



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

June 10, 2005

KARL J. DREHER
Director

2-2437

J R Simplot as Trustee
C/O Ronald N Graves
P.O. Box 27
Boise, ID 83707

RESPONSE DEADLINE
July 22, 2005

Re: Snake River Basin Adjudication (SRBA) – Claim Number 2-2437

Dear Mr. Graves,

The Idaho Department of Water Resources is currently in the process of reviewing SRBA claims in Basin 02.

During the review, it was found that one of the claimed points of diversion differs from those licensed. The point of diversion in question is licensed in the NENE of Section 8 (Lot 1), Township 04S, Range 02E. The claim indicates this point of diversion is in the NWNE (Lot 2). Idaho Statute (IC 42-1425) allows IDWR to recommend a change in point of diversion as an accomplished transfer if that change took place prior to the commencement of the SRBA, November 19, 1987. Changes that occurred after that date require a formal transfer application filed with the IDWR Water Allocations Bureau.

At this time, without evidence that the change took place prior to the commencement of the SRBA, the right will be recommended as licensed. If you disagree with this assessment, please provide me with evidence of when the location of the point of diversion changed and submit it to this office by July 22, 2005.

Evidence could be as simple as an affidavit stating when the change was made or something indicating the date of change such as receipts for equipment purchased or pump test records at the new point of diversion. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statements should be in the form of a notarized affidavit.

Enclosed you will find a computer printout of your claim with the point of diversion in question encircled. If you have any questions, please contact this office. Our toll free number is 1-800-451-4129. It will help speed things along if you have your claim number, 2-2437, handy when you call.

Sincerely,

Steve Robischon
Adjudication Technical Section

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 2-2437
Date Received: 1/5/1989
Receipt No: C004955
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

J R SIMPLOT SELF DECLARATION REVOCABLE TRUST Phone: (208)336-2110

J R SIMPLOT AS TRUSTEE
C/O RONALD N GRAVES
PO BOX 27
BOISE ID USA 83707-0027

2. Date of Priority: 01/23/1948

3. Source: SNAKE RIVER , SNAKE RIVER Trib. to: COLUMBIA RIVER , COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04S	02E	8	NW	NW	NE 2	ELMORE	
04S	02E	6	SE	NE	SE 6	ELMORE	

5. Description of diverting works:

PUMPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	4.84	

7. Total Quantity Appropriated is:
4.84 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
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04S	02E	5	NE	SW		IRRIGATION	40	
			SW	NE		IRRIGATION	40	
			NW	SW	5	IRRIGATION	40	
						7 IRRIGATION		12
			SW	NW		IRRIGATION	40	
			SE	NW		IRRIGATION	40	
						Section Acres	212	
04S	02E	6	NE	NE	1	IRRIGATION	32	
			SE	NE		IRRIGATION	40	
						Section Acres	72	
						Total Acres	284	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

TRANS. #1944.

15. Basis of Claim: License