

RIE R2E

T9S

sec 23
sec 24

CAPE SPRING BUTTE QUADRANGLE
T9S R2E



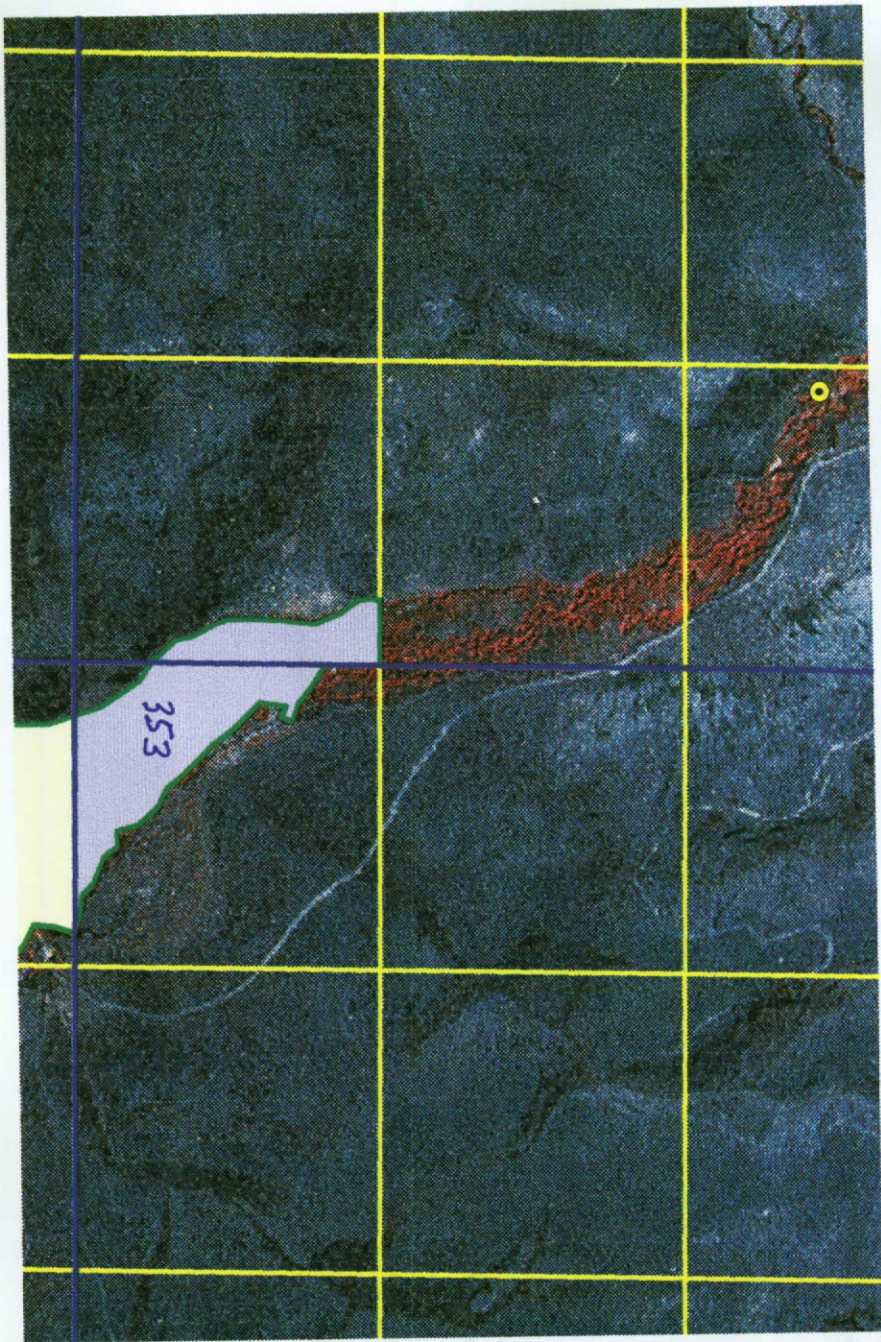
MICROFILMED

SEP 25 1987

55-02037

CLAIMS: 2037
OWNER: SIMPLCT

161



-  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): 55-02037

Owner(s): Simplot

Prepared by:

Ron Howerton

Date: 22 APR 98

Total Acres: 20

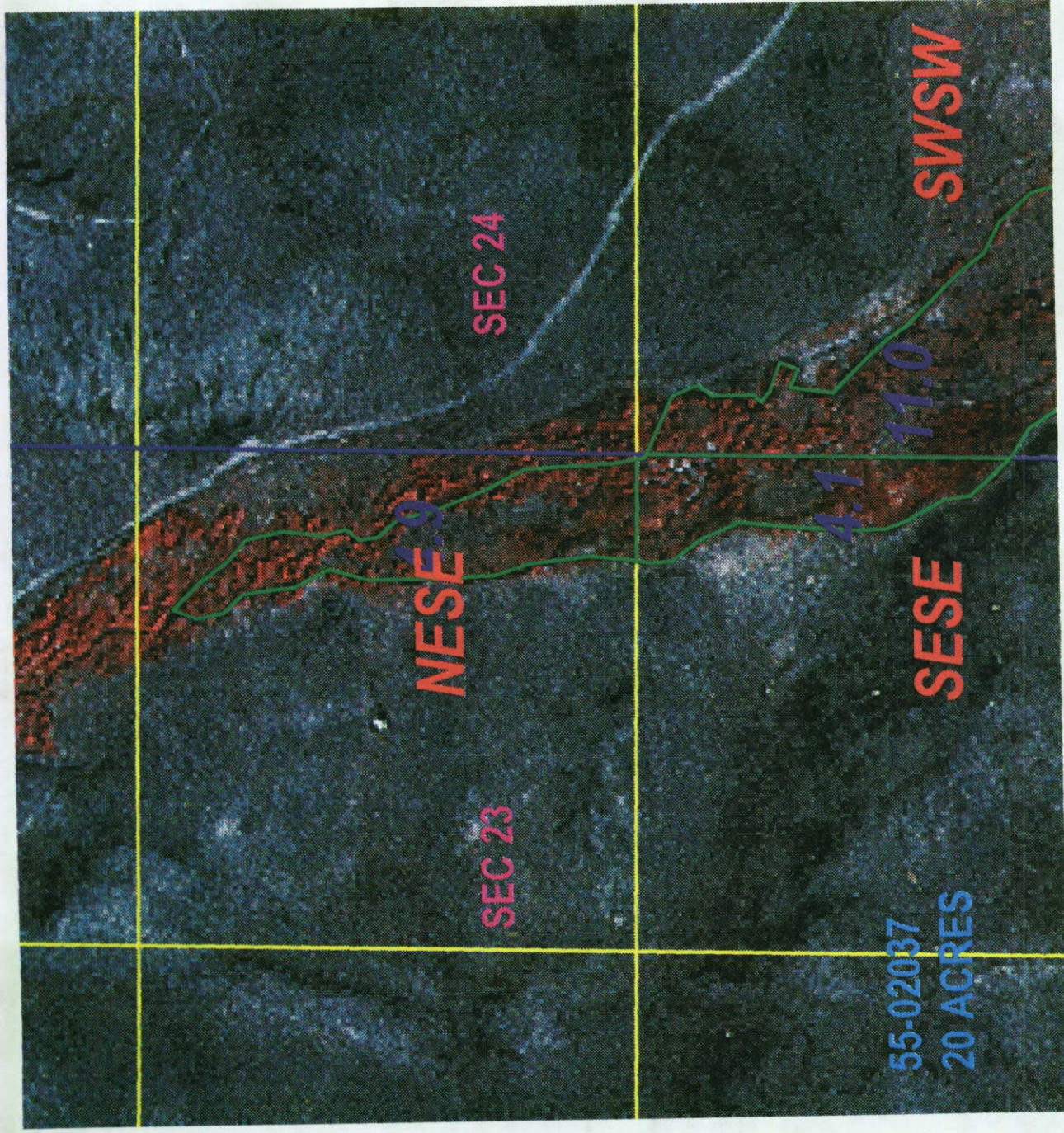


0.5 Miles

0.25

0

1987 NAPP



T09S, R01E

Idaho Department
of Water Resources

● Point of Diversion

□ Place of Use

∧ Section Lines

□ 1/4 1/4 Lines

3 ACRES

Claim(s): 55-02037

Owner(s): Simplot

Prepared by:

Ron Howerton

Date: 22 APR 98

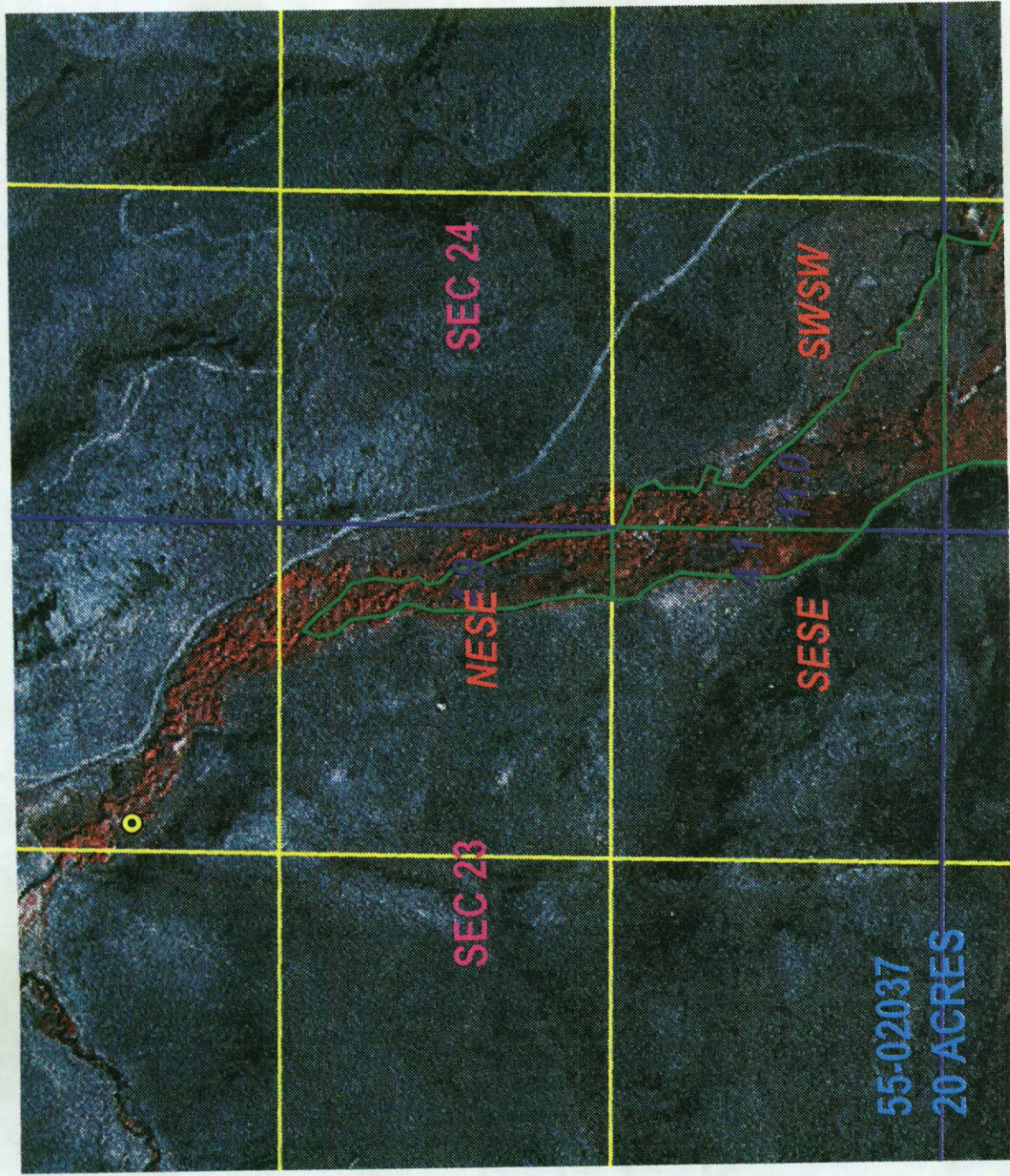
Total Acres: 20



0 0.25 0.5 Miles

0.5 Miles

1987 NAPP



REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 55

1. State name of applicant and number of permit: Ralph Eugene Craig-Permit 8687
2. State source of water supply: Battle Creek
3. Location of point of diversion: NE¹SW¹ & SE¹SW¹ Sec. 23, T. 9 S., R. 1 E.

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

#1, E. dam, 4' H., 40' L., No H.G.

Ditch, 1 x 1, Cap. 1 S.F.

#2 E. dam, 3.5' H., 35' L., No H.G.

Canal, 1 x 1, Cap. 1 S.F.

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

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SW¹SW¹ Sec. 24 & E¹SW¹ Sec. 23, T. 9 S., R. 1 E., B.M.

SW⁴ SW⁴ Sec. 24, 10 A. NE⁴ SE⁴, 5 A. SE⁴ SE⁴, 15 A. Cult.

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

8. How many parties conduct water in this system? None, One.

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Snake River.

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: From land to Battle Creek, to Owyhee River, to Snake River.

Remarks:

This examination was made on the 29 th day of October19 29.

(Signed)

L.R. Annett.

Examiner.

8687

OVER

PERMIT NO. _____

Proof of Application of Water to Beneficial Use**Deposition of Holder**

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

Ans. Ralph Eugene Craig, 25 years; Brunson; farmer; Brunson, Idaho

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

Ans. Acting for myself

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

Ans. 8687; Sept. 15, 1912;

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

Ans. Battle Creek; Northeast corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 24

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Rock and dirt dam; from this dam two ditches lead the water to the point of use

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

Ans. Irrigation and domestic use. 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 24; 35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 25; 25 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 23, Township 9 South, Range 1 East. Cultivated

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

Ans. For irrigation only

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

Ans. 1.5 cubic feet

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

Ans. I am the holder and to whom the permit belongs

SWAH

8687

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

Ans. Spring of 1919 75 acres was irrigated from the water diverted under the terms of the above permit

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

Ans. None

(Sign)

Ralph Eugene Gray

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me at my office in Bruneau County of Owyhee State of Idaho, on this 18th day of November A. D. 1920

Charles Pierce

Notary Public





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: A55-02037
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: OCT 20, 1912

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	0.600		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	01E	23	NE	SE		IRR	5.0
			SE	SE		IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
		24	SW	SW	IRR	10.0
					Section Acres	10.0
					Total Acres	30.0

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:
SAME POD AS 55-02015

14. Remarks:

CHANGE THE POD. THERE WERE TWO (2) LISTED ON THE ORIGINAL CLAIM (LICENSE) AND FROM THE MAPS, THE SECOND DID NOT APPEAR TO BE ON THE STREAM. AND MRS. COLYER FELT THAT THERE REALLY WAS ONLY ONE POINT OF DIVERSION IN USE AT THIS PRESENT. ORIGINAL POD'S SE, NE SEC. 23 AND NW, NW SEC. 23 THE LATER- NW, NW WAS DELETED. OWNERSHIP CHANGED BY RDH ON 08-10-1993.

15. Basis of Claim: LICENSE

Water Right Number: 8687

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 _____



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 ~~8894~~, 8687, 12192
5460

☐ Name and Address of Former Owner/Claimant(s)(Seller): COLYER CATTLE CO
HC 85, BOX 206
BRUNEAU, ID 83604

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

☐ New Mailing Address: HC 85, Box 275
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. [Signature] 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

(Optional)

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

RECEIVED

AUG 02 1993

(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

J. R. Simplot Company, a Nevada Corporation

, a corporation

, State of Idaho,

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

grantee
for the sum of

FOUR HUNDRED FIFTY THOUSAND and No/100-----

DOLLARS,

the following described tract(s) of land in Owyhee
State of Idaho:

County,

EXHIBIT "A" Attached hereto:

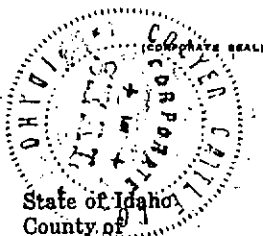
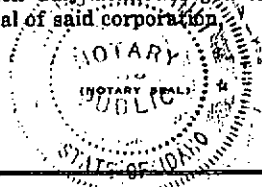
Location of above described property-----

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.

By Raymond L. Colyer (CORPORATE NAME)
PRESIDENT
Attest: Bonnie C. Colyer
SECRETARYState of Idaho }
County of Owyhee } 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 corporation.Nicholas K. Jelli
(NOTARY PUBLIC)My residence is Marysville, ID
My commission expires 11/30/94

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 Carroll
DEPUTY

REQUEST OF
Colyer Cattle Co
FEE 6.00

INDEXED

MICROFILMED

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: A55-02037
Date Received: 12/05/1988
Receipt No: M002048
Received By: AS

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: OCT 20, 1912

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	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	0.600		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	01E	23	NE	SE		IRR	5.0
			SE	SE		IRR	15.0

Section Acres 20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	01E	24	SW	SW		IRR	10.0
Section Acres							10.0
Total Acres							30.0

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:
SAME POD AS 55-02015

14. Remarks:

CHANGE THE POD. THERE WERE TWO (2) LISTED ON THE ORIGINAL CLAIM (LICENSE) AND FROM THE MAPS, THE SECOND DID NOT APPEAR TO BE ON THE STREAM. AND MRS. COLYER FELT THAT THERE REALLY WAS ONLY ONE POINT OF DIVERSION IN USE AT THIS PRESENT.

ORIGINAL POD'S SE, NE SEC. 23 AND NW, NW SEC. 23
THE LATER- NW, NW WAS DELETED.

15. Basis of Claim: LICENSE
Water Right Number: 8687

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

Secretary
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 E. Gibson
Notary Public

Seal

Residing at Boise, ID

My Commission Expires 9-2-1994

Water Right Number - 55-02037 Adj. Flag Translation: Standard Water Right Number Old (D) Number - 8687
+ - - - - Last Name - - - + + - First Name - - - + - - - - - Address - - - - - + - - - - -

*** C - CURRENT OWNER ***
CRAIG

GEORGE K.

1 -
2 -
3 -

City- BRUNEAU State- ID Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
10/20/1912 14 L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - + + - - - -
BATTLE CREEK Owyhee River

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

09S 01E 23 SW SE NE (73) Owyhee 272.0 313.0 249.0 50.3
09S 01E 23 NW NW NW (73) Owyhee 272.0 313.0 249.0 50.8

+ - - - - Description - - - - - Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - - +
Code Period From Period To 0.600

01 - IRRIGATION
43 - DOMESTIC

+ - - Total Div. Rate - + - - Total Div. Volume - + - - Total Div. Capacity - + - - Total Consumptive Use - + - - KW Usage - +
0.600

+ - - - - Place of Use - - - - - Description - - - - - County - - - - -
TwN Rng Rng Sec Tract Lot Acres Code
09S 01E 23 NE SE 5.0 01 IRRIGATION (73) Owyhee
09S 01E 23 SE SE 15.0 01 IRRIGATION (73) Owyhee
09S 01E 24 SW SW 10.0 01 IRRIGATION (73) Owyhee

Total Acres: 30.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - -
No Remarks found.

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

MICROFILMED

SEP 29 1992

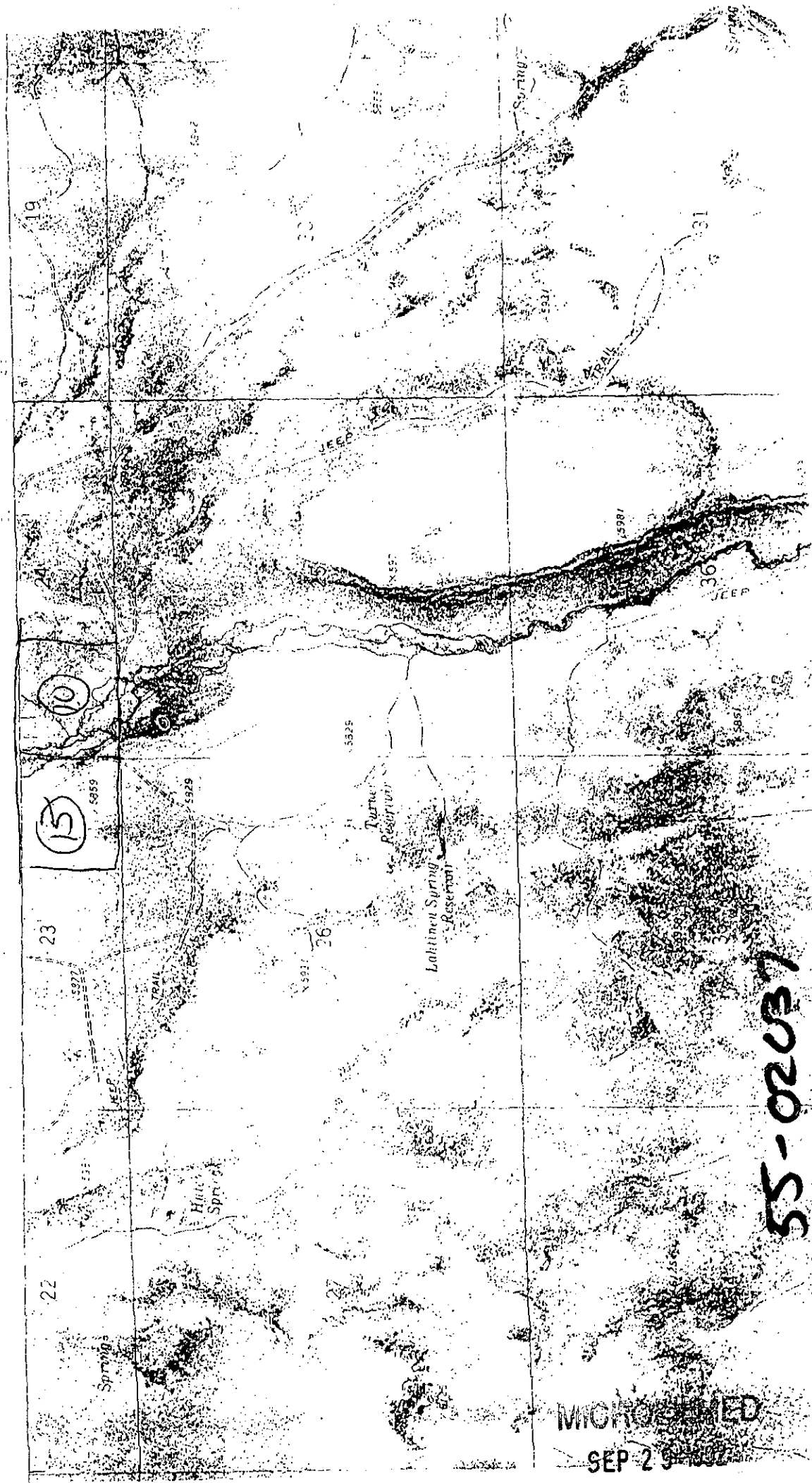
RIE R2E

T9S

Sec 23
Sec 24

CRANE SPRING ESTATE CO. 4224

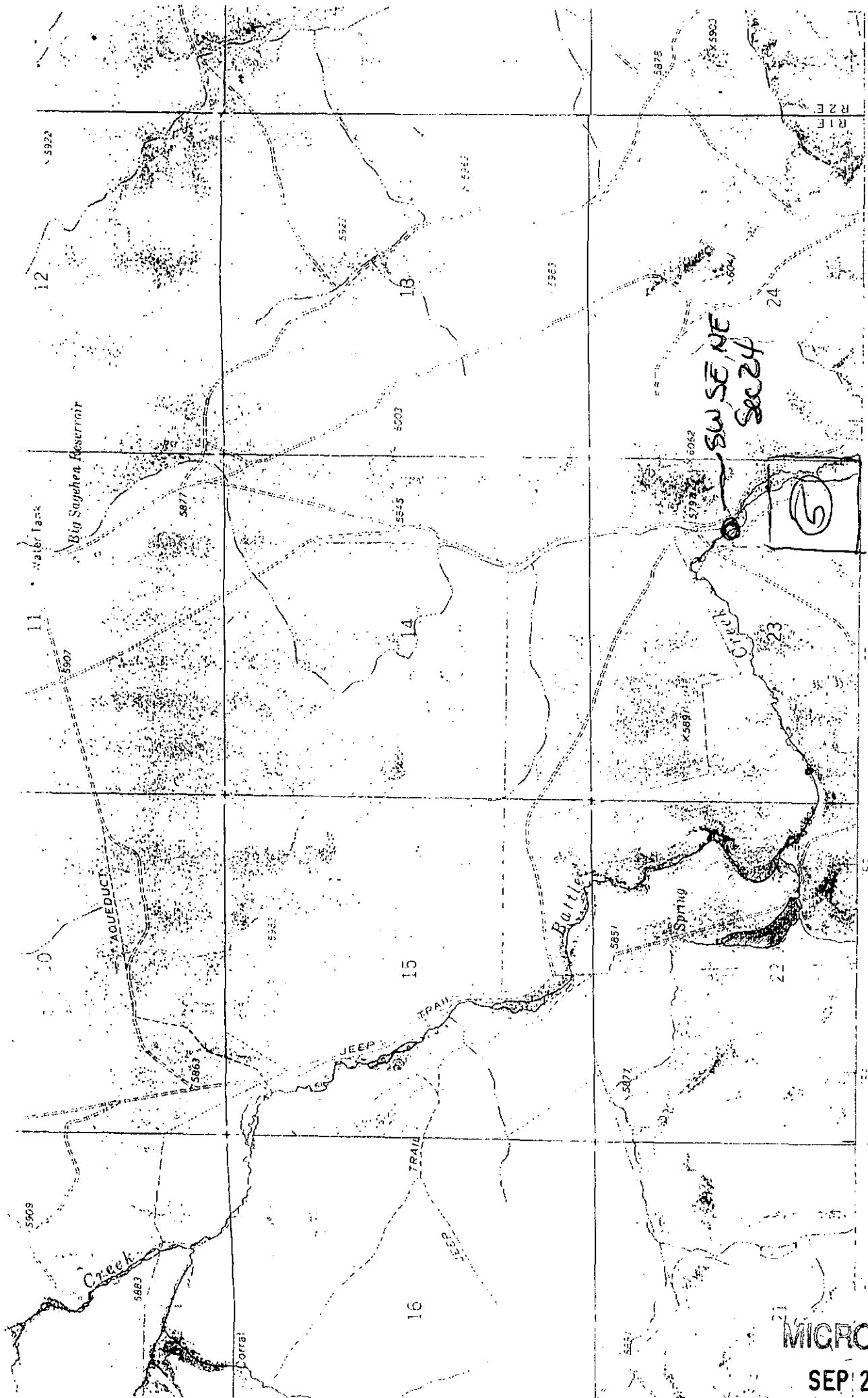
THE CRANE SPRING ESTATE CO.



MICROFILMED

SEP 29 1962

55-02037



T9S, R1E

SS-02037

MICROFILMED

SEP 29 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR5808NP
(0D-26)

Old (D) Number - 8687

WATER RIGHT

Prefix Translation:

Water Right Number - 55-02037

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

*** C - CURRENT OWNER ***
CRAIG

GEORGE K.

1 -
2 -
3 -

City- BRUNEAU
Phone -
State- ID Zip-

+ - - Priority Date - - + - - - - Region - - - + - - - Stage - - - + - - - Status - - - +
10/20/1912 14 WESTERN L LICENSE
+ - - Source - - - - + - - - - Tributary - - - - -
BATTLE CREEK OWYHEE RIVER

+ - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code)
Twn Rng Sec Tract Lot Rflg County
09S 01E 23 SE NE (73) OWYHEE 272.0 313.0 249.0 50.3
09S 01E 23 NW NW (73) OWYHEE 272.0 313.0 249.0 50.8

+ - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume
Code Description Period From Period To
01 - IRRIGATION 0.600
43 - DOMESTIC

+ - - Total Div. Rate - + - - Total Div. Volume - + - - Total Div. Capacity - + - - Total Consumptive Use - + - - KW Usage - +
0.600

+ - - - - - - - - - - - Place of Use - - - - - Description County
Twn Rng Sec Tract Lot Acres Code
09S 01E 23 NE SE 5.0 01 IRRIGATION (73) OWYHEE
09S 01E 23 SE SE 15.0 01 IRRIGATION (73) OWYHEE
09S 01E 24 SW SW 10.0 01 IRRIGATION (73) OWYHEE
Total Acres: 30.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Remarks -
No Remarks found.

- - - Old Water Right Numbers -
- - - No Old Water Right Numbers found.

[illegible]

MICROFILMED

SEP 29 1992

| RIGHT
NUMBER | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | MAXIMUM
DIVERSION | STAGE |
|----------------------|--|------------------|------------|-----------------------|----------------------|---------|
| A55-02037 | COLYER CATTLE CO.
HC - 85 BOX 896
BRUNEAU ID 83604 | 10/20/1912 | IRRIGATION | 04-01 11-01 | 0.60 CFS | LICENSE |
| Deleted domestic use | | | | | | |
| ADDED | | | | | | |
| | | | | | 0.60 CFS TOTAL | |
| | | | | | 0.00 AFA TOTAL | |

SOURCE: BATTLE CREEK
OTHER RIGHTS: SAME POD AS 55-02015
CONDITIONS OF APPROVAL:

TRIBUTARY: OWYHEE RIVER

REMARKS: CHANGE THE POD. THERE WERE TWO (2) LISTED ON THE ORIGINAL CLAIM (LICENSE) AND FROM THE MAPS, THE SECOND DID NOT APPEAR TO BE ON THE STREAM. AND MRS. COLYER FELT THAT THERE REALLY WAS ONLY ONE POINT OF DIVERSION IN USE AT THIS PRESENT.

ORIGINAL POD'S SE, NE SEC. 23 AND NW, NW SEC. 23
THE LATER- NW, NW WAS DELETED.

POINT OF DIVERSION:
T09S R01E S23

SWSENE

PLACE OF USE: IRRIGATION

T09S R01E S23

NESE 5.0

SWSW 10.0

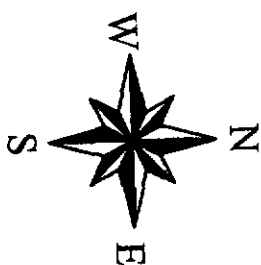
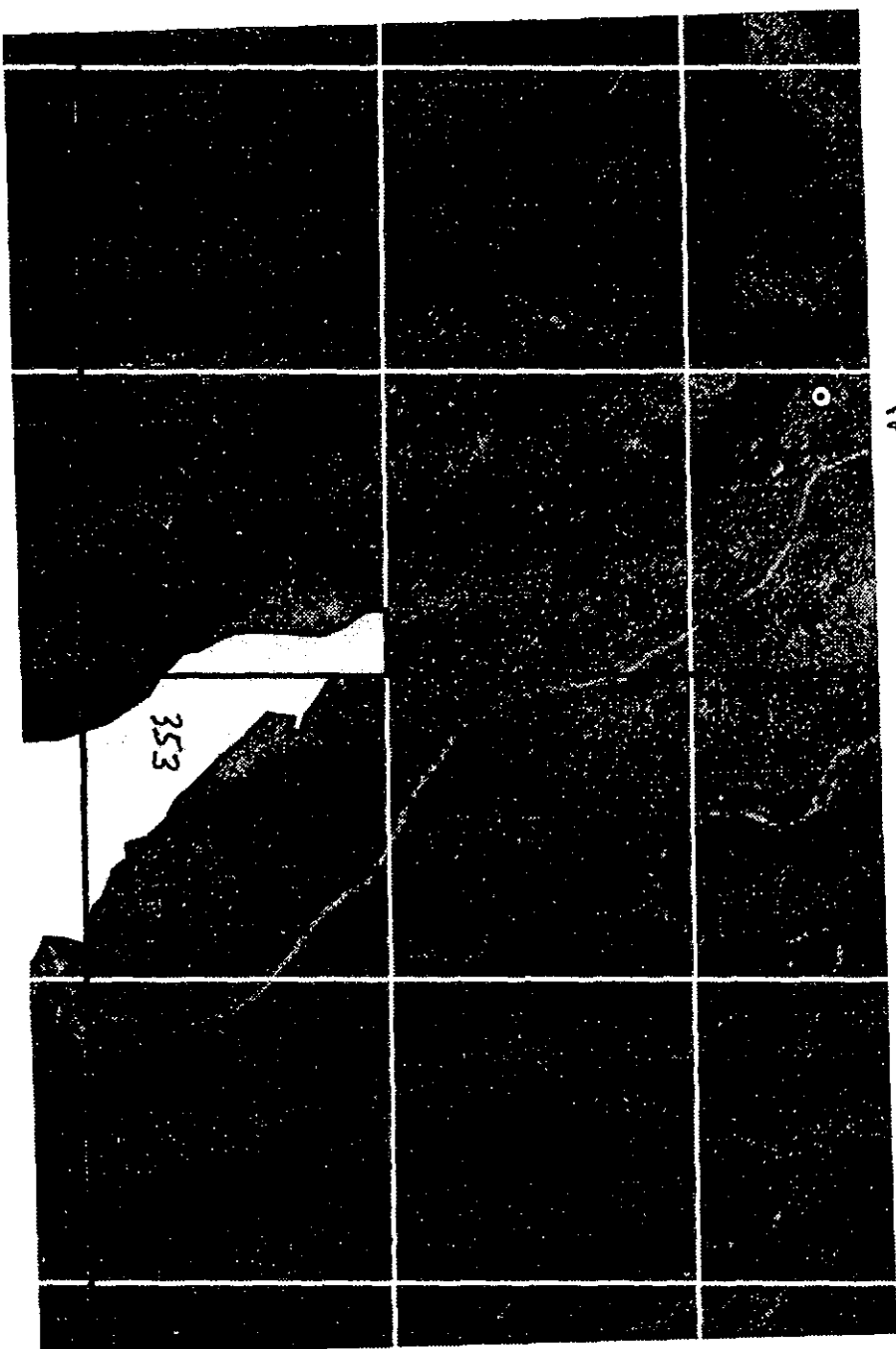
SESE 15.0

30.0 ACRES TOTAL

did not claim pld in NWNW, S23, 9S, 1E

CLAIMS: 2037
OWNER: SIMPLOT

11/19



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



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

CLAIM NO. 55 - 02037

**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: .4 cfs 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 | |
| | | 23 | | | | | | | | | | | | | 4.9 | | | 4.1 | 9 |
| | | 24 | | | | | | | | | | | 11 | | | | | | 11 |

REMARKS catch POW, shown ABOVE; NO CHG
to SEASON OF USE.

CONDITIONS _____

Reviewer Ron Howerton Date 22 APR '98

T09S, R01E

Idaho Department
of Water Resources

⊙ Point of Diversion

□ Place of Use

∧ Section Lines

1/4 1/4 Lines

3 ACRES

Claim(s): 55-02037

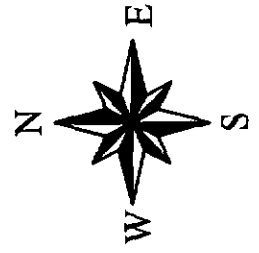
Owner(s): Simplot

Prepared by:

Ron Howerton

Date: 22 APR 98

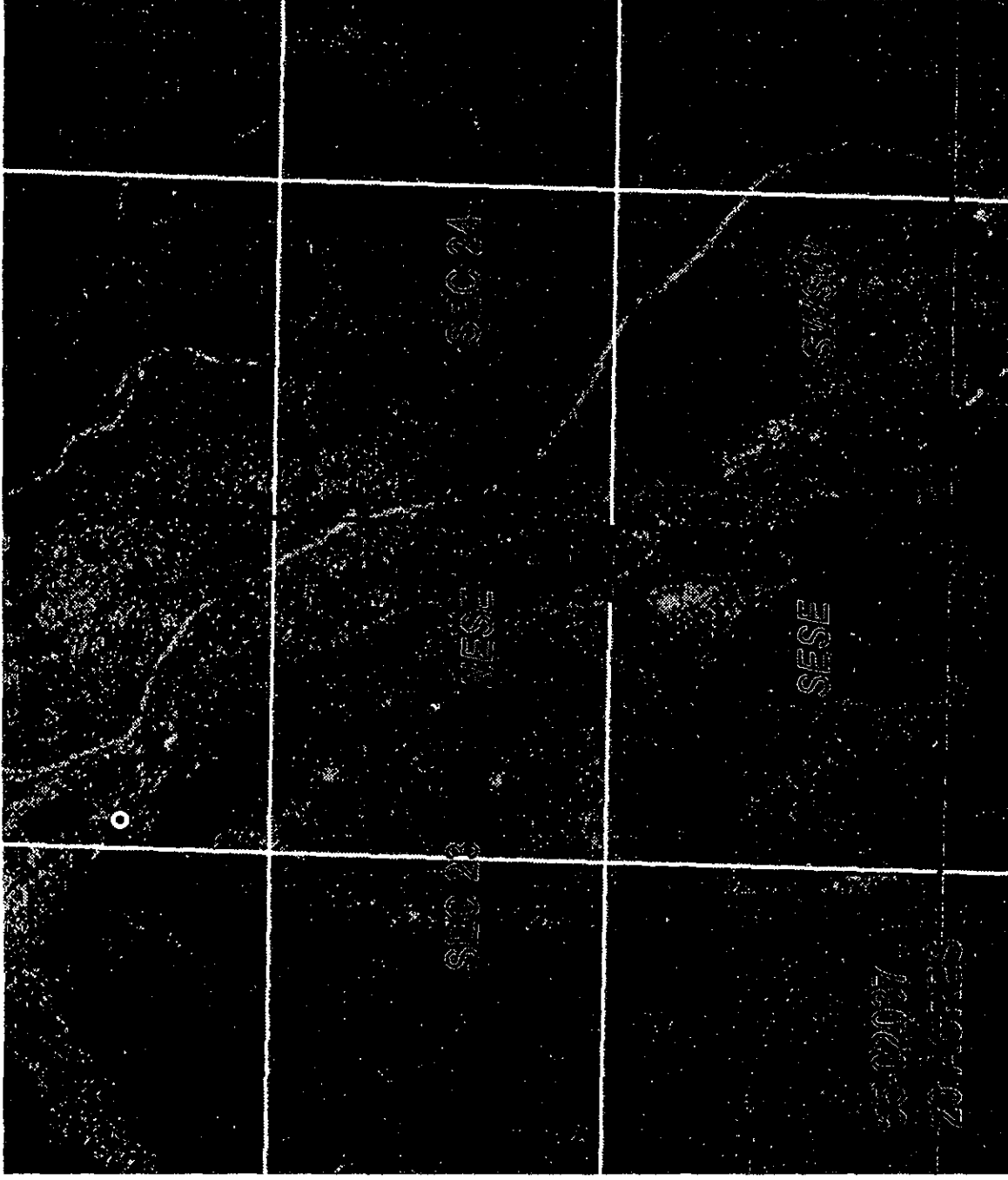
Total Acres: 20



1987 NAPP

0.25

0.5 Miles



T09S, R01E

**Idaho Department
of Water Resources**

⊙ **Point of Diversion**

□ **Place of Use**

∧ **Section Lines**

1/4 1/4 Lines

3 ACRES

Claim(s): 55-02037

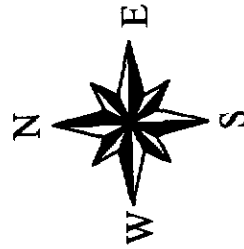
Owner(s): Simplot

Prepared by:

Ron Howerton

Date: 22 APR 98

Total Acres: 20



1987 NAPP

0.5 Miles

0.25

0

NESE

SEC 24

SESE

55-02037

22 APR 98

SWSW

AJ0749NP
No. R55-02037

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/27/98
PAGE: 1

OWNER CODE: C J R SIMPLOT COMPANY
NAME & ADDRESS: HC 85 BOX 275
GRAND VIEW ID 83624
(208) 834-2231

PRIORITY DATE: 10/20/1912

WATER USE: IRRIGATION

USE PERIOD FROM TO: 04-15 10-15

DIVERSION RATE: 0.28 CFS

DIVERSION VOLUME: .4

TOTAL DIVERSION: 0.28 CFS

.4

Water Source: BATTLE CREEK
Tributary to: OMYHEE RIVER
T09S R01E S23 SWSENE
Point(s) of Diversion:
Stage: LICENSE
OMYHEE County

Place of use Legal Description for: IRRIGATION

| NE | | NW | | SW | | SE | | SUM | | | | | | | | | | | | | |
|-----|-----|----|----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T | R | S | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | |
| 09S | 01E | 23 | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : |
| 09S | 01E | 24 | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : |

TOTAL ACRES: 4.9

4.18

4.9

11

20 Ac

TOTAL

Remarks: GEN THE REMAINDER OF THIS RIGHT HAS BEEN FORFEITED FOR NON-USE
FROM 1979 TO FIELD EXAM 07/29/1993.

EXP RIGHT NO. 55-02015 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: Presumption Flag:

Comments: Date: 05/11/1994 User-ID: HOWERTON Subject: OWNERSHIP
OWNERSHIP CHANGED BY RDH ON 08-10-1993.

Audit: 02/27/98 LHARRIS

SEE
GWS
MAP
DATED
22 APR '98

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: 55-02037

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 23: SE $\frac{1}{4}$ SE $\frac{1}{4}$ (4 acres); T.9S R.1E Section 24 SW $\frac{1}{4}$ SW $\frac{1}{4}$ (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 23: NE $\frac{1}{4}$ SE $\frac{1}{4}$ (5 acres), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (15 acres) and T.9S R.1E Section 24: SW $\frac{1}{4}$ SW $\frac{1}{4}$ (10 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:

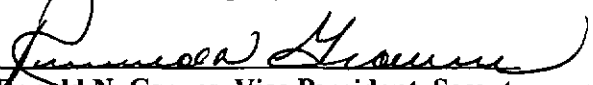
The basis for this claim, IDWR license no. 55-02037, was issued for the purpose of irrigation and domestic use on February 7, 1921, without specifying calendar dates for the irrigation season. The Idaho Supreme Court recently addressed the "irrigation season" use in *In re SRBA Nos. 39576, 91-00005 Ex 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 23: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ and in T.9S R.1E Section 24: SW $\frac{1}{4}$ 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



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. Yursa

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 55-02037

| 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 | 6 | N | N | | |
| PT. OF DIV. | Y | 1,2,5 | Y | | | |
| SOURCE | N | 6 | N | | | |
| PL. OF USE | Y | 1,2,5,4 | Y | | | |
| DIV. AMOUNT
CFS/AF | Y | 5 | Y | | | |
| CONSUMPTIVE
USE | N | 5 | NA | | | |
| NATURE OF
USE | N | 6 | N | | | |
| PERIOD OF
USE | Y | 5 | Y | | | |
| BASIS OF
CLAIM | N | 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: Photo's & ASCS map in FILE 55-02015 (ORTHO MAP IN THIS FILE) - Photo Locations MARKED ON ASCS.

#6 SAME AS CLAIM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:45:57
05/17/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-02037

LAST: CRAIG
ADDRESS:
CITY: BRUNEAU
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: GEORGE K.
STATE: ID ZIP: 00000

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

FIRST:
STATE: ID ZIP: 83604

OWNER CODE: © ○

FIELD EXAM REQUIRED?

DATABASE Y
FIELD EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: CHANGE THE POD. THERE WERE TWO (2) LISTED ON THE ORIGINAL CLAIM (LICENSE) AND FROM THE MAPS, THE SECOND DID NOT APPEAR TO BE ON THE STREAM. AND MRS. COLYER FELT THAT THERE REALLY WAS ONLY ONE POINT OF DIVERSION IN USE AT THIS PRESENT.

ORIGINAL POD'S SE NE SEC. 23 AND NW, NW SEC. 23
THE LATER- NW, NW WAS DELETED.

CURRENT OWNER;

J.R. SIMPLOT COMPANY

CONTACT PERSON: FRANK BACKMAN

PHONE NUMBER: (208) 834-2231

DATE OF FIELD EXAM: 7/29/97

APPOINTMENT MADE: Y(X) N()

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

ACCOMPANIED BY: FRANK BACKMAN

PHONE NUMBER: () - - -

RELATIONSHIP TO CLAIMANT: EMPLOYEE

DIRECTIONS TO PROPERTY / REMARKS:

ROUTE TO GRAND VIEW THEN TO BATTLE CREEK

A. AJ CLAIM: # A55-02037 PRIORITY DATE: 10-20-1912 STAGE: L
B. WR RECORD: # 55-02037 PRIORITY DATE: 10-20-1912 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: 10-20-1912
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 |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A55-02037 | 09S | 01E | 23 | SW | SE | NE | | OWYHEE |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
A55-02015
NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

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 |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 55-02037 | 09S | 01E | 23 | SW | SE | NW | | OWYHEE |
| 55-02037 | 09S | 01E | 23 | | | NE | | OWYHEE |

OTHER WR RECORDS WITH SAME WR POD
A PREFIX
A55-02015
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
R PREFIX

NONE

SOURCE: BATTLE CREEK

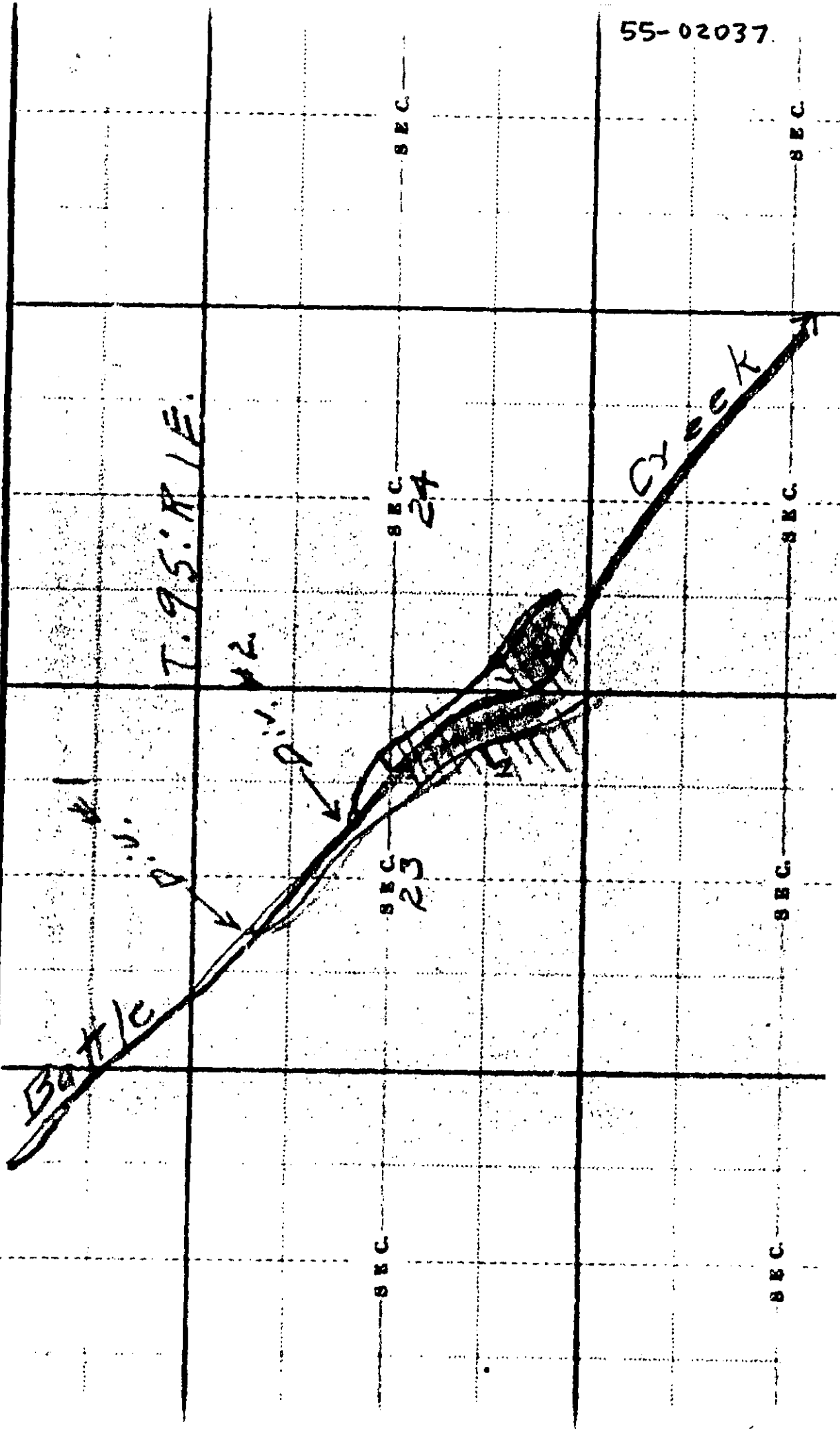
TRIB: OWYHEE RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

SAME PID AS 55-02015. STANDARD REMARK-F05. AFTER REVIEWING THIS LICENSE AND 55-02015 I FOUND THAT THE ORIGINAL EXAMINERS (PROBABLY DUE TO POOR MAPPING) INCORRECTLY PLOTTED BATTLE CREEK. THE DIV #1 ON ATTACHED OLD EXAM HOWEVER APPEARS TO NOW BE DIVERTED ONLY AT DIV #2 AND IS THE ONLY PID RECOMMENDED. NO-NEW PID SINCE DIV #2 IS ORIGINAL PID. SECOND DITCH ON WESTSIDE IS STILL VALID WITH PID ON DIV #2. THE SAME DITCHES ARE USED FOR BOTH LICENSES.



APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

1. Name of applicant, George K. Craig.

Postoffice address, Bruneau

County, Owyhee

State, Idaho.

I. If applicant is a corporation, give

(a) Date and place of incorporation

(b) The amount of capital stock

(c) The amount paid in

(d) Names and addresses of directors

II. The financial resources of the applicant are, (a) Cash on hand,

(b) Treasury stock,

(c) Bonds to be issued,

(d) Other resources

2. The quantity of water claimed is one - one half (1 1/2)

cubic feet per second.

3. Source of water supply, Battle Creek.

4. Location of point of diversion, NE 1/4 NW 1/4, SE 1/4 NE 1/4, Sec. 23, Twp. 9 S. Range 1 East.

County of Owyhee

5. To be used for, irrigation.

I. Irrigation and domestic use, (a) Amount of land to be irrigated, 120

acres.

(b) In the following legal subdivisions, SW 1/4 SW 1/4, Sec. 24, E 1/4 SE 1/4 Section 23, Twp. 9 S. Range 1 East.

II. Mining, milling, power, manufacturing, transportation or other purposes.

[a] At what point

[b] Amount of power to be generated,

H. P. under

ft head

[c] Is water to be returned to any stream?
return

(d) If so, name stream and locate point of

6. Estimated cost of works, \$100.00

7. Description of works for diversion.

I. Kind of works, Dam of earth & rock and ditches.

II. Dimensions of works.

[a] Height of dam 2

feet, length of dam at top 10

feet,

length of dam at bottom 9

feet. Material used in construction,

earth & rock.

[b] Capacity of reservoir

acre feet.

[c] Size of headgate, width 2

feet,

Height 1

feet.

(d) Conduit

Ditch

width at bottom 2

feet,

width at water line 3

feet, depth of water 1

feet, diameter of pipe

inches, average grade per mile is 5 1/2

feet. Length of conduit is 1 3/4 miles.

and it crosses the following quarter sections, NW 1/4, NE 1/4, SE 1/4 Section 23, SW 1/4 Sec. 24, Twp. 9 S. Range 1 East.

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

years.

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

three

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.

G. K. Craig,

Applicant

By ...M. E. Reynolds.....

Agent

REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 681. State name of applicant and number of permit: Ralph Eugene Craig Permit 04972. State source of water supply: Battle Creek3. Location of point of diversion: NE 1/4 & SE 1/4 Sec. 23, T. 9 S., R. 1 E.

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

#1 E. dam, 4' H., 40' L., No H.G.Ditch, 1 x 1, Cap. 1 S.F.#2 E. dam, 3.5' H., 35' L., No H.G.Canal, 1 x 1, Cap. 1 S.F.5. State whether or not water has been turned into works of diversion: Yes6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SW 1/4 Sec. 24 & E 1/4 Sec. 23, T. 9 S., R. 1 E., B.M.SW 1/4 Sec. 24, 10 A., NE 1/4 Sec. 24, 5 A., SE 1/4 Sec. 24, 15 A., Cult.

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

8. How many parties conduct water in this system? One

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Snake River11. Describe the various tributaries en route from point of diversion to the principal drainage stream: From land to Battle Creek, to Owyhee River, to Snake River.

Remarks:

This examination was made on the 29th day of October1929(Signed) R. E. Smith

Examiner.

8657

PERMIT NO. _____

Proof of Application of Water to Beneficial Use**Deposition of Holder**

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

Ans. Ralph Eugene Crall, 25 years, Branson, Missouri, Branson, Mo.

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

Ans. Acting for myself.

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

Ans. 8687, Sept. 15, 1912.

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

Ans. Battle Creek, Northeast corner of SW 1/4 Sec. 24.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to each place of use.

Ans. Rock and dirt dam from this dam two ditches lead the water to the point of use.

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

Ans. Irrigation and domestic use. 15 acres in SW 1/4 Sec. 24, 35 acres in SW 1/4 Sec. 25.

Sec. 25, 25 acres in NE 1/4 Sec. 25, Township 9 South, Range 1 East. Cultivated.

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

Ans. For irrigation only.

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

Ans. 1.5 cubic feet.

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

Ans. I am the holder and to whom the permit belongs.

8687

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

na. Spring of 1919 75 acres was irrigated from the water diverted under the terms
he above permit

10. When, how, in what amount and to what extent, water, other than those diverted under the above
 11. permits have been diverted and applied to beneficial use upon the lands herein described. Give full particulars
 12. of each other appropriation and claim claimed thereunder.

Intro

DAY OF November A.D. 1920

Charles E. Pison
Notary Public



RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | LOT | COUNTY |
|------|------|------|-----|-----|-----|--------|
| T9S | R1E | 23 | SW | SE | NE | OWY |

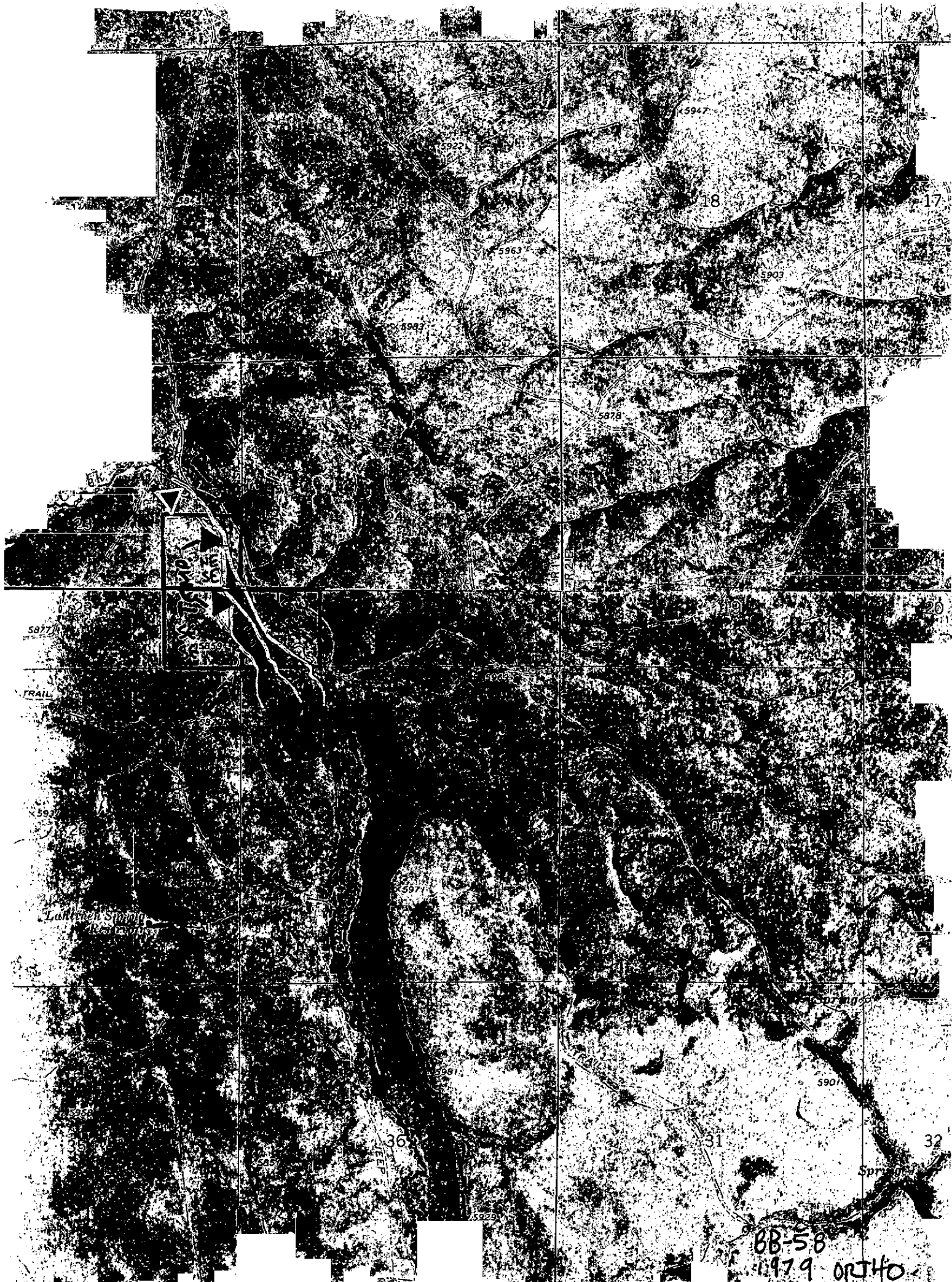
SOURCE: BATTLE CREEK

TRIB: OWYHEE RIVER

REVIEWED BY: RDR DATE: 7-29-93

SYSTEM DESCRIPTION:

• SEE NEGOTIATION IN FILE 55-02015 (SAME) PD OVERLAP



BB-58

0979 ORTHO

A. ROOT WATER RIGHT NUMBERS: A55-02037

B. POU LISTING

TWP RING SEC 1/4 1/4 LOT NAME

AJ

#/ACRES

WR

#/ACRES

LANDSAT

DATA

FIELD

EXAM.

RECOMM.

ACRES

| | | | | | | | | | | |
|-------------|----|----|-------------------|-----------|-------|----------|-------|------|----|----|
| 09S 01E 24 | SW | SW | COLYER CATTLE CO. | A55-02037 | /10.0 | 55-02037 | /10.0 | 29.0 | 10 | 10 |
| 09S 01E 23 | NE | SE | COLYER CATTLE CO. | A55-02037 | /5.0 | 55-02037 | /5.0 | 20.0 | 0 | 0 |
| 09S 01E 23 | SE | SE | COLYER CATTLE CO. | A55-02037 | /15.0 | 55-02037 | /15.0 | 12.0 | 4 | 4 |
| TOTAL ACRES | | | | A55-02037 | 30.00 | 30.00 | 61.00 | | | |

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

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG: (E)

REMARKS:

FOUND LESS ACRES IRRIGATED, CLKD WITH 08-58 NAPP (81-87), ORTHO 1979 AND 1989 ASCS.
SEE PHOTO'S IN 55-02015, TOTAL ACRES FORFEITED IS 16. (609 CONTINUED)

SEE

G-15
MAP
DTD APR 98

RECOMMENDATIONS:

TOTAL ACRES:

44.0 20.

REVIEWED BY:

Rdh

DATE: 7-29-93

A. AJ CLAIMED USES:

PURPOSES
A55-02037 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
.600 CFS
.600 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

B. WR RECORDED USES:

PURPOSES
55-02037 IRRIGATION
55-02037 DOMESTIC

MONTH/DAY
FROM TO
FROM TO

DIVERSION QUANTITY
.600 CFS
.600 CFS
.600 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG: (E)

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

FIELD EXAMINER
DATABASE Y
Y
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(X)
Y(X) N()

Explain in remarks, below.

REMARKS:

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

Y(X) N()

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 0.600 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.600 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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

NA

, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: SAME POD AS 55-02015

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 14 x 0.02 CFS/ACRE = 28 CFS
ACRES 20 (Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 75.0 AF/A
ACRES 14 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 35 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 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()

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

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CPS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|------------------|------------------------|----------------------|-----------------------|-------------------|
| 12216 | 4-15 10-15 | 28.4 | | |
| | | REN | | |

TOTAL FOR THIS RIGHT

REN

REVIEWED BY:

DATE: 7-29-93

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-02037

DATABASE
0.600

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 |
|-------------------|-----------------------|----------------|------------------------|---------------|------------------|----------------|
| - | A55-02037 | 0.600 | - | - | 55-02037 | 0.600 |

0.600

TOTAL CFS 0.600

DIVERSION RATE REVIEW

FIELD EXAMINER
Rch

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)

REMARKS:

SEE PHOTO'S AND A55 MAP IN FILE 55-02037. SOME LAND HAS BEEN FORFEITED
DUE TO LACK OF USE / NOT DUE TO LACK OF WATER, PLENTY OF WATER DURING FX.

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: A55-02037

| 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 | | | | | | | | |
| PLACE OF USE | Y | | | | | | | |
| DIV. AMOUNT
CFS/VOLUME | Y | | | | | | | |
| CONSUMPTIVE USE | - | | | | | | | |
| PURPOSES | Y | | | | | | | |
| 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.

ADJUDICATION MEMORANDUM

CLAIM NO.: A55-2015, 2037, 2075

SUBJECT: FX FOR CLAIMS

EMPLOYEE: RON HOWERTON

DATE: 7/22/93

CALLED BONNIE CAYER OF COLTER 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



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

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

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:

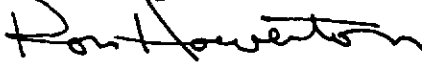
1. About possibly filing a transfer to change the Departments records of the licenses to reflect the point of diversion changes.
2. Your intent to abandon the temporary points of diversion as found during the field exam and put the old point of diversion back in use right away.

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.

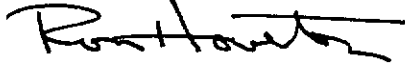
6. Before these claims can be recommended with the new points of diversion, you must provide the Department with the date the change the points of diversion were changed and with some evidence to support that date. (See IDWR Information Sheet)

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