

Plot all in Sec 25 T9S, R1E

NE, NW (10)

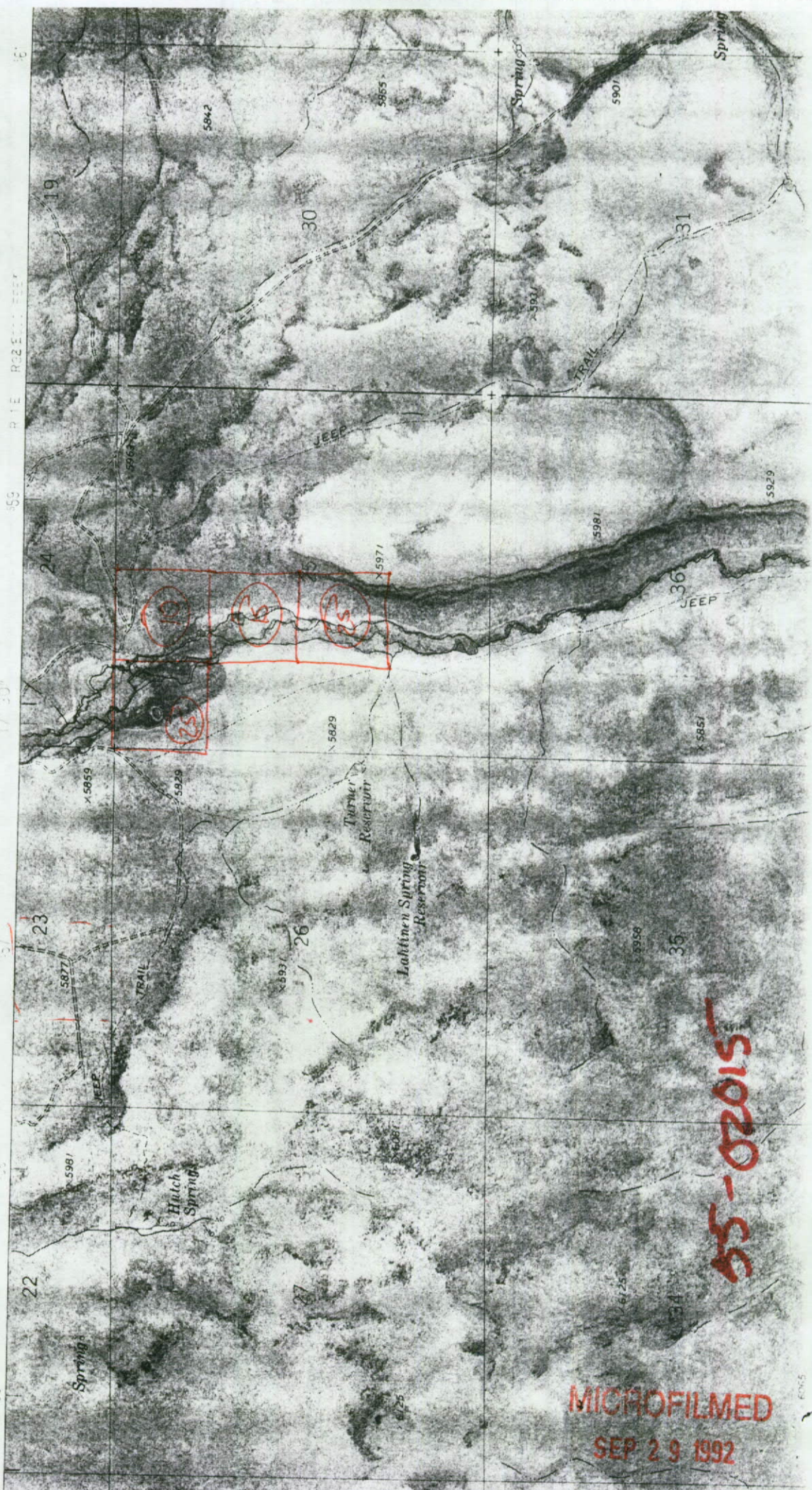
NW, NW (25)

SE, NW (15)

NE, SW (25)
75.0 Acres.

R1E R2E

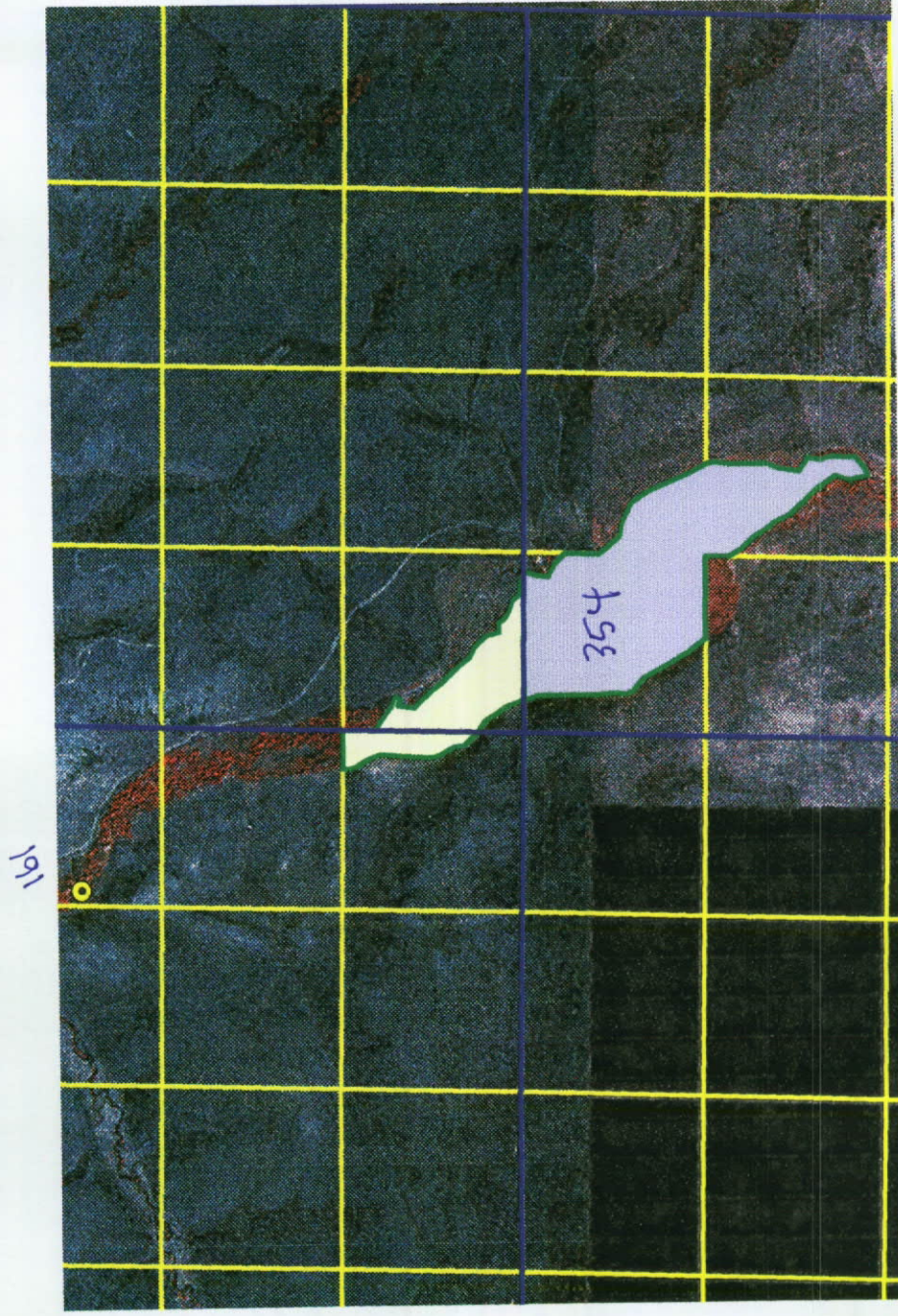
CRAB SPRING BUTTE QUADRA
IDAHO
7.5 MINUTE SERIES (ORTHO) PHOTO



MICROFILMED
SEP 29 1992

55-02015

CLAIMS: 2015
OWNER: SIMPLOT



- 09s01e.dxf
- Ron2-pod.shp
- Ron-pou.shp
- P09s01e.shp



T09S, R01E

Idaho Department
of Water Resources

● Point of Diversion

Place of Use

Section Lines

1/4 1/4 Lines

3 ACRES

Claim(s): 55-02015

Owner(s): Simplot

Prepared by:

Ron Howerton

Date: 22 APR 98

Total Acres: 45

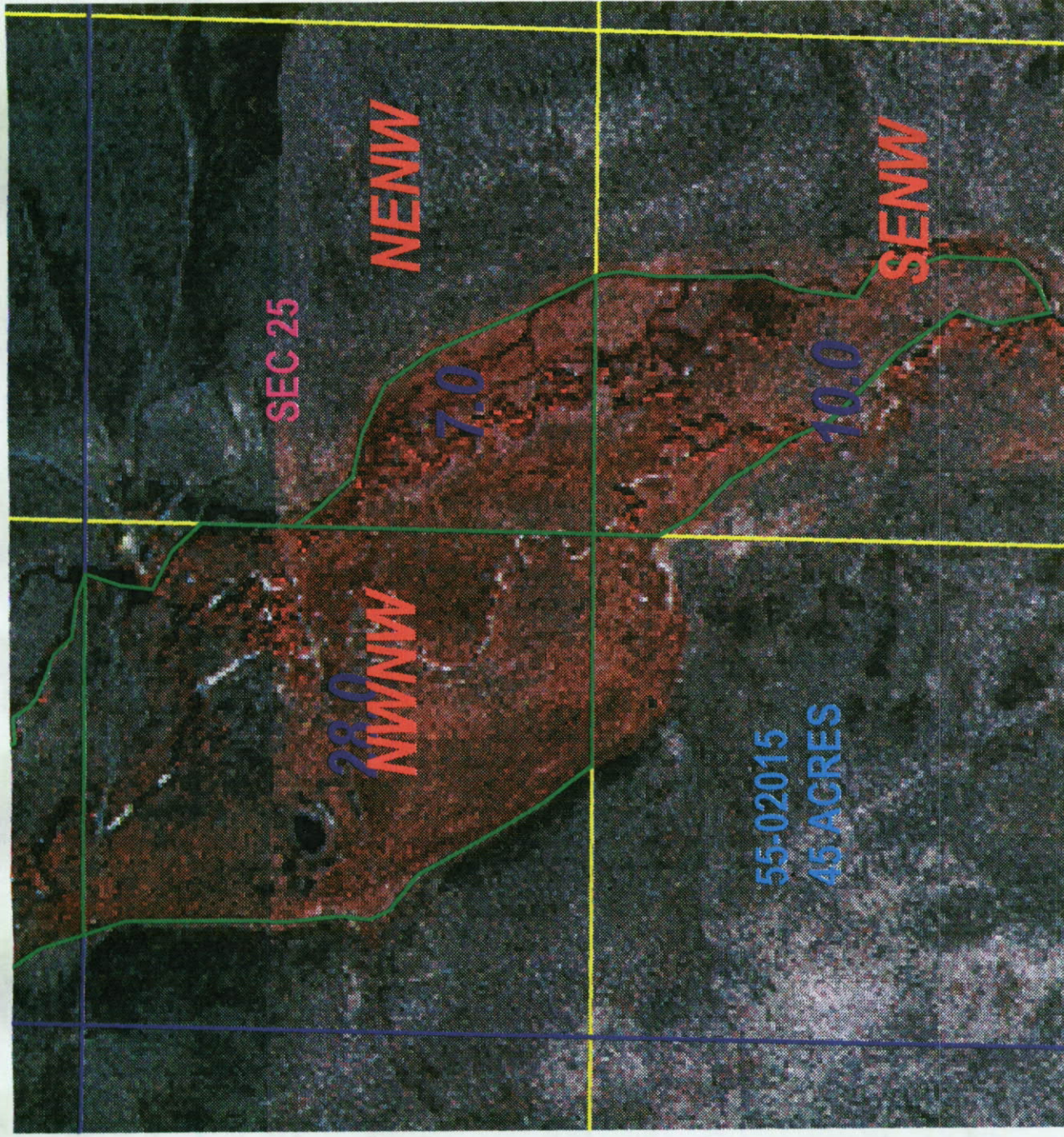


0

0.25

0.5 Miles

1987 NAPP



SEC.

SEC.

SEC.

T-9 SP-1E

ACTUAL LOC.
OF BATTLE CR

SEC.
214

SEC.
215

BATTLE
CREEK

SEC.
213

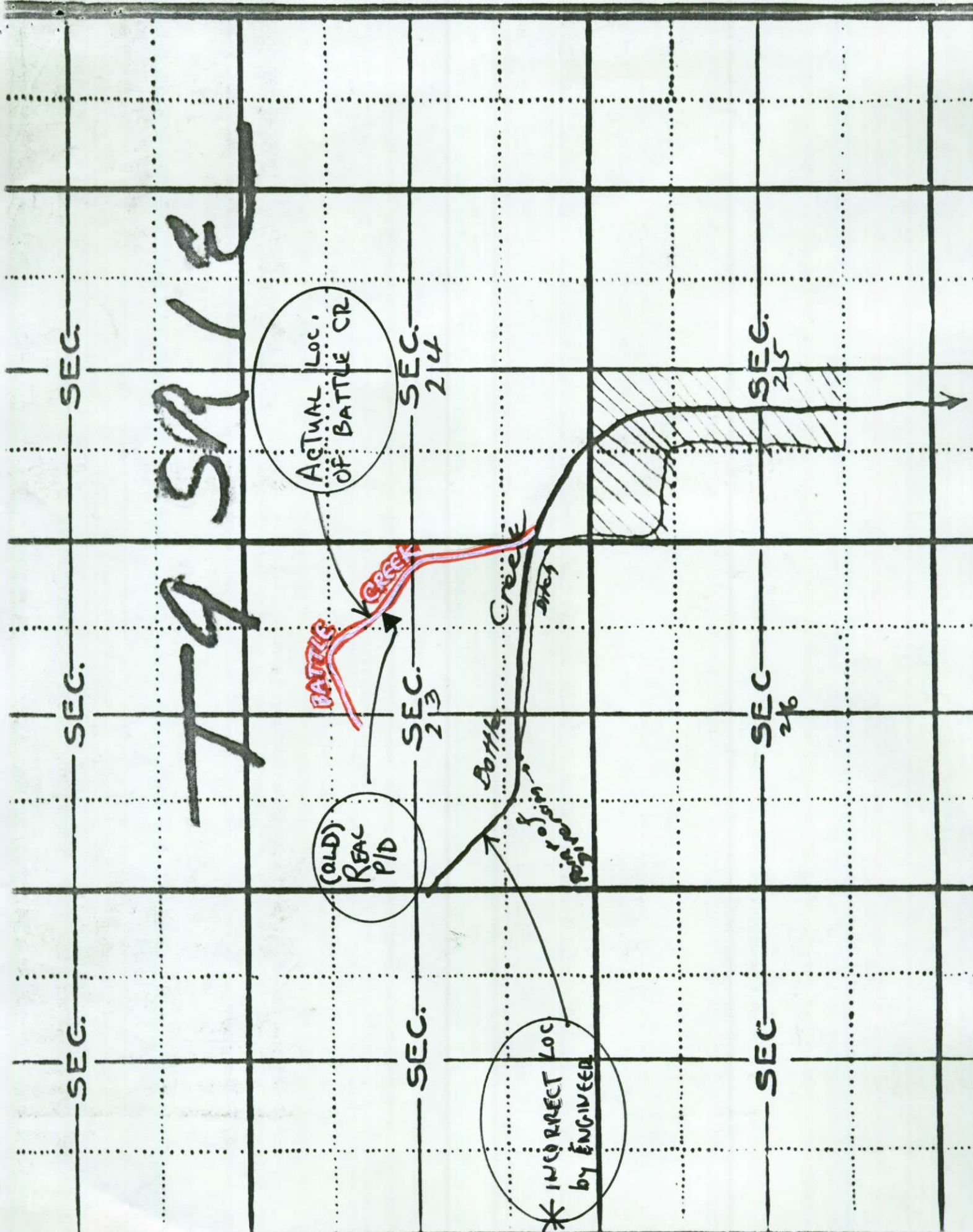
(OLD)
REAL
P/D

SEC.

SEC.
216

* INCORRECT LOC
by ENGINEER

SEC.



REPORT OF ENGINEER No. 5460.

1. State name of applicant and number of permit: Adolf Lahtinen by assignment from George Higgenbottom
2. State source of water supply: Battle Creek.
3. Location of point of diversion: S.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$, Section 25, T. 9 S., R. 1 E., B. M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes.

5. Describe works as they exist, giving dimensions and capacities of same:

2 ft. bottom
4 ft. water line
1" deep
3 1/2 ft. full for 17 ft.

6. State whether or not water has been turned into works of diversion: Yes.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

Section 25, Township 9 South, Range 1 East, Boise Meridian.

N.E. $\frac{1}{4}$ N.W. $\frac{1}{4}$ 10 Acres. N.W. $\frac{1}{4}$ N.W. $\frac{1}{4}$ 25 Acres

S.E. $\frac{1}{4}$ N.W. $\frac{1}{4}$ 15 " N.E. $\frac{1}{4}$ S.W. $\frac{1}{4}$ 25 "

Cultivated Meadow, of Timothy and Clover.

8. Submit map on enclosed plat, showing location and details of above description.

Remarks: A small Acreage is irrigated from a Ditch not mentioned in the Permit which takes out from Battle Creek on the East side, and the acreage so irrigated is counted in with this report.

This examination was made on the 4th day of November 1916.

(Signed)

Stanton Ross

Examiner.

5460

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: George Higginbottom

Postoffice address: Hot Springs

County: Owyhee

State: Idaho

2. The quantity of water claimed is two cubic feet per second.

3. Source of water supply: Battle Creek

County of Owyhee

4. Location of point of diversion: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 23, T. 9 S.R. 1 E.B.M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 100 acres

(b) In the following legal subdivisions: NE $\frac{1}{4}$ of NW $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$; Sec. 25, T. 9 S.R. 1 E.B.M.

6. Estimated cost of works: \$150.00

7. Description of works for diversion:

I. Kind of works: Dam made of willows and rocks, and canal

II. Dimensions of works:

(a) Height of dam 4 feet, length of dam at top 14 feet, length of dam at bottom 14 feet, Material used in construction: Willows, and rocks.

(d) Conduit ditch, width at bottom one foot, width at water line five feet, depth of water one foot. Average grade per mile is 3.168 feet. Length of conduit is 1 $\frac{3}{4}$ miles, and it crosses the following quarter sections: SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Sec. 23, SW $\frac{1}{4}$ Sec. 24, NW $\frac{1}{4}$ Sec. 25, SW $\frac{1}{4}$ Sec. 25, T. 9 S.R. 1 E.B.M., to land described in 5 l (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is 5 years.

9. Time required for the complete application of the water to the proposed use is 4 additional years.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

George Higginbottom,

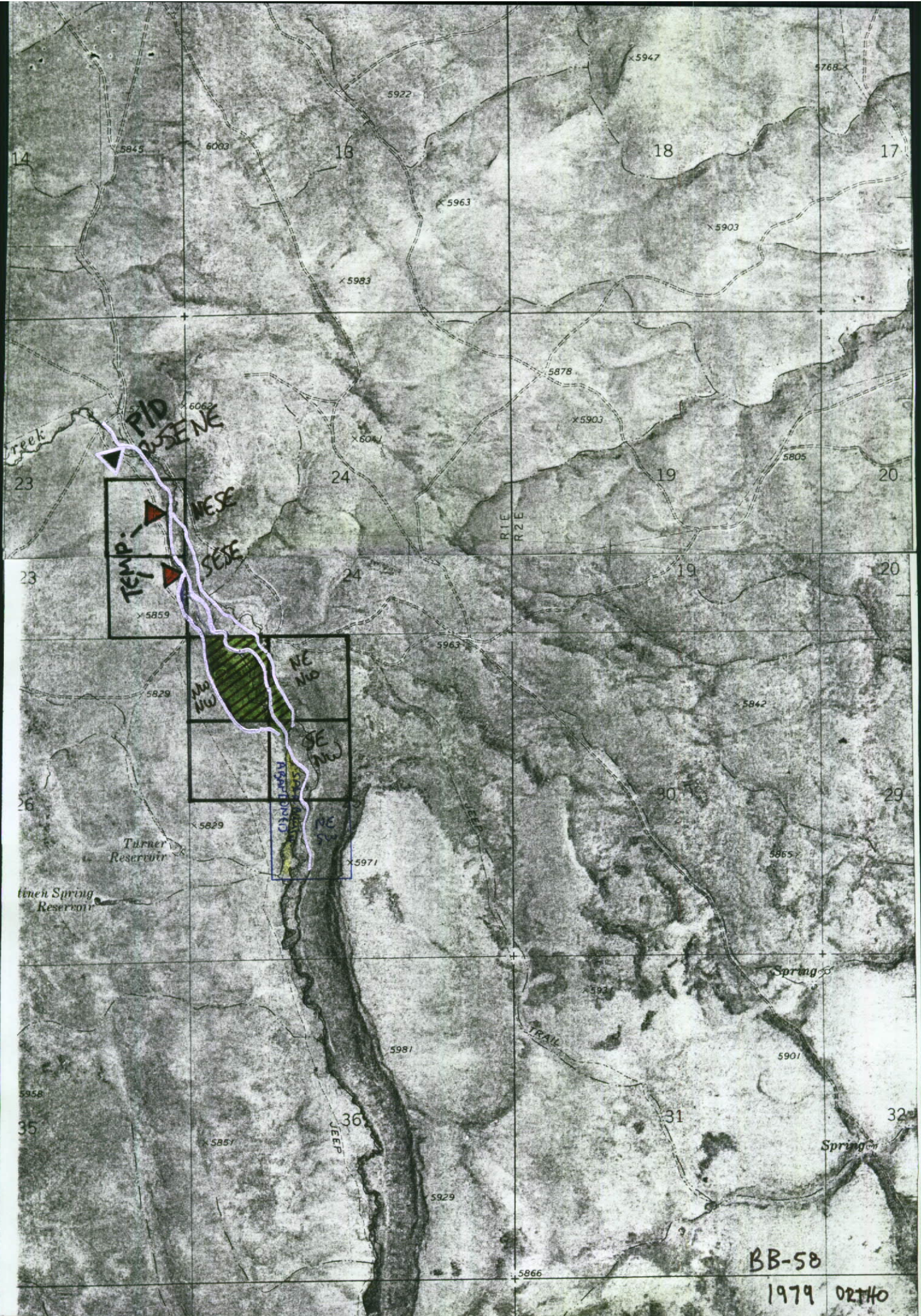
Applicant.

Remarks.

Time asked for in section 8 above is hereby reduced to 2 years.

Jas. Stephenson, Jr.

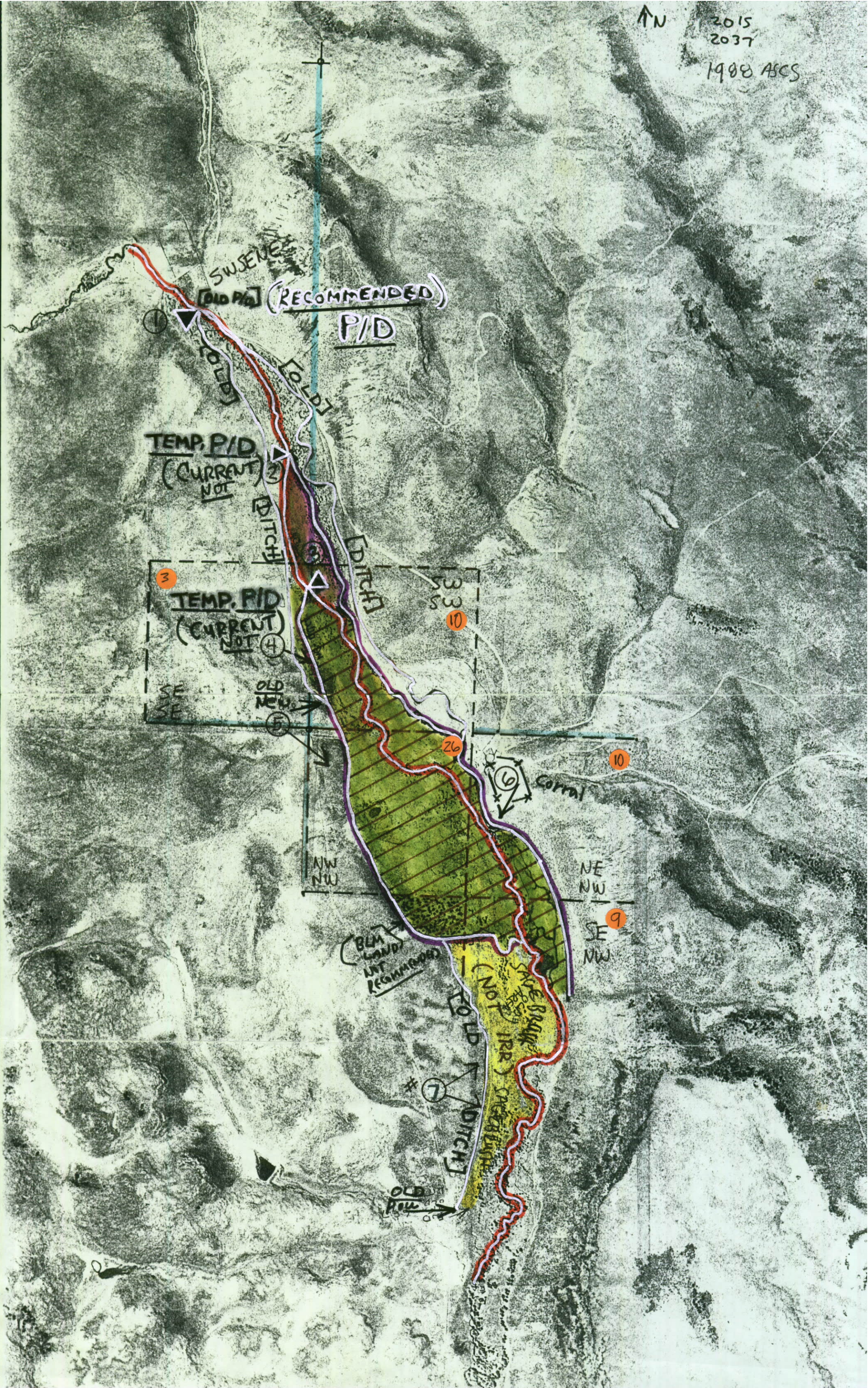
State Engineer



↑N

2015
2037

1988 ASCS



PICTURE #1

55-02031;

55-02015 FX 07-29-93. Photos by RDH. This is the recommended P/D. The old license incorrectly described the P/D. A copy of the old field exam shows that the examiner had the alignment of Battle Creek wrong. Thus, the incorrect description, copy attached. The correct P/D is the SWSENE, S23, T9S, R1E.



PICTURE #2

This photo shows the location temporary P/D #1 located in the NESE, S23, T9S, R1E.



PICTURE #3

55-02015 & 55-02037: FX 07-29-93. Photos by RDH. This is the location of the 2nd temporary P/D located in the SESE, S23, T9S, R1E.



PICTURE #4

This photo shows the POU near temporary P/D #2. View is to the SE in S24 & S25.



PICTURE #5

55-02015 (only) FX 07-29-93. Photos by RDH. This photo shows the POU of the large fields in the NWNW, S25, T9S, R1E. View is towards the SE. The corral and ranch house can be seen in background.



PICTURE #6

55-02015 (only) This photo shows the POU from the corral looking the bottom of the field. View is to the SW in S25.



PICTURE # 7

55-02015 (only) FX 07-29-93. Photo by RDH. Old POU no longer irrigated, not recommended for irrigation. Located below photo # 6 in the NESW of S25, looking NE.



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: A55-02015
Date Received: 12/ 5/1988
Receipt No: M002048
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J R SIMPLOT COMPANY 208-834-2231
Address: HC 85 BOX 275
GRAND VIEW ID 83624

2. Date of Priority: NOV 26, 1909

3. Source: BATTLE CREEK Trib. to: OWYHEE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	01E	23	SW	SE	NE		OWYHEE

5. Description of diverting works:
WOOD AND CEMENT HEADGATE TO DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.500		
DOMESTIC	04/01	11/01	0.020		

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

8. Total consumptive use is 187.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOUSEHOLD SEASONAL USAGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	01E	25	NE	NW		IRR	10.0
			NW	NW		IRR	25.0
			SE	NW		IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	01E	25	NE SW		IRR	25.0
Section Acres						75.0
Total Acres						75.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
55-2037- SAME POD DIFF. POU

14. Remarks:

THE POINT OF DIVERSION WAS CHANGED, IT APPEARS THAT THE POD AS FOUND IN THE ORIGINAL CLAIM (PROOF REPORT), WAS INCORRECT, (IT WAS NOT EVEN NEAR THE STREAM). AS IN ORIGINAL POD WAS- SE1/4 OF SW1/4 OF SEC. 23, WHEN IN FACT IT IS AT SW1/4 OF SE1/4 OF NE1/4 SEC. 23
OWNERSHIP CHANGED BY RDH ON 08-10-1993.

15. Basis of Claim: LICENSE

Water Right Number: 5460

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A55-02015
Date Received: 12/05/1988
Receipt No: M002048
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: COLYER CATTLE CO. 208-845-2312
Address: HC - 85 BOX 896
BRUNEAU, ID 83604

2. Date of Priority: NOV 26, 1909

3. Source: BATTLE CREEK Trib. to: OWYHEE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	01E	23	SW	SE	NE		OWYHEE

5. Description of diverting works:
WOOD AND CEMENT HEADGATE TO DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.500		
DOMESTIC	04/01	11/01	0.020		

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

8. Total consumptive use is 187.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOUSEHOLD SEASONAL USAGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	01E	25	NE	NW		IRR	10.0
			NW	NW		IRR	25.0

A55-02015

Page 1

Date: 12/05/88

MICROFILMED
SEP 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	01E	25	SE	NW		IRR	15.0
			NE	SW		IRR	25.0
						Section Acres	75.0
						Total Acres	75.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
55-2037- SAME POD DIFF. POU

14. Remarks:
THE POINT OF DIVERSION WAS CHANGED, IT APPEARS THAT THE POD AS FOUND IN THE ORIGINAL CLAIM (PROOF REPORT), WAS INCORRECT, (IT WAS NOT EVEN NEAR THE STREAM). AS IN ORIGINAL POD WAS- SE1/4 OF SW1/4 OF SEC. 23, WHEN IN FACT IT IS AT SW1/4 OF SE1/4 OF NE1/4 SEC. 23

15. Basis of Claim: LICENSE
Water Right Number: 5460

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: 4

For Organizations:

I do solemnly swear or affirm that I am Secretary of
Calyer Cattle Co., that I have signed the foregoing
Organization document in the space below as Secretary of
Calyer Cattle Co. and that the statements contained in the
Organization foregoing document are true and correct.

Dennis C. Calyer
Signature of Authorized Agent

Sec. Calyer Cattle Co.
Title and Organization

Dec. 5, 1988
Date

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of Dec 19 88

Walter Lane Eubank
Notary Public

Seal

Residing at Boise, Id

My Commission Expires 9-2-1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

AUG 02 1993

DATE OF CLOSING: 10-26-89

Department of Water Resources
Western Regional Office

LEGAL DESCRIPTION OF PROPERTY: Township 9 S. Range 1 E.
Section , 1/4 of 1/4 of 1/4, Govt. Lot , BM.

Lot , Block, , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet. - SEE ATTACHED DEED

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s) A55-02015, A55-02037, A55-02075
Assigned by IDWR: LICENSE ~~8888~~, 8687, 12192
5460

☐ Name and Address of Former Owner/Claimant(s)(Seller): COLYER CATTLE CO
HC 85, BOX 896
BRUNEAU, ID 83604

☐ New Owner/Claimant (Purchaser): J. R. SIMPLOT COMPANY

☐ New Mailing Address: HC 85, Box 272
GRANDVIEW, IDAHO 83624

☐ New Telephone Number: (208) 834 - 2231

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) J. R. Simplot Co. By: Frank L. Bachman Date 7-30-93

☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

9

RECEIVED

AUG 02 1993

(Optional)

Recorded ☐
Microfilmed ☐
Indexed ☐Platted ☐
Deed Card ☐
Compared ☐Key Punched ☐
Master File ☐
Abstracted ☐To Treasurer ☐☐
☐
☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

(CORPORATE FORM)

Department of Water Resources
Western Regional Office

Colyer Cattle Co.

organized and existing under the laws of the State of Idaho, with its principal office at
Bruneau of County of Owyhee
grantor, hereby CONVEYS or GRANTS and WARRANTS TO, a corporation
State of Idaho,

J. R. Simplot Company, a Nevada Corporation

of P. O. Box 27, Boise, Idaho 83707

grantee
for the sum ofFOUR HUNDRED FIFTY THOUSAND and No/100----- DOLLARS,
the following described tract(s) of land in Owyhee County,
State of Idaho:

EXHIBIT "A" Attached hereto:

Location of above described property

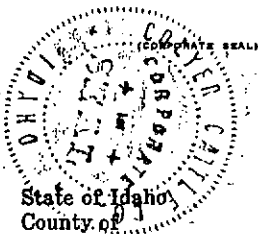
House No.

Street

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was
duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meet-
ing duly held and attended by a quorum.In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its
duly authorized officers this 26th day of October, A. D. 19 89

Colyer Cattle Co.

(CORPORATE NAME)

By Raymond L. Colyer PRESIDENTAttest: Bonnie C. Colyer SECRETARYState of Idaho,
County of

ss.

On the 26th day of October, A. D. 19 89
personally appeared before me Raymond L. Colyer and Bonnie C. Colyer
who being by me duly sworn did say, each for himself, that he, the said Raymond L. Colyer
is the president, and she, the said Bonnie C. Colyer is the secretary
of Colyer Cattle Co., a corporation, and that the within and
foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board
of directors and said Raymond L. Colyer and Bonnie C. Colyer
each duly acknowledged to me that said corporation executed the same and that the seal affixed is the
seal of said corporationNicholas K. Heli
(NOTARY PUBLIC)My residence is Mosby, ID
My commission expires 11/30/89

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name _____
Address _____
City & State _____ Zip _____

RECEIVED
AUG 0 2 1993

Department of Water Resources
Western Regional Office

Exhibit "A"

Deed- Colyer Cattle Co. to J. R. Simplot Company

IN TOWNSHIP 9 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 15: S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 22: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 23: S $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$

Section 24: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 25: N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

IN TOWNSHIP 10 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 1: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 12: NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

* * * * *

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

Subject to exceptions and reservations contained in patents from the United States.

Subject to existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

Subject to current taxes, assessments and all restrictions and reservations of record.

Together with that certain State of Idaho Land Lease No. G-6184, containing 840.08 acres and 130 AUM.

Together with 3,395 AUM Federal Grazing, Battle Creek Allotment No. 0802.

Together with 740 AUM Federal Grazing, Miller Table Seeding Allotment No. 0812.

200872

FILED-RECORDED

OCT 26 11 46 AM '89

BARBARA JAYO
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY

REQUEST OF
[Signature]
FEE 6.00

INDEXED

MICROFILMED

Adj.	Flag	Translation:	Standard	Water	Right	Number	old (D)	Number	-	5460
------	------	--------------	----------	-------	-------	--------	---------	--------	---	------

+ - First Name - - +

ADOLPH

1	2	3
---	---	---

GEORGE

1 1 1
4 2 3

+ - - Stage - - +
L - LICENSE

+ - - - status - - - +

+ - - - - Tributary

OWYHEE RIVER

49.1

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume

01 - IRRIGATION
43 - DOMESTIC

1,500

-	Total Div. Rate -	+	+	- Total Div. Volume -	+	+	- Total Div. Capacity -	+	+	- Total Consumptive Use -	+	+	- KW Usage -	+
						1,500								

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
-----	-----	-----	-------	-----	-------	--------------	-------------	--------

01	IRRIGATION	(73)	OWYHEE
01	IRRIGATION	(73)	OWYHEE
01	IRRIGATION	(73)	OWYHEE
01	IRRIGATION	(73)	OWYHEE

Total Acres: 75.0

- - - Diversion Means -

- - Non-Irrigation Use -

- - Other Rights for Same Use - -

Adj. flag translation: Standard Water Right Number

- - Conditions of Approval - -
No Conditions of Approval found.

+ - Decree Date - +
00/00/0000

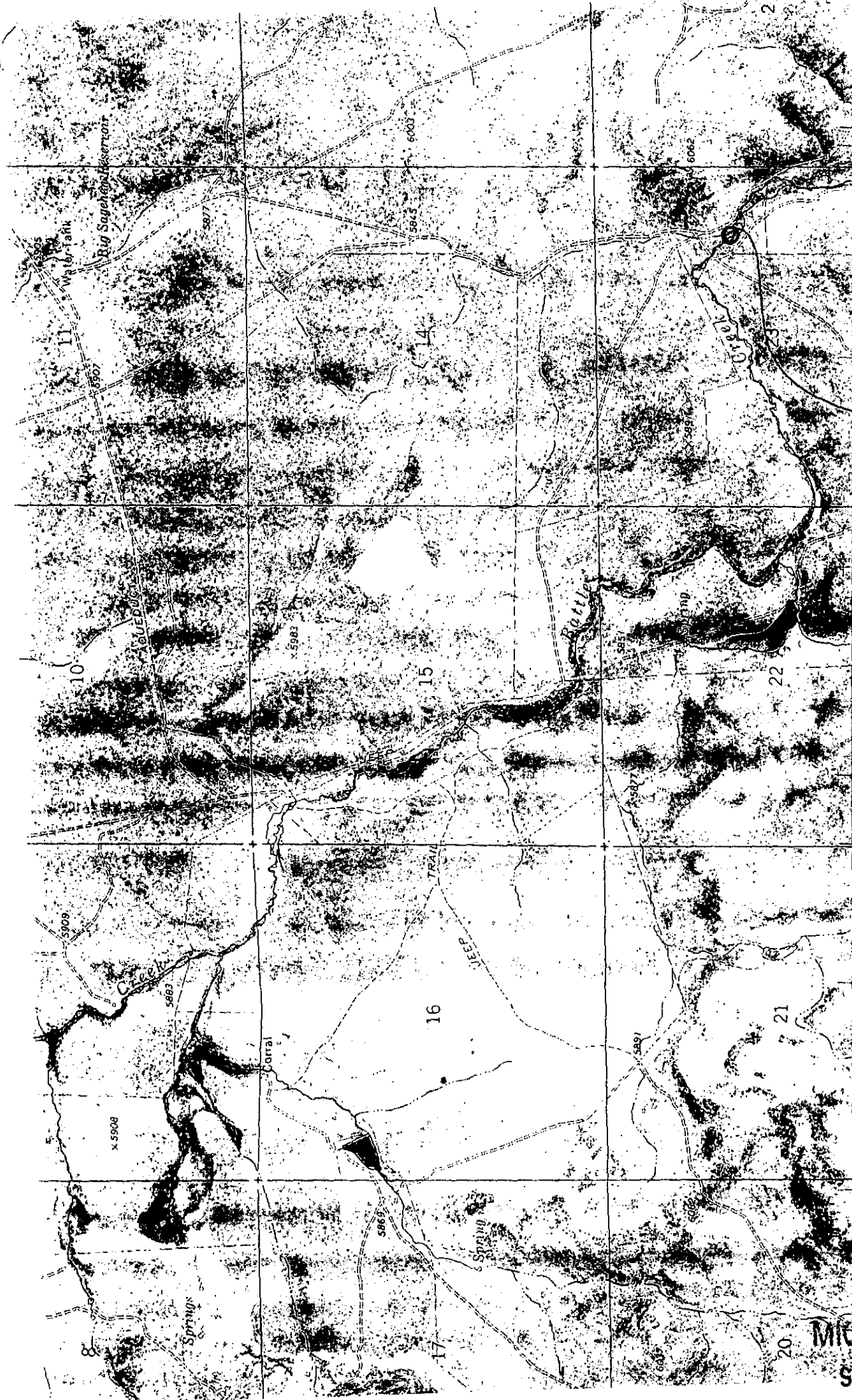
+ - - Audit Fields - 04/23/85

04/30/88 CONVERT

Water Rights Dates and Flags Area

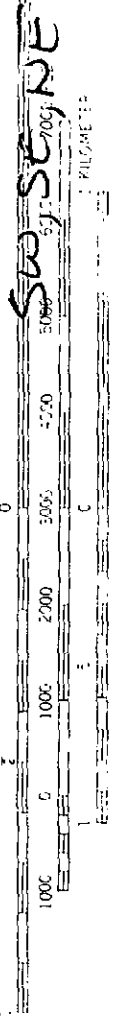
Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	-
Start Work Date	- 00/00/0000	Verified Date	- 04/23/1985	DLE/carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 06/21/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

SEP 29 1992



POD TQS, R1E 23

SCALE 1:24000



SEP 1992
MICROFILMED
Soil Conservation Service
1:24,000-scale
79
rid line
t zone

88-02015

use Mercator grid ticks.
can datum

NE, NW (10)
NW, NW (25)
SE, NW (15)
NE, SW (25)

R1E R2E

CRAB SPRING BUTTE QUADRA
IDAHO

7.5 MINUTE SERIES (ORTHOPHOTO)

75.6 Aced.



IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORTWR5808NP
(OD-26)

Old (D) Number - 5460

Water Right Number - 55-02015

Prefix Translation: WATER RIGHT

+ - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - - + - - - - +

*** C - CURRENT OWNER ***
LAHTINEN

ADOLPH

1 -
2 -
3 -City- MOUNTAIN HOME State- ID Zip-
Phone -*** O - ORIGINAL OWNER ***
HIGGINSBOTTOM

GEORGE

1 -
2 -
3 -City- State- Zip-
Phone -+ - - Priority Date - - - + - - - Region - - - + - - - Stage - - - + - - - Status - - - +
11/26/1909 14 WESTERN L - LICENSE+ - - - - Source - - - - - +
BATTLE CREEK
BATTLE CREEK

OWYHEE RIVER

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +
Twn Rng Sec Tract Lot Rfkg County

09S 01E 23 SE SW (73) OWYHEE 272.0 313.0 249.0 49.1

+ - - - - - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - - +
Code Description Period From Period To
01 - IRRIGATION 1.500
43 - DOMESTIC 1.500+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +
1.500+ - - - - - - - - - - - - - - - Place of Use - - - - - Description - - - - - County - - - - - +
Twn Rng Sec Tract Lot Acres Code
09S 01E 25 NE NW 10.0 01 IRRIGATION (73) OWYHEE
09S 01E 25 NW NW 25.0 01 IRRIGATION (73) OWYHEE
09S 01E 25 SE NW 15.0 01 IRRIGATION (73) OWYHEE
09S 01E 25 NE SW 25.0 01 IRRIGATION (73) OWYHEE

Total Acres: 75.0

- - - Diversion Means -
- - - Non-Irrigation Use -
- - - Other Rights for Same Use -MICROFILMED
SEP 29 1992

+ - - Audit Fields - 04/23/85 04/30/88 CONVERT

[illegible]

SEP 29 1992

IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

AJ5807NP
(OD-117)

| RIGHT NUMBER | NAME & ADDRESS | PRIORITY DATE | WATER USE | PERIOD FROM TO | MAXIMUM DIVERSION | STAGE |
|--------------|--|---------------|------------------------|----------------------------|----------------------|---------|
| A55-02015 | COLYER CATTLE CO.
HC - 85 BOX 896
BRUNEAU ID 83604 | 11/26/1909 | IRRIGATION
DOMESTIC | 04-01 11-01
04-01 11-01 | 1.50 CFS
0.02 CFS | LICENSE |
| | | | | | 1.50 CFS TOTAL | |
| | | | | | 0.00 AFA TOTAL | |

SOURCE: BATTLE CREEK
OTHER RIGHTS: 55-2037- SAME POD DIFF. POU
CONDITIONS OF APPROVAL:

REMARKS: THE POINT OF DIVERSION WAS CHANGED, IT APPEARS THAT THE POD AS FOUND IN THE ORIGINAL CLAIM (PROOF REPORT), WAS INCORRECT, (IT WAS NOT EVEN NEAR THE STREAM). AS IN ORIGINAL POD WAS- SE1/4 OF SW1/4 OF SEC. 23, WHEN IN FACT IT IS AT SW1/4 OF SE1/4 OF NE1/4 SEC. 23

POINT OF DIVERSION:
T09S/R01E/S23W

PLACE OF USE: IRRIGATION
T09S/R01E/S25W
75.0 ACRES TOTAL

PLACE OF USE: DOMESTIC
SAME AS OTHER USE

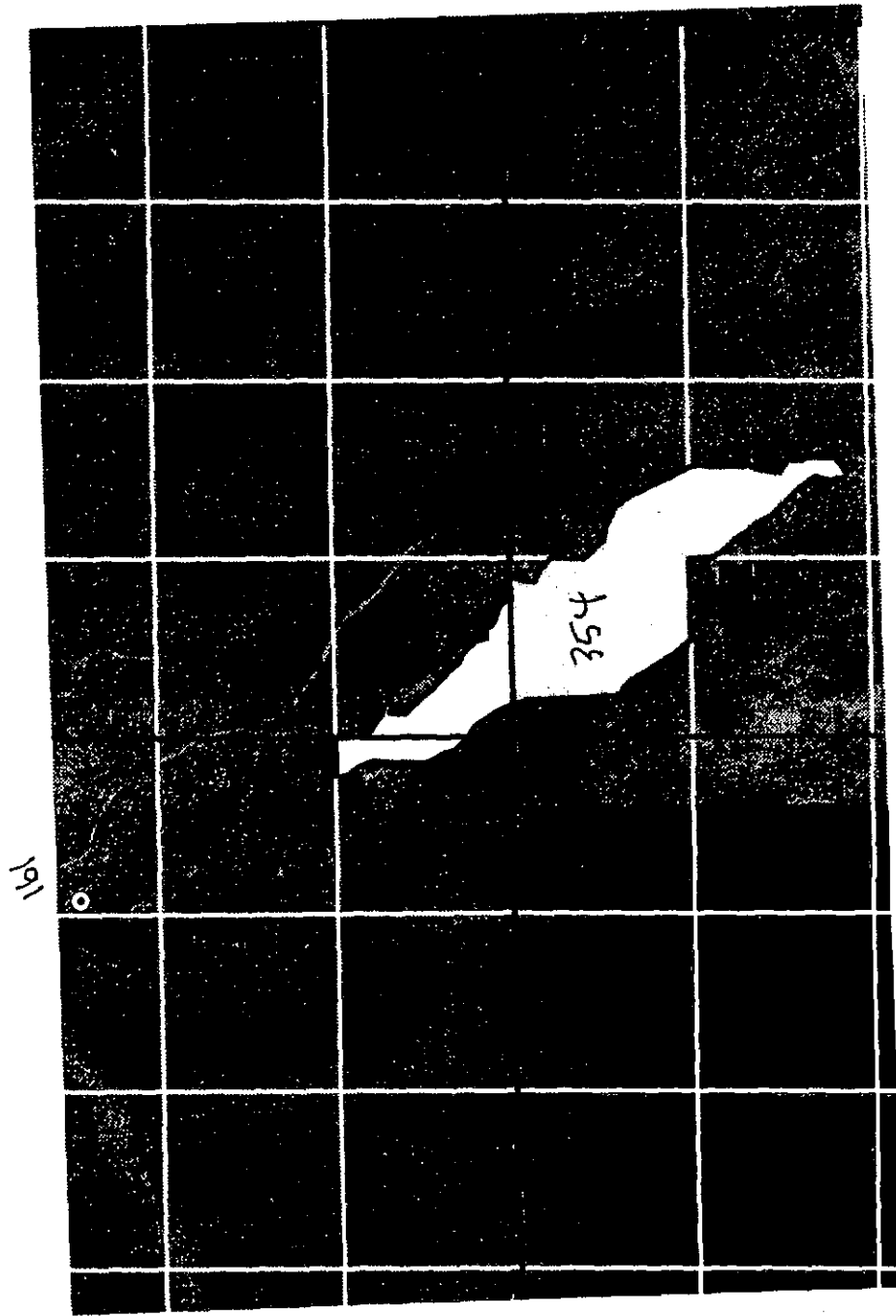
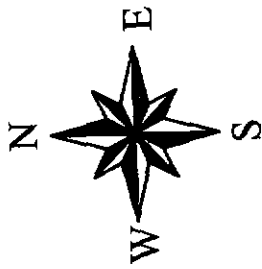
WNW 25.0

SENW 15.0

NESW 25.0

CLAIMS: 2015

OWNER: Simplot



09s01e.dxf
Ron2-pod.shp
Ron-pou.shp
P09s01e.shp

0 0.25 0.5 Miles





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 24, 1998

PHILIP E. BATT
GOVERNOR

VIC CONRAD
SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707

KARL J. DREHER
DIRECTOR

REF: NOTICES OF ERROR BASIN 55

Dear Vic:

Enclosed are 3 NAPP maps and profile reports that were either changed or taken a second look at for the recommendations of the BASIN 55 Notice of Error reports process:

55-02015: Second look, no changes to irrigated acres , enclosed new map, N/C to irrigation season.

55-02037: Second look, added acres, added CFS, enclosed 2 new maps with a new profile report, N/C to irrigation season.

55-02020: Added remark AKA Randall Spring, with new profile report, N/C to irrigation season.

55-02059: N/C to irrigation season.

55-04008 : N/C to irrigation season.

55-04009: Added year round stock season, with new profile report, N/C to irrigation season.

55-04010: Added domestic use, with new profile report, N/C to irrigation season.

55-04011: N/C to irrigation season.

55-10225: N/C to irrigation season.

55-10226: N/C to irrigation season.

55-10227: N/C to irrigation season.

If you have questions related to the above, please contact me.

Sincerely,

Ron Howerton
SRBA Western Region
334-2190

OWNER

CODE

NAME & ADDRESS

PRIORITY

DATE

WATER USE

USE PERIOD

DIVERSION

DIVERSION

C

J R SIMPLOT COMPANY

HC 85 BOX 275

GRAND VIEW ID 83624

(208) 834-2231

11/26/1909

IRRIGATION

04-15 10-15

0.90 CFS

0.90 CFS

Water Source: BATTLE CREEK

Tributary to: OMWHEE RIVER

Stage: LICENSE

Point(s) of Diversion: T09S R01E S23

SWSENE

OMWHEE County

Place of use Legal Description for: IRRIGATION

| | | | | | | | | | | | |
|----------------|--|-------|--|-------|--|-------|--|-------|--|-------------|--|
| | | NE | | NW | | SW | | SE | | | |
| MENE N4NE S4NE | | SENE | | SENE | | SENE | | SENE | | | |
| T R S | | Lt Ac | | Lt Ac | | Lt Ac | | Lt Ac | | SUM | |
| 09S 01E 25 | | : 07 | | 28 | | 10 | | : | | 45.0 | |
| | | | | | | | | | | TOTAL ACRES | |
| | | | | | | | | | | 45.0 | |

POU County: OMWHEE

Remarks: GEN

THE REMAINDER OF THIS RIGHT HAS BEEN FORFEITED FOR NON-USE

FROM 1979 TO FIELD EXAM 07/29/1993.

EXP

RIGHT NO. 55-02037 IS ALSO DIVERTED THROUGH POINT OF DIVERSION

DESCRIBED ABOVE.

Dates:

Exam Made Date: 07/29/1993

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag: A

Presumption Flag:

Comments:

Date: 05/11/1994

User-ID: HOWERTON Subject: CHANGE

ORIGINAL LICENSE HAD MIS-PLOTTED THE LOCATION OF BATTLE CREEK AND

THUS MIS-LOCATED THE P/D.

SEE FILE FOR PROOF.

Date: 05/11/1994

User-ID: HOWERTON Subject: OWNERSHIP

OWNERSHIP CHANGED BY RDH ON 08-10-1993.

Audit:

02/27/98 LHARRIS

CLAIM NO. 55 - 02015

**IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR**

1. ☒ NAME - No change
☐ NEW OWNER: _____
(SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)
☒ ADDRESS - No change
☐ NEW ADDRESS: _____

2. ☒ SOURCE - No change
☐ CHANGE - New source and/or tributary is: _____

3. ☒ QUANTITY - No change
☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☒ PRIORITY DATE - No change
☐ CHANGE - Priority date to: _____
(EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☒ POINT OF DIVERSION - No Change
☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
(LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☒ PURPOSE AND PERIOD OF USE - No change
☐ CHANGE New purpose of use New period of use New amount(s)
_____ from _____ to _____ cfs _____ af
_____ from _____ to _____ cfs _____ af
_____ from _____ to _____ cfs _____ af

7. ☒ PLACE OF USE - No change
☐ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

| T | R | S | N E | | | | N W | | | | S W | | | | S E | | | | TOTAL |
|---|---|---|-----|----|----|----|-----|----|----|----|-----|----|----|----|-----|----|----|----|-------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

REMARKS NO CHG TO ACRES OR SEASON OF USE

CONDITIONS _____

Reviewer Ron Howerton Date 22 APR 98



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

RECEIVED

APR 17 1998

WATER RESOURCES
WESTERN REGION

April 17, 1998

HAND DELIVERY

Jan Shurte, Water Rights Supervisor
Adjudication Section
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Re: Notices of Error.

Dear Jan:

Enclosed on behalf of the J. R. Simplot Company are Notices of Error for the following claims filed in the Snake River Basin Adjudication:

A55-02015

A55-02037

Should you have any questions about the enclosed Notices please contact me. My phone number is 389-7359.

Sincerely,

Vic Conrad
Simplot Land and Development

Enclosures

c: F. Bachman
S. Ysursa

March 6, 1998

RECEIVED

APR 17 1998

WATER RESOURCES
WESTERN REGION

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation. **YOUR DEADLINE FOR RETURNING A**

NOTICE OF ERROR REPLY IS: April 17, 1998

Water Right Number: **55-02015**

J. R. SIMPLOT COMPANY
ATTN: RONALD N. GRAVES
P. O. BOX 27
BOISE, ID 83707

Daytime Telephone Number: **208-336-2110**
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Name and Address: J. R. Simplot Company, HC 85 Box 275, Grandview ID, 83624

Period of Use: "Irrigation Season" for Irrigation Period of Use or in the alternative April 15 through October 15.

Place of Use: T.9S R.1E Section 25: NE $\frac{1}{4}$ NW $\frac{1}{4}$ (7 acres), NW $\frac{1}{4}$ NW $\frac{1}{4}$ (28 acres), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (10 acres).

2. Describe the changes you wish to make in the proposed recommendation:

Name and Address: J. R. Simplot Company, P. O. Box 27, Boise, Idaho 83707

Period of Use: "Irrigation Season" for Irrigation Period of Use or in the alternative March 1 through November 30 (see explanation in no. 3 below).

Place of Use: T.9S R.1E Section 25: NE $\frac{1}{4}$ NW $\frac{1}{4}$ (10 acres), NW $\frac{1}{4}$ NW $\frac{1}{4}$ (25 acres), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (15 acres), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (25 acres) [Licensed Place of Use]. The claimant requests a re-evaluation by the IDWR of the Licensed place of use before a recommendation is provided.

3. Give a brief explanation as to why you disagree with these portions:

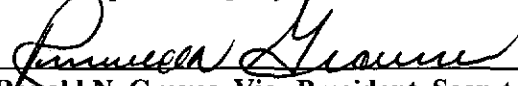
The basis for this claim, IDWR license no. 55-02015, was issued for the purpose of irrigation and domestic use on December 18, 1916, without specifying calendar dates for the irrigation season. The Idaho Supreme Court recently addressed the "irrigation season" use in *In re SRBA Nos. 39576, 91-00005 Ex Rel. General Provisions Re. Basin-Wide Issue 5*, 1997 Opinion 122 (Idaho Oct. 3, 1997). In this decision the Court held "that due to year to year changes in climatic conditions and variability in each area's soil type, the period of use for irrigation water rights should not be defined as a fixed period of use." *Id.* at 7. The Idaho Supreme Court's ruling on this issue is being challenged. A Petition for Rehearing was filed by the State of Idaho but rehearing has not yet been granted. In light of the pending petition, Claimant requests that irrigation season be described only as "irrigation season" in accord with present Idaho law.

In the event that the Idaho Supreme Court reverses its earlier decision on using "irrigation season", the period beginning March 1 and ending November 30 should be used to identify a specific calendar description. The actual calendar dates for the beginning and ending of an irrigation season fluctuate from year-to-year. An irrigation season described "from March 1 through November 30" will allow Claimant to divert and beneficially utilize water during those years when the irrigation season begins early or ends late.

The place of use originally licensed included irrigated acres that were not included in the recommendation for T. 9S R.1E Section 25: NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$. The claimant requested a re-evaluation by the IDWR of these legal subdivisions to verify their recommendation.

_____ I AGREE with this proposed recommendation; no changes need to be made.

J. R. Simplot Company

DATE: April 17, 1998 SIGNATURE: by: 
Ronald N. Graves, Vice President, Secretary and
General Counsel

T09S, R01E

**Idaho Department
of Water Resources**

⊙ **Point of Diversion**

□ **Place of Use**

∧ **Section Lines**

1/4 1/4 Lines

3 ACRES

Claim(s): 55-02015

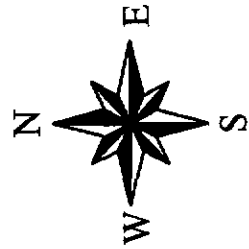
Owner(s): Simplot

Prepared by:

Ron Howerton

Date: 22 APR 98

Total Acres: 45

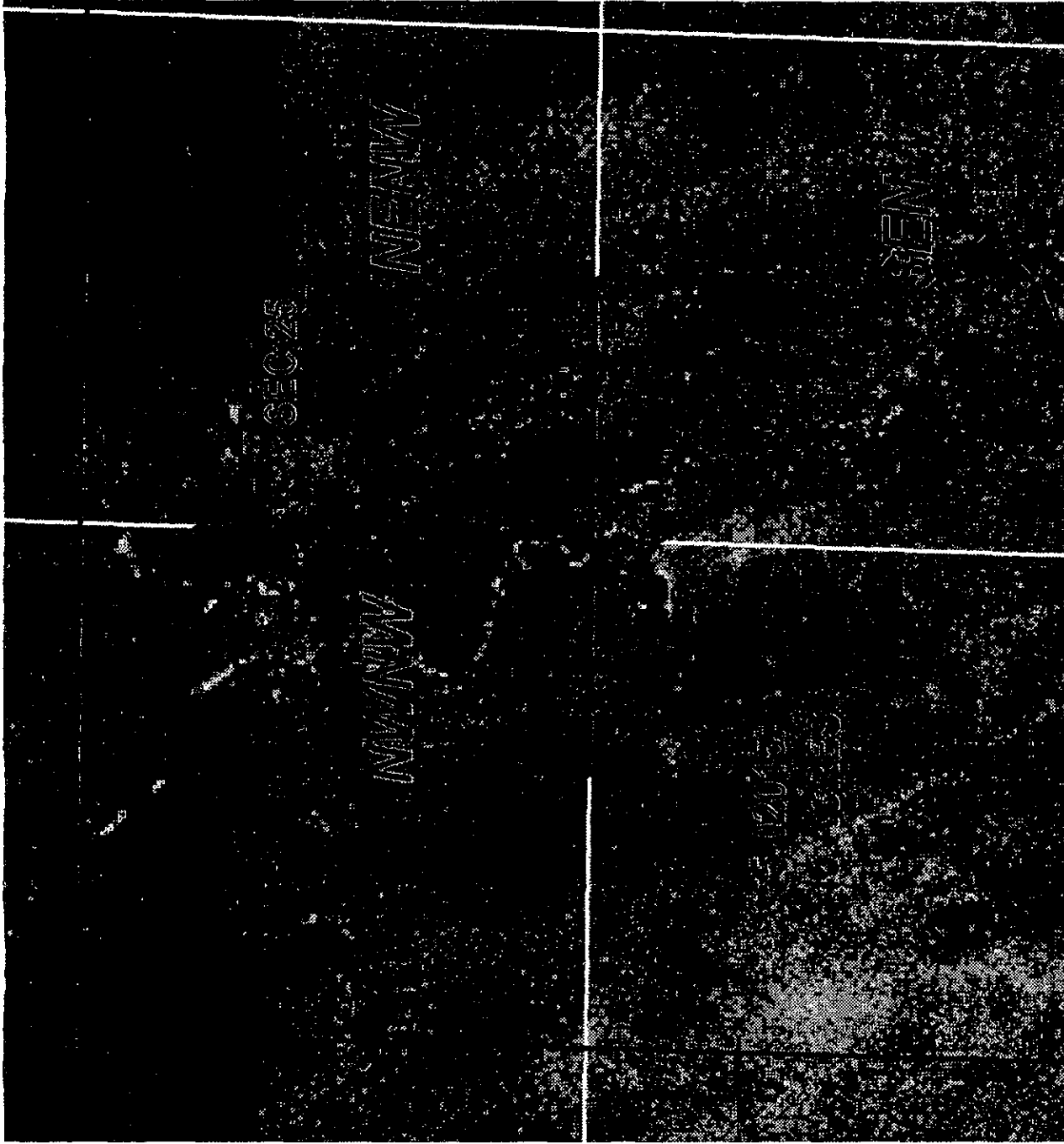


0

0.25

0.5 Miles

1987 NAPP





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

August 9, 1993

Frank Bachman
Land & Livestock Division
Simplot Livestock Company
Grand View Id 83624

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

NOTICE OF CLAIM NO.(S)
A55-02015

A55-02037

A55-02075

Ref: **Part I**; Ownership changes
Part II; Not necessary to file a transfer at this time

Dear Frank Bachman,

Part I

Enclosed is a copy(s) of the above referenced claim(s) which reflects the **CHANGE IN OWNERSHIP** of the lands and appurtenant water rights covered by these claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process these claim(s) for final court decree.

Part II

Ref: Our telephone conversation last week in which we discussed the letter dated August 3, 1993. These concerns were:

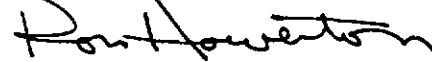
1. About possibly filing a transfer to change the Departments records of the licenses to reflect the point of diversion changes.
2. Your intent to abandon the temporary points of diversion as found during the field exam and put the old point of diversion back in use right away.

After talking to you, it sounds like your intent is to abandon the temporary P/D's and put the old point of diversion back in use right now, (since it appears from our conversation that the temporary change occurred within the last 5-years and isn't an accomplished transfer) this will allow me to recommend the point of diversion as claimed without requiring you to file a transfer.

I have reviewed both of the old licenses, noting that in both cases the mapping of the points of diversion were incorrectly plotted by the misalignment of Battle Creek as drawn on their maps. After my field exam I compared an ASCS map with a USGS map and have traced the location of old ditches back to the old P/D location, this is the same as identified in the field, the SWSENE, the location you also said was the original point of diversion. I believe this is the same P/D that the original field examiner tried to identify. Therefore, I've determined at this time, that it isn't necessary to file a transfer now, as earlier discussed. (However, if for some reason later, you wanted to keep the temporary points, as points of diversion, a transfer would need to be filed then).

If you have any questions concerning this letter, please feel free to contact myself or this office.

Sincerely,



Ron Howerton
Senior Water Agent
Adjudication Section

cc: File(s)

A55-02015

A55-02037

A55-02075



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

August 3, 1993

Frank Bachman
Land & Livestock Division
Simplot Livestock Company
Grand View, Id 83624

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Ref: Follow-up from field exam of claims: A55-02015,
A55-02037 & A55-02075

Dear Frank Bachman,

A. In my initial investigation and as we have discussed during the field exam on July 29, 1993, the claim's **A55-02015** and **A55-02037** have had a change to the point(s) of diversion from our records.

1. A change in the point of diversion of a water right can only be recommended if certain requirements are met. One requirement is that the change must have occurred prior to the commencement of this adjudication, November 19, 1987.

2. If this change occurred after this date then an application for transfer needs to be filed with the new (current) points of diversion found by the field exam. [(You could include the old P/D location(s) too)]

3. If you do not want to repair the old ditches for some time to move the original points of diversion back. You wouldn't need to include the old P/D location on the transfer until you were ready to make the changes.

4. If the P/D changes occurred between November 19, 1982 and November 19, 1987 a possible accomplished transfer may have occurred and this change, the second requirement, cannot result in an injury to any other water rights.

5. If evidence can be shown that the changes occurred prior to November 19, 1982, no further investigation will be necessary and the new points of diversion changes can be considered as an accomplished transfer.

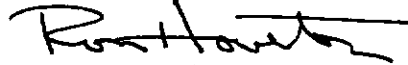
6. Before these claims can be recommended with the new points of diversion, you must provide the Department with the date the change the points of diversion were changed and with some evidence to support that date. (See IDWR Information Sheet)

Change in ownership.

1. Please return this form, as discussed prior to exam, for the claims: A55-02015, A55-02037 and A55-02075. (We cannot change to a new owner until that form is completed and returned).

Please submit the above requested information supporting the above claims by September 3, 1993. Feel free to contact me at 334-2190 or by writing this office for further information relating to this matter.

Sincerely,



Ron Howerton
Senior Water Agent
Adjudication Section

Attachments: Affidavit form
IDWR Information Sheet
Copies of Licenses
Copies of Claims

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A55-02015

| WR ELEMENT | FIELD EXAM
Y/N-IF NO,
DO OFFICE
VERIFICATION | FIELD EXAM
OR IN-OFFICE
VERIFICATION
WHOM/DATE | CLAIM
VERIFIED BY
CODE
(SEE BELOW) | CHANGE
CLAIM
Y/N | CLAIMANT CONTACT
NEEDED - Y/N** | REVIEW
COMPLETED
WHOM/DATE | "R" RECORD |
|-----------------------|---|---|---|------------------------|------------------------------------|----------------------------------|------------|
| PRIORITY* | N | Rch 7-24-93 | 6 | N | N | | |
| PT. OF DIV. | Y | | 1,2,5 | Y | | | |
| SOURCE | N | | 6 | N | | | |
| PL. OF USE | NY | | 1,2,5,4 | Y | | | |
| DIV. AMOUNT
CFS/AF | N | | 5 | Y | | | |
| CONSUMPTIVE
USE | N | | 5 | N/A | | | |
| NATURE OF
USE | N | | 5,6 | No-Dom. | | | |
| PERIOD OF
USE | Y | | 5 | Y | | | |
| BASIS OF
CLAIM | LIC | | 6 | N | | | |
| REMARKS | Y | | 5 | Y | | | |

VERIFICATION CODES

TOPO MAP/ORTHO PHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE COMMENTS) = 6

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES NO

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: LIC. HAD ORIGINALLY DESCRIBED LOCATION OF P/D, NOT EVEN NEAR STREAM LOCATION.

A6. SAME AS LIC.

Photo's FOR 2015 & 2037 IN THIS FILE. Photo LOCATIONS MARKED ON ASCS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:45:57
05/17/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-02015

LAST: HIGGINBOTTOM
ADDRESS:
CITY: N/A
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: GEORGE
STATE: ID ZIP: 00000

LAST: LAHTINEN
ADDRESS:
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: ADOLPH
STATE: ID ZIP: 00000

LAST: COLYER CATTLE CO.
ADDRESS: HC - 85 BOX 896
CITY: BRUNEAU
PHONE NUMBER: 208-845-2312
OWNER CODE: X0

FIRST:
STATE: ID ZIP: 83604

FIELD EXAM REQUIRED?

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

CLAIM REMARKS: THE POINT OF DIVERSION WAS CHANGED, IT APPEARS THAT THE POD AS
FOUND IN THE ORIGINAL CLAIM (PROOF REPORT), WAS INCORRECT, (IT W
AS NOT EVEN NEAR THE STREAM). AS IN ORIGINAL POD WAS- SE1/4 OF
SW1/4 OF SEC. 23, WHEN IN FACT IT IS AT SW1/4 OF SE1/4 OF NE1/4
SEC. 23

CURRENT OWNER:
J.R. SIMPLOT COMPANY

CONTACT PERSON: FRANK RACKMAN

PHONE NUMBER: (208) 834-2231

DATE OF FIELD EXAM: 7/29/93

APPOINTMENT MADE: Y(X) N()

TIME: 09:00 A(X) P()

ACCOMPANIED BY: FRANK RACKMAN

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: EMPLOYEE

DIRECTIONS TO PROPERTY / REMARKS:

BACK TO GRAND VIEW THEN TO BATTLE CREEK.

A. AJ CLAIM: # A55-02015 PRIORITY DATE: 11-26-1909 STAGE: L
B. WR RECORD: # 55-02015 PRIORITY DATE: 11-26-1909 STAGE: L

C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
11-26-1909
REVIEWED BY Rch DATE 7-29-93

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A55-02015 | 09S | 01E | 23 | SW | SE | NE | | OWYHEE |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A55-02037 NONE
WR RECORDS IN SAME 40 ACRE TRACT
55-02037

SOURCE: BATTLE CREEK

TRIB: OWYHEE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 55-02015 | 09S | 01E | 23 | | SE | SW | | OWYHEE |

OTHER WR RECORDS WITH SAME WR POD
AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE NONE NONE

SOURCE: BATTLE CREEK
BATTLE CREEK

TRIB: OWYHEE RIVER

C. FIELD EXAM REQUIRED?

| DUE TO POD DISCREPANCY? | (Y/N) | DATABASE | FIELD EXAMINER |
|----------------------------|-------|----------|----------------|
| DUE TO SOURCE DISCREPANCY? | (Y/N) | Y | Rbh |
| | | Y | Rbh |

REMARKS:

SAME P/D AS 55-02037. STANDARD REMARK-F05. AFTER REVIEWING THIS LICENSE AND 55-02037 I FOUND THAT THE ORIGINAL EXAMINER'S (DUE TO POOR MAPPING) INCORRECTLY PLOTTED THE POINT OF DIVERSION. (SEE LTR DATED AUG 9, 1993 2ND PAGE) SEE COPY ATTACHED FROM ORIGINAL FIELD EXAM. THIS RECOMMENDATION IS NOT AN ACCOMPLISHED TRANSFER, BUT ONLY A CORRECTION TO BAD DATA.

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SEC-214

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SECRET

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ACTUAL LOC.
OF BATTLE CR

(old)
Reac
P/D

* DIRECT LOC
by ENGINEER

DATA

موقف

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REPORT OF ENGINEER No. 2480.

the name of applicant and number of permit: AA911 Lathin by George Higgenbottom assignment from

the source of water supply: Battle Creek

location of point of diversion: N.E. 1/4 of S.E. 1/4, Section 25, T. 9 S., R. 1 E., B. 1

are whether or not the works of diversion are fully completed and in accordance with terms of

the works as they exist, giving dimensions and capacities of same:

2 1/2 feet
4 1/2 feet
1 1/2 feet
3 1/2 feet

6. State whether or not water has been turned into works of diversion: Yes

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

Section 25, Township 9 South, Range 1 East, Boise Meridian.

N.E. 1/4 N.W. 1/4 10 Acres.

N.W. 1/4 N.W. 1/4 25 Acres

S.E. 1/4 N.E. 1/4 15 "

N.E. 1/4 S.W. 1/4 25 "

Cultivated Meadow of Timothy and Clover.

8. Submit map on enclosed plat, showing location and details of above description.

Remarks: A small acreage is irrigated from a Ditch not mentioned in
the Permit which takes out from Battle Creek on the East side,
and the acreage so irrigated is counted in with this report.

This examination was made on the 4th day of November (1916).

(Signed)

Stanton

Examiner.

5460

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

1. Name of applicant: George Higginbottom

Postoffice address: Hot Springs

County: Owyhee

State: Idaho

2. The quantity of water claimed is two cubic feet per second.

3. Source of water supply: Battle Creek

County of Owyhee

4. Location of point of diversion: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 23, T. 9 S. R. 1 E. B. M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 100 acres

(b) In the following legal subdivisions: NE $\frac{1}{4}$ of NW $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec.

25, T. 9 S. R. 1 E. B. M.

6. Estimated cost of works: \$150.00

7. Description of works for diversion:

I. Kind of works: Dam made of willows and rocks, and canal

II. Dimensions of works:

(a) Height of dam 4 feet, length of dam at top 14 feet, length of dam at bottom 14 feet, Material used in construction: Willows, and rocks.

(d) Conduit ditch, width at bottom one foot, width at water line five feet, depth of water one foot. Average grade per mile is 3.168 feet. Length of conduit is 1 $\frac{3}{4}$ miles, and it crosses the following quarter sections: SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Sec. 23, SW $\frac{1}{4}$ Sec. 24, NW $\frac{1}{4}$ Sec. 25, SW $\frac{1}{4}$ Sec. 25, T. 9 S. R. 1 E. B. M., to land described in 5 1 (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is 5 years.

9. Time required for the complete application of the water to the proposed use is 4 additional years.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

George Higginbottom,

Applicant.

Remarks.

Time asked for in section 8 above is hereby reduced to 2 years.

Jas. Stephenson, Jr.

State Engineer

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC.

1/4 1/4

1/4

LOT

COUNTY

T9S R1E 23

SW SE

NE

OWY

SOURCE: BATTLE CREEK

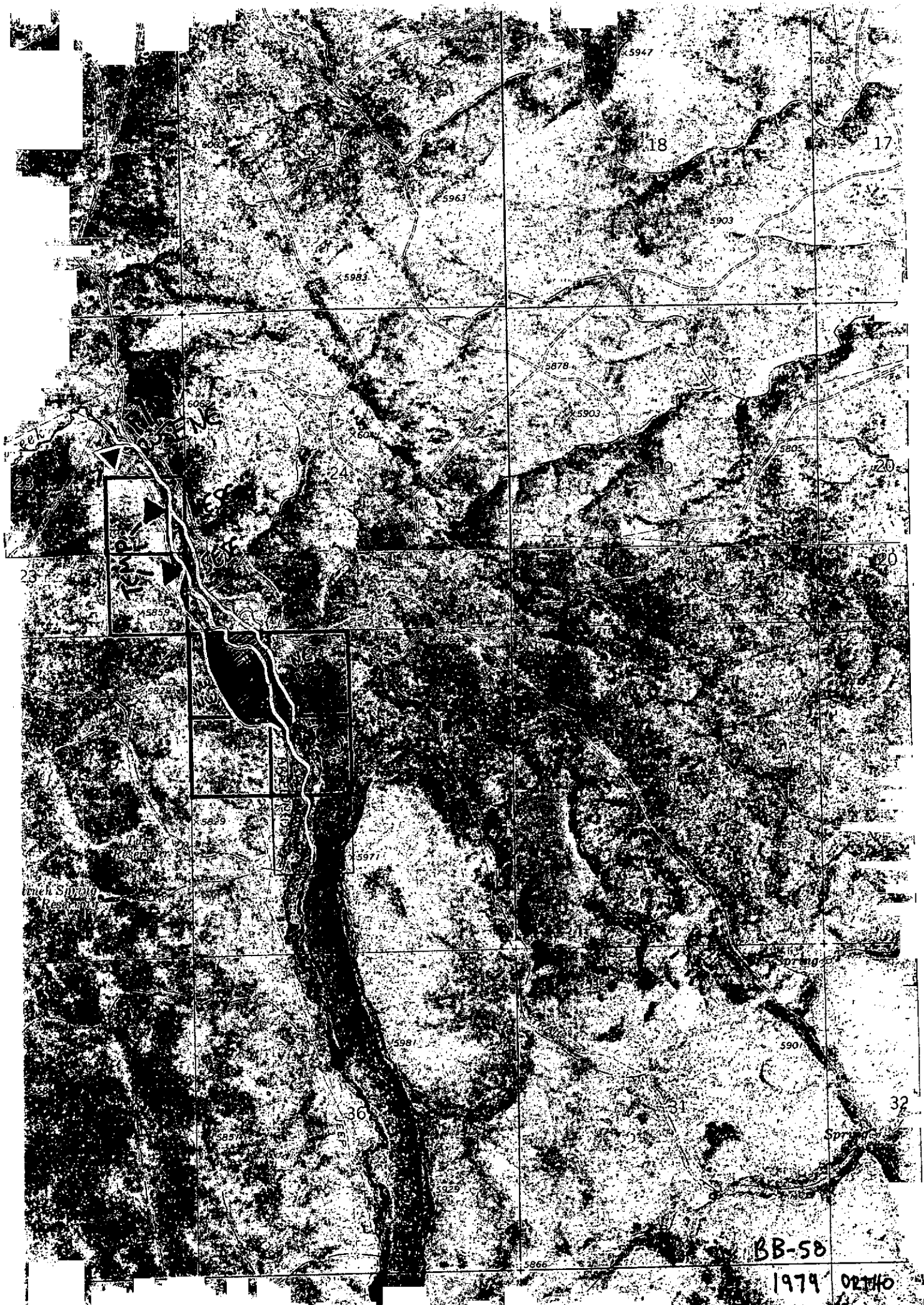
TRIB: OWYHEE RIVER

REVIEWED BY: P2D

DATE: 7-29-93

SYSTEM DESCRIPTION:

- CONCRETE DAM, EARTH DITCHES, GRAVITY FLOWS, IRRIGATION FOR WILD PASTURE GRASS.
- TEMPORARY P/D'S WERE OPERATING AT TIME OF FIELD EXAM.
- FRANK BACKMAN SAID IT WAS THEIR INTENT TO ABANDON THE TEMPORARY P/D'S & PUT OLD OLD BACK IN USE... SEE LTR DTD AUG-9, 1992.
- P/D OVERLAP WITH 2037.



↑N

2015
2037

1988 ASCS



A. BOOT WATER RIGHT NUMBERS: A55-02015

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME |
|-----|-----|-----|-----|-----|-----|------|
|-----|-----|-----|-----|-----|-----|------|

AJ
#/ACRESWR
#/ACRESLANDSAT
DATA

| FIELD
EXAM. | RECOMM.
ACRES |
|----------------|------------------|
| 1 | 10 |
| 2 | 10 |
| 3 | 10 |
| 4 | 10 |
| 5 | 10 |
| 6 | 10 |
| 7 | 10 |
| 8 | 10 |
| 9 | 10 |
| 10 | 10 |
| 11 | 10 |
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| 98 | 10 |
| 99 | 10 |
| 100 | 10 |

| | | | | | | | | | | | |
|-------------|----|----|-------------------|-----------|-------|----------|-------|-----------|-------|-------|-------|
| 09S 01E 25 | NE | NW | COLYER CATTLE CO. | A55-02015 | /10.0 | 55-02015 | /10.0 | 13.0 | 10 | 10 | |
| 09S 01E 25 | NW | NW | COLYER CATTLE CO. | A55-02015 | /25.0 | 55-02015 | /25.0 | 33.0 | 26 | 26 | |
| 09S 01E 25 | SE | NW | COLYER CATTLE CO. | A55-02015 | /15.0 | 55-02015 | /15.0 | 23.0 | 9 | 9 | |
| 09S 01E 25 | NE | SW | COLYER CATTLE CO. | A55-02015 | /25.0 | 55-02015 | /25.0 | 18.0 | 0 | 0 | |
| TOTAL ACRES | | | | | | | | A55-02015 | 75.00 | 75.00 | 87.00 |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

FIELD EXAMINER
DATABASE Y Redk

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG: **(E)**

REMARKS:

A LARGE FIELD IN THE NEWSEY SEENW SHOWS NO-~~ION~~ION OF BEING IRRIGATED. NO-PROOF
ON NAPP OR (1979) OR (1980) PHOTO OF ANY IRRIGATION. SEE PHOTO# 7 IN THIS FILE.
SHOWS MUCH SAGEBRUSH IN THIS AREA. TOTAL ACRES OVERALL FORESTED
IS 30. 6000 COMPTON (ABANDONED POU)

RECOMMENDATIONS:

TOTAL ACRES: 5

REVIEWED BY: 1291

DATE: 7-29-93

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A55-02015 IRRIGATION | FROM 04-01 TO 11-01 | 1.500 CFS |
| A55-02015 DOMESTIC | FROM 04-01 TO 11-01 | .020 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 1.500 CFS |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|-----------|--------------------|
| 55-02015 IRRIGATION | FROM TO | 1.500 CFS |
| 55-02015 DOMESTIC | FROM TO | 1.500 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 1.500 CFS |

PRESUMPTION FLAG: ENCLAVE

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD EXAMINER |
|--|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N) | N | |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | Y | <u>RLH</u> |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y | <u>RLH</u> |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N() Explain in remarks, below.

REMARKS:

NEW STANDARD SEASON FOR IRRIGATION RECOMMENDED... 4-15 to 10-15

Y(☒) N(☐)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 1.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.500 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

N

Rob

B.

FLOW MEASUREMENT

MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 55-2037- SAME POD DIFF. POU

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 45 x 0.02 CFS/ACRE = 9 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 187.5 AF/A

ACRES 45 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 112.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = NA AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

NO-DOMESTIC USE FOUND FROM BATTLE CR., DOMESTIC WATER IS HAULED IN
FROM GRASMERE, PUT IN STORAGE TANK ABOVE HOME.

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------|------------------------|-----------------------|-----------------------|-------------------|
| IRRIGATION | 04-01 11-01 | 1.500 | DATABASE EXAMINER | DATABASE EXAMINER |
| DOMESTIC | 04-01 11-01 | 0.020 | | 187.3 |
| TOTAL FOR THIS RIGHT | | 1.500 .900 | Rdh | 112.5 Rdh |

REVIEWED BY: Rdh

DATE: 7-29-93

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED AS CLAIMED (X)
NEEDS REVIEW ()
()
()
()

OWNERSHIP
FORFEIT/ABANDON (REVERTION)
ADDITIONAL DIV. AMOUNT

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-02015

DATABASE 1.500

TOTAL DIVERSION RATE OF WR SPLITS

EXAMINER CFS

SPLITS:

| OLD RIGHT NUMBERS | CURRENT CLAIM NUMBERS | DIVERSION RATE | CURRENT "R" CLAIM NUM. | "R" DIV. RATE | WR RIGHT NUMBERS | DIVERSION RATE |
|-------------------|-----------------------|----------------|------------------------|---------------|------------------|----------------|
| - | A55-02015 | 1.500 | - | - | 55-02015 | 1.500 |
| TOTAL CFS | | 1.500 | | | | 1.500 |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE Y
FIELD EXAMINER Rch

REMARKS:

INCORRECT PLOTTING OF BATTLE CR. GAVE INCORRECT (BAD DATA) FOR LOCATIONS DE PID FOR THIS LICENSE AND 2037. THIS LICENSE DOESN'T QUALIFY AS AN ACOMPLISHED PID CHANGE. THE LAND NOT RECOMMEND IN THE NEW & SENW HAS BEEN FORFEITED THROUGH ABANDONMENT, PLENTY OF WATER WAS PRESENT AND COULD HAVE BEEN IRRIGATED AND NOT DUE TO NO WATER AVAILABLE. SEE NAPP PHOTOGRAPHY, ORTHO & ACSI. ALSO PHOTO #7 OF ABANDONED AREA. NO-DOMESTIC USE FROM BATTLE CR.

AUTHENTICATION:

SIGNATURE: Ron Howerton

DATE: JUL 29 1993

NAME OF FIELD EXAMINER: Ron Howerton

TITLE: SR WATER AGENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:45:57
05/17/91

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A55-02015

| WR ELEMENT | FIELD EXAM
Y/N | CORRESPONDENCE
SENT/RECEIVED
BY WHOM/DATE | FIELD EXAM
BY WHOM/DATE | CHANGE
CLAIM
Y/N | VERIFIED BY
CODE | COMPLETED
REVIEW
WHOM/DATE | COMPLETED
DATA ENTRY
WHOM/DATE | VERIFIED
DATE
WHOM/DATE |
|---------------------------|-------------------|---|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE | | | | | | | | |
| POINT OF DIV | Y | | | | | | | |
| SOURCE | Y | | | | | | | |
| PLACE OF USE | Y | | | | | | | |
| DIV. AMOUNT
CFS/VOLUME | Y | | | | | | | |
| CONSUMPTIVE USE | - | | | | | | | |
| PURPOSES | | | | | | | | |
| PERIOD OF USE | Y | | | | | | | |
| BASIS OF CLAIM | | | | | | | | |
| REMARKS | Y | | | | | | | |

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

PICTURE #1

55-02015 FX 07-29-93. Photos by RDH. This is the recommended P/D.
The old license incorrectly described the P/D. A copy of the old field
exam shows that the examiner had the alignment of Battle Creek wrong.
Thus, the incorrect description, copy attached. The correct P/D is the
SWSENE, S23, T9S, R1E.



PICTURE #2

This photo shows the location temporary P/D #1 located in the NESE,
S23, T9S, R1E.



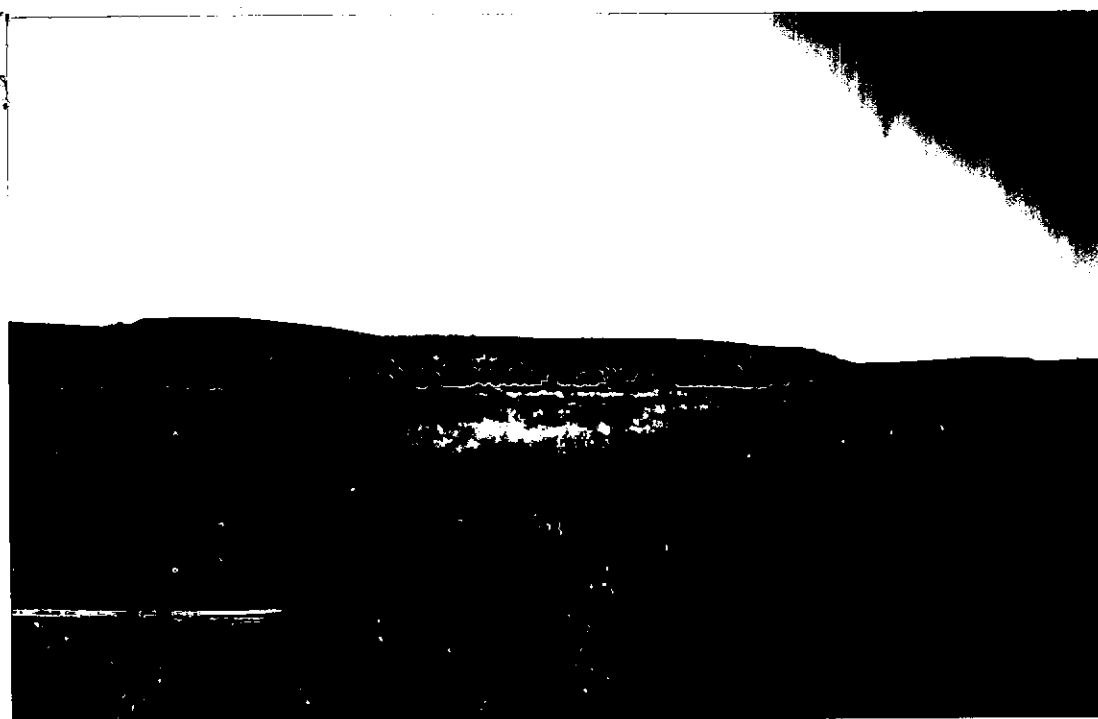
PICTURE #3

55-02015 & 55-02037: FX 07-29-93. Photos by RDH. This is the location of the 2nd temporary P/D located in the SESE, S23, T9S, R1E.



PICTURE #4

This photo shows the POU near temporary P/D #2. View is to the SE in S24 & S25.



PICTURE #5

55-02015 (only) FX 07-29-93. Photos by RDH. This photo shows the POU of the large fields in the NWNW, S25, T9S, R1E. View is towards the SE. The corral and ranch house can be seen in background.



PICTURE #6

55-02015 (only) This photo shows the POU from the corral looking the bottom of the field. View is to the SW in S25.



PICTURE # 7

55-02015 (only) FX 07-29-93. Photo by RDH. Old POU no longer irrigated, not recommended for irrigation. Located below photo # 6 in the NESW of S25, looking NE.



ADJUDICATION MEMORANDUM

CLAIM NO.: A55-2015, 2037, 2075

SUBJECT: FR FOR CLAIMS

EMPLOYEE: RON HOWERTON

DATE: 7/22/93

called BONNIE COLYER OF COLYER CATTLE CO. 845-2312.

1) SAID SHE HAD SOLD THE LANDS FOR THE BATTLE CR. RIGHTS
IN 1989 TO J.R. SIMPLOT.

2) SAID SHE COULD HELP ANSWER ANY QUESTIONS ABOUT THE RIGHTS
SINCE THEY OWNED IN BACK IN 1956.

3) BONNIE SAID THAT THE POC MIGHT BE FRANK BACHMAN
AT THE SIMPLOT'S GRAND VIEW OFFICE. 834-2231

called SIMPLOT'S OFFICE, TALKED TO RECEPTIONIST (DEBBIE) SHE
THOUGHT RON PARKS MIGHT BE ABLE TO HELP, ALSO FRANK
HOWEVER, HE WASN'T AVAIL. BUT WOULD HAVE RON PARKS CALL
ME ABOUT THIS. I ASKED HER TO ASK HIM ABOUT SETTING UP
AN APPOINTMENT FOR NEXT WEEK BEFORE HE CALLS.

7/23/93

called SIMPLOT'S OFFICE AGAIN, WAS ABLE TO TALK TO
FRANK. SET-UP APPOINTMENT FOR THURS 29th July 93
0900 HRS.



LAND & LIVESTOCK DIVISION

SIMPLOT LIVESTOCK COMPANY
GRAND VIEW, IDAHO 83624
208/834-2231 BUS.

FRANK BACHMAN
CATTLE BUYER/LAND MANAGER
208/845-2090 BRUNEAU, IDAHO