

State of Idaho

License and Certificate of Water Right

Water License No. 20969

Amount 4.5 second feet

Water District No.

Priority March 2, 1949

THIS IS TO CERTIFY that WESTVACO CHEMICAL DIVISION FOOD MACHINERY & CHEMICAL CORPORATION of Pocatello, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 2, 1949; that Permit No. 20969 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6.34 second feet, was issued thereunder on April 30, 1951, showing that said works were completed on the 16th day of April, 1951; and that on the 16th day of June, 1951,

WESTVACO CHEMICAL DIVISION, a corporation organized under the laws of the State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of said wells ~~and~~ (subterranean flow) for the purpose of ~~and~~ (beneficial uses) under Use Permit No. 20969 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4911, on the 11th day of May, 1952;

The right hereby confirmed dates from March 2, 1949;

The Point of Diversion ^{is} located in the SE₁ SW₁ Section 12, and in the NW ¹/₄ NW ¹/₄ Sec. 15, T₆S., R. 35 E., B. M. Power County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Plant of the Company located in Sections 12 and 15, Township 6 South, Range 35 East, B.M.		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 12th day of May, 1952.

(SEAL)

MARK E. BULL

State Reclamation Engineer

Nº 20969

APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

29-2284

Address all communications to

Kenneth B. Ray
405 Lexington Ave. New York, 17, N.Y.
Duplicate copy to J.G. Miller
Box 1608, Pocatello, Idaho

APPLICATION No. 28623
PERMIT No. 20969
DISTRICT No.

1. Name of Applicant: WESTVACO CHEMICAL DIVISION, FOOD MACHINERY AND CHEMICAL CORPORATION

Postoffice address: Box 1608, Pocatello

County: Bennecke

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: August 10, 1928, Delaware (Duly qualified in Idaho and Power County)
- (b) Amount of capital stock: See attached statement
- (c) Amount paid in: See attached financial statement
- (d) Names and addresses of directors: See attached sheet

II. The financial resources of the applicant are:

- (b) Treasury stock: See attached statement
- (d) Other resources: See attached financial statement.

- (a) Cash on hand: See attached financial statement
- (c) Bonds to be issued: None

2. Quantity of water claimed: 4.5

cubic feet per second.

3. Source of water supply: Subterranean source (two wells)

which is a tributary of

(1) N 65°13' W., 416.71 feet

S/4

4. Location of point of diversion:

(2) S 34°10' E. 590 ft.

feet distant from the

N W

corner of Section 12
13, T. 6 S., R. 33 E., B.M., and is in the

SE 1/4 SW 1/4
NW 1/4 NW 1/4

of Section 12
13, T. 6 S., R. 33 E., B.M., County of Power

5. Water is to be used for Manufacturing plant (See Remarks)

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water N. 73° W. 880 feet distant from S. E corner of Section 12

T. 6 S., R. 33 E., B.M., in the SE 1/4 SE 1/4 of Section 12, T. 6 S., R. 33 E., B.M.

(b) Amount of power generated:

H.P., under

feet head.

(c) Water is to be returned to Portneuf River

at a point N. 24° 50' E. 1550

feet

Lot 10

distant from the S W

corner of Section 7

, T. 6 S., R. 34 E., B.M., in the NE 1/4 SE 1/4

of Section 7

, T. 6 S., R. 34 E., B.M.

7. Estimated cost of works: \$ 25,000.00

8. Kind of works: Two wells, pumps, pipe line to plant, pipe and open ditch to discharge

9. Height of dam

feet; length of dam at top

feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width

feet; height

feet.

11. Ditch: Width at bottom

feet; width at water line

feet; depth of water

feet;

dimensions of flume:

Diameter of pipe

8

inches; length of conduit

miles.

Average grade per mile

feet.

12. The time required for the completion of such work is

Five (5)

years.

13. The time required for the complete application of the water to the proposed use is

Six (6)

additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

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

None

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

WESTVACO CHEMICAL DIVISION
FOOD MACHINERY AND CHEMICAL CORPORATION *Applicant.*

By **Kenneth B. Ray** *Agent.*

Date of first receipt at Department of Reclamation: 9:00 A. M. March 2, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20969

Recorded in Book 75 Page 20969 Approved March 10, 1949

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before May 10, 1949 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before September 10, 1951

The whole of said work to be completed on or before March 10, 1954

Beneficial use of water appropriated in accordance herewith, to be made on or before March 10, 1960

WITNESS My hand this 10th day of March, 1949

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th
day of March, 19 49 STATE OF IDAHO

By _____
(SEAL) Countersigned: By _____ C. A. ROBINS
By _____ J. D. "CY" PRICE _____ Governor.
Secretary of State.

REMARKS: This water will be used by applicant in connection with operation of its chemical processing plant now under construction at a point located near the point of diversion and shown on the attached map. This plant will produce elemental phosphorus from phosphatic shale and phosphate rock obtained from sources in Southeastern Idaho, using electric power from the Idaho Power Company. The water may also be used in the processing of the elemental phosphorus or phosphate rock into chemical products.

14. Applicant commenced initial work on the 16th day of March, 1948, in making surveys for the location of the various

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
			including the wells, and thereafter maps were prepared, and thereafter actual construction work started as of Ju Permit No. 20969 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that WESTVACO CHEMICAL DIVISION, FOOD MACHINERY & CHEMICAL CORPORATION of Pocatello, C of Bennock, and State of Idaho, the holder of Permit No. 20969, issued upon Application No. 28623 bearing date of p of March 2, 1949, authorizing the diversion of 4.5 second feet of the waters of subterranean flow from two wells, C of Power, State of Idaho, for manufacturing plant purposes, has fully complied with the provisions of the laws of t State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; said works are adequate for diverting and conveying to the place of intended use 6.34 second feet of the waters of wells; that the points of diversion of said waters are in the SE$\frac{1}{4}$ SW$\frac{1}{4}$ Section 12, and the NW$\frac{1}{4}$ NW$\frac{1}{4}$ Section 13, Towns 6 South, Range 33 East, B.M. and that the place of use of said waters is the plant of the Westvaco Chemical Divisio of the Food Machinery and Chemical Corporation, located in Sections 12 and 13, Twp. 6 South, Range 33 East, B.M. Witness my hand this 30th day of April, A. D. 1951. MARK R. KULP State Reclamation Engineer Proof of Completion of Works made April 18, 1951. Certificate of Completion of Works issued April 30, 1951.																

LICENSE ISSUED FOR 4.5 SEC. FT.

Page 4911

IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as set forth.

By **Kenneth B. Ray** *Agent.*

ed application received:

3 My hand this 10th day of March, 1949

TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,
J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to
be attested in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th

STATE OF IDAHO

Countersigned:

By J. D. "CY" PRICE
Secretary of State.

By.....C. A. ROBINS.....Governor.

This water will be used by applicant in connection with operation of its chemical processing plant now under construction at a point located near the point of diversion and shown on the attached map. This plant will produce elemental phosphorus from phosphatic shale and phosphate rock obtained from sources in Southeastern Idaho, using electric power from the Idaho Power Company. The water may also be used in the processing of the elemental phosphorus or phosphate rock into other chemical products.

Applicant commenced initial work on the 16th day of March, 1948, in making surveys for the location of the various improvements,

Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
		NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
including the wells, and thereafter maps were prepared, and thereafter actual construction work started																		
Permit No. 20969 CERTIFICATE OF COMPLETION OF WORKS																		
TO ALL WHOM IT MAY CONCERN:																		
This is to certify that WESTVACO CHEMICAL DIVISION, FOOD MACHINERY & CHEMICAL CORPORATION of Pocatello, Idaho, the holder of Permit No. 20969, issued upon Application No. 28623 bearing date of March 2, 1949, authorizing the diversion of 4.5 second feet of the waters of subterranean flow from two wells of Power, State of Idaho, for manufacturing plant purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that the points of diversion of said waters are in the SE ¹ / ₄ SW ¹ / ₄ Section 12, and the NW ¹ / ₄ NW ¹ / ₄ Section 13, Twp. 6 South, Range 33 East, B.M. and that the place of use of said waters is the plant of the Westvaco Chemical Corporation, located in Sections 12 and 13, Twp. 6 South, Range 33 East,																		
Witness my hand this 30th day of April, A. D. 1951.																		
Proof of Completion of Works made April 18, 1951. Certificate of Completion of Works issued April 30, 1951.																		
MARK R. KULP State Reclamation Engineer																		

USED FOR 4.5 SEC. FT.
page 4911

✓
May 13, 1952

RE: Permit No. 20969

Westvaco Chemical Division
Food Machinery & Chemical Corporation
Box 1608
Pocatello, Idaho

ATT: Mr. S. A. Lloyd
Office Manager

Dear Mr. Lloyd:

We enclose License and Certificate of Water Right issued under Permit No. 20969, confirming your right to the use of 4.5 second feet of water from two wells located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, Township 6 South, Range 33 East, B.M., with priority of March 1, 1949, for manufacturing uses at the plant of the company in the same sections.

We also enclose departmental receipt No. 24426 for the \$5.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

SCANNED
APR 30 2001

20969

**FOOD MACHINERY
AND CHEMICAL
CORPORATION**

RECEIVED
MAY 9 1952

Department of Reclamation

WESTVACO CHEMICAL DIVISION

PLEASE REPLY TO
BOX 1608
POCATELLO, IDAHO
TELEPHONES 3800 AND 3801

CHRYSLER BUILDING
405 LEXINGTON AVENUE
NEW YORK 17, N. Y.

May 8, 1952

RE: Permit No. 20969

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Jeanne L. Anderson, Chief Clerk

Gentlemen:

We have your letter of April 22, 1952, issued by Mark R. Kulp, State Reclamation Engineer, and signed by Jeanne L. Anderson, Chief Clerk, which states that

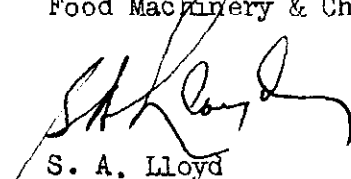
"We now have on file the report of our field engineer on examination for beneficial use under Permit No. 20969.

"Therefore, upon receipt of the statutory fees of \$5.00 a license may be issued for 4.5 cubic feet per second from your two wells located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, Township 6 South, Range 33 East, B.M."

As per your request, we are enclosing our check #3733 in the amount of \$5.00.

Very truly yours,

WESTVACO CHEMICAL DIVISION
Food Machinery & Chemical Corp.


S. A. Lloyd
Office Manager

SAL/ck
enc.



20969

✓
April 22, 1932

RE: Permit No. 20969

Westvaco Chemical Division
Food Machinery & Chemical Corporation
Box 1608
Pocatello, Idaho

Gentlemen:

We now have on file the report of our field engineer on examination for beneficial use under Permit No. 20969.

Therefore, upon receipt of the statutory fees of \$5.00 a license may be issued for 4.5 cubic feet per second from your two wells located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, Township 6 South, Range 33 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

20969

Page 77th Well #3
House - all metal
gal. sheet metal & angle
iron
Size 9' x 10' x 9' h.

2 large windows 1 N. & 1 S. ←
concrete pump base
60.2 F. size 4' x 4' x 17' h.

W.S. Motor 150 hp.
2300V. 34.9 amps.
3 ph. 1800 rpm

8" outlet
Peerless Pump
84817 = serial

Sp. D. panel of controls
Westinghouse circuit
breaker.

Form 28
approx. 1/2 mi west
250 S. of track
210' = depth x 16" bore.
Csd 202'

20' x 14' h. = tower.
275,000 gal tank
just S. of plant

h. = 57'
4' drawdown

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE
REPORT OF ENGINEER

PERMIT NO. 20969

Identical with #1.
1200 gpm
348 head
1760 rpm.
133.12 hp. required.

64 F.
Well #2 Linplot Well.

Leaking
Pomona Pump. L 3340 = serial

6" outlet to west in
Westinghouse Motor
25 hp. 440V. 32 amps
1160 rpm
817.2578 = serial.

All steel pump house
approx. 9' x 12' x 8' h.
Concrete floor
" base for pump.
30" x 30" x 7' h.

350 gpm.
depth =
bore =
casing =
bowl size =
col. size =

No 1 is closest to
plant.

app. 4.5 of 2.

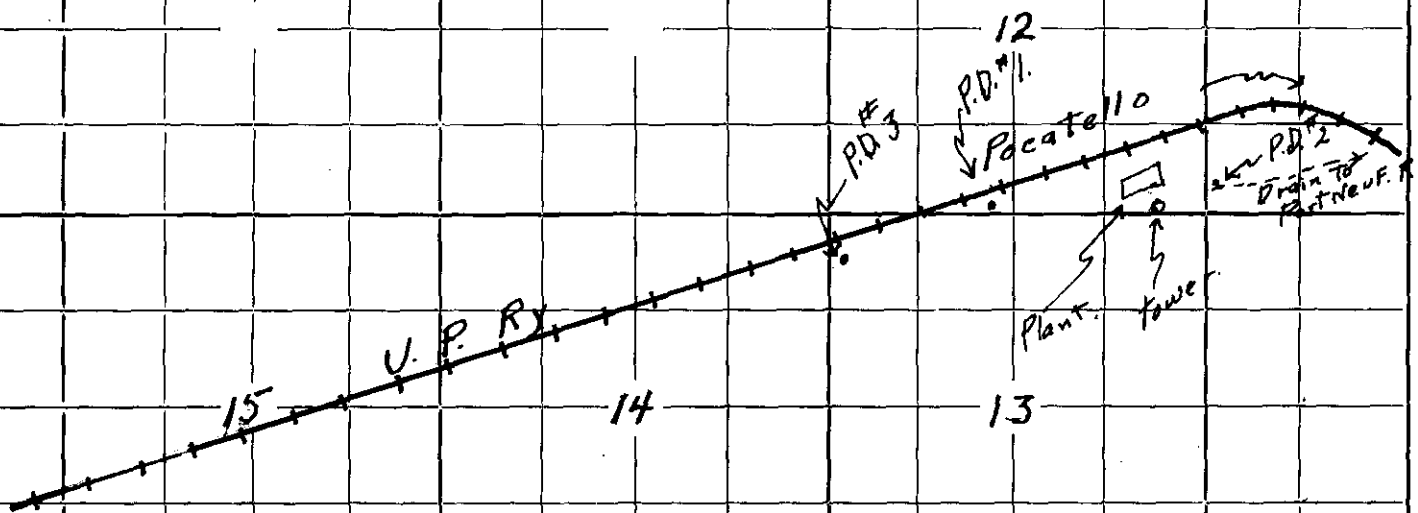
11.5 of 2
meas

REPORT ON PROOF OF Beneficial use

Westvaco Chemical Division, Food Machinery & Chemical Corporation
Pocatello, Idaho

Simplex well # 2.

Twp 6 S. R 33 E.



P.D. #1 = 160' N. of Section line
390' W. of N-S. line of Section 12

#3 = 190' East of Section line
490' South of N. Sec. line (Sec 13)

Allow full
amount of filing.

#2 = 372' N. of corner.
= 12' East of Sec. line.

#2 well has recently
been bought from
Simplex
Casing = 350 gpm.

Drain ditch - 4' W. approx.
8' deep.

extends into Simplex then
into Portneuf.

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

Permit No. 20969This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Westvaco Chemical Division, Food Machinery & Chemical Corporation,
Box 1608, Pocatello, Idaho2. Source of water supply: Underground from two wells3. Location of point of diversion: Is in the SE 1 SW 1 of Section 13T. 6 S. R. 33 E. County of Power

4. Describe works as they exist, giving dimensions and capacities of same: Each of these pumps are located in an all metal pump house. Frame work is angle iron and the covering is galvanized sheathing. The house over well No. 3 is 9 ft. by 10 ft. by 9 ft. high. House over well No. 1 is 9½ ft. by 12 ft. by 8 ft. high. There is a concrete floor in each house and a separate concrete block on the which the pump and motor rests. There is one large window to the North and one to the South in each house that can be opened for ventilation during hot weather. Well No. 1 has a Peerless pump No. 83765, 6 stage, 11½ in. bowls, 83 ft. down in the well from the surface. Column is 10 in. Well is 196 ft. deep by 16 in. bore, cased to the bottom. Motor is a U.S. 125 h.p., 440 V., 151 Amps, 1800 r.p.m. No. 818499. Switches and controls are Square D. Static h. is 68 ft. Draw down is 2 ft. Pump capacity is 1200 g.p.m., actual withdrawal at times is at the rate of 1500 g.p.m. Operation is at 78 lbs. pressure. Water is pumped into an underground line that leads

5. Water is used for: Manufacturing purposes.6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Place of use: Plant of company in Sections 12 and 13, Twp. 6 South, Range 33 East, B.M.
Place of use is correct as specified.

4 - East to the plant. Temperature of the water is 63 degrees Fahrenheit. Well No. 3 is 210 ft. deep by 16 in. bore, cased down 202 ft. Static H. is 51 ft. 4 ft. draw down. This is a Peerless pump No. 84817, 150 h.p. U.S. motor, 2300 V. 34.9 amps, 3 phase, 60 cycle, 1800 r.p.m. This pump is identical with pump No. 1. There is an 8 in. outlet that connects to an underground line that extends to the tank tower. Tower is 20 ft. in diameter by 114 ft. high with capacity reported at 275,000 gal. Capacity of this pump is the same as No. 1.

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

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

Remarks: This water is mainly used for cooling purposes and is reported as being returned to a drain unaltered qualitatively unless it perhaps carries an additional trace of phosphorous. Water is returned to a drain which flows through the Simplot property then into a natural drain into the Portneuf River. Mr. Miller states that this water is used for irrigating a piece of 20 acres on the Simplot property and seems to have extremely beneficial results judging from the amount of potatoes grown per acre.

This examination was made on the 16th day of April, 19 52(Signed) E. N. Humphrey

Examiner.

20969

Well #1 63°F
H.S.
Motor = 125 hp. 440
12 stage 1800 rpm

818499

Pacolor Pump 12 stage
53765 8" column

ced to bottom 196' x 16" bore

Eq. P. switches - control

Ham. metal appur.

7 1/2' 12' x 8' h.

all metal construction

concrete floor

concrete base for pump

4' x 4' x 1 1/2' h.

68' h drawdown = 2'

1200 rpm motor = 1500 rpm

operates at 1150 rpm

approx 1/4 mi. N. of plant

approx 200' S.E. of

pump sets 97' down.
83 bowls.

6 stages 11 1/2" bowls
10" column.

rated @ 1200 gpm.

total h 320 @ 1760 rpm

INSTRUCTIONS TO EXAMINERS

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

Westvaco Chemical Division
Box 1608, Pocatello, Idaho

Permit No. 20969

Examination for Beneficial use

County Power County

12+13-68-333

S = 2 wells.

2 - 4.5 c.

1 - 2 c.

1 - 2 c.

P.H. = SW-S12
NW-S15

See map of plant

1 - 2 c.

RECEIVED
APR 21 1952
Department of Reclamation

V. N. Cantake

1500

1500

15000

333

- Kil Miller records
to K. G.

Well #1 63°F
U.S.
Motor = 125 hp. V. - H
127 amps. 1800 rpm.

818499.

Perkins Pump. 12 stage
83765 8" column
ced to bottom 196' x 16' base.

Sg. P. switches & control

Home = metal approx.

9' 12' x 8' h.

all metal construction.

concrete floor

concrete base for pump.
4' x 4' x 1 1/2' h.

68' h drawdown = 2'

1200 gpm actual = 1500 gpm.

operates at 78° pressure.

approx. 1/4 mi. W. of plant.

approx. 200' S. of Rygar

pump sits 97' down.
85 bowls.

6 stages 11 1/2" bowls
10" column.

rated @ 1200 gpm.
total h 320 @ 1760 rpm.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
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5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Westvaco Chemical Division
Box 1608, Pocatello, Idaho

Permit No. 20969

Examination for Beneficial use

County Power County

12413 - 65 - 338

S = 2 wells.

Q = 4.5 cfs.

use = mfg

Plant = Westvaco Plant

P.P. = SE SW - S12
NW NW - S12

See map, it should
be accurate

RECEIVED
APR 21 1952

Department of Reclamation

V. N. Antaki

1500

1500

3000

333

Kel Miller regards
to Kulp.

April 12, 1952

RE: Permit No. 20969

Westvaco Chemical Division
Box 1808
Pocatello, Idaho

Gentlemen:

An inspection by a representative of this department is required by law before license can be issued on any permit.

I intend to make inspection covering your Permit No. 20969 on Wednesday, April 16, 1952. I hope to be there by 10:00 a.m.

Will you please have someone thoroughly conversant with your well and use of the water from same to accompany me on the inspection.

For your further information, this permit was filed through your attorney O. R. Baum. This inspection should have been made last year, but due to the extremely heavy load of inspections, it was impossible to do this.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

20969

June 6, 1951

Re: Permit No. 20969

Mr. O. R. Baum
Attorney at Law
Pocastello, Idaho

Dear Mr. Baum:

We acknowledge receipt of your letter of June 2, 1951, with enclosures as stated in connection with Proof of Beneficial Use under Permit No. 20969 of the Westvaco Chemical Division.

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

We cannot say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, he will try to contact you at the time the examination is made in order that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20969

June 2, 1951

RECEIVED
JUN 4 1951
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
State of Idaho
Boise, Idaho

Attn: Mr. Anderson

Re: Food Machinery & Chemical Corporation,
Westvaco Chemical Division, Permit
No. 20969

Dear Sir:

Subjoined hereto you will find the following:

1. Proof of Application of Water to
Beneficial Use - Deposition of
Holder
2. Proof of Application of Water to
Beneficial Use - Deposition of
Witness - in duplicate
3. Proof of Publication
4. Affidavit of T. C. Sparks, Notary Public,
as to his office being open.

Mr. Sparks is City Clerk of the City of American Falls,
which means that he collects the municipal water payments, and
June 1st is pay day, and his office was lined with people, hence
I took the privilege of certifying as notary to the proofs, and
Mr. Sparks' affidavit outlines the fact that no protests were
filed and why other than he, as Notary, signed the proofs.

If there are any fees due please advise this office.

Very truly yours,


O. R. BAUM

ORB:tb
Encls.

*Law
Office
O. R. Baum
Boise, Idaho*

20969

RE: PROOF PERMIT NO. 20969

A F F I D A V I T

STATE OF IDAHO)
) SS.
COUNTY OF POWER)

T. C. SPARKS, being first duly sworn on his oath, states:

That he is a resident of Power County, State of Idaho, and has been such for more than twenty years last past; that he is the owner and manager of Power County Abstract Company and City Clerk of the City of American Falls, Idaho, and as such maintains his office in American Falls, Idaho, it being the office of his agency for the writing of his insurance, his office for City Clerk, and his office as manager of the Power County Abstract Company, and that today was the day for the collection of water rentals and that his office was open throughout the entire day, namely, from 9:00 a.m. until 5:00 p.m. of such day, save and except one hour for lunch, namely, 12 noon until 1:00 p.m., and he was personally present, and that he was the person before whom notice was given that proof would be submitted pursuant to the annexed Notice of Proof of Application of Notice to Beneficial Use, and that no persons appeared on behalf of said application, other than the affiants who signed Proof of Application of Notice to Beneficial Use, and persons who signed Proof of Application of Notice to Beneficial Use, Deposition of Witnesses, and that no persons appeared in opposition thereto, and likewise no persons appeared to make inquiry concerning the same, and that there is enclosed herewith Proof of Publication of Notice of Proof Application of Water to Beneficial Use showing its publication thereof, and likewise the deposition of two witnesses and proof on behalf of the holder of said Permit, and that said Notary, O. R. Baum, executed, as Notary Public, such proofs of such witnesses, all in my presence at American Falls, Power County, State of Idaho.

That I further certify that the proceedings as attached hereto

are as certified herein.

W. R. R. R.

Subscribed and sworn to before me this 1st day of June, 1951.

O. R. Baum

Notary Public for Idaho,
Residing at Pocatello, Idaho

Comm. Ex. 9/12/51

(SEAL)

20969

Affidavit of Publication

County of Power, }
State of Idaho, } ss.

L. R. Scott being first duly sworn
on oath, states:

That he is the Publisher of the Power

County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county; that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of

said newspaper and not in any supplement thereof for 4 successive weekly issues thereof, the date of the first publi-

cation being the 3rd day of May, 1951
the date of last publication being the

24th day of May, 1951

(Signed) L. R. Scott

Subscribed and sworn to before me this

1st day of June, 1951

Mark R. Kulp
Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL) 1st day of October, 1951

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at ten A.M. on the 1st day of June, 1951, at American Falls, County of Power, State of Idaho, before T. C. SPARKS, Notary Public of the State of Idaho, proof will be submitted of the application to beneficial use of 4.5 cubic feet per second of waters of subterranean waters (underground) in accordance with the terms and conditions of Permit No. 20969 heretofore issued by the STATE RECLAMATION ENGINEER OF THE STATE OF IDAHO.

The name and postoffice address of the person or corporation holding said permit are Westvaco Chemical Division, Food Machinery and Chemical Corporation, Box 1608, Pocatello, Idaho.

The use to which said water has been applied is Manufacturing.

The amount applied to beneficial use is 4.5 cubic feet per second.

The place where said water is used The plant of the Food Machinery and Chemical Corporation, Westvaco Chemical Division, located in Sections 12 and 13, Township 6 South, Range 33 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is wells.

The right to take water from such works is based upon Permit No. 20969.

The source of supply from which such water is diverted is subterranean waters (underground) from two wells, in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 13, Twp. 6 S., Range 33 E.B.M.

The date of priority which said user is prepared to establish is July 6 1948.

MARK R. KULP
State Reclamation
Engineer.

First Publication May 3, 1951.
Last Publication May 24, 1951

20969

20969

Answer to Question 2. Acting as Resident Manager Food Machinery and Chemical Corporation, Westvaco Chemical Division, plant located at Pocatello, Idaho, such corporation being organized in the State of Delaware and having complied with the statutory and constitutional provisions of the State of Idaho, the statutory agent being O. R. Baum, Pocatello, Idaho , and I have been authorized by the company to speak on its behalf in this matter.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20969

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Resident Manager, Food Machinery and Chemical Corporation, Westvaco Chemical Division,
plant located near Pocatello, Idaho, P. O. Box 1608, Pocatello, Idaho

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

Ans. See answer on sheet attached.

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

Ans. No. 20969, March 2, 1949, date of priority March 2, 1949.

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

Ans. Subterranean waters (underground). Point of diversion in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13,
Township 6 South, Range 33 E.B.M.

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

Ans. Each well has a Peerless type well pump and is housed in galvanized steel building.
There has been erected 260,000 gallon water standpipe; 2300 feet 8 inch pipe line to stand-
pipe; 2100 feet of 10 inch pipe line to stand pipe; 2400 feet 12 inch pipe to standpipe;
additional pipe to fire hydrants and numerous plant facilities; 100 feet of 18 inch pipe
line and approximately 4600 feet of open ditch to the point of discharge; the canal has no
name. Well no. 1 196 feet deep, with 16 inch casing and depth to water is 64 feet;
Well No. 2 206 feet deep, with 16 inch casing and depth to water is 57 feet;
Pump measured with Oroface and handled by an engineer.

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

Ans. Used for industrial purposes. The plant is located upon land in Sections 12 and
13, Township 6 South, Range 33 E.B.M.

20969

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

Ans. Water is used for industrial purposes and pumped out by electric pumps.

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

Ans. 4.5 cu. ft. per second and owing to the enlargement of the plant and the use of additional waters the average requirement is 14.34 cu. ft. per second.

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

Ans. Party now proving up is the party to whom permit was originally issued.

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

Ans. Beginning as of July 6, 1948, the entire capacity of the wells had been utilized in the construction of the plant and in the operation of the same after it was completed and water is now being used for industrial purposes.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder. There is one other well and water has been pumped therefrom for a great number of years, since the year 1945, and this well was purchased by us and all waters from such well have augmented the waters that we have used, and are now using, but no actual filing has been made upon this well, the same being located some one half mile from our plant.

(Sign)

J. G. Miller

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at the office/in American Falls,
County of Power, State of Idaho, on this 1st day of June,
A. D. 1951.,

My commission expires August 12, 1951.

[Signature]
Notary Public for Idaho, residing at
Pocatello, Idaho

20969

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20969

Proof of Application of Water to Beneficial Use
Deposition of Witness

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

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

Ans. E. L. Spencer, 35 years of age, residing at Pocatello, Idaho. Resident mining engineer of Food Machinery & Chemical Corporation, Westvaco Chemical Division, Pocatello, Idaho; plant.

Ques. 2. Are you acquainted with Food Machinery & Chemical Corp., Westvaco Chemical Division, the holder of Permit No. 20969? How long have you known him and where does he reside?

Ans. Yes. I have been an employee of such corporation and its predecessor since May 15, 1947.

Ques. 3. Have you read or heard read said Permit No. 20969, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Eash well has a Peerless type well pump and is housed in galvanized steel building, There has been erected 260,000 gallon water standpipe; 2300 feet 8 inch pipe line to standpipe; 2100 feet of 10 inch pipe line to standpipe; 2400 feet 12 inch pipe line to standpipe; additional pipe to fire hydrants and numerous plant facilities; 100 feet of 18 inch pipe line and approximately 4600 feet of open ditch to the point of discharge.

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

Ans. 6.34 cu. feet per second.

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

Ans. Well No. 1 - 1800 gallons per minute. Measured with Oroifice
Well No. 2 - 2000 " " " " " "

20969

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

Ans. Used for industrial purposes. The plant is located upon lands in Sections 12 and 13, Township 6 South, Range 33 E.B.M.

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

Ans. For industrial uses.

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

Ans. _____

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

Ans. Yes. I am an employee, being Resident Mining Engineer for the Pocatello plant.

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

Ans. I am constantly on the premises and have personal knowledge of the amount of water used and have witnessed the operation of the pumps and the amount of water produced thereby.

(Signed) _____

E. L. Spencer

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in AMERICAN FALLS, County of Power, State of Idaho, on this 1st day of June, A. D. 1951.

[Signature]

Notary Public.

for Idaho, residing at Pocatello, Idaho.

My commission expires August 12, 1951.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20969

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Taylor Darden, 42 years of age, residing at Pocatello, Idaho, Staff Assistant
Food Machinery & Chemical Corporation, Westvaco Chemical Division, Pocatello, Idaho, plant.

Ques. 2. Are you acquainted with Food Machinery & Chemical Corp., Westvaco Chemical Division, the holder of Permit No. 20969? How long have you known him and where does he reside?

Ans. Yes. I have been an employee of such corporation and its predecessor since
March 16, 1946, formerly at Carteret, New Jersey, and with the Pocatello plant since

Ques. 3. Have you read or heard read said Permit No. 20969, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Each well has a Peerless type well pump and is housed in galvanised steel
building. There has been erected 250,000 gallon water standpipe; 2300 feet 8 inch pipe
line to standpipe; 2100 feet of 10 inch pipe line to standpipe; 2400 feet 12 inch pipe
line to standpipe; additional pipe to fire hydrants and numerous plant facilities; 100
feet of 18 inch pipe line and approximately 4600 feet of open ditch to the point of dis-
charge.

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

Ans. 6.34 cu. feet per second.

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

Ans. Well No. 1 - 1800 gallons per minute. Measured with Orifice
Well No. 2 - 2000 " " " " " "

20969

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

Ans. Used for industrial purposes. The plant is located upon lands in Sections 12 and 13, Township 6 South, Range 33 E.B.M.

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

Ans. For industrial uses.

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

Ans. _____

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

Ans. Yes. I am an employee, being Staff Assistant for the Pocatello plant.

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

Ans. I am constantly on the premises and have personal knowledge of the amount of water used and have witnessed the operation of the pumps and the amount of water produced thereby.

(Signed) _____

Taylor Gordon

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in AMERICAN FALLS, County of Power, State of Idaho, on this 1st day of June, A. D. 1951.

[Signature]
Notary Public.
for Idaho, residing at Pocatello, Idaho.

My commission expires August 12, 1951.

20969

May 14, 1951

Re: Permit No. 20969

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

In reply to your letter of May 11, 1951,
we enclose the necessary forms of deposition to be
used in making Proof of Beneficial Use on Permit
No. 20969 in the name of the Westvaco Chemical
Division.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

20969

May 11, 1951

RECEIVED
MAY 14 1951

Department of Reclamation

Department of Reclamation
Boise, Idaho

Re: Permit No. 20969

Attn: Jeanne L. Anderson, Chief Clerk

Gentlemen:

This will acknowledge receipt of your letter of May 9th in reference to Permit No. 20969, and desire to say that I would be glad to have you forward to this office forms of deposition.

Very truly yours,

O. R. Baum
O. R. BAUM

ORB:tb

*Law
Offices
O. R. Baum
Boise, Idaho*

20969

May 9, 1951

Re: Permit No. 20969

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We enclose Certificate of Completion of Works issued under Permit No. 20969 of the Westvaco Chemical Division for the diversion of 4.5 second feet of water from two wells in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, Township 6 South, Range 33 East, B.M., for manufacturing uses at the plant of said Company, located in Sections 12 and 13, Township 6 South, Range 33 East, B.M.

We also enclose Departmental Receipt No. 23308 for the \$5.00 fee paid in connection with this proof.

As mentioned in our letter of April 25, copy of Notice of Beneficial Use Proof has been sent to the Power County Press with instructions in regard to publishing. Please advise whether the necessary forms of deposition for making this proof should be sent to you or to Mr. T. C. Sparks, the Notary Public.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

20969

✓
May 9, 1951

Re: Permit No. 20969

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

Reference is made to your letter of May 8, 1951, enclosing copy of letter to the Power County Press, changing date of priority in the Notice of Beneficial Use Proof on Permit No. 20969 of the Westvaco Chemical Division.

While it is true that the application states that initial work was commenced March 16, 1948 and it may be possible to establish an earlier priority, the date of filing the application in this Department must govern the priority that can be established under Permit No. 20969.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

MRK:bh

20969

Law Offices
O. R. Baum
Pocatello, Idaho

May 8, 1951

Power County Press
American Falls, Idaho

Gentlemen:

In your publication of May 3, 1951, on the third page thereof in the publication of "NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE, in the last line thereof the date should read July 6, 1948 and not March 2, 1949. Please make correction.

Very truly yours.

O. R. BAUM

ORB:RYB

20969

RECEIVED
MAY 9 1951
Department of Reclamation

May 3, 1951

Hon. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Sir:

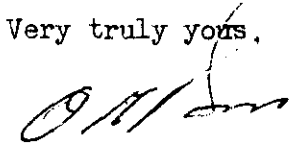
Re: Publication notice of "roof
Application of water to Beneficial
Use- Westvaco

I have written the Power County Press as shown by the enclosed copy of the letter. You will note the publication reads:

"The date of priority which
said user is prepared to establish is March 2, 1949."

and it should have read July 6, 1943. I have asked them to make the necessary corrections.

Very truly yours,


O. R. BAUM

ORB:RYB

*See
Office
C. R. Baum
Bozette
Idaho*

20969

Power County Press

One Paper — One Coverage — One Cost
in Power County

L. R. SCOTT, Publisher

American Falls, Idaho
April 27, 1951

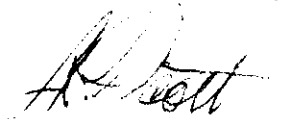
Department of Reclamation
Boise, Idaho

Dear Sir:

Re: Permit No. 20969

Notice of publication in the matter of Westvaco Chemical
Division received by this office and publication will be com-
menced next Thursday, May 3.

Very truly yours,



L. R. Scott, Publisher

RECEIVED
APR 28 1951
Department of Reclamation

20969

RECEIVED
APR 27 1951

Department of Reclamation

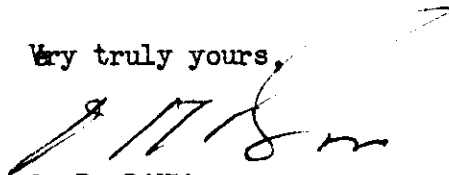
April 26, 1951

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Sir:

I enclose herewith check in the sum of \$5.00
covering the fee in connection with proof of
completion of works for Westvaco hemical Division,
Permit No. 20969.

Very truly yours,


O. R. BAUM

ORB:RYB
encs.

*Law
Office
O. R. Baum
Boise, Idaho*

20969

April 25, 1951

Re: Permit No. 20969
Westvaco Chemical Division

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We acknowledge receipt of your letter of April 23rd,
with enclosures as stated.

Since the permit only calls for 4.5 second feet, the
proof cannot be made for a larger amount. If a larger amount has
been developed a new application will have to be filed for the
additional amount.

We have therefore amended the notice of beneficial use
proof to show a total of 4.5 second feet, without segregating it as to
the amount from each well, which is all that is necessary in the
publication.

A copy of the notice has been sent to the Power County
Press, with instructions to publish it once a week for four consecutive
weeks prior to June 1st, and to send the affidavit of publication to
Mr. J. Gilbert Miller, together with statement of costs.

There is a statutory fee of \$5.00 required in connection
with proof of completion of works, and upon receipt thereof a Certifi-
cate of Completion of Works will be issued.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

20969

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Re: Permit No. 20969

Date: April 25, 1951

Power County Press

American Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **June 1, 1951** the date set for proof, the expense of the publication to be paid by the applicant, **Westvaco Chemical Division, C/o Mr. J. Gilbert Miller, Resident Manager, Box 1608, Pocatello, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK H. KULP

State Reclamation Engineer
By

Chief Clerk

20969

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at ten A. M. on the 1st day of June, 1951,
at American Falls, County of Power, State of Idaho, before
T. C. SPARKS, Notary Public of the State of Idaho / proof will be submitted of the
application to beneficial use of 4.5 cubic feet per second of the waters of subterranean waters
(underground) in accordance with the terms and conditions of Permit No. 20969
IDAHO
heretofore issued by the STATE RECLAMATION ENGINEER OF THE STATE OF / of the State of Idaho.

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

Westvaco Chemical Division, Food Machinery and Chemical Corporation, Box 1608, Pocatello,
Idaho

The use to which said water has been applied is Manufacturing

The amount applied to beneficial use is Well No. 11 - 2.20 cubic feet
per second. 4.5 cubic feet

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) The plant of the Food Machinery and Chemical Corporation, Westvaco Chemical
Division, located in Sections 12 and 13, Township 6 South, Range 33 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is Wells

The right to take water from such works is based upon Permit No. 20969

The source of supply from which such water is diverted is subterranean waters (underground)
from two wells, in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, Twp. 6 S., Range 33 E.B.M

The date of priority which said user is prepared to establish is July 6, 1948 March 2, 1949

MARK R. KULP

State Reclamation Engineer.

20969

RECEIVED
APR 25 1951

Department of Reclamation

April 23, 1951

Mr. Mark R. Kulp
State Reclamation Engineer
State of Idaho
Boise, Idaho

Dear Sir:

Re: Permit No. 20969
Westvaco Chemical Division

Dear Sir:

I enclose herewith the following:

1. Proof of completion of Works.
2. Authorization as to publication of notice.
3. Notice of Proof application of water to beneficial use. In duplicate.

I have set the day as of June 1, 1951 for the proof.

Very truly yours,

O. R. Baum
O. R. BAUM *ryb*

ORB:RYB
encs.

*Law
Office
O. R. Baum
Boise, Idaho*

20969

Permit No. 20962

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

ss.

County of Pannock

J. Gilbert Miller, Resident Manager, Westvaco Chemical Division, Food Machinery and Chemical Corporation, being first duly sworn, upon his oath deposes and says:

First: That ~~he~~^{it} is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 20962, and that ~~his~~^{its} postoffice address is Box 1603, Pocatello, State of Idaho.

Second: That the name of the stream which said water is to be directed is
Subterranean source (underground)

Third: That the point of diversion of said water is Well No. 1 - N. 65° 13' W. 416.71 feet distant from the South quarter corner of S. 12, T. 6 S., R. 33 E. B. M. and is in the SE 1/4; Well No. 2 - S. 34° 10' E. 590' distant from the Northwest corner of Sec. 13, T. 6 S., R. 33 E. B. M. and is in the NW 1/4 of said section, township and range aforementioned.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 10, 1954.

Fifth: That the use for which said water is intended is Manufacturing plant. See remarks

Sixth: That on the date above mentioned, the works constructed under said permit were (~~approximately~~) fully completed and consisted of the following:

I. Kind of works: See under Eighth below
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: None

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)

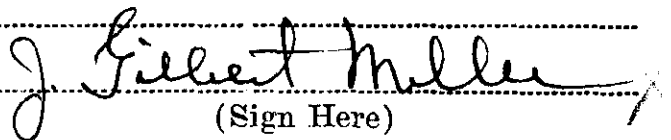
feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 6.34 second feet of water, which we have been using, although the permit was only for 4.5 second feet.

Eighth: That water appropriated under said permit is available for acres of land described as follows: See remarks below under Ninth.

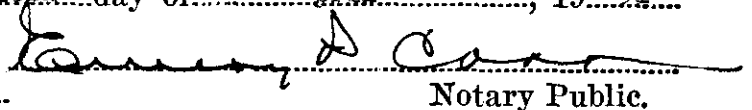
I. above--2 peerless deep well pumps, housed in galvanized steel buildings; 260,000 gallon water standpipe; 2300 feet of 8" pipeline to standpipe; 2100 feet of 10" pipeline to standpipe; 2400 feet of 12" pipeline to standpipe; additional piping to fire hydrants and numerous plant facilities; 1100 feet of 18" pipeline and approximately 4600 feet of open ditch to discharge.

Ninth: Remarks: That the place of use of the water is the plant of Food Machinery and Chemical Corporation, Westvaco Chemical Division, located in Sections 12, 13, Township 6 South, Range 33 E. B. M.


(Sign Here)

Subscribed and sworn to before me this 18th day of April, 1954.

My commission expires


Notary Public.

Residing at Pocatello, Idaho

20969

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....April 12, 1951.....

(P. O.).....Box 1608, Pocatello, Idaho.....

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
.....POWER COUNTY PRESS..... of American Falls, Idaho.....published in
the county in which the works are situated.

Westvaco Chemical Division
Food Machinery and Chemical Corporation
By.....J. Gilbert Miller.....
Resident Manager
and Agent

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

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

.....
Engineer.

20969

20969

January 18, 1951

Mr. C. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

In reply to your letter of January 17, 1951,
we enclose a form of Application for Permit for use by the
Food Machinery & Chemical Corporation.

In this connection, we wish to call your attention
to the fact that we are still holding Notice of Beneficial
Use Proof to be made on their current Permit No. 20969,
awaiting reply to several letters addressed you on this
subject.

Very Truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bb
Enc.

20969

December 20, 1950

Re: Permit No. 20969

Mr. C. H. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We have had no reply to office letter addressed you on November 1, 1950, in regard to Permit No. 20969 of the Westvaco Chemical Division.

In case you have misplaced this letter, we enclose a copy herewith, and also enclose other forms for Notice of Beneficial Use Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20969

✓
November 1, 1950

Re: Permit No. 20969

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We acknowledge receipt of your letter of October 24, 1950, enclosing duplicate Notices of Proof of Beneficial Use under Permit No. 20969 of the Westvaco Chemical Division, together with authorization to publish same in the Power County Press.

On checking this Permit, we note that Proof of Completion of Works has not yet been made. This should be done before making Beneficial Use Proof, and we enclose a form for such proof herewith.

Also, in checking the Notice for Proof of Beneficial Use, we note that you describe 2.20 second feet from well #1 and 4.14 second feet from well #2, or a total of 6.34 second feet, whereas the Permit is for only 4.5 second feet.

It is not necessary to go into the long description of the place where the water is used. The Permit describes the place of use as the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, Township 6 South, Range 33 East, B.M. This may not be quite complete, but for publication purposes, we think it would be sufficient to describe the place of use as the plant of the Food Machinery and Chemical Corporation, Westvaco Chemical Division, located in (describing Sections, Township and Range).

We are enclosing other forms for use in making notice of Beneficial Use Proof. Please set the time sufficiently far ahead to allow for the statutory four weeks publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:ba
Enc.

20969

Not used for irrigation but this water will be used by applicant in connection with operation of its chemical processing plant now under construction at a point located near the point of diversion and shown on the attached map. This plant will produce elemental phosphorus from phosphatic shale and phosphate rock obtained from sources in Southeastern Idaho, using electric power from the Idaho Power Company. The water may also be used in the processing of the elemental phosphorus or phosphate rock into other chemical products.

Applicant commenced initial work on the 16th day of March, 1948, in making surveys for location of the various improvements, including the wells, and thereafter maps were prepared, and thereafter actual construction work started as of July 6, 1948.

In addition to drilling the wells the following equipment has been installed:

Two Peerless deep well pumps, housed in galvanized steel buildings.
260,000-gallon water standpipe.
2300 feet of 8" pipeline to standpipe.
2100 feet of 10" pipeline to standpipe.
2400 feet of 12" pipeline to standpipe.
Additional piping to fire hydrants and numerous plant facilities.
1100 feet of 18" pipeline and approximately 4600 feet of open ditch to discharge.

The land where the manufacturing plant is located and the description of the land upon which the plant is located is as follows:

Northeast Quarter of Section 13, and all of that part and all of that portion of the South One half of the Southeast Quarter of Section 12 and, likewise, that portion of the Southeast Quarter of the Southwest quarter of Section 12, all in Township 6 South, Range 33 E.B.M., lying South of the Oregon Short Line Railroad right of way as it now exists and as shown by the map, now known as the Union Pacific Railroad Company right of way, subject, however, to any easements for power, electric light and telephone lines as they now exist and to the extent that the same are valid.

Also:

All of the Northwest Quarter (NW $\frac{1}{4}$) of Section 13, Township 6 South, Range 33 E.B.M., lying South of the Oregon Short Line Railroad right-of-way, now the Union Pacific Railroad Company, as shown by the map on file in the office of the County Surveyor or County Recorder of either Power or Bannock County, subject, however, to easements in favor of Mountain States Telephone and Telegraph Company and American Telephone and Telegraph Company of Wyoming.

Also:

Beginning at a point (a) on the South Simplot property line 298.32 feet on a bearing of N 89°47' W. of the SE corner (found) of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, Twp. 6 S., R. 34 E.B.M. (also known as the SW corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, Twp. 6 S., R. 34 E.B.M.) and proceeding on a bearing of N 89°47' W for a distance of 1191.58 feet to the SW corner of Section 7, Twp. 6 S., R. 34 E.B.M.; thence due North for a distance of 1131.30 feet to a point (B) previously established on this range line by survey January 3, 1949 (Simplot drawing No. M-10-113); thence on the previously surveyed line established January 3, 1949, on a bearing of N 72°23' E for a distance of 1255.45 feet to a point "C-5"; and thence due South for a distance of 1516.39 feet to the point of origin;

Also:

Beginning at the SW corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, T6S, R. 34 E.B.M. (Also described as NW corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, T6 S, R. 34 E.B.M.) (Point "A") which is 108.00 feet South of the offset of the SE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, T6S, R 33 E.B.M. (also described as NE corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, T6S, R 33 E.B.M.) and proceeding South on the section line for a distance of 190.77 feet to a point

21 11 11

("B") approximately 50 feet South of the center line of the present Westvaco railroad spur track; thence on a bearing of N 72°23' East for a distance of 1,335.66 feet to a point ("C") at which this line meets the Union Pacific Railroad right of way boundary; and thence generally Southwest following the Union Pacific Railroad right of way boundary to the point of origin, consisting of 3.27 acres, more or less.

20969

N 65° 13' W. 416.71 feet from S $\frac{1}{2}$ corner of Section 12, T 6S, R 33 E.B.M.,
and is located in S $\frac{1}{4}$ of S $\frac{1}{4}$ of Section 12, T 6S, R 33 E.B.M. Depth 202
feet. Casing 16"

S 20° 12' E. 579.59 feet from W. corner of Section 13, T 6S, R. 33 E.B.M.,
and is located in N $\frac{1}{4}$ of N $\frac{1}{4}$ of Section 13, T 6S, R 33 E.B.M. Depth 210
feet. Casing 16".

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at.....A. M. on the day of,19..50.,
at American Falls....., County of Power....., State of Idaho, before
T. C. SPARKS, NOTARY PUBLIC, State of Idaho....., proof will be submitted of the
application to beneficial use of Well No. 1 - 2.20
Well No. 2 - 4.14 cubic feet per second of the waters of subterranean
.....in accordance with the terms and conditions of Permit No. 20969
heretofore issued by the Department of Reclamation..... of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Food Machinery
and Chemical Corporation, Westvaco Chemical Division, Box 1603, Pocatello, Idaho

The use to which said water has been applied is manufacturing purposes (industrial)

Well No. 1 - 2.20
The amount applied to beneficial use is Well No. 2 - 4.14 cubic feet per second per hour. ✓

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated).....
.....
.....
.....
.....

The name of the canal or ditch or other works by which said water is conducted to such place of
use is - no ditch, the water is piped from two wells being located as follows:

The right to take water from such works is based upon Permit No. 20969

The source of supply from which such water is diverted is subterranean

The date of priority which said user is prepared to establish is March 16, 1943

.....
State Reclamation Engineer.

20969

October 24, 1950

Mr. Mark R. Kulp
Commissioner, Dept. of Rec.
Boise, Idaho

Dear Sir:

I enclose herewith the following:

1. Form No. 11, letter of transmittal.
2. Notice of Proof Application of Water
to Beneficial use in duplicate,
signed by J. G. Miller, Resident
Agent.

The Power County Press at American Falls, Idaho, is the
only paper published in Power County and I have suggested
T. G. Sparks as Notary Public. If this is not in due
form will you please advise and I will call upon you
when I am in Boise next week

You will note there are two wells and we have put the
volume that we may pump from each well separately.

Very truly yours,

O. R. Baum
O. R. BAUM *ayb*

ORB:RYB

*Law
Offices
O. R. Baum
Pocatello
Idaho*

20969

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 24, 1950

(P. O.) c/o O. R. BAUM, P. O. Box 570, Pocatello, Idaho.

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Power County Press of American Falls, Idaho published in
the county in which the works are situated.

WESTVACO CHEMICAL DIVISION
FOODMACHINERY AND CHEMICAL CORPORATION
By J. G. Miller
Resident Agent

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

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

Engineer.

20969

Not used for irrigation but this water will be used by applicant in connection with operation of its chemical processing plant now under construction at a point located near the point of diversion and shown on the attached map. The plant will produce elemental phosphorus from phosphatic shale and phosphate rock obtained from sources in Southeastern Idaho, using electric power from the Idaho Power Company. The water may also be used in the processing of the elemental phosphorus or phosphate rock into other chemical products.

Applicant commenced initial work on the 16th day of March, 1948, in making surveys for location of the various improvements, including the wells, and thereafter maps were prepared, and thereafter actual construction work started as of July 6, 1948.

In addition to drilling the wells the following equipment has been installed:

Two Peerless deep well pumps, housed in galvanized steel buildings.
260,000-gallon water standpipe.
2300 feet of 8" pipeline to standpipe.
2100 feet of 10" pipeline to standpipe.
2400 feet of 12" pipeline to standpipe.
Additional piping to fire hydrants and numerous plant facilities.
1100 feet of 18" pipeline and approximately 4600 feet of open ditch to discharge.

The land where the manufacturing plant is located and the description of the land upon which the plant is located is as follows:

Northeast Quarter of Section 13, and all of that part and all of that portion of the South One half of the Southeast Quarter of Section 12 and, likewise, that portion of the Southeast Quarter of the Southwest quarter of Section 12, all in Township 6 South, Range 33 E.B.M., lying South of the Oregon Short Line Railroad right of way as it now exists and as shown by the map, now known as the Union Pacific Railroad Company right of way, subject, however, to any easements for power, electric light and telephone lines as they now exist and to the extent that the same are valid.

Also:

All of the Northwest Quarter (NW $\frac{1}{4}$) of Section 13, Township 6 South, Range 33 E.B.M., lying South of the Oregon Short Line Railroad right-of-way, now the Union Pacific Railroad Company, as shown by the map on file in the office of the County Surveyor or County Recorder of either Power or Bannock County, subject, however, to easements in favor of Mountain States Telephone and Telegraph Company and American Telephone and Telegraph Company of Wyoming.

Also:

Beginning at a point (a) on the South Simplot property line 298.32 feet on a bearing of N 89°47' W. of the SE corner (found) of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, Twp. 6 S., R. 34 E.B.M. (also known as the SW corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, Twp. 6 S., R. 34 E.B.M.) and proceeding on a bearing of N 89°47' W for a distance of 1191.58 feet to the SW corner of Section 7, Twp. 6 S., R. 34 E.B.M.; thence due North for a distance of 1131.80 feet to a point (B) previously established on this range line by survey January 8, 1949 (Simplot drawing No. M-10-113); thence on the previously surveyed line established January 8, 1949, on a bearing of N 72°23' E for a distance of 1255.45 feet to a point "C-5"; and thence due South for a distance of 1516.89 feet to the point of origin;

Also:

Beginning at the SW corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, T6S, R. 34 E.B.M. (Also described as NW corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, T6 S, R. 34 E.B.M.) (Point "A") which is 108.00 feet South of the offset of the SE corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, T6S, R 33 E.B.M. (also described as NE corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, T6S, R 33 E.B.M.) and proceeding South on the section line for a distance of 190.77 feet to a point

20969

("B") approximately 50 feet South of the center line of the present Westvaco railroad spur track; thence on a bearing of N 72°23' East for a distance of 1,385.66 feet to a point ("C") at which this line meets the Union Pacific Railroad right of way boundary; and thence generally Southwest following the Union Pacific Railroad right of way boundary to the point of origin, consisting of 3.27 acres, more or less.

N 65° 13' W. 416.71 feet from S $\frac{1}{4}$ corner of Section 12, T 6S, R 33 E.B.M.,
and is located in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 12, T 6S, R 33 E.B.M. Depth 202
feet. Casing 16"

S 30° 12' E. 579.59 feet from NW corner of Section 13, T 6S, R. 33 E.B.M.,
and is located in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13, T 6S, R 33 E.B.M. Depth 210
feet. Casing 16".

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at.....A. M. on the day of,19 **50**,
at **American Falls**....., County of **Power**....., State of Idaho, before
T. C. SPARKS, NOTARY PUBLIC, State of Idaho....., proof will be submitted of the
application to beneficial use of.....
Well No. 1. - 2.20
Well No. 2. - 4.14 cubic feet per second of the waters of **subterranean**
.....in accordance with the terms and conditions of Permit No. **20969**
heretofore issued by the **Department of Reclamation**..... of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are **Food Machinery
and Chemical Corporation, Westvaco Chemical Division, Box 1608, Pocatello, Idaho**

The use to which said water has been applied is **manufacturing purposes (industrial)**
The amount applied to beneficial use is **4.14** cubic feet per second per hour.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated).....
.....
.....
.....
.....

The name of the canal or ditch or other works by which said water is conducted to such place of
use is **- no ditch, the water is piped from two wells being located as follows!**

The right to take water from such works is based upon Permit No. **20969**

The source of supply from which such water is diverted is **subterranean**

The date of priority which said user is prepared to establish is **March 16, 1948**

State Reclamation Engineer.

20969

20 969

September 30, 1950

✓
Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

In reply to your letter of September 28, 1950, the application of the Westvaco Chemical Division, Food Machinery and Chemical Corporation was approved and Permit No. 20969 issued thereunder.

We return the copy of your letter addressed to this Department on February 28, 1949.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

Enc.

20969

September 23, 1950

SEP 23 1950
Department of Reclamation

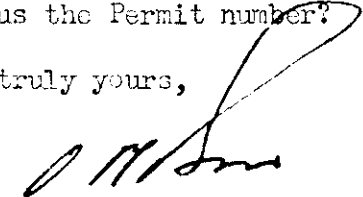
Mr. Mark R. Kulp, Commissioner
State Land Department
Boise, Idaho

Re: Application for Permit - Westvaco Chemical
Division, Food Machinery and Chemical
Corporation

Dear Mr. Kulp:

I enclose herewith copy of letter written you
under date of February 23, 1949, in reference to the above
matter. Would you kindly send us the Permit number?

Very truly yours,


O. R. BAUM

CRB:tb
Encl.

*Law
Offices
O. R. Baum
Pocatello
Idaho*

20969

March 16, 1949

Re: Permit No. 20969

Mr. Kenneth B. Ray
405 Lexington Avenue
New York 17, New York

Dear Mr. Ray:

We enclose Permit No. 20969 issued to the Nestleco Chemical Division, Food Machinery and Chemical Corporation, together with Departmental Receipt No. 21325, for the \$6.00 filing fee.

Your attention is directed to the limitations and conditions of this Permit as given on the 4th page, under Approval of State Reclamation Engineer.

A copy of this Permit is being sent to Mr. J. G. Miller at Pocatello, Idaho

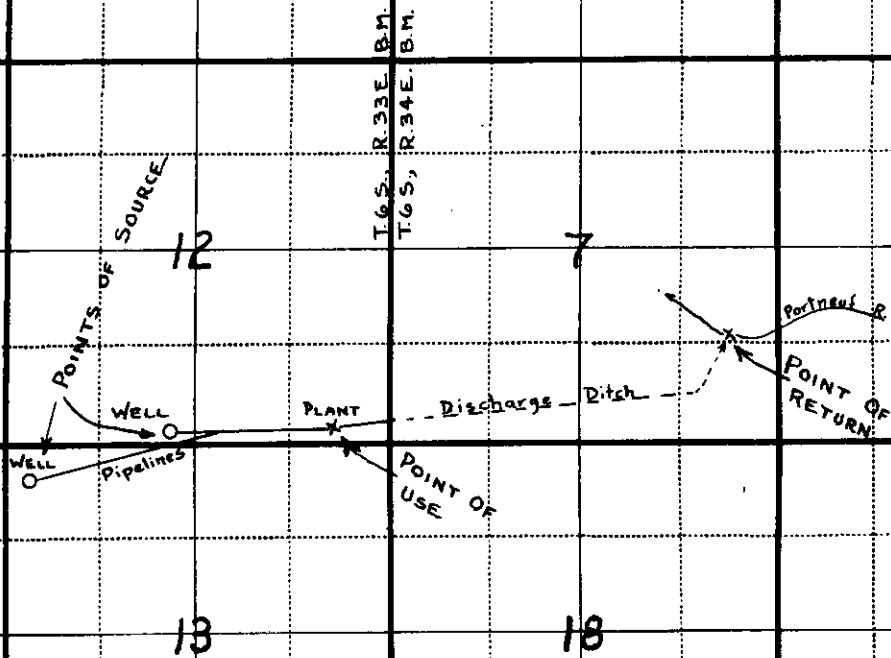
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.
CC: Mr. J. G. Miller

20969



Permit Map No. 20969
 As Approved
 MARK R. KOLP
 State Reclamation Engineer

✓
March 5, 1949

Re: Application No. 28623

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Judge Baum:

We acknowledge receipt of your letter of February 28, enclosing the Application of the Westvaco Chemical Division to appropriate 4.5 second feet of under-ground water, accompanied by their check for the \$6.00 filing fee.

As we understand from your letter, the original Permit, when approved, will be sent to Mr. Kenneth B. Ray of New York, and a duplicate copy to Mr. J. G. Miller at Pocatello.

The only date of priority that can be allowed under any Permit filed is the date the Application is received in this Department, which is March 2, 1949.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
by

Chief Clerk

A:bh

20969



February 28, 1949

Mr. Mark R. Kulp, Commissioner
State Land Department
Boise, Idaho

Dear Sir:

Re: Westvaco

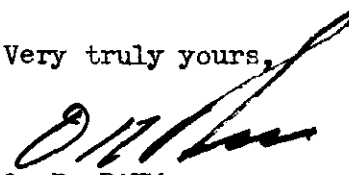
Subjoined hereto you will find application for filing upon the waters of a certain well, or wells, and you will note in the application under "Remarks" the following:

"Applicant commenced initial work on the 16th day of March, 1948, in making surveys for location of the various improvements, including the wells, and thereafter maps were prepared, and thereafter actual construction work started as of July 6, 1948."

You will also note from the application that as to future matters correspondence is to be had with Mr. Ray, but in the event this application is not sufficient in the first instance then confer with this office, please.

Is it possible for us to obtain under the filing a right as of the day we commenced our work, namely March 16, 1948.

Very truly yours,


O. R. BAUM

ORB:RYB

*Law
Offices
O. R. Baum
Pocatello
Idaho*

20969

809-9

Copy To:

WNWilliams - NY
ACAitchison - NY
FSRooney - NY
SMCimino - NY
RJDeLargy - NY
SPMarcus - NY
RIReul - NY
WBRose - NY
KCRule - NY
NYProduction File
NYTechnical Dept. (2)

WESTVACO CHEMICAL DIVISION
FOOD MACHINERY AND CHEMICAL CORPORATION
POCATELLO, IDAHO

TO: Mr. E. R. Butze
FROM: Mr. C. V. Coffey

Copy To:

JGMiller
JWork
CMDavis
TDarden
VNAntaki
RMNeel
JRIacobucci
BSmith
GFord
Maintenance
PC (3)

August 31, 1951

Subject: Water Survey and Conservation

Introduction

In connection with the fourth furnace and third kiln expansion program, the distribution of water throughout the plant was surveyed. The principal purpose of this survey was to observe whether or not the present water supply would be adequate for a four-furnace, three-kiln plant and if not, what steps should be taken to provide the necessary water.

All water used in the plant comes from three wells having the following capacities: No. 1 Well, 1500 gpm; No. 2 Well, 350 gpm; and No. 3 Well, 1500 gpm. No facilities for measuring these flows exist in the lines, so performance graphs were used. Line pressure drop and well depth were all taken into consideration in this graphical estimation. The depth to the water level in the No. 1 and No. 3 Wells was checked and found to be 63 feet and 51 feet, respectively. These levels are about normal for both wells. The water level of No. 2 Well was not checked since there is no depth measuring equipment at the pump. The water levels of No. 1 and No. 3 Wells dropped 2 feet and 4 feet, respectively, during their pumping cycle which is a normal drop for these wells.

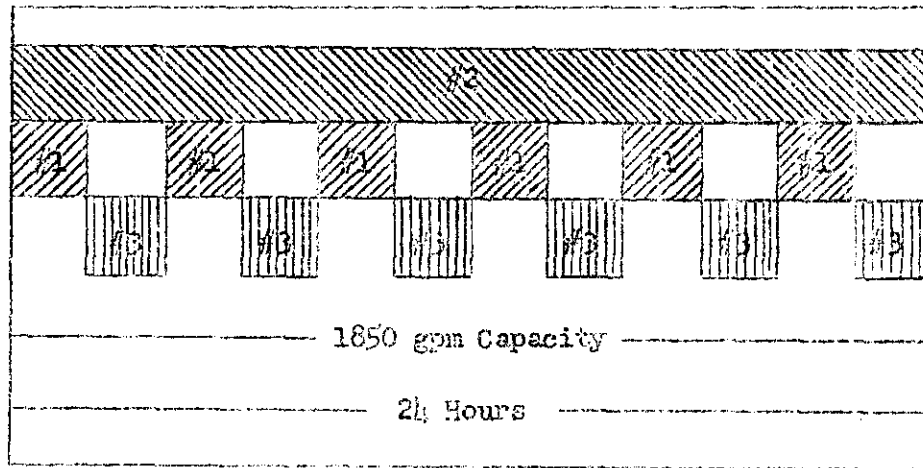
From Table I and Graph II it may be seen that the wells at the present time can furnish nearly twice as much water as is required by the plant. However, when consideration is given to the nature of the pumping cycle, the wells barely manage to furnish enough water for the plant. The No. 1 and No. 3 Wells are operated separately in 2-hour cycles. This alternate "resting" of the wells is considered important by well experts, but the small No. 2 Well is operated continuously. This would indicate that at present the plant is using about 175 gpm over a safe well capacity.

20969

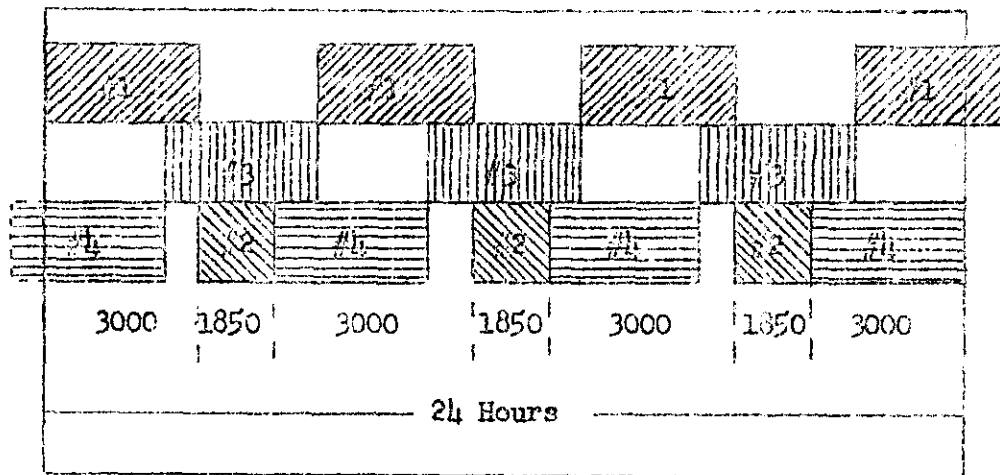
20969 -

GRAPH II

PRESENT PUMPING CYCLE



PROPOSED PUMPING CYCLE



Note: Numbers indicate the combined capacity, gpm

-  #1 Well Capacity 1500 gpm
-  #2 Well Capacity 350 gpm
-  #3 Well Capacity 1500 gpm
-  #4 Well Capacity 1500 gpm (Proposed)

20969

FOOD MACHINERY AND CHEMICAL CORPORATION AND SUBSIDIARIES

Consolidated Balance Sheet as of September 30, 1948

ASSETS

Current Assets:

Cash in banks and on hand	\$ 13,149,145
U.S. Government securities, at cost plus accrued interest	3,987,588
Other marketable securities, at market	825,000
Customers' notes and contracts receivable	\$ 4,668,199
Customers' accounts receivable	11,271,732
	<u>\$ 15,939,931</u>

Less reserve for bad debts 1,476,014 14,463,917

Sundry notes and accounts receivable 886,236

Inventories, at lower of cost or replacement 31,502,661

Total Current Assets \$ 64,814,547

Prepaid and Deferred Charges 1,113,846

Investments and Advances

Surrender value of life insurance policies	\$ 294,422
Land, buildings, and sundry investments less reserve of \$27,179	54,781
Investments in affiliated companies at cost	<u>1,073,363</u>
	1,422,566

Property, Plant and Equipment, at cost:

Land and land improvements	\$ 1,337,081
Mines	952,863
Buildings	13,865,634
Machinery and equipment	31,077,479
Machinery leased to others	6,135,477
Construction in progress	<u>2,483,743</u>
	\$ 55,852,277
Less reserves for depreciation, depletion and amortization	<u>27,524,952</u>
	28,327,325

Patents, trade marks, and goodwill 1

\$ 95,678,285

LIABILITIES

Current Liabilities:

Notes payable to banks	\$ 270,000
Accounts payable	4,257,081
Accrued expenses	2,495,825
Accrued dividends payable on preferred stock	83,883
Provision for Federal and Canadian taxes on income	<u>6,393,863</u>

Total Current Liabilities \$13,500,652

2½% Sinking fund debentures, due March 15, 1962 7,988,000

Reserve for employees' benefits 194,580

Reserve for compensation insurance claims 13,993

Reserve for contingencies 3,880,756

Minority interests in subsidiary companies 53,447

Capital Stock and Surplus:

Capital stock	
Cumulative preferred stock, par value \$100 per share	
Authorized 250,000 shares	
Outstanding 70,000 shares 3¼% convertible \$ 7,000,000	
119,050 shares 3 3/4% (Note)	<u>11,905,000</u>
	\$18,905,000

Common stock, par value \$10 per share	
Authorized 3,000,000 shares	
Outstanding 2,102,179 shares	<u>\$21,021,790</u>

Capital surplus 1,621,826

Earned surplus 28,498,241 70,046,857

Note: The outstanding shares of 3 3/4% preferred stock have been reduced by 240 shares required Sept. 13, 1948 but not yet retired.

\$95,678,285

20949

FOOD MACHINERY AND CHEMICAL CORPORATION

OFFICERS

<u>Title</u>	<u>Name</u>	<u>Address</u>
Chairman of the Board	J. D. Crummey	San Jose, California
President	Paul L. Davies	San Jose, California
Executive Vice President	J. B. Cary	San Jose, California
Vice President and Controller	B. C. Carter	San Jose, California
Vice President	C. W. Campbell	Lakeland, Florida
"	W. deBack	San Jose, California
"	F. E. Fairman, Jr.	Los Angeles, California
"	C. M. Frazier	San Jose, California
"	J. M. Hait	San Jose, California
"	E. Hart	Middleport, New York
"	H. C. Lisle	Lansing, Michigan
"	V. H. Matthews	San Jose, California
"	M. Y. Seaton	Greenwich, Connecticut
"	Neal S. Sells	Hoopeston, Illinois
"	W. B. Thom	New York, New York
"	Paul C. Wilbur	San Jose, California
Secretary-Treasurer	E. D. Myers	San Jose, California

DIRECTORS

Chairman of the Board and Director	J. D. Crummey	San Jose, California
Director	H. L. Austin	Lakeland, Florida
"	F. L. Burrell	San Jose, California
"	B. C. Carter	San Jose, California
"	J. B. Cary	San Jose, California
"	P. L. Davies	San Jose, California
"	W. deBack	San Jose, California
"	R. C. Foerster	San Francisco, California
"	H. C. Lisle	Lansing, Michigan
"	M. Y. Seaton	Greenwich, Connecticut
"	W. B. Thom	New York, New York
"	J. W. Tully	San Francisco, California

20969