

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: A47-04312

Date Received: 1/12/1989

Receipt No: C005079

Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. R. SIMPLOT COMPANY
Address: P.O. BOX 27
BOISE, ID 83707

2. Date of Priority: MAY 01, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	15E	32	SE	SE			TWIN FALLS

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.040		
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:
BUHL SOILBUILDER UNIT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	15E	32	SE	SE		INDUST	

11. Place of use in counties: TWIN FALLS

A47-04312

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Date: 01/12/89

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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: STATUTORY CLAIM

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: 2 (Maps)

For Organizations:

I do solemnly swear or affirm that I am _____ Secretary _____ of _____ Title _____

J. R. Simplot Company _____, that I have signed the foregoing
Organization
document in the space below as _____ Secretary _____ of _____ Title _____

J. R. Simplot Company _____ and that the statements contained in the
Organization
foregoing document are true and correct.

Carla A. R. Grouse
Signature of Authorized Agent

Secretary, J. R. Simplot Company
Title and Organization

1-12-89

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of January 19 89

Vicki A. Lower
Notary Public

Seal

Residing at Meridian, Idaho

A47-04312

Page

My Commission Expires 11-06-91
2 Date: 01/12/89

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NOV 28 1996

IN THE MATTER OF:

A47-04312

Evidence of Priority

State of Idaho

County of Twin Falls

RECEIVED

MAR 15 1995

Department of Water Resources
Southern Region

LEONARD S. HAMMER being first duly sworn,
deposes and says:

The well being used at Simplot
Salt bunkers at Buhl was in operation
July 1955

I WAS EMPLOYED by Simplot for several
YEARS, as a LUNGE MANAGER. I WAS ASSISTANT
MANAGER during this period.

(signature)

Subscribed and sworn to before me this 14 day of March 1995.

(notary public)

Residing at Buhl Idaho
My commission expires May 21, 1999

NOV 28 1996



DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-04312

J. R. SIMPLOT COMPANY

P.O. BOX 27

BOISE

ID 83707

RE: Evidence of Priority

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant supporting the priority date claimed.**

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

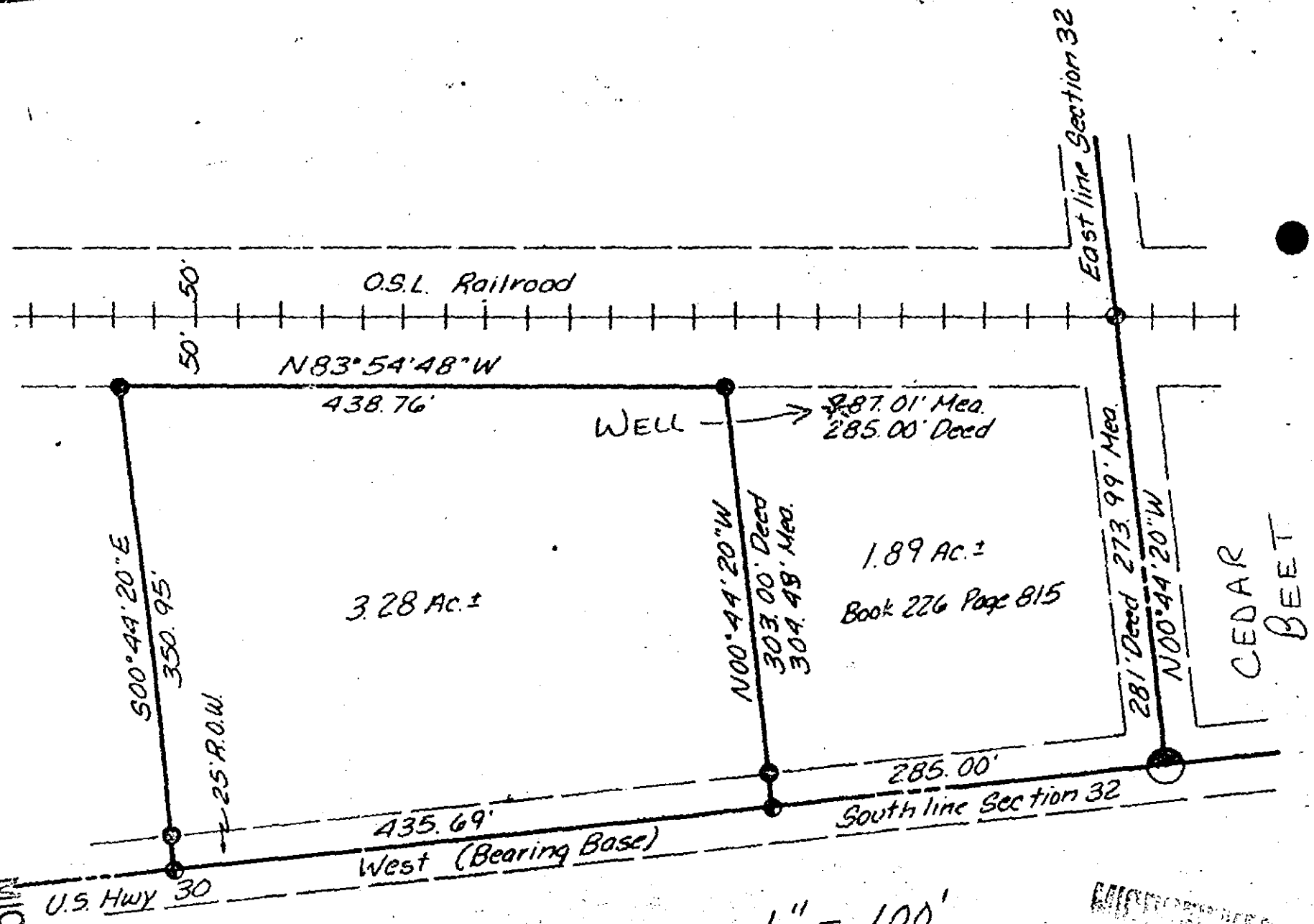
Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

NOV 28 1996

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1" = 100'

ENGINEERED
DRAWN

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Ada)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

J. R. SIMPLOT COMPANY

By: Kenneth R. Kade 1973
(Claimant) Secretary

Sworn to before me this 29th day of November, 1982

(Claimant) Secretary
19 82
Laurel J. Walker

AJ5514NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION ATTORNEY NAME ADD/UPDATE

DATE: 04/02/93
TIME: 23:15:56.9
PAGE: 4

INPUT: AJ_SELECTION:FRAZEE-NAME-SIMPLOT.SEL

TYPE OF ACTION: ADD

MODIFY ALL FIELDS FLAG:

LAST NAME: YOUNG, GRAY OR BRUCE BELZER

ADDRESS LINE 1: J R SIMPLOT CO LEGAL DEPT

ADDRESS LINE 3: PO BOX 27

CITY: BOISE

FIRST NAME:

ADDRESS LINE 2: 999 MAIN ST STE 1300

STATE: ID ZIP: 837070027

PHONE NUMBER: (208) 389-7318

A43-02485 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02488 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02489 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02504 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02505 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-02516 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
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A43-02575 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-04021A ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-04021B ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-04194 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A43-04195 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
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A45-02719 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A45-02746 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A45-11847 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A47-04312 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A51-02140 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A57-02202 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE

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OCT 27 1994

GRAY YOUNG
BRUCE BELZER
Attorneys at Law
J. R. Simplot Company Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707
(208) 389-7318
(208) 389-7515 Telefacsimile

Attorneys for J. R. Simplot Company

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JAN 21 1992

Department of Water Resources

RECEIVED

APR 06 1993

Department of Water Resources
Southern Region Office

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CASSIA

In Re the General Adjudication
of Rights to the Use of Water
From the Snake River Drainage
Basin Water System.

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States;
The State of Idaho;
and All Claimants to the Use
of Water from the Snake River
Basin Water System,

Respondents.

ALICE FOSHA, HELEN FLINT, and
BEVERLY ADAMS, individuals,

Plaintiffs,

vs.

A. KENNETH DUNN, Director of the
Department of Water Resources
of the State of Idaho,

Twin Falls County
Civil Case No. 39576

and

Cassia County
Civil Case No. 13770-12-83

NOTICE OF APPEARANCE

*Don modified thru
C.A.N. program.*

*4-1-93
- J*

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OCT 27 1994

Defendants.)

IN THE MATTER OF THE GENERAL)
DETERMINATION OF RIGHTS TO THE)
USE OF GROUNDWATER DIVERTED)
FROM SECTIONS 19, 20, 21, 28, 29,)
30, 31, 32, AND 33, T. 11 S.,)
R. 27 E., B.M.)

A. KENNETH DUNN, Director of the)
Department of Water Resources)
of the State of Idaho,)

Counterplaintiff,)

vs.)

ALICE FOSHA, HELEN FLINT, and)
BEVERLY ADAMS, individuals,)

Counterdefendants.)

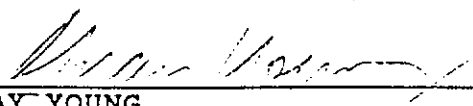
TO ALL PARTIES:

GRAY YOUNG, Assistant General Counsel, J. R. Simplot
Company, hereby enters his appearance as co-counsel on behalf
of J. R. Simplot Company in this action. All notices to
J. R. Simplot Company should be delivered to the following
address:

Gray Young
Bruce Belzer
J. R. Simplot Company
Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707

DATED this 20th day of January, 1992.

By


GRAY YOUNG
Assistant General Counsel

4507v/1-20-92/1:42

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF APPEARANCE was mailed this 20th day of January, 1992, in an envelope with sufficient first-class postage prepaid thereon to the following:

Idahome Farms, Inc.
1925 Oakley Avenue
Burley, ID 83318

Dennis Jay Harper
Star Route
Declo, ID 83323

Roland Allen Land &
Livestock
Star Route
Malta, ID 83342

Mark J. Taylor
Strong & Hanni
5th Floor, Boston Building
Salt Lake City, UT 84111
Attorney for Fosha, et al.

Leo A. Jardine
Jardine, Linebaugh,
Brown & Dunn
Suite 400
370 East South Temple
Salt Lake City, UT 84111
Attorney for Raft River Ranches, Inc.

A. Lynne Krogh-Hampe
Deputy Attorney General
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706-2237


VICKI SPANGLER

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OCT 27 1994