DOMESTIC	(0.02 CFS)	from 01/01 to 12/31

Place of Use: SESW Sec 16 T 06S R 34E

Diversion Means: WELL, PUMP & DELIVERY SYSTEM

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before AUGUST 20, 1979.

C. STEPHEN ALLRED

Director

Published 8/2 & 8/9/79.

MICROFILMED