

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

T13N R04E

WATER RIGHT(S): 65-06640

OWNER(S): JR SIMPLOT CO

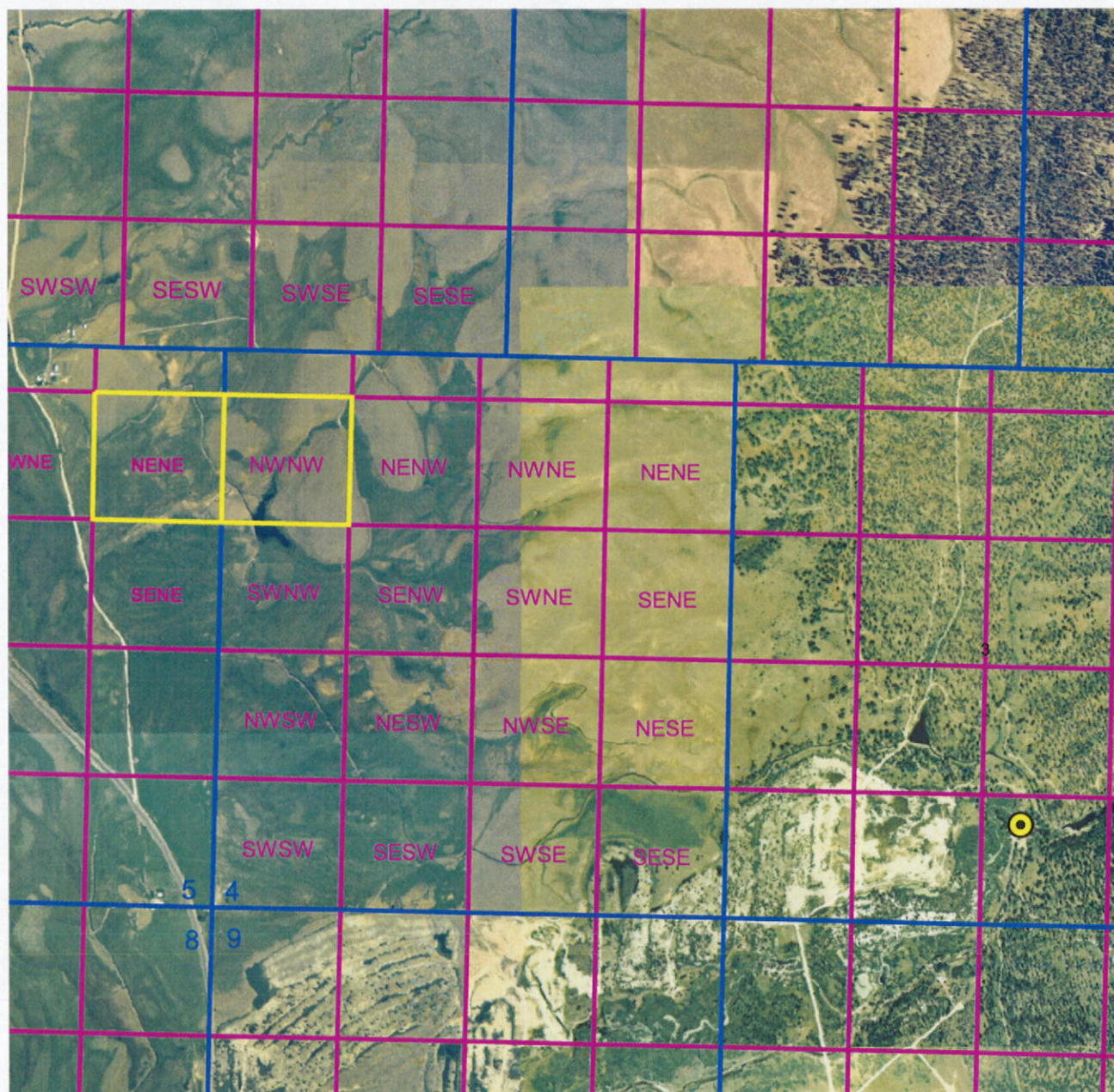
PREPARED BY SCOTT VAN HOFF

27 MAY 1999

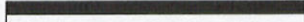
-  POINT OF DIVERSION
-  PLACE OF USE
-  SECTION LINES
-  QUARTER SECTION LINES

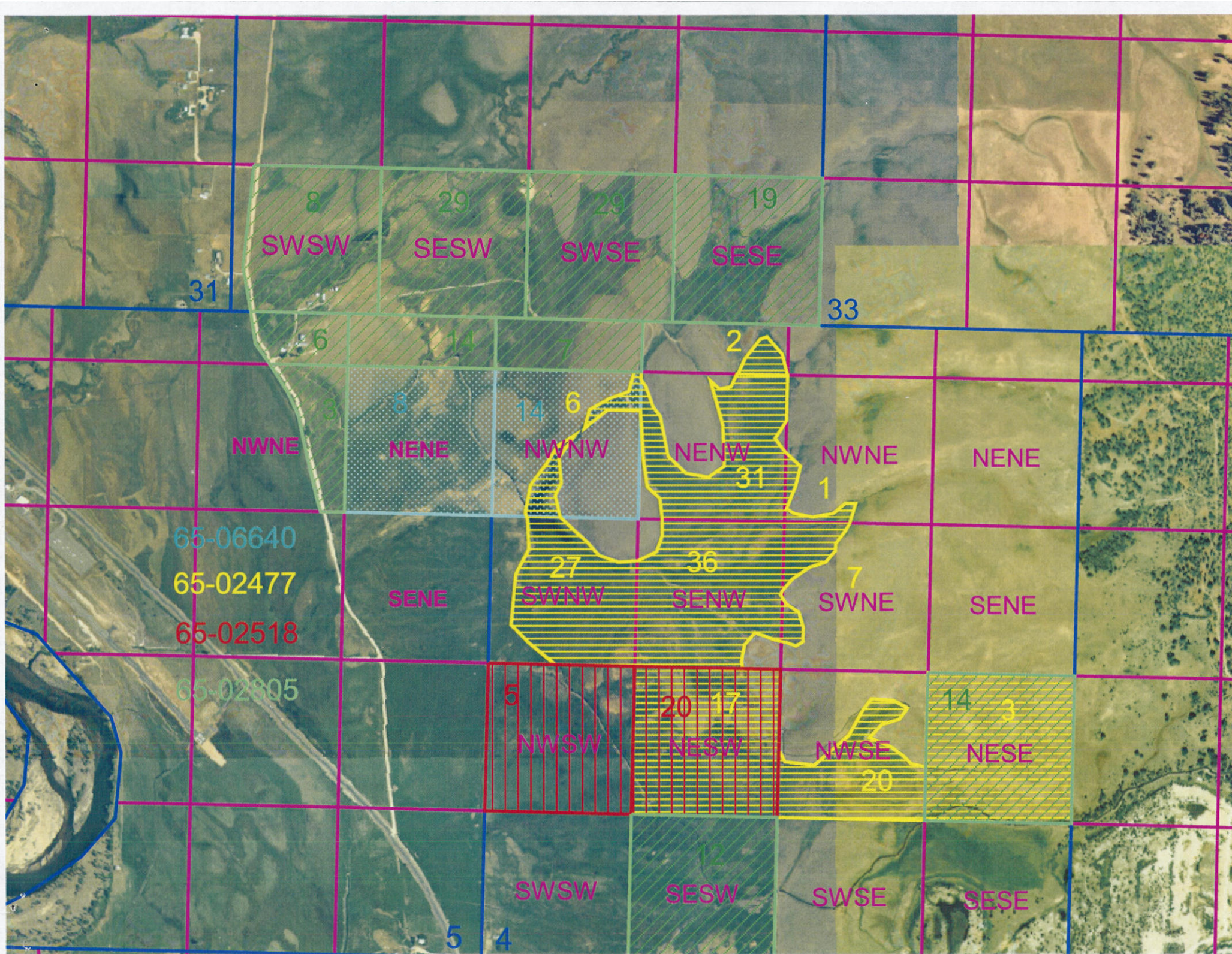


NAPP 1987



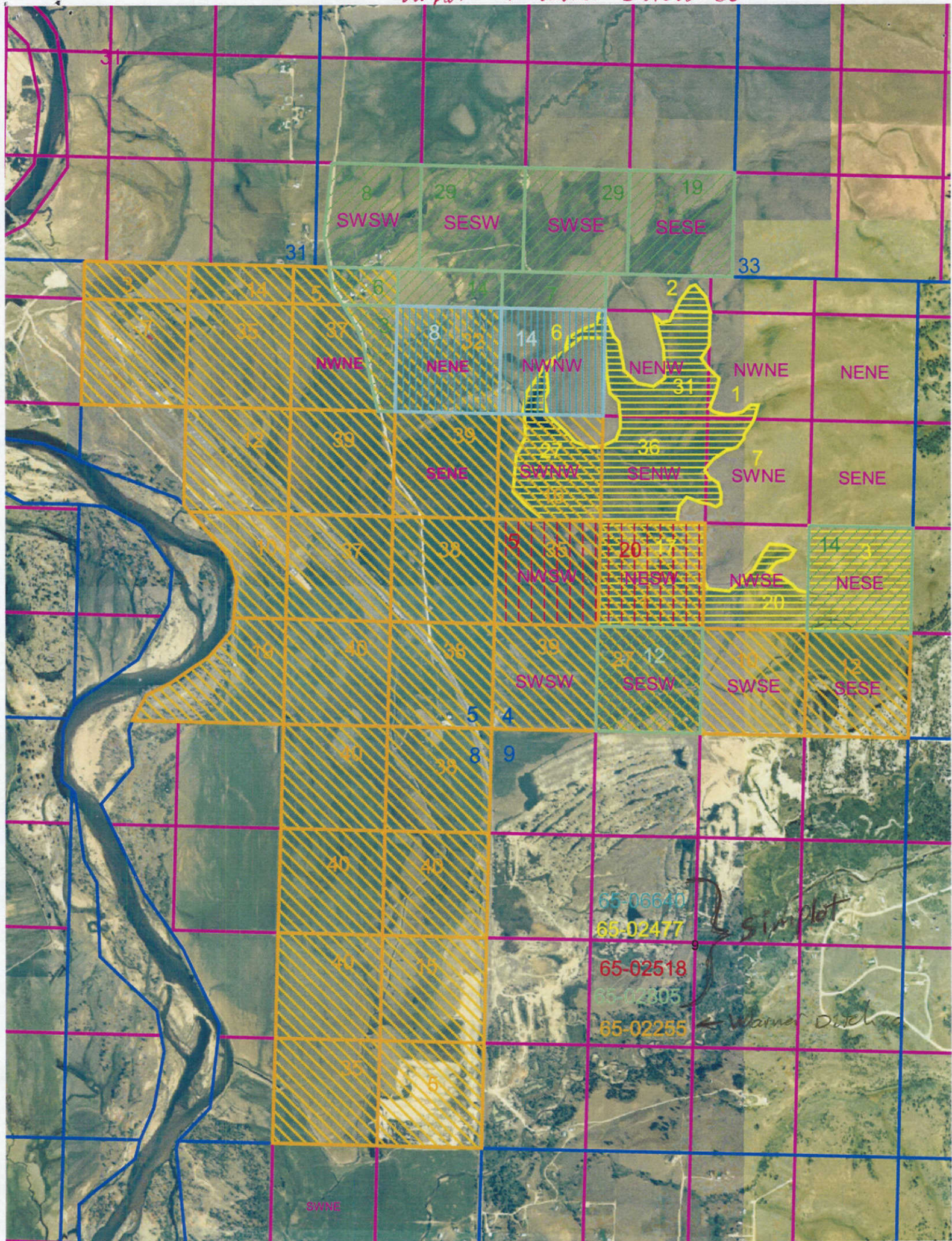
0 0.5 Miles



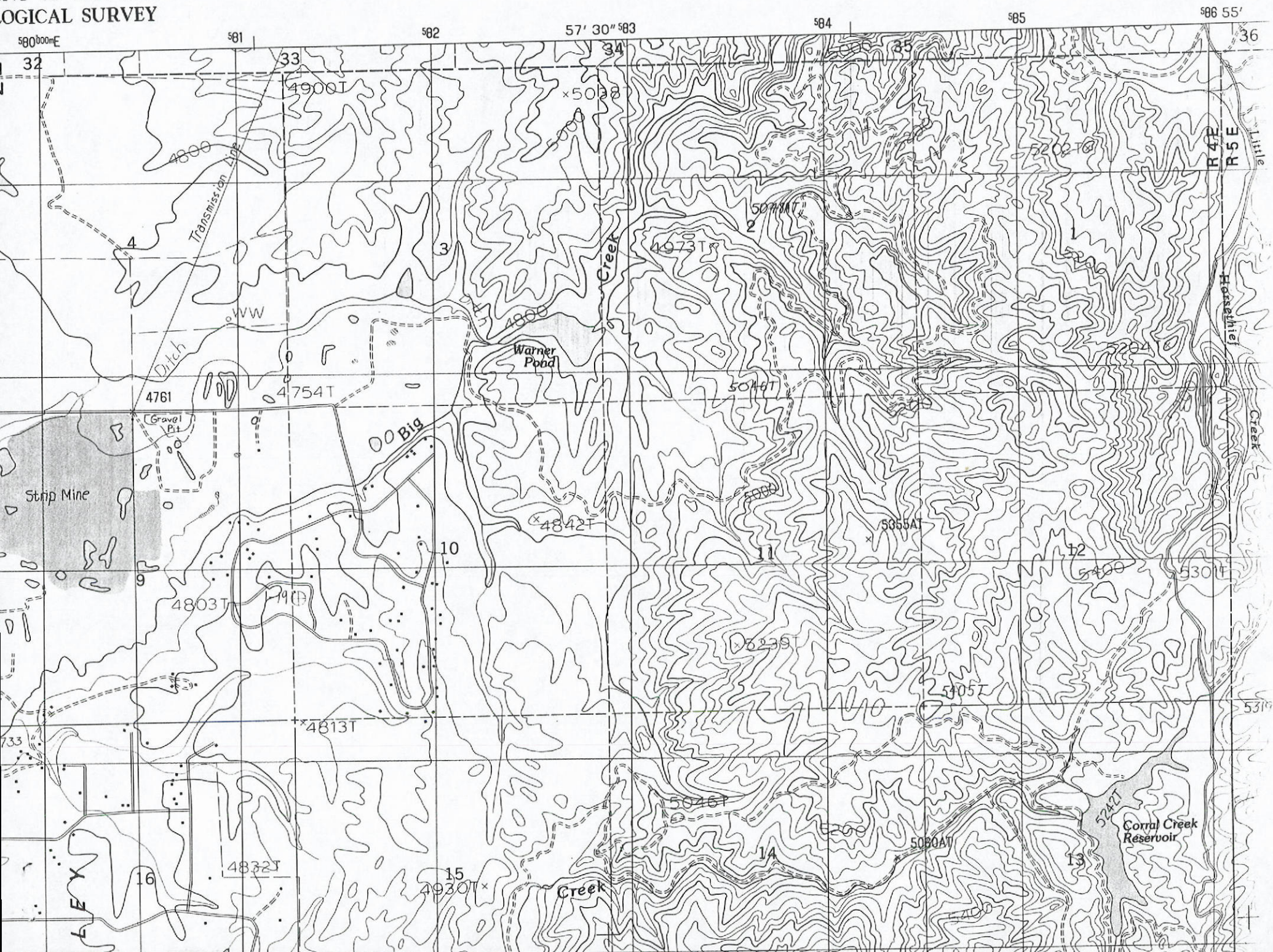


simplot clowns only

Simplot & Warner Ditch co



ENT OF THE INTERIOR
OLOGICAL SURVEY



MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 23

INDICATES TOTAL

SOURCE: BIG CREEK

TRIBUTARY TO: NORTH FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT PAX RATE	DIVERSION POINT	PLACE OF USE AAG ACREAGE	BASIS FOR RIGHT
39 65-6640	SIMPLOT INDUSTRIES, INC. P.O. BOX 2777, BOISE, IDAHO 83701	6/ 1/1947	IRRIGATION	4/15 10/15	--- AFA 1.56 CFS 32	SESE S 3 113N R 4E	SESE S 3 LOT 71 1/2 3 LOT 81 1/2 8 NENE S 5 113N R 4E SESE S 3 LOT 51 51 NW NW S 4 113N R 4E	BENEFICIAL USE 68 3.5 8 6.5 5.4 14 instead of 65-2005
37 65-2516	SIMPLOT CATTLE COMPANY BOX 2777, BOISE, IDAHO 83701 REMARKS: RE-DIVERSION, NESE, S 14 7 113N R 4E.	9/ 7/1949	IRRIGATION	4/15 10/15	--- AFA .50 CFS	SWSE S 3 113N R 4E	SWSE S 3 113N R 4E NWSW 51 NWSW 201 S 4 113N R 4E 0250	LICENSE
			STOCKWATER	1/ 1 12/31	9.40 AFA .16 CFS 0---AFA 0.50 CFS		SAME AS OTHER USE	
65-2673	DILBAO, FRANK P.O. BOX 49, CASCADE, IDAHO 83611 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-9760 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. SOURCES FOR THIS RIGHT ARE UNNAMED STREAMS & BIG CREEK.	8/18/1960	IRRIGATION	4/15 10/15	--- AFA 1.78 CFS	NWSE S 3 113N R 4E NENE S 17 113N R 4E	LOT 81 1/2 1 LOT 11 1/2 1 LOT 71 1/2 6 S 17 113N R 4E 0760	LICENSE
65-8720	OLSON, TUN M. C OLSON, FRANCES BOX 487, CASCADE, IDAHO 83611	7/22/1964	IRRIGATION	4/15 10/15	--- AFA .04 CFS	SESE S 3 113N R 4E	SESE S 3 S 9 113N R 4E 020	BENEFICIAL USE
38 65-2005	SIMPLOT INDUSTRIES P.O. BOX 2777, BOISE, IDAHO 83701	8/13/1965	IRRIGATION	4/15 10/15	--- AFA 3.75 CFS	SWSE S 3 113N R 4E	SESE S 3 LOT 31 21 (NENE) LOT 41 71 (NENE) S 4 113N R 4E SESE S 3 LOT 11 1/2 1 (NENE) S 5 113N R 4E SWSE S 3 SESE 1361 S 32 114N R 4E SWSE S 3 SESE 1361 S 32 114N R 4E 01250	LICENSE (19) Lot 5 (NENE) (19)

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
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65-2809
Vol. II
Pg. 279

SWNW(16)	NESW(26)	NWSW(40)	SWSW(40)	SESW(33)
NE NW(28)	NWNW(40)	SWNW(40)	SENW(10)	NWSW(25)
NESW(5)	SWSW(2)	SESW(32)	NWSE(5)	SWSE(40)
NWNE(21)	~~SENE(-7)~~	SENW(19)	NESW(5)	~~MNSW(-7)~~
SE SE(13)	SWNE(7)	SESW(7)	NESE(7)	~~SWSW(-7)~~
NENE(40)	~~NWNE(40)~~	~~SWNE(32)~~	~~SENE(38)~~	NENW(28)
NWSW(3)	SWSW(29)	SESW(17)	NESE(8)	NWSE(24)
NWNW(13)	SWNW(33)	SWSW(23)	SESW(27)	NESE(29)
NENE(14)	NWNE(38)	SWNE(30)	NENW(27)	NWNW(35)
NWSW(40)	SWSW(32)	NWSE(2)		
NENE(40)	NWNE(33)	SWNE(35)	SENE(40)	NENW(26)
NESW(40)	NWSW(40)	SWSW(40)	SESW(40)	NESE(40)
NE NE(31)	NWNE(30)	SWNE(40)	SENE(40)	NWNW(18)
NWSW(34)	SWSW(31)	SESW(40)	NESE(40)	NWSE(39)
NENE(34)	NWNE(13)	SWNE(27)	SENE(26)	NENW(29)
NENE(27)	NWNE(28)	SWNE(4)	SENE(2)	NENW(15)
NWNW(19)				

* 2790*

INDICATES TOTAL

65-6640

BENEFICIAL
USE

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: A65-06640
Date Received: 11/23/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83707

2. Date of Priority: JUN 01, 1947

3. Source: BIG CREEK

Trib. to: PAYETTE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	04E	3	SW	SE			VALLEY

5. Description of diverting works:
DITCHES & PUMPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.440		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	04E	4	NW	NW	5	IRR	14.0
						Section Acres	14.0
		5	NE	NE	8	IRR	8.0
						Section Acres	8.0

MICROFILMED

SEP 23 1992

10. Place of Use: Continued

Total Acres 22.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

MICROFILMED

SEP 23 1992

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

AJ0749NP
No. R65-06640

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

DATE: 09/16/99
PAGE: 1

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=====
OWNER      PRIORITY      USE PERIOD      DIVERSION      DIVERSION
CODE      NAME & ADDRESS      DATE      WATER USE      FROM      TO      RATE      VOLUME
-----
C  J R SIMPLOT COMPANY      06/01/1947  IRRIGATION      04-15  10-15      0.440 CFS
  PO BOX 27
  BOISE ID 83707
                                     TOTAL DIVERSION:  0.440 CFS

Water Source:  BIG CREEK      Tributary to:  PAYETTE RIVER, NORTH FORK      Stage:  DECREED

Point(s) of Diversion:      T13N R04E S03      SWSE      VALLEY County

Place of use Legal Description for:  IRRIGATION
      NE      NW      SW      SE
      NENE  NWNE  SWNE  SENE  :  NENW  NWNW  SWNW  SENW  :  NESW  NWSW  SWSW  SESW  :  NESE  NWSE  SWSE  SESE  :
T   R   S   :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  SUM
-----
13N 04E  4   :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :
13N 04E  5   :  08-08  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :
                                     TOTAL ACRES      22.0
=====
```

POU County: VALLEY

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02477, 65-02518 &
65-02805 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

OWNER (S): JR Simplot company

AGENT: Scott Van Hoff DATE 5-28-99

P.O.D.	TOWNSHIP	RANGE	SEC.	SOURCE
	<u>13N</u>	<u>4E</u>	<u>3 SWSE</u>	<u>Big creek</u>

ATTRIBUTES OF B65-POD.SHP (222) () () () ()

B65-DBPOD.DBF UPDATED BY sdvh

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

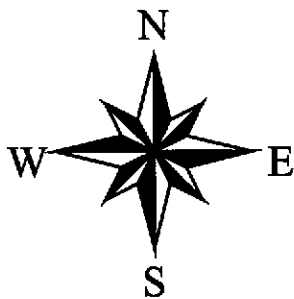
T13N R04E

WATER RIGHT(S): 65-06640

OWNER(S): JR SIMPLOT CO

PREPARED BY SCOTT VAN HOFF
27 MAY 1999

- POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER SECTION LINES

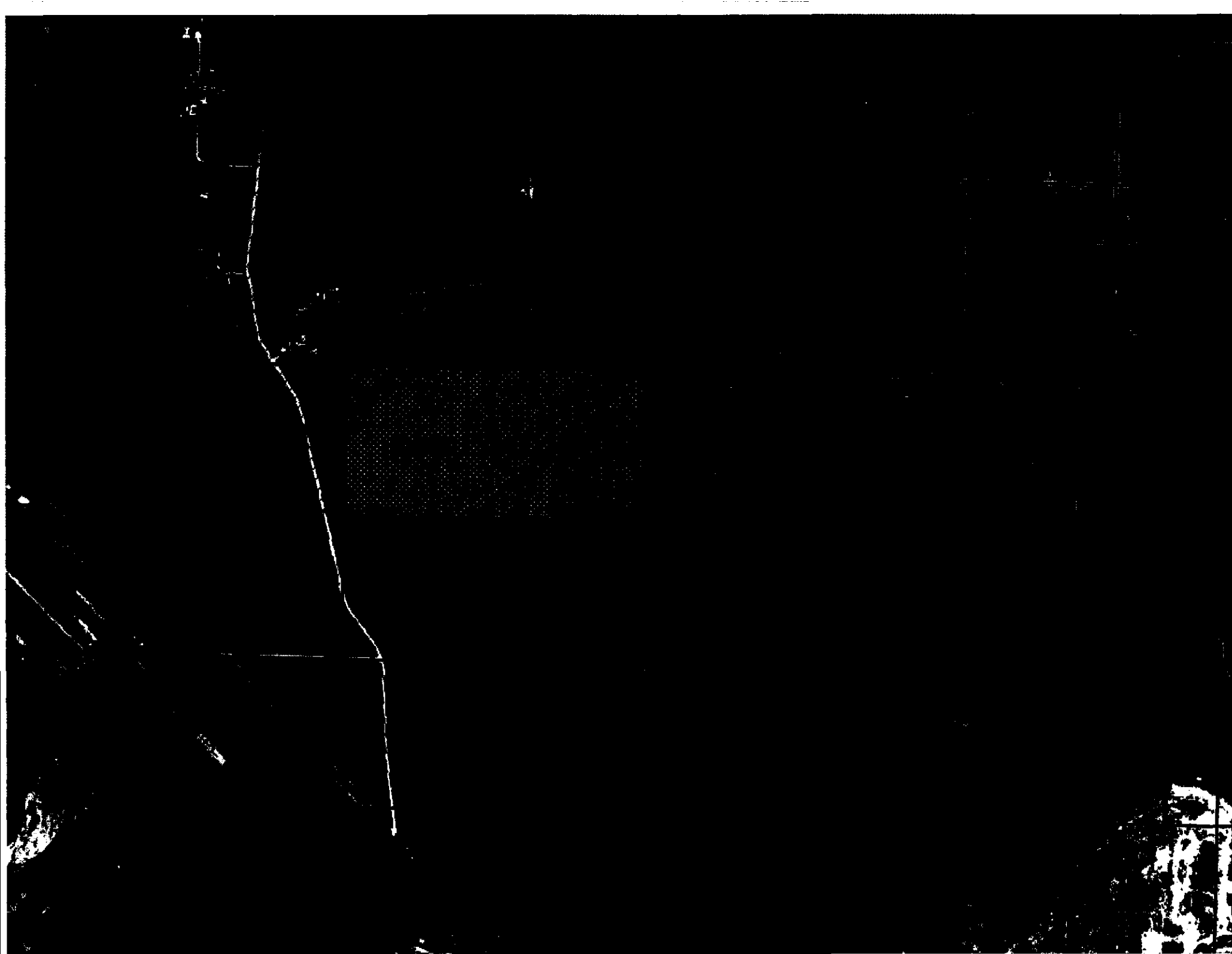


NAPP 1987



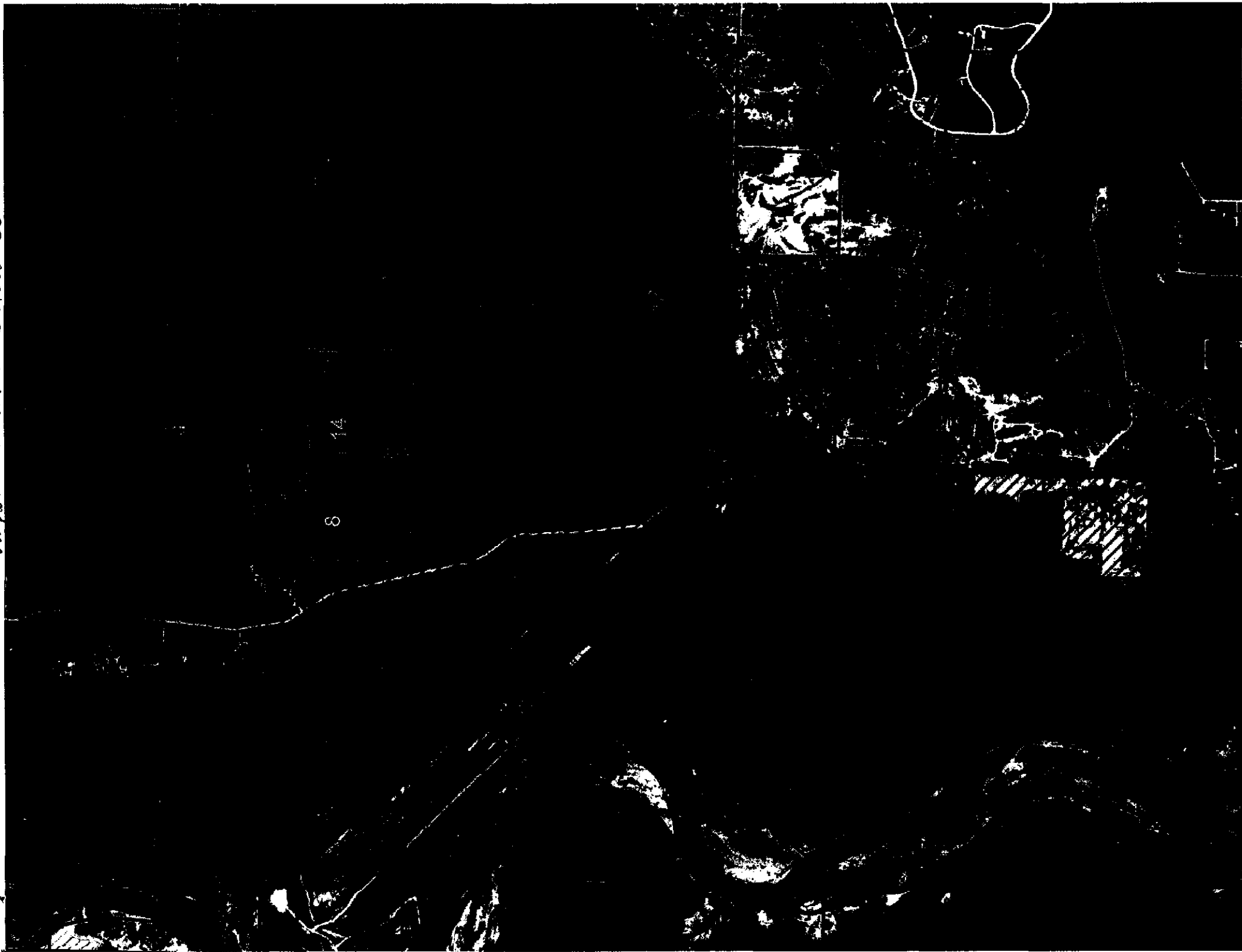
0 0.5 Miles

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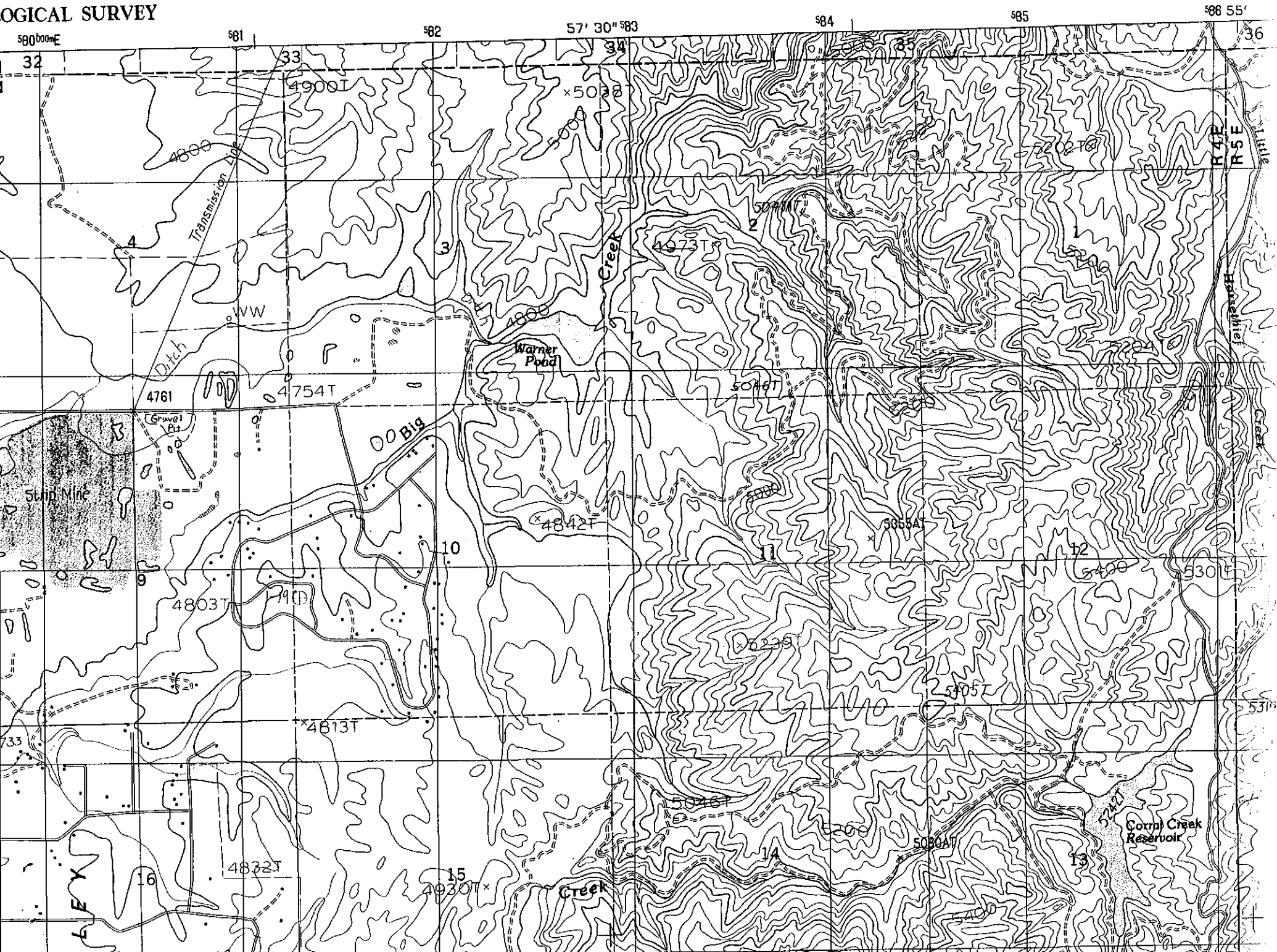


simplot clearings only

Sample 4 Walnut Orchard



NT OF THE INTERIOR
OLOGICAL SURVEY



MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 29

INDICATES TOTAL

SOURCE: BIG CREEK

TRIBUTARY TO: NORTH FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT PAX RATE	DIVERSION POINT	PLACE OF USE AAG ACREAGE	BASIS FOR RIGHT
65-6640	SIMPLOT INDUSTRIES, INC. P.O. BOX 2777, BOISE, IDAHO 83701	6/ 1/1947	IRRIGATION	4/15 10/15	--- AFA 1.56 CFS 32	SESE S 3 113N R 4E	SESE S 3 LOT 1134 3 LOT 8114 3 S 5 113N R 4E LOT 51 51 NW NW S 4 113N R 4E 1250	BENEFICIAL USE LB 35 8 6.554 14 instead of 65-2205
65-2518	SIMPLOT CATTLE COMPANY BOX 2777, BOISE, IDAHO 83701 REMARKS: RE-DIVERSION NESE S 14 113N R 4E	9/ 7/1949	IRRIGATION	4/15 10/15	--- AFA .50 CFS	SWSE S 3 113N R 4E	SWSE S 3 113N R 4E NWSW S 1 NWSW 201 S 4 113N R 4E 1250	LICENSE
			STOCKWATER	1/ 1 12/31	9.40 AFA .16 CFS 9.50 AFA 9.50 CFS		SAPE AS OTHER USE	
65-2673	DILBAO, FRANK P.O. BOX 49, CASCADE, IDAHO 83611 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-9768 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. SOURCES FOR THIS RIGHT ARE UNNAMED STREAKS & BIG CREEK.	8/18/1940	IRRIGATION	4/15 10/15	--- AFA 1.78 CFS	NWSE S 8 113N R 4E NENE S 17 113N R 4E	LOT 81351 LOT 11331 LOT 71 61 S 11 113N R 4E 8749	LICENSE
65-8720	OLSON, YON R. & OLSON, FRANCES BOX 487, CASCADE, IDAHO 83611	7/22/1964	IRRIGATION	4/15 10/15	--- AFA .09 CFS	SESW S 9 113N R 4E	SESW S 9 S 9 113N R 4E	BENEFICIAL USE
65-2805	SIMPLOT INDUSTRIES, INC. P.O. BOX 2777, BOISE, IDAHO 83701	8/13/1945	IRRIGATION	4/15 10/15	--- AFA 3.75 CFS	SWSE S 3 113N R 4E	SESE S 3 LOT 31 21 (NENE) LOT 41 71 (NENE) S 4 113N R 4E LOT 11351 S 5 113N R 4E SWSE S 2 SESE 1361 S 32 114N R 4E SWSE 1221 S 33 114N R 4E 11250	LICENSE Lot 5 (NENE) 119

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	FROM	TO	MAX RATE		BENEFICIAL USE
65-6640	SIMPLOT INDUSTRIES, INC. P.O. BOX 2777, BOISE, IDAHO 83701	6/ 1/1947	IRRIGATION	4/15	10/15	---	AFA SESE S 3 1.56 CFS T13N R 4E	SENE(39) LOT 7(14) LOT 8(10) S 5 T13N R 4E SWNW(10) LOT 5(5) S 4 T13N R 4E *78*
65-2518	SIMPLOT CATILE COMPANY BOX 2777, BOISE, IDAHO 83701 REMARKS: RE-DIVERSION. NESE, S. 14, T. 13N, R. 4E.	9/ 7/1949	IRRIGATION	4/15	10/15	---	AFA SWSE S 4 .50 CFS T13N R 4E	NWSW(5) NESH(20) LICENSE S 4 T13N R 4E *25*
			STOCKWATER	1/ 1	12/31	9.40 AFA .16 CFS *---*AFA *.50*CFS		SAME AS OTHER USE
65-2673	DILBAU, FRANK P.O. BOX 49, CASCADE, IDAHO 83611 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-9768 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. SOURCES FOR THIS RIGHT ARE UNNAMED STREAMS & BIG CREEK.	8/18/1960	IRRIGATION	4/15	10/15	---	AFA NWSE S 8 1.78 CFS T13N R 4E NENE S17 T13N R 4E	LOT 8(35) LOT 1(33) LOT 7(6) S17 T13N R 4E *74*
65-8720	OLSON, TOM M. & OLSON, FRANCES BOX 487, CASCADE, IDAHO 83611	7/22/1964	IRRIGATION	4/15	10/15	---	AFA SESH S 9 .04 CFS T13N R 4E	SESW(2) S 9 T13N R 4E *2*
65-2805	SIMPLOT INDUSTRIES P. O. BOX 2777, BOISE, IDAHO 83703	8/13/1965	IRRIGATION	4/15	10/15	---	AFA SWSE S 3 3.75 CFS T13N R 4E	NESE(10) NWSE(8) LICENSE LOT 3(2) LOT 4(7) S 4 T13N R 4E NENE(4) LOT 1(15) S 5 T13N R 4E SWSE(2) SESE(36) S32 T14N R 4E SWSW(22) SESH(19) S33 T14N R 4E *125*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:02:25
05/12/99

PAGE: 1
GENERAL INFORMATION

468
CLAIM NUMBER: A65-06640

LAST: J R SIMPLOT COMPANY
ADDRESS: PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 83707

OWNER CODE: C

LAST: SIMPLOT
ADDRESS:
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 83707

OWNER CODE: K

LAST: YOUNG OR TERRY UHLING
ADDRESS: ENV AND REGULATORY AFFAIRS
J R SIMPLOT COMPANY
PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-389-7318

FIRST: GRAY
STATE: ID ZIP: 837070027

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

PAGE: 2
FIELD EXAMINATION INFORMATION

469
CLAIM NUMBER: A65-06640

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: __:__ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-06640 PRIORITY DATE: 06-01-1947 STAGE: D

B. WR RECORD: # 65-06640 PRIORITY DATE: 06-01-1947 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☐) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☐) Y(☐) N(☐)

LICENSE ISSUED

N/A(☐) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☐) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES:

=====

RECOMMENDED PRIORITY DATE:

06-01-1947

REVIEWED BY

SOH

DATE

5-28-99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-06640	13N 04E	3		SW	SE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02255	R65-02255
A65-02477	
A65-02518	
A65-02805	
A65-12633	

WR RECORDS IN SAME 40 ACRE TRACT

65-02255
65-02477
65-02518
65-02805
65-12633

SOURCE: BIG CREEK

TRIB: PAYETTE RIVER, NORTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-06640	13N 04E	3		SW	SE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

65-02255
65-02477
65-02518
65-02805
65-12633

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-02255	R65-02255
A65-02477	
A65-02518	
A65-02805	
A65-12633	

SOURCE: BIG CREEK

TRIB: PAYETTE RIVER, NORTH FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

TWP. 13N	RGE. 04E	SEC. 3	1/4	1/4 SW	1/4 SE	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: BIG CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY: SVH

DATE: 5-28-99

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-06640

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	04E	4	NW	NW	5	J R SIMPLOT COMPANY	A65-06640 / 14.0	65-06640 / 14.0	32.0		14
			NW	NW	4	J R SIMPLOT COMPANY	A65-02805 / 7.0	65-02805 / 7.0			
			NW	NW	5	J R SIMPLOT COMPANY	A65-02477 / 6.0	65-02477 / 6.0			
13N	04E	5	NE	NE	8	J R SIMPLOT COMPANY	A65-06640 / 8.0	65-06640 / 8.0	39.0		8
			NE	NE	1	J R SIMPLOT COMPANY	A65-02805 / 15.0	65-02805 / 15.0			
			NE	NE	8	WARNER DITCH CO	A65-02255 / 32.0	65-02255 / 32.0			
			NE	NE	8	WARNER DITCH CO	R65-02255 / 32.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES A65-06640 22.00 22.00 71.00

POU COUNTY: VALLEY

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-06640	BIG CREEK	J R SIMPLOT COMPANY	0.440	0.020		
A65-02255	BIG CREEK	WARNER DITCH CO	18.000	0.022		
R65-02255	BIG CREEK	WARNER DITCH CO	18.000	0.022		
A65-02477	BIG CREEK	J R SIMPLOT COMPANY	3.000	0.020		
A65-02805	BIG CREEK	J R SIMPLOT COMPANY	3.750	0.026		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☐) Y(☒) N(☐)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(☐) N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; ☒ TOPOGRAPHIC QUAD, IDWR NO. _____;
(☒) NAPP, IDWR NO. 1947; () ASCS PHOTO; () OTHER _____

NOTES:

I Do not know if the 14 acres from this right overlap
with the 6 acres from 65-02427. They are both in the
WNW of sec 4 but I cannot determine if the acres overlap
or not

RECOMMENDATIONS:

TOTAL ACRES: 22 N/A ()
REVIEWED BY: guth

DATE: 5-28-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-06640 IRRIGATION	FROM 04-15 TO 10-15	0.440 CFS	
TOTAL DIVERSION RATE/VOLUME		0.440 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-06640 IRRIGATION	FROM 04-15 TO 10-15	0.440 CFS	
TOTAL DIVERSION RATE/VOLUME		0.440 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☒) Y(☐) N(☐)

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

477

CLAIM NUMBER: A65-06640

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.440 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.440 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

PAGE: 12
DIVERSION AMOUNT REVIEW SHEET CONTINUED

479
CLAIM NUMBER: A65-06640

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	04-15	10-15	DATABASE 0.440	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.440	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

REVIEWED BY: SVH

DATE: 5-28-99

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

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: 65-06640

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	0.440	_____	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-06640	0.440	-		65-06640	0.440
TOTAL CFS		0.440				0.440

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
Y	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

=====

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
(☒) NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. _____	Y(☒) N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
(☒) OTHER <u>Devel</u>	DATE <u>1979</u>	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:02:25
05/12/99

PAGE: 16
QUICKLOOK INFORMATION

483
CLAIM NUMBER: A65-06640

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

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:25:49
05/12/99
484

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-06640

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J R SIMPLOT COMPANY	06/01/1947	IRRIGATION	04-15 10-15	0.44 CFS	
					TOTAL DIVERSION:	0.44 CFS

Water Source: BIG CREEK Tributary to: PAYETTE RIVER, NORTH FORK Stage: DECREED

Point(s) of Diversion: T13N R04E S03 SWSE VALLEY County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
13N	04E 4	:				:		05-14		:				:				14.0
13N	04E 5	:	08-08			:				:				:				8.0
																	TOTAL ACRES	22.0

POU County: VALLEY

Dates: Exam Made Date: Verified Date: 04/10/1986 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:

Presumption Flag:

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
-----------------	---------------------	------------------	-----	-----------------------	------------------------	--------------------	-----------------------------	--------------------

INDICATES TOTAL

SOURCE: PAYETTE RIVER

65-2809	PAYETTE FARMS COMPANY P.O. BOX 2777 J.R. SIMPLOT CO. P.O. BOX 27 BOISE, IDAHO 837047 PLACE OF USE: T 8N R 3W S 7 S18 T 8N R 4W S 2 S10 S11 S12 S13 S14 S15 S22 S23 S24	8/19/1965	IRRIGATION	3/15 11/15	--- AFA 51.32 CFS	SWNE S27 T 8N R 4W		LICENSE	
							SWNW(16) NESW(26) NWSW(40) SWSW(40) SESW(33) NENW(28) NWNW(40) SWNW(40) SENW(10) NWSW(25) NESW(5) SWSW(2) SESW(32) NWSE(5) SWSE(40) SESE(15) NWNW(21) SENE(7) SENW(19) NESW(5) NWSW(7) SWSW(7) SWSE(5) SESE(13) SWNE(7) SESE(7) NESE(7) NENE(40) NWNW(40) SWNE(32) SENE(38) NENW(28) NWNW(2) SENW(6) NESW(17) NWSW(3) SWSW(29) SESW(17) NESE(8) NWSE(24) SWSE(39) SESE(27) NWNW(13) SWNW(33) SWSW(23) SESW(29) NESE(29) NWSE(5) SWSE(33) SESE(40) NENE(14) NWNW(38) SWNE(30) NENW(27) NWNW(35) SWNW(40) SENW(40) NESW(25) NWSW(40) SWSW(32) NWSE(2) NENE(40) NWNW(33) SWNE(35) SENE(40) NENW(26) NWNW(30) SWNW(40) SENW(40) NESW(40) NWSW(40) SWSW(40) SESW(40) NESE(40) NWSE(40) SWSE(40) SESE(40) NENE(31) NWNW(30) SWNE(40) SENE(40) NWNW(18) SWNW(40) SENW(12) NESW(21) NWSW(34) SWSW(31) SESW(40) NESE(40) NWSE(39) SWSE(34) SESE(36) NENE(34) NWNW(13) SWNE(27) SENE(26) NENW(29) NWNW(32) SWNW(17) SENW(3) NENE(27) NWNW(28) SWNE(4) SENE(2) NENW(15) NWNW(40) SWNW(29) SENW(8) NWNW(19) *2790*		

INDICATES TOTAL

SOURCE: BIG CREEK

TRIBUTARY TO: NORTH FORK, PAYETTE RIVER

65-6640	SIMPLOT INDUSTRIES, INC. P.O. BOX 2777 BOISE, IDAHO 837047	6/ 1/1947	IRRIGATION	4/ 5 10/15	--- AFA 1.56-CFS .44 CFS	SESE SWSE S 3 T 13N R 4E	SENE(39) LOT 1(44) LOT 8(NENE)(40B) S 5 T 13N R 4E SWNW(40) LOT 5(NWNW)(514) S 4 T 13N R 4E *7822*	BENEFICIAL USE
---------	--	-----------	------------	------------	--------------------------------	--------------------------------	--	-------------------

NOV 25 1985

Time 9:40 AM

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR GEM COUNTY, *W. J. Schen*, Deputy

IN THE MATTER OF THE GENERAL)
DETERMINATION OF THE RIGHT TO) Civil No. 3667
THE USE OF SURFACE AND GROUND-)
WATER OF THE PAYETTE RIVER) ORDER CORRECTING
DRAINAGE.) CLERICAL ERRORS
_____)

The motion of the Director of the Department of Water Resources having come on for hearing on the 25th day of November, 1985, and the court having considered the motion,

IT IS HEREBY ORDERED that the report of the director, entitled PROPOSED FINDINGS OF WATER RIGHTS IN THE PAYETTE RIVER DRAINAGE BASIN, be amended in conformance with Exhibit A, attached hereto and incorporated herein by reference.

DATED this 25th day of November, 1985.

W. R. Doolittle
DISTRICT JUDGE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 20, 1994

RECEIVED

MAY 20 1994

WATER RESOURCES
WESTERN REGION

HOLLY PEPE
LEGAL DEPARTMENT
J R SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707-0027

RE: Snake River Basin Adjudication (SRBA)
Co-counsel for J. R. Simplot Company

Dear Ms. Pepe:

Our records were modified May 19, 1994, to reflect Terry Uhling and Gray Young as co-counsel for J. R. Simplot Company. Bruce Belzer was removed from the water right claim records on which he appeared as counsel.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:regions

MICROFILMED

AUG 03 1994

CORPORATE HEADQUARTERS

RECEIVED

MAY 20 1994

WATER RESOURCES
WESTERN REGION

April 12, 1994

RECEIVED

APR 14 1994

Department of Water Resources

Donald V. Shaff
Manager, Adjudication Section
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

*Records modified 05-19-94
by Don Shaff. Sel. file
copy attached.
-Jal*

RE: Snake River Basin Adjudication
Case No. 39576 and Subcase Nos. 36-13320 & 57-02203A

Dear Mr. Shaff:

In response to your letter of March 24, 1994, please modify your records to reflect that Terry T. Uhling and Gray Young are co-counsel of record in the above referenced matter. Mr. Uhling and Mr. Young are in-house counsel for J. R. Simplot Company, and, therefore, would be apprised of all matters relating to the claims of Simplot and its related company subsidiaries and affiliates as a matter of course. The attached Exhibit A does represent all water rights we are aware of at this time to which the Notice applies.

For your information, I have also enclosed a copy of a letter and attached Notice of Withdrawal from Diana Delaney, Chief Deputy Clerk of the Snake River Basin Adjudication Clerk's Office, which indicates that Bruce Belzer never was recorded as being counsel for J. R. Simplot Company.

If you have any questions, feel free to call me at 389-7201.

Sincerely,

Holly Pepe

Holly Pepe
Legal Department

/hp
Enclosures
5517v

MICROFILMED

AUG 03 1994

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



RECEIVED
APR 14 1994
Department of Water Resources

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

April 6, 1994

Gray Young
Terry Uhling
J. R. Simplot Company
P.O. Box 27
Boise, ID 83707

*Records modified 05-19-94
by Don Shaff. Sel. file
copy attached. - JEL*

RE: Appearance of J. R. Simplot in Subcase Nos. 36-13320 and 57-02203A

Dear Mr. Young and Mr. Uhling:

Enclosed I am returning your *Notice of Withdrawal of Counsel* which was received by the court on April 5, 1994, and which stated that Bruce L. Belzer was withdrawing as counsel for J. R. Simplot Company in the above-referenced subcases.

After a search of the files for the above subcase, I am unable to locate any appearance by Bruce L. Belzer. However, on January 28, 1994, a *Notice and Entry of Appearance* was filed on behalf of J. R. Simplot in these subcases. That notice listed Gray Young and Terry Uhling as counsel for J. R. Simplot.

Sincerely,

A handwritten signature in cursive script, reading "Diana R. Delaney".
Diana R. Delaney
Chief Deputy Clerk

DRD

Enclosure

cc: Chief, Natural Resources Division
U.S. Department of Justice

MICROFILMED

AUG 03 1994

1 GRAY YOUNG, Assistant General Counsel
2 TERRY T. UHLING, Assistant General Counsel
3 Environmental & Regulatory Affairs
4 J. R. SIMPLOT COMPANY
5 P.O. Box 27
6 999 Main Street, Suite 1300
7 Boise, Idaho 83707
8 Telephone: (208) 389-7318
9 Fax: (208) 389-7515

10 Attorneys for J. R. Simplot Company

1991 APR - 2 PM 2:52
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

13 In Re the General Adjudication)
14 of Rights to the Use of Water)
15 from the Snake River Basin)
16 Water System.)

Civil Case No. 39576

17 The State of Idaho, ex rel.)
18 R. Keith Higginson in his)
19 official capacity as director)
20 of the Idaho Department of)
21 Water Resources,)

Petitioner,

v.

NOTICE OF WITHDRAWAL
OF COUNSEL

22 The United States; the State of)
23 Idaho; and all claimants to the)
24 use of water from the Snake)
25 River Basin Water System,)

Defendants.

1
2 PLEASE TAKE NOTICE that Bruce L. Belzer hereby withdraws as
3 counsel of record for J. R. Simplot Company in the above entitled matter
4 and the following listed subcases:

5 36-13320
6 57-02203A

7 DATED this 4th day of April, 1994.

8
9 
10 Bruce L. Belzer
11 Assistant General Counsel for
12 J. R. Simplot Company
13
14
15
16
17
18
19
20
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25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of April, 1994, I caused to be served a true and correct copy of the foregoing by United States mail, postage prepaid, addressed to the following:

James Annest
Law Office of James Annest
1742 Overland Avenue
Burley, Idaho 83318

Richard F. Smith
P.O. Box 70
Rexburg, Idaho 83440

Josephine P. Beeman
MOFFATT, THOMAS, BARRETT,
ROCK & FIELDS
First Security Bank Building
911 West Idaho
P.O. Box 829
Boise, Idaho 83701

Brad A. Flinders
STUNZ, FONDA, NICHOLS, KIYUNA,
OKAI, HORTON & FLINDERS
P.O. Box 1565
Nyssa, Oregon 97913

Cliff S. Bentz
YTURRI, ROSE, BURNHAM,
BENTZ & HELFRICH
P.O. Box 450
Fruitland, Idaho 83619

Kent W. Foster
HOLDEN, KIDWELL, HAHN & CRAPO
330 Shoup Avenue
P.O. Box 50130
Idaho Falls, Idaho 83405

Randall C. Budge
RACINE, OLSON, NYE,
COOPER & BUDGE, CHARTERED
201 East Center, Suite 2A
P.O. Box 1391
Pocatello, Idaho 83204-1391

Randall C. Fredricks
COSHO, HUMPHREY, GREENER &
WELSH, P.A.
Carnegie Building
815 West Washington Street
Boise, Idaho 83702

Rebecca Craven
Deputy Counsel
Robert T. Anderson
Staff Attorney
Nez Perce Tribal Executive
Committee
Office of Legal Counsel
P.O. Box 305
Lapwai, Idaho 83540-0305

Raymond D. Givens
Jeffrey C. Fereday
Michael C. Creamer
Christopher H. Meyer
Roy L. Eiguren
GIVENS, PURSLEY, & HUNTLEY
277 North Sixth Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701

1 Richard A. Cummings
2 MEULEMAN, MILLER, STROTHER &
3 CUMMINGS
4 960 Broadway, Suite 400
5 P.O. Box 955
6 Boise, Idaho 83701

Blair J. Grover
Grover Law office, Chartered
102 North Clark
P.O. Box 36
Rigby, Idaho 83442-0036

5 John D. Hansen
6 HANSEN, BEARD, ST. CLAIR,
7 PETERSON & SULLIVAN,
8 CHARTERED
9 683 North Capital Avenue
10 P.O. Box 51718
11 Idaho Falls, Idaho 83402-1718

Roger D. Ling
LING, NIELSEN & ROBINSON
615 H Street
P.O. Box 396
Rupert, Idaho 83350

10 HEPWORTH, NUNGESTER &
11 LEZAMIZ, CHARTERED
12 133 Shoshone Street North
13 P.O. Box 389
14 Twin Falls, Idaho 83303-0389

J. Dee May
MAY & MAY LAW OFFICES
516 Second Street East
P.O. Box 1846
Twin Falls, Idaho 83303

13 Cecil D. Hobdey
14 HOBDEY & HOBDEY
15 Attorneys at Law
16 125 Fifth Avenue West
17 P.O. Box 176
18 Gooding, Idaho 83330

Don A. Olowinski
Albert P. Barker
Richard B. Burleigh
HAWLEY, TROXELL, ENNIS & HAWLEY
877 West Main Street
P.O. Box 1617
Boise, Idaho 83701

18 Dana L. Hofstetter
19 Murray D. Feldman
20 HOLLAND & HART
21 West One Plaza, Suite 1400
22 101 South Capitol Boulevard
23 P.O. Box 2527
24 Boise, Idaho 83701

Bert L. Osborn
26 South Ninth Street
P.O. Box 158
Payette, Idaho 83661

23 William R. Hollifield
24 HOLLIFIELD AND TOLMAN
25 249 Third Avenue East
26 P.O. Box 66
27 Twin Falls, Idaho 83303-0066

David B. Lincoln
Scott L. Campbell
ELAM & BURKE
Key Financial Center, 10th Floor
702 West Idaho Street
P.O. Box 1539
Boise, Idaho 83701

1
2 William A. Parsons
3 Kent Fletcher
4 PARSONS, SMITH, STONE &
5 FLETCHER
6 137 West 13th Street
7 P.O. Box 910
8 Burley, Idaho 83318

Jerry R. Rigby
Ray W. Rigby
RIGBY, THATCHER, ANDRUS,
RIGBY & KAM, CHARTERED
25 North Second East
P.O. Box 250
Rexburg, Idaho 83440

6 William F. Ringert
7 Daniel V. Steenson
8 RINGERT, CLARK, CHARTERED
9 455 South Third Street
10 P.O. Box 2773
11 Boise, Idaho 83701-2773

John A. Rosholt
James C. Tucker
ROSHOLT, ROBERTSON & TUCKER
142 Third Avenue North
P.O. Box 1906
Twin Falls, Idaho 83303-1906

10 James P. Speck
11 HOGUE, SPECK & AANESTAD, P.A.
12 120 East Avenue
13 P.O. Box 987
Ketchum, Idaho 83340

Larry Sullivan
SCHROEDER, HUTCHENS & SULLIVAN
P.O. Box 220
Vale, Oregon 97918

14 Douglas R. Whipple
15 WHIPPLE'S LAW OFFICE, CHTD.
16 111 West 15th Street
17 P.O. Box 249
Burley, Idaho 83318

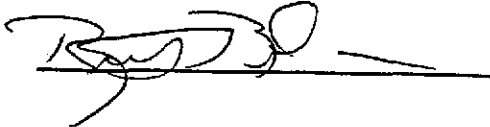
Jeanette Wolfley
Candy L. Jackson
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, Idaho 83203

18 Craig R. Zaiss
19 CRAIG R. ZAISS, P.A.
20 Attorney at Law
21 305 Grover Street
22 P.O. Box 628
23 Parma, Idaho 83660

22 **Addresses Under A.O.1., Section 7.d(2)**

23 Chief, Natural Resources Division
24 Office of the Attorney General
25 State of Idaho
26 P.O. Box 44449
27 Boise, Idaho 83711-4449
28

1 United States Department of Justice
2 Environment & Natural Resources Division
3 550 West Forth Street, Box 33
4 Boise, Idaho 83724

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7 5500v
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GRAY YOUNG
BRUCE BELZER
Attorneys at Law
J. R. Simplot Company Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707
(208) 389-7318
(208) 389-7515 Telefacsimile

Attorneys for J. R. Simplot Company

RECEIVED
JAN 21 1992
Department of Water Resources

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

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

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

Petitioner,

vs.

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

Respondents.

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

Plaintiffs,

vs.

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

Twin Falls County
Civil Case No. 39576

and

Cassia County
Civil Case No. 13770-12-83

NOTICE OF APPEARANCE

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

of 4-1978

Defendants.)

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

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

Counterplaintiff,)

vs.)

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

Counterdefendants.)

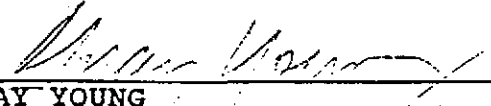
TO ALL PARTIES:

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

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

DATED this 20th day of January, 1992.

By


GRAY YOUNG
Assistant General Counsel

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

CERTIFICATE OF MAILING

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

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

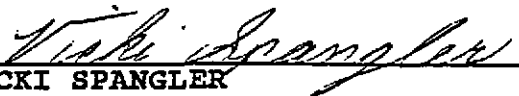
Dennis Jay Harper
Star Route
Declo, ID 83323

Roland Allen Land &
Livestock
Star Route
Malta, ID 83342

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

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

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


VICKI SPANGLER

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: A65-06640
Date Received: 11-23-88
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 23 1988

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

83707-0000

2. Date of Priority: JUN 01, 1947

Department of Water Resources

3. Source: BIG CREEK

Trib. to: PAYETTE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	04E	3	SW	SE			VALLEY

5. Description of diverting works:
DITCHES & PUMPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.440		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	04E	4	NW	NW	5	IRR	14.0
						Section Acres	14.0
		5	NE	NE	8	IRR	8.0
						Section Acres	8.0

MICROFILMED

SEP 23 1992

10. Place of Use: Continued

Total Acres 22.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

MICROFILMED

SEP 23 1992

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: 1 (Map)

For Organizations:

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

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

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

[Signature]
Signature of Authorized Agent

Secretary, J. R. Simplot Company
Title and Organization

11-23-88

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of November 1988

[Signature]
Notary Public

Seal

Residing at Meridian, Idaho

My Commission Expires 11-06-91

