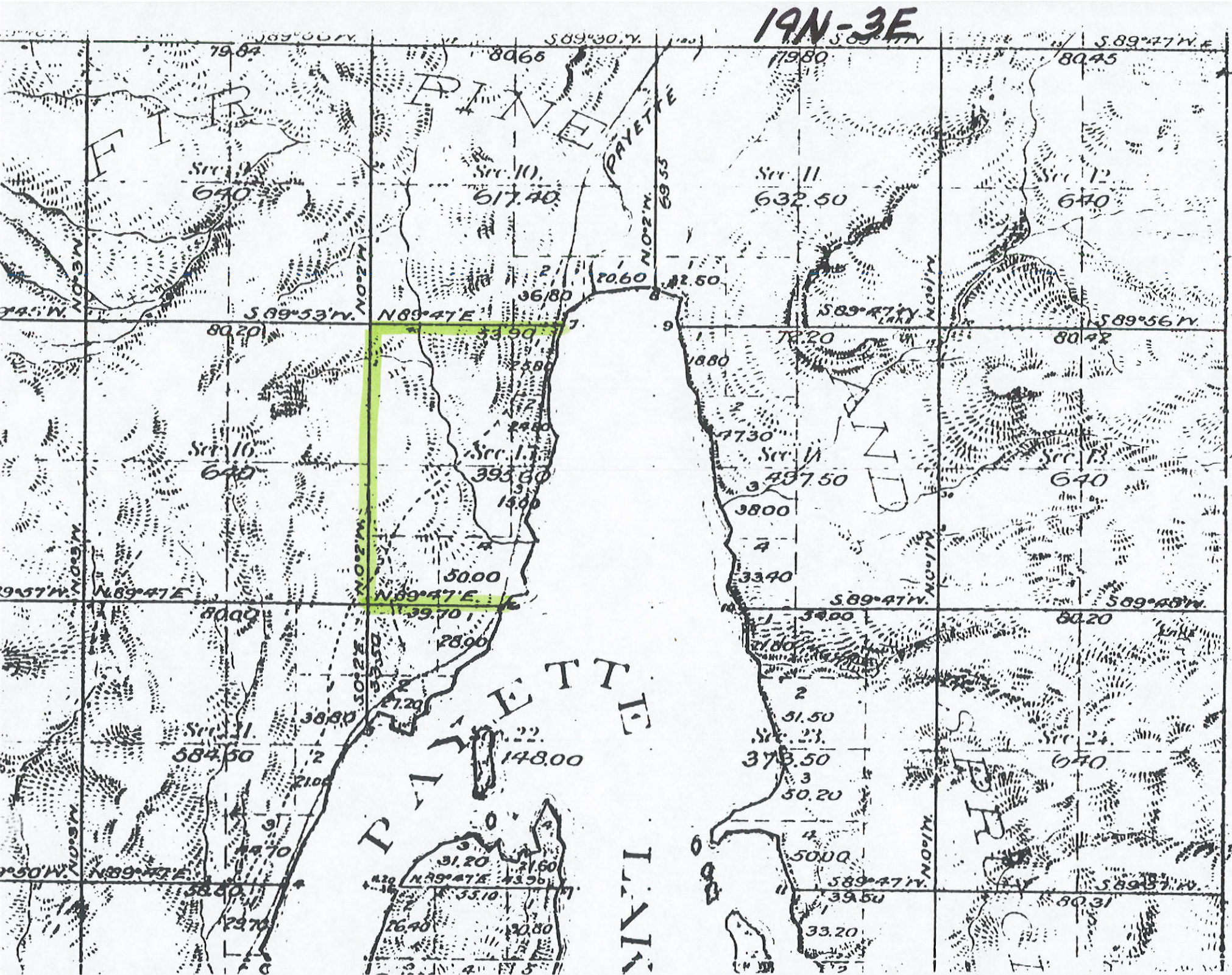


ED STATES
OF THE INTERIOR
ICAL SURVEY





IDAHO DEPT OF WATER RESOURCES



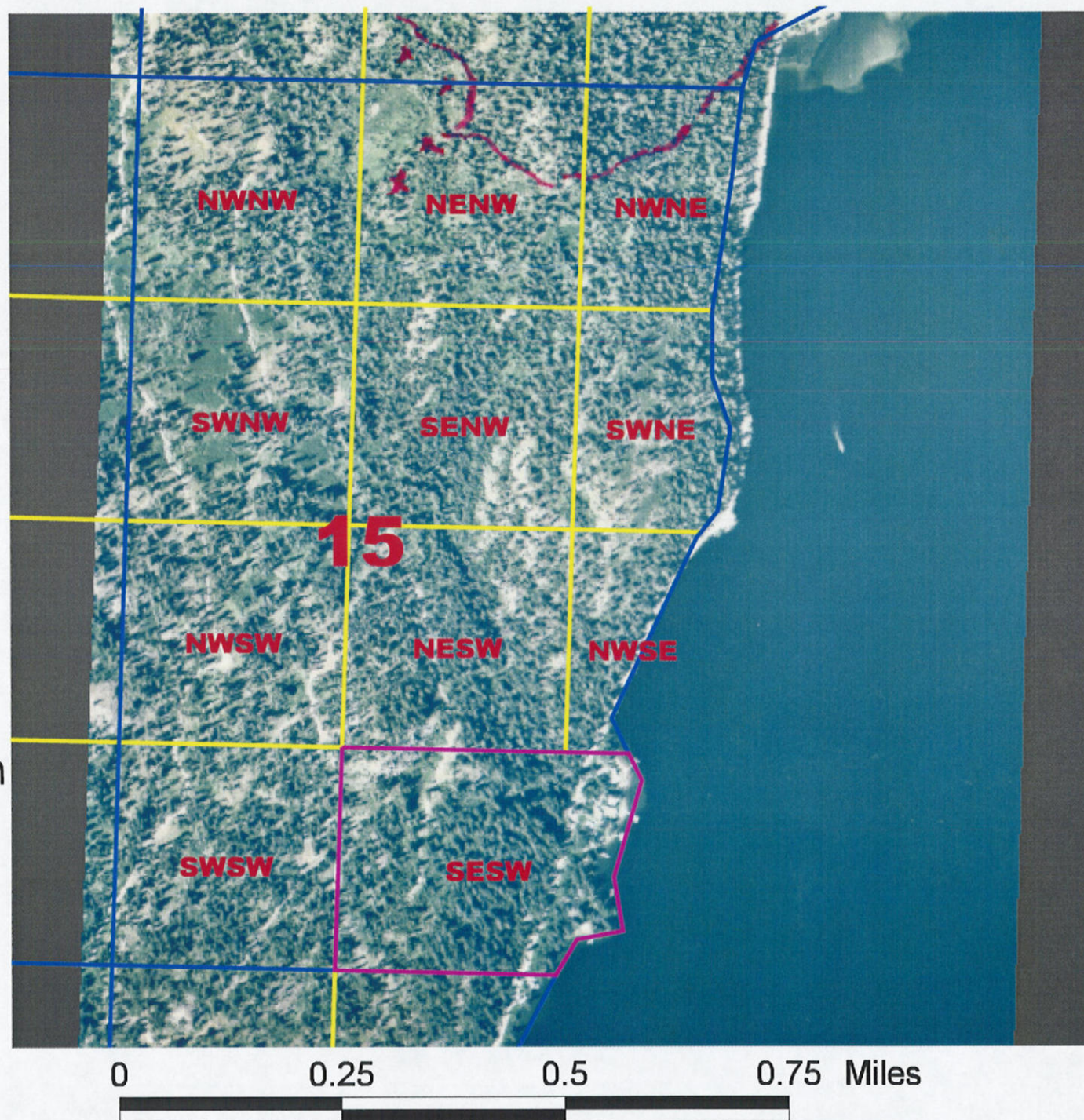
CLAIM(S): 65-10423

T19N, R03E, S15

Owner(s):SIMPLOT

-  Place of Use
-  Point(s) of Diversion
-  Section Lines
-  1/4 1/4's

Prepared by: KAY WALKER
Date: August 13, 1999



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: A65-10423
Date Received: 11/23/1988
Receipt No: C006162
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: JUL 01, 1940

3. Source: SPRING

Trib. to: BIG PAYETTE LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	03E	15	SE	SW		4	VALLEY

5. Description of diverting works:

GRAVITY FEED THROUGH 3" PIPE INTO HOLDING TANK, 1/2 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		2.40
IRRIGATION	04/15	10/15	0.030		

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

A.F.A.

8. Total consumptive use is

3.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
19N	03E	15	SE	SW	4	IRR	1.5

Section Acres 1.5

10. Place of Use: Continued

Total Acres 1.5

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:
65-10424, 65-00787

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

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 Organizations:

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

Signature of Authorized Agent

Title and Organization

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 _____

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: A65-10423
Date Received: 11/23/88
Receipt No: C006162
Received By: 9

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

2. Date of Priority: JUL 01, 1940

Department of Water Resources

3. Source: SPRING

Trib. to: BIG PAYETTE LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	03E	15	SE	SW		4	VALLEY

5. Description of diverting works:

Gravity feed through 3" pipe into holding tank, 1/2 HP pump.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		2.40
IRRIGATION	04/15	10/15	0.030		

7. Total Quantity Appropriated is:

0.110 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is nominal

Acre Feet Per Annum.

9. Non-irrigation uses:

D/2 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
19N	03E	15	SE	SW	4	IRR	~~XXX~~ 1.5

Section Acres ~~XXX~~ 1.5

10. Place of Use: Continued

Total Acres ~~XXXXX~~ 1.5

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:
65-10424, 65-00787

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

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 _____ Title

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

Vicki A. Lowe
Notary Public

Seal

Residing at Meridian, Idaho

My Commission Expires 11-06-91

ED STATES
OF THE INTERIOR
ICAL SURVEY



WESTERN REGION

OWNER (S):

Simplet

CLAIM NUMBERS:

65-10423

65-10424

AGENT: KAY WALKER

DATE _____

RIGHT NO	RNG	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE

POLYGON CREATED ON 331

POLYGON # () () () () UPDATED BY kw

ATTRIBUTES OF B65-POU.SHP (444) () () () ()

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

☒ B65-DBPOU.DBF UPDATED BY kw

☐ B65-DBPOD.DBF UPDATED BY kw

NOTES:

no pod id'ed

AJ0749NP
No. R65-10423

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

DATE: 08/17/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J R SIMPLOT COMPANY PO BOX 27 BOISE ID 83707	07/01/1940	IRRIGATION DOMESTIC	04-15 10-15 01-01 12-31	0.030 CFS 0.080 CFS	2.40 AFA
TOTAL DIVERSION:					0.110 CFS	

Water Source: SPRING

Tributary to: BIG PAYETTE LAKE

Stage: DECREED

Point(s) of Diversion: T19N R03E S15 Lot04(SESW)

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	: SUM	
19N	03E	15	:								:								:				:				:	1.0
TOTAL ACRES																								1.0				

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: VALLEY

Non-Irrigation Uses: 2 HOMES

Other Rights: 65-10424, 65-00787

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-00786 65-11227 65-18070 A65-00786 A65-02416 A65-10423 A65-10426 A65-10428 A65-11227 A65-18070
R65-02416

Other Water Rights Listing Overlapping Place(s) of Use:

A65-10423

Conditions of Approval:

- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
- NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT 65-10424 SHALL PROVIDE NO
MORE THAN 0.02 CFS/ACRE.

Dates: Exam Made Date: Verified Date: 08/17/1999 Objection Filed Date:

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

AJ0749NP
No. R65-10423

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

DATE: 08/17/99
PAGE: 2

=====

Comments: Date: 08/17/1999 User-ID: KWALKER Subject: RECOMMENDATIONS
CLAIMED AND RECOMMENDED AS PREVIOUSLY DECREED.

Audit: 08/17/99 KWALKER

00:00:39
08/17/99
17

CLAIM NUMBER: A65-10423

0.110 CFS

~~3.00 AFA~~ out

N10, N12

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:12
08/17/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-10423

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

FIRST:
STATE: ID ZIP: 83707

OWNER CODE: K

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: 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



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:

*claimed same as prior decree -
in office verification*

A. AJ CLAIM: # A65-10423 PRIORITY DATE: 07-01-1940 STAGE: D

B. WR RECORD: # 65-10423 PRIORITY DATE: 07-01-1940 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:

07-01-1940

REVIEWED BY KW

DATE 8/17/99

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
A65-10423	19N 03E	15		SE	SW	4		VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE 65-00786
65-11227
R65-02416

WR RECORDS IN SAME 40 ACRE TRACT
65-10424

SOURCE: SPRING

TRIB: BIG PAYETTE LAKE

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
65-10423	19N 03E	15		SE	SW	4		VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE 65-00786
65-11227
R65-02416

SOURCE: SPRING

TRIB: BIG PAYETTE LAKE

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: prior decree

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

TWP. 19N	RGE. 03E	SEC. 15	1/4	1/4 SE	1/4 SW	LOT 4	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: SPRING

TRIB: BIG PAYETTE LAKE

REVIEWED BY: kw DATE: 8/17/99

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

A. ROOT WATER RIGHT NUMBERS: A65-10423

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
19N	03E	15	SE	SW	4	J R SIMPLOT COMPANY	A65-10423 /	1.5	65-10423 /	1.0	
			SE	SW		J R SIMPLOT COMPANY	A65-18070 /	-	/		
			SE	SW	4	BOSPFLUG, LANCE F	A65-02416 /	-	/		
			SE	SW	4	YOUNG OR TERRY UHLING, GRAY	65-00786 /	-	/		
			SE	SW	4	BOSPFLUG, JUDY A	R65-02416 /	-	/		
			SE	SW	4	J R SIMPLOT COMPANY	65-18070 /	-	/		
			SE	SW	4	STATE OF IDAHO	65-11227 /	-	/		
			SE	SW	4	J.R. SIMPLOT CO.		65-10424 /	1.0		
			SE	SW	4	MC KINNEY, DOROTHY J		65-13046 /			

*as
deeded
in
PRBA*

ADDITIONAL POU FOUND

TOTAL ACRES A65-10423 1.50 1.00

POU COUNTY: VALLEY

1.0

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

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-10423	DOMESTIC	J R SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.080 CFS	2.40 AF/A
A65-10423	IRRIGATION	J R SIMPLOT COMPANY	FROM 04-15 TO 10-15	0.030 CFS	0.00 AF/A
A65-18070	DOMESTIC	J R SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.040 CFS	
A65-02416	DOMESTIC	BOSPFLUG, LANCE F	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-00786	DOMESTIC	YOUNG OR TERRY UHLING, GRAY	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
R65-02416	DOMESTIC	BOSPFLUG, JUDY A	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-18070	DOMESTIC	J R SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.040 CFS	

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
65-11227	DOMESTIC	STATE OF IDAHO	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A

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

Y(☒) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 65-10424, 65-00787

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. _____; () ASCS PHOTO; () OTHER _____

NOTES: prior decree

RECOMMENDATIONS:

TOTAL ACRES: 1.0 N/A()

REVIEWED BY: KW

DATE: 8/17/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-10423 DOMESTIC	FROM 01-01 TO 12-31	0.080 CFS	2.40 AF/A
A65-10423 IRRIGATION	FROM 04-15 TO 10-15	0.030 CFS	
TOTAL DIVERSION RATE/VOLUME		0.110 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-10423 DOMESTIC	FROM 01-01 TO 12-31	0.080 CFS	2.40 AF/A
65-10423 IRRIGATION	FROM 04-15 TO 10-15	0.030 CFS	
TOTAL DIVERSION RATE/VOLUME		0.110 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(✓)

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.110 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.110 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 1 x 0.02 CFS/ACRE = 0.02 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 =

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 ()

can allow 0.03 cfs/ac if > 5. acres

3.0 AF/A N/A

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	
DOMESTIC IRRIGATION	01-01	12-31	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
	04-15	10-15	0.080	✓	2.40	✓	~~3.0~~	~~3.0~~
			0.030	✓		✓		
TOTAL FOR THIS RIGHT			0.110	✓		✓	~~3.0~~	N/A

NON-IRRIGATION USES CLAIMED: ~~22~~ HOMES.

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

REVIEWED BY: kw

DATE: 8/17/99

FLAG: D

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

QNT - as per PRBA decree

EXPLANATORY CONDITIONS (CODE):

N10, N12

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: 65-10423

N/A
DATABASE
0.110

EXAMINER

CFS

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-10423	0.110	-		65-10423	0.110
TOTAL CFS		0.110				0.110

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
Y
FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

Ray Walker

DATE:

8/17/99

NAME OF FIELD EXAMINER:

Ray Walker

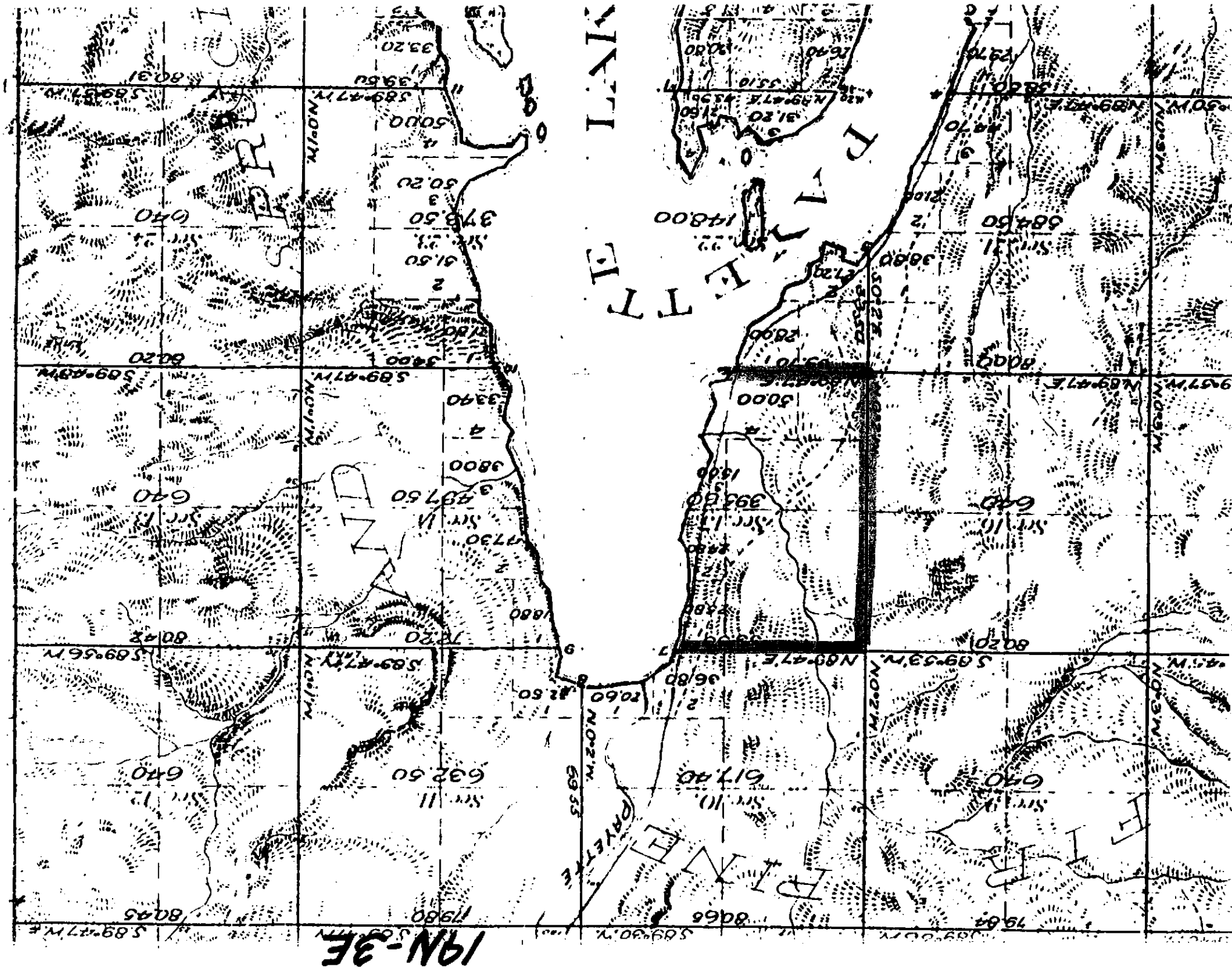
TITLE:

Sr. Agent

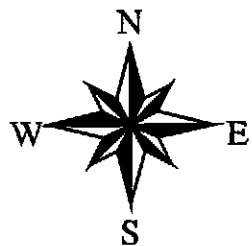
MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

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 _____ 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 <u>ukn</u>	Y(☒) N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>BIS shape</u>	DATE <u>8/13/99</u>	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>PRBA decree</u>	DATE _____	<u>2</u>	_____
☒ OTHER <u>PRBA claim</u>	DATE _____	<u>1</u>	_____



IDAHO DEPT OF WATER RESOURCES



CLAIM(S): 65-10423

T19N, R03E, S15

Owner(s):SIMPLOT



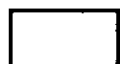
Place of Use



Point(s) of Diversion



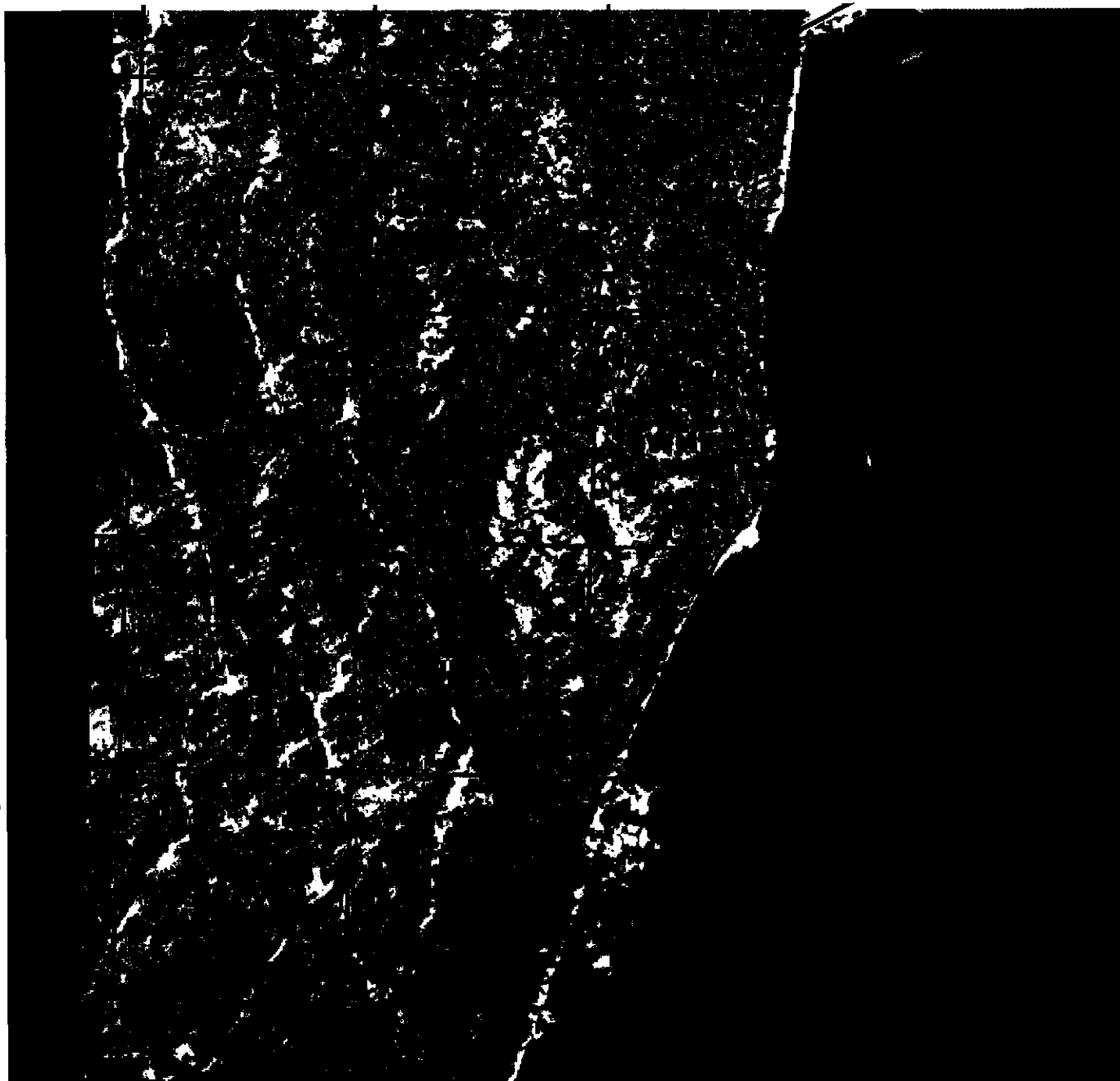
Section Lines



1/4 1/4's

Prepared by: KAY WALKER

Date: August 13, 1999



0 0.25 0.5 0.75 Miles



NOV 25 1985

Time 9:40 A.M.

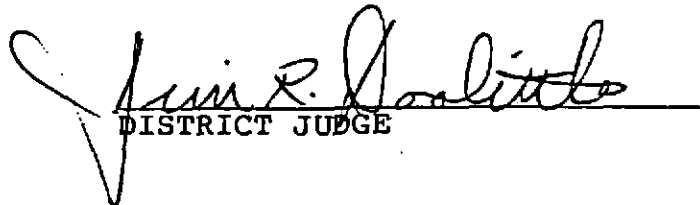
IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR GEM COUNTY

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.


DISTRICT JUDGE

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: SPRING			TRIBUTARY TO: BIG PAYETTE LAKE			
65-10423 Vol. II Pg. 354	J. R. SIMPLOT COMPANY P.O. BOX 27 BOISE, IDAHO 83707 OTHER USES: D/2 HOMES. REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-10424 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	7/ 1/1940	IRRIGATION DOMESTIC	4/15 10/15 1/ 1 12/31	--- AFA .03 CFS 2.40 AFA .08 CFS *---*AFA *.11*CFS	LOT 4 (SESW)S15 T19N R 3E LOT 4 S15-T19N-R-3E SAME AS OTHER USE	LOT 4(SESW)(1) S15 T19N R 3E *1*	BENEFICIAL USE
Remarks have not been added.								
INDICATES TOTAL		SOURCE: BIG PAYETTE LAKE						
65-10425 Vol. II Pg. 41	J. R. SIMPLOT COMPANY P.O. BOX 27 BOISE, IDAHO 83707	7/ 1/1938	IRRIGATION DOMESTIC	4/15 10/15 1/1 12/31	--- AFA .09 CFS 6.00 AFA .20 CFS *---*AFA *.20*CFS	LOT 2 (SWNE) S28 T19N R 3E	LOT 2(SWNE)(3) S28 T19N R 3E *3* LOT 2 S28-T19N-R-3E SAME AS OTHER USE	BENEFICIAL USE
65-10424 Vol. II Pg. 42	J. R. SIMPLOT COMPANY P.O. BOX 27 BOISE, IDAHO 83707 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-10423 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	6/ 1/1940	DOMESTIC IRRIGATION	4/1-12/31 4/15 10/15	4.20 AFA .02 CFS	LOT 4 (SESW)S15 T19N R 3E	LOT 4(SESW)(1) S15 T19N R 3E *1*	BENEFICIAL USE
Remarks have not been added.								
INDICATES TOTAL		SOURCE: GROUNDWATER						
65-10226 Vol. III Pg. 723	SMITH, WAYNE B. & SMITH, MILDRED C. WHEEL-INN-MOBILE-MANOR-#188 MERIDIAN, IDAHO-83642 DONNELLY, IDAHO 83615 REMARKS: P/O = LOT 3132, MCLEOD & EDWARDS WAGON WHEEL SUBDIVISION #1.	10/30/1976	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSE S28 T16N R 3E	NWSE SWSE S28 T16N R 3E	BENEFICIAL USE
INDICATES TOTAL		SOURCE: BIG PAYETTE LAKE						
65-8113 Vol. II Pg. 33	SNOW, EDWIN A. 2444 MADISON ROAD CINCINNATI, OHIO 45208 REMARKS: LOT 65, PAYETTE COTTAGE SITES.	6/ 1/1928	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 1 (NWNW)S33 T18N-R-2E T19N R 3E	LOT 1(NWNW) S33-T18N-R-2E S33 T19N R 3E	BENEFICIAL USE

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM**

Valley

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM IDENT. NO. MAP NO.

TO A

MAP NO.

Notice is hereby given that J. R. SIMPLOT COMPANY

P. O. Box 27, Boise, Idaho 83707

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the claim first applied to a beneficial use, or date that permit was issued) Department of Water Resources Western Regional Office

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) groundwater

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive) for irrigation

2.4 AFA Domestic (.08 CFS) Period of Use From Jan 1 To Dec 31

Use Irrigation (.068 CFS) Period of Use From May 1 To Sept 30

Quantity of water claimed: 11-118 Cubic Feet Per Second, or 2.4 Acre Feet Per Annum, Sec. 15 Twp. 19N Rge. 3E B.M.; additional points: X

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 4 %

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)

Give sizes and capacities; be as specific as possible tank - 4" pipe, 400' long to holding tank - 1" IF pump to pressure system

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	TOTAL
19N	3E	15	1				2533

Other rights: 65-10424

(7) Effluent, sewage waste, or return water from this use is discharged into ground through septic tank

(8) If you are claiming water as a member of an organization, list name of organization.

(9) Remarks 2644 ac. pool of Big Payette Lake

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

December 1, 1976

Organization J. R. SIMPLOT COMPANY

By: Donald N. Graves Secretary

Notary Public residing at Boise, Idaho

My commission expires May 29, 1979

State of IDAHO

County of Ada

On this 1st day of December

a notary public, personally appeared Ronald N. Graves Secretary of J. R. Simplot Company

known to me to be the person(s) whose name(s) is/are subscribed to the above instrument, and acknowledged to me that he/she/they executed the same.

Notary Public residing at Boise, Idaho

My commission expires May 29, 1979

WR5809NP
No. 65-10423

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/10/99
PAGE: 8

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J.R. SIMPLOT CO.	07/01/1940	IRRIGATION DOMESTIC	04/15 10/15 01/01 12/31	0.030 CFS 0.080 CFS	2.40 AFA
TOTAL DIVERSION:					0.110 CFS	

Water Source: SPRING
Point(s) of Diversion: T19N R03E S15 Lot 04 SESW
Tributary to: BIG PAYETTE LAKE
Stage: DECREED
VALLEY County

Point of Diversion Name(s):

Name	Rate	Number
Place of use Legal Description for: IRRIGATION		
NE		
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 :		
19N 03E 15 :		04-01
TOTAL ACRES		SUM
		1.0
		1.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: VALLEY

Dates: App. Received: Priority Date: 07/01/1940
Proof Due Date:
Exam Made Date:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 09/11/86 04/30/88 CONVERT 02/08/98 CLEARFLD

2 homes

This Rt. when
combined w/65-10424
shall provide no
more than 0.02cfs/ac.

allow
1 ac as
decreed



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

W.O.

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 04 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

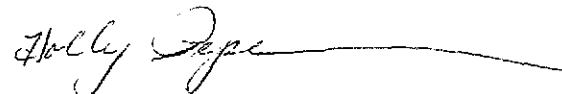
Dear Mr. Shaff:

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
Legal Department

/hp
Enclosures
5517v

MICROFILMED

AUG 04 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 04 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

1994 APR - 5 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 **PLEASE TAKE NOTICE** that Bruce L. Belzer hereby withdraws as
2 counsel of record for J. R. Simplot Company in the above entitled matter
3 and the following listed subcases:
4

5 36-13320
6 57-02203A

7 DATED this 4th day of April, 1994.

8 
9 Bruce L. Belzer
10 Assistant General Counsel for
11 J. R. Simplot Company
12
13
14
15
16
17
18
19
20
21
22
23
24
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
P.O. Box 955
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
P.O. Box 51718
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
P.O. Box 389
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
P.O. Box 176
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
P.O. Box 2527
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
P.O. Box 66
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 William A. Parsons
2 Kent Fletcher
3 PARSONS, SMITH, STONE &
4 FLETCHER
5 137 West 13th Street
6 P.O. Box 910
7 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
18 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

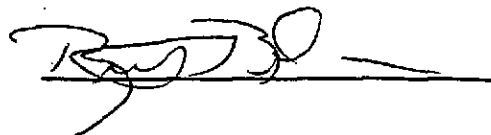
22 **Addresses Under A.O.1., Section 7.d(2)**

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 MICROFILMED

AUG 04 1994

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

5 
6

7 5500v
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 4-198

MICROFILMED

OCT 21 1996

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.)

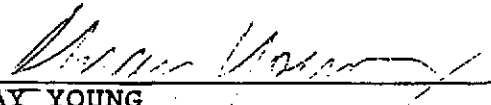
TO ALL PARTIES:

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

POOR ORIGINAL

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

MICROFILMED
OCT 21 1996

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. Jackson*, 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.

William R. Donalittle
DISTRICT JUDGE

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: SPRING			TRIBUTARY TO: BIG PAYETTE LAKE			
65-10423 Vol. II Pg. 354	J. R. SIMPLOT COMPANY P.O. BOX 27 BOISE, IDAHO 83707 OTHER USES: D/2 HOMES. REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-10424 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	7/ 1/1940	IRRIGATION	4/15 10/15	--- AFA .03 CFS	LOT 4 (SESW) S15 T19N R 3E	LOT 4 (SESW) (1) S15 T19N R 3E *1*	BENEFICIAL USE
			DOMESTIC	1/ 1 12/31	2.40 AFA .08 CFS		LOT 4 S15-T19N-R-3E SAME AS OTHER USE	
					*---*AFA *.11*CFS			
INDICATES TOTAL		SOURCE: BIG PAYETTE LAKE						
65-10425 Vol. II Pg. 41	J. R. SIMPLOT COMPANY P.O. BOX 27 BOISE, IDAHO 83707	7/ 1/1938	IRRIGATION	4/15 10/15	--- AFA .09 CFS	LOT 2 (SWNE) S28	LOT 2 (SWNE) (3) S28 T19N R 3E *3*	BENEFICIAL USE
			DOMESTIC	1/1 12/31	6.00 AFA .20 CFS	T19N R 3E	LOT 2 S28-T19N-R-3E SAME AS OTHER USE	
					*---*AFA *.20*CFS			
65-10424 Vol. II Pg. 42	J. R. SIMPLOT COMPANY P.O. BOX 27 BOISE, IDAHO 83707 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-10423 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	6/ 1/1940	DOMESTIC IRRIGATION	4/-1-12/31 4/15 10/15	4.20 AFA .02 CFS	LOT 4 (SESW) S15 T19N R 3E	LOT 4 (SESW) (1) S15 T19N R 3E *1*	BENEFICIAL USE
INDICATES TOTAL		SOURCE: GROUNDWATER						
65-10226 Vol. III Pg. 723	SMITH, WAYNE B. & SMITH, MILDRED C. WHEEL-INN-MOBILE-WAGON-#488 MERIDIAN, IDAHO-83642 DONNELLY, IDAHO 83615 REMARKS: P/O = LOT 3132, MCLEOD & EDWARDS WAGON WHEEL SUBDIVISION #1.	10/30/1976	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSE S28 T16N R 3E	NWSE SWSE S28 T16N R 3E	BENEFICIAL USE
INDICATES TOTAL		SOURCE: BIG PAYETTE LAKE						
65-8113 Vol. II Pg. 33	SNOW, EDWIN A. 2444 MADISON ROAD CINCINNATI, OHIO 45208 REMARKS: LOT 65, PAYETTE COTTAGE SITES.	6/ 1/1928	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 1 (NNW) S33 T19N R 3E	LOT 1 (NNW) S33-T19N-R-3E S33 T19N R 3E	BENEFICIAL USE