

1114 Bx E 58

NO LATE FEE IF RECEIVED

\$25

BY

10/6/89

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A27-11243

Date Received

9-26-89

Receipt Number

E010809

Er

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

A2711243



Please type or print clearly

1. Name of Claimant (s) The Pillsbury Company, Inc. Phone (208) 357-3586

Mailing Address 434 S. Emerson, Shelley, ID Zip 83274

2. Date of Priority (Only one (1) per claim) 1946, December 31.

3. Source of water supply (a) groundwater
which is tributary to (b) _____

4. Location of point of diversion is: Township 1/South Range 37
Section 11, NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____ E, B.M.,
County of Bingham

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Domestic well

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) _____ (cfs)

For Domestic purposes from Dec 31 to Jan 1st amount 0.04

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) Domestic - 1 household

NOV 13 1992
Copies: White State, Yellow Claimant

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
1S	37E	11						D										

11. In which county (ies) are lands listed above as place of use located? Bingham

12. Do you own the property listed above as place of use? Yes x No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (x)

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use x Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not x
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Engineering Manager
Title

of The Pillsbury Company, Inc. , that I have signed the foregoing
Organization
document in the space below as Engineering Manager of The Pillsbury Company, Inc.
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Francis A. Latta, Engineering Manager
Title and Organization The Pillsbury Company, Inc. Date 8/30/89

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30th day of August 19 89

SEAL

Notary Public [Signature]

Residing at Idaho Falls, Idaho

My Commission Expires 4/1/91

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant
NOV 13 1989

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME PILLSBURY CLAIM IDENT. NO. A27-11243DATE RECEIVED 9/26/89 CK # _____ AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|----------|-----|----------------|
| 1. Is the name and address complete with zip code? | <u>X</u> | ___ | * |
| 2. Is a priority date entered? | <u>X</u> | ___ | * |
| Is the priority date acceptable in view of mandatory filing dates? | | | |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | <u>X</u> | ___ | * |
| 3. (a) Is a source entered? | <u>X</u> | ___ | * |
| (b) Is a tributary to entered? (if required) N/A <u>X</u> | ___ | ___ | ___ |
| 4. Is the legal description of the p.d. sufficient? | <u>X</u> | ___ | * |
| 5. Is there a description of the diverting works? | <u>X</u> | ___ | ___ |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | <u>X</u> | ___ | * |
| Is the period of use included? | <u>X</u> | ___ | ___ |
| Is a quantity claimed for each use? | <u>X</u> | ___ | * |
| 7. Is a total quantity claimed entered? | <u>X</u> | ___ | ___ |
| 8. If required is a consumptive use entered? N/A <u>X</u> | ___ | ___ | ___ |
| Is the consumptive use correct? N/A <u>X</u> | ___ | ___ | ___ |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | <u>X</u> | ___ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | <u>X</u> | ___ | * |
| 11. Is (are) the county(ies) entered? | <u>X</u> | ___ | ___ |
| 12. Is the ownership of p.u. checked? | <u>X</u> | ___ | ___ |
| 13. Are other water rights listed or "none" indicated? | <u>X</u> | ___ | ___ |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A <u>X</u> | ___ | ___ | ___ |
| 15. Is the basis of the claim indicated? | <u>X</u> | ___ | ___ |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A <u>X</u> | ___ | ___ | ___ |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | <u>X</u> | ___ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | <u>X</u> | ___ | * |
| 19. Was this claim filed on time, or was an extension granted? | <u>X</u> | ___ | * |
| 20. Is the fee enclosed correct? Exempt <u>X</u> | ___ | ___ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? N/A <u>X</u> | ___ | ___ | ___ |
| 22. Should this claim be data entered? | <u>X</u> | ___ | ___ |

Claim checked by: TO Date: 9/27/89Claim must be returned to claimant: ___ (Yes) X (No)Claimant must be notified of modifications: ___ (Yes) X (No)Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: _____

MICROFILMED

NOV 13 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A27-11243
Date Received: 9/26/1989
Receipt No: E010809
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE PILLSBURY COMPANY, INC.
Address: 434 S. EMERSON
SHELLEY, ID

208-357-3586

83274

2. Date of Priority: DEC 31, 1946

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot
01S	37E	11	NW	NW	NW	

County
BONNEVILLE

5. Description of diverting works:
WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	37E	11	NW	NW		DOMEST	

11. Place of use in counties: BINGHAM

A27-11243

Page 1

Date: 10/25/89

MICROFILMED
NOV 13 1992

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

Date Received

State of Idaho
Department of Water Resources

MAY 25 1989

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

THE PILLSBURY COMPANY

Name of Claimant

434 South Emerson

Post Office Address

Shelley, Idaho 83274

City, State, Zip Code

Bingham

County(s) where Place of Use is located

May 25, 1989

Date Claim Originally Due

See attachment.

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

See attachment.

Claimant requests an extension to August 31, 1989.

Signature Attorney

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted _____ denied,
and the filing deadline extended to 8/31, 1989.

Signed this 29 day of May, 1989.

Director or his designated agent

DAVID B. SHAW

MICROFILMED
NOV 13 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: September 6, 1989

Hopkins, French, Crockett, Springer & Hoopes
Attn: C. Timothy Hopkins
P.O. Box 51219
Idaho Falls, ID 83405-1219

RE: Pillsbury Co. Water Right Claims

Dear Mr. Hopkins:

The Idaho Department of Water Resources (IDWR) is returning your check #10340 (\$686.00) and The Pillsbury Company's Notices of Claim to Water Rights because of insufficient information and fees. All items on the claim form must be correctly completed and fees submitted before the IDWR can process the notices.

Please correct the items identified below and return the forms to the IDWR within 30 days of the date of this letter. Failure to return the corrected notices within the 30-day period may result in an assessment of an additional late-fee.

Domestic Notice of Claim

- Item #2: The day and month water was first used for the house must be entered. If you do not know the precise date, you must estimate the day and month, or apply the last day of the year, i.e. December 31, 1946.
- Items #6 and #7: The amount claimed for the household must be entered. The amount guideline for one house with up to 1/2-acre of lawn and garden irrigation is 0.04 cfs.

Commercial/Irrigation Notices of Claim

- Item #10: The place of use for commercial purposes should be denoted by using a "C" in the appropriate 1/4 of 1/4 section-boxes. If you are also claiming irrigation purposes separately, you must enter the number of irrigated acres within each of the claimed 1/4 of 1/4 section-boxes (40-acre tracts).

MICROFILMED

NOV 13 1992

Note: On the notices for Water Right Licenses 27-7411 and G-27323/27-2116, it appears the water used in the processing plant is also being claimed for irrigation use. However, the licenses do not reflect the use of water for irrigation. If the practice is to discharge plant effluent through a sprinkler system, application of the water to the land would be considered an incidental use to the commercial use. This incidental use could be described in "Remarks" (Item #14), instead of being claimed as a separate purpose in Item #6, with the 1/4 of 1/4 section-boxes where the water is applied marked with a "C" in Item #10.

If you claim the irrigation as a separate purpose, rather than an incidental use, the irrigation on each claim must coincide with acres irrigated during the claimed priority date. For example, only 20 acres of irrigation are listed for the priority date of 7/1/1957 on Claim to a Water Right 27-4019. Please refer to the enclosed copies of the Water Right Claim and Licenses.

Insufficient Fee

The filing fee for each Notice of Claim for commercial and/or irrigation purposes is \$50.00, plus \$100.00 per cfs claimed for commercial purposes, plus \$1.00 per each irrigated acre listed in Item #10 (The acreage fee only must be paid once, i.e. \$511.00). There is no fee for the irrigated acreage if it is listed as an incidental use. The filing fee for the Domestic Notice of Claim is \$25.00. The total filing fee for all four claims, as previously submitted, is \$1,191.00.

If you have any questions, please call Tony Olenichak, Water Rights Agent, at (208)-525-7161.

Sincerely,

Tony Olenichak
for Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

Enclosure

MICROFILMED

NOV 13 1992

HOPKINS, FRENCH, CROCKETT, SPRINGER & HOOPES
LAWYERS

C. TIMOTHY HOPKINS
GREGORY L. CROCKETT
D. FREDRICK HOOPES
LARRY L. GOINS
LARY S. LARSON
STEPHEN R. MAY
PAUL B. RIPPEL
TERESA L. STURM
STEVEN K. BROWN

SALISBURY BUILDING-428 PARK AVENUE
P. O. BOX 51219
IDAHO FALLS, IDAHO 83405-1219
(208) 523-4445
FAX (208) 523-4474

SEWARD H. FRENCH
(1941-1984)
TED C. SPRINGER
(1943-1984)

September 26, 1989

Mr. Ernest Carlsen
Adjudication Supervisor
150 Shoup Ave., Suite 15
Idaho Falls, ID 83402

Re: The Pillsbury Company, Inc.

Dear Mr. Carlsen:

You will find that we are returning to the Department four Notices of Claim to a Water Right which have now been modified based on your letter to us dated September 6, 1989.

The principal change relates to a characterization of the proposed use of the waters claimed. As you will see, our client has determined to claim an incidental use only for irrigation while the principal use relates to the commercial operations of The Pillsbury Company other than the one claimed for domestic use.

Also, based on your letter to us the filing fees have been recalculated with \$25.00 representing the fee for the domestic notice, \$50.00 each for the three commercial claims, plus \$705.00 for the commercial claims at \$100.00 per cfs. The total is therefore \$880.00.

Should you have any questions concerning the conditions of this letter or the enclosed claims please let us hear from you. If not, we shall simply look forward to return of the client's copies of the enclosed documents indicating the same have been filed.

Thank you for your cooperation in this matter.

Very truly yours,


C. Timothy Hopkins

CTH/lc
Encl.
cc: Mr. Frank Latta

MICROFILMED
NOV 13 1989

HOPKINS, FRENCH, CROCKETT, SPRINGER & HOOPES
LAWYERS

C. TIMOTHY HOPKINS
GREGORY L. CROCKETT
D. FREDRICK HOOPES
LARRY L. GOINS
LARY S. LARSON
STEPHEN R. MAY
PAUL B. RIPPEL
TERESA L. STURM
STEVEN K. BROWN

SALISBURY BUILDING-428 PARK AVENUE
P. O. BOX 51219
IDAHO FALLS, IDAHO 83405-1219
(208) 523-4445
FAX (208) 523-4474

SEWARD H. FRENCH
(1941-1984)
TED C. SPRINGER
(1943-1984)

August 31, 1989

State of Idaho
Department of Water RESources
150 Shoup Avenue
Idaho Falls, ID 83401

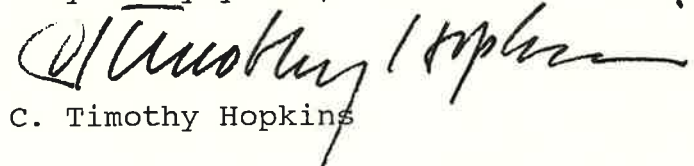
Re: The Pillsbury Company, Inc.--Claims to Water
Rights--(Bingham County)

Gentlemen:

You will find that I have enclosed the action of the Director of the Department of Water Resources extending The Pillsbury's time to file its notices of claims to water rights until August 31, 1989. You will find that we have enclosed four notices prepared for our client. You will also find that we have enclosed our check in the amount of \$686.00 made payable to the Department as and for the applicable fees.

Thank you for your assistance in filing these claims. Should you have any questions concerning the same we ask that we be contacted directly as counsel for The Pillsbury Company, Inc.

Very truly yours,


C. Timothy Hopkins

CTH/lc
Encl.
cc: Mr. Frank Latta

MICROFILMED
NOV 13 1992

OLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

PHONE - 208-357-3586

+ - - - STATUS - - - - +

+ - - - - - - - - - - TRIBUTARY - - - - - - - - - - - - - - - - +

0.040

(11) BINGHAM

+ - - AUDIT FIELDS - 10/25/89 OLENICHA

WATER RIGHT NUMBER - A27-11243

PREFIX TRANSLATION: ADJUDICATION CLAIM

```

+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
                                - - - -COMMENTS- - - - -
                                NO COMMENTS FOUND

```

```
+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +
```

| | | | | | |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| COURT REPORT FILING | - 00/00/0000 | FIELD INSPECTION MADE | - 00/00/0000 | CIVIL CASE NUMBER | - 39576 |
| OBJECTION FILED DATE | - 00/00/0000 | FIELD INSPECTION FLAG | - | OLD CASE NUMBER | - |
| RESPONSE FILED DATE | - 00/00/0000 | VERIFIED DATE | - 00/00/0000 | OLD JUDICIAL DISTRICT | - |
| CLAIM RECEIVED DATE | - 09/26/1989 | LAST AMENDED DATE | - 00/00/0000 | TEMPORARY RIGHT | - P |
| PROOF DUE DATE | - 00/00/0000 | PROOF MADE DATE | - 00/00/0000 | WATER DISTRICT | - |
| LICENSED DATE | - 00/00/0000 | RECEIPT NUMBER | - E010809 | FEDERAL/STATE INDICATOR | - S |
| CLAIMS TAPE ERROR FLG | - | PDU OWNERSHIP FLAG | - Y | PRESUMPTION FLAG | - |
| FEE EXEMPT FLAG | - | NAME CONNECTOR | - | | |

RP 050 4800

PROOF
JUL 31 1991

DATA ENTRY
ENTERED
CHECKED

"Verified By"
 Topo Map/Ortho-PQ
 ASCS Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 IDWR Records

VERIFIED
OCT 07 12

CERTIFIED
OCT 28 1991
WATER EXAMINER

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-18-1997
PAGE: A-960

RIGHT NUMBER: 27-11243

NAME & ADDRESS: THE PILLSBURY COMPANY INC
434 S EMERSON
SHELLEY ID 83274

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1946

POINT OF DIVERSION: T01S R37E S11 NWNW Within BONNEVILLE County

| PURPOSE AND
PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|-------------------------------|------------------|---------------|----------|
| | DOMESTIC 1 HOUSE | 01-01 12-31 | 0.04 CFS |

PLACE OF USE: DOMESTIC Within BINGHAM County
T01S R37E S11 NWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RP 0504800

Claim data entry by: CH
SEP 04 1997

Date: _____

Data entry verified by: WH

Date: 9-10