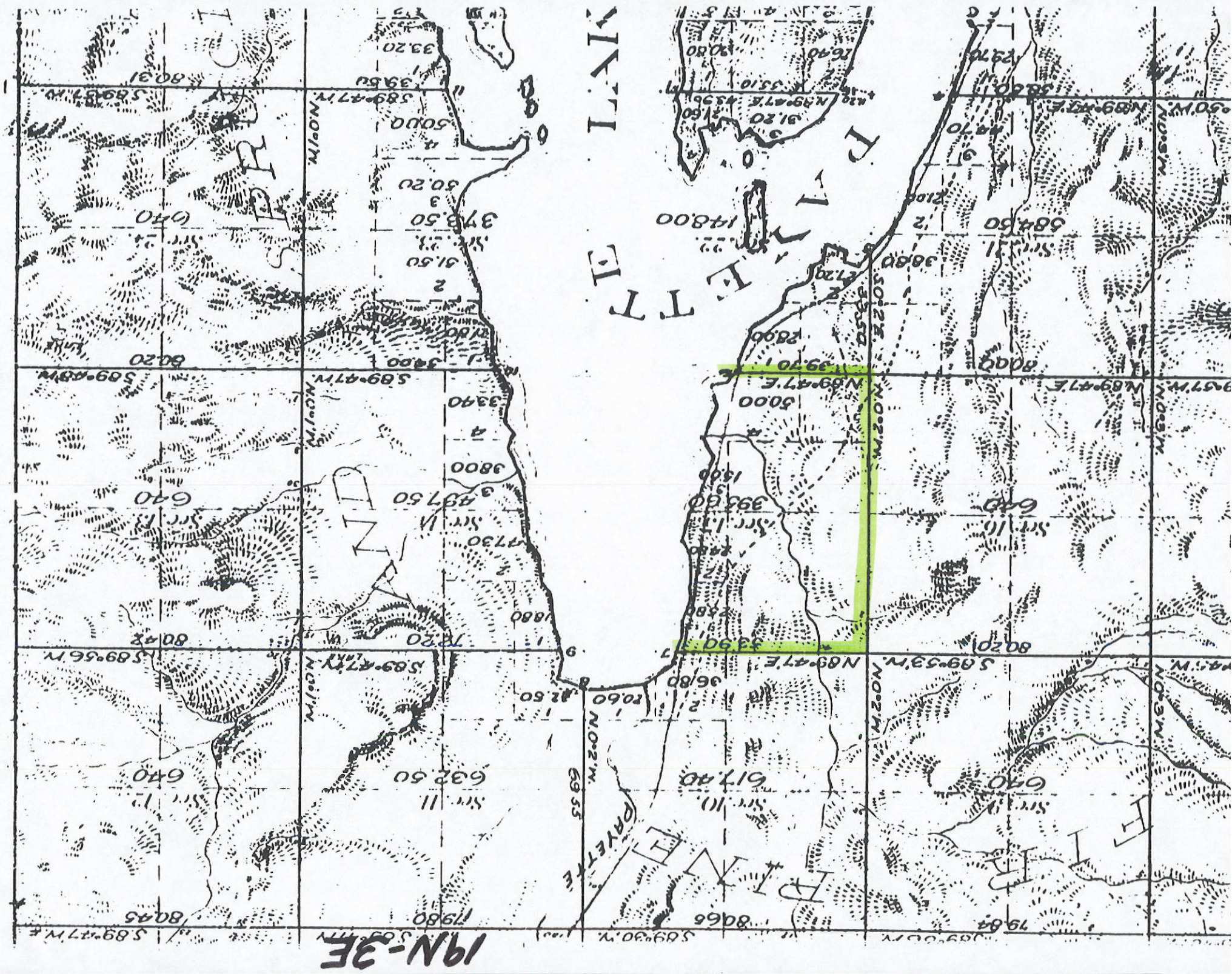


ED STATES
OF THE INTERIOR
ICAL SURVEY





IDAHO DEPT OF WATER RESOURCES



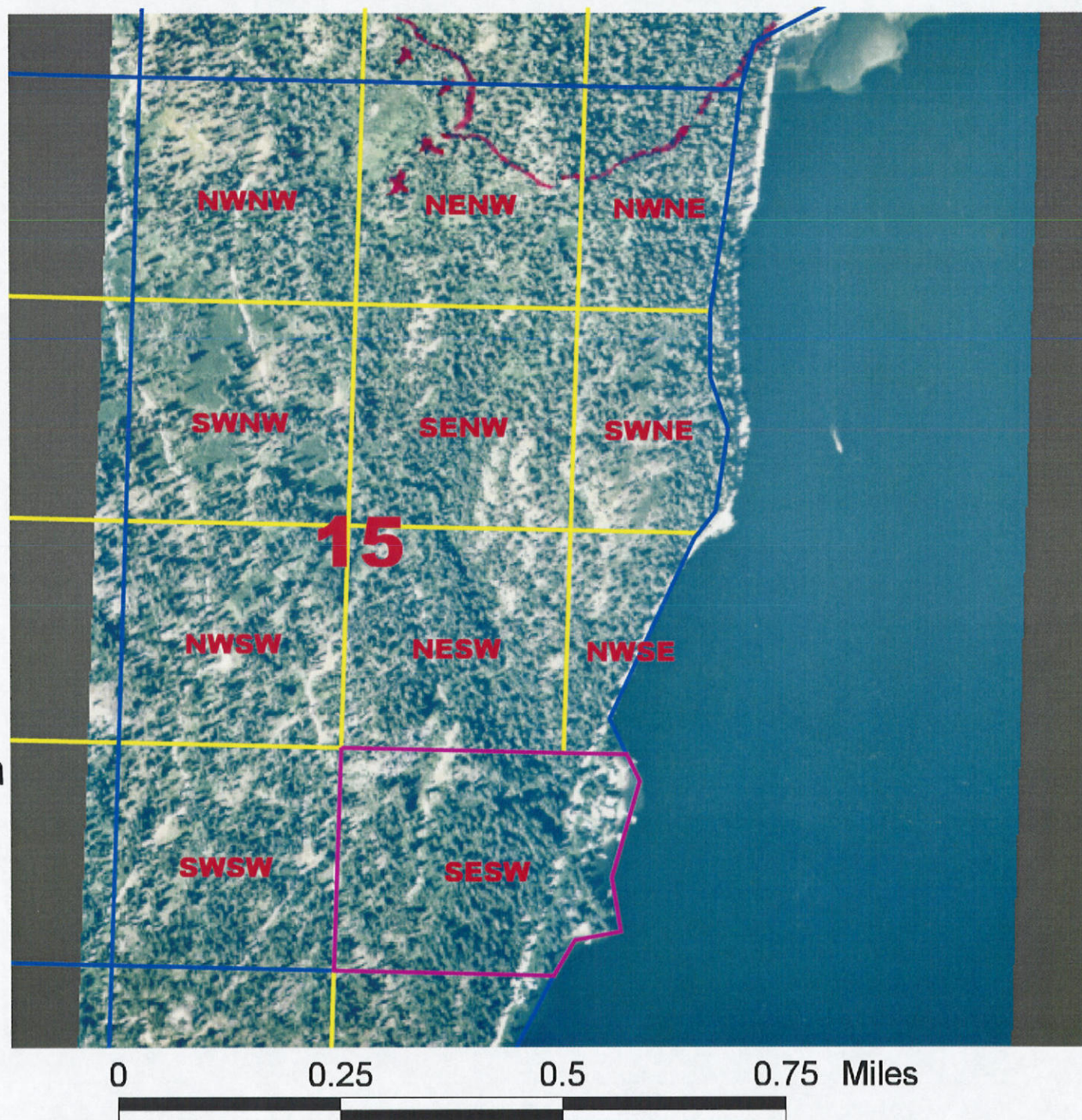
CLAIM(S): 65-10424

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 16, 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: A65-10424
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 208-336-2110
Address: P.O. BOX 27
BOISE, ID 83707

2. Date of Priority: JUN 01, 1940

3. Source: BIG PAYETTE LAKE Trib. to: PAYETTE RIVER

4. Point of Diversion:

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

5. Description of diverting works:
2 1/2 HP PUMP, 2" INTAKE LINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.020		

7. Total Quantity Appropriated is:
0.020 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
19N	03E	15	SW	SE	4	IRR	1.5
Section Acres							1.5
Total Acres							1.5

MICROFILMED
SEP 24 1992

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:

65-10423, 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 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 _____

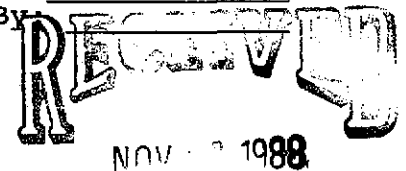
My Commission Expires _____

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: A65-10424
Date Received: 11-23-88
Receipt No: 2006162
Received By:



NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83707

Department of Water Resources

2. Date of Priority: JUN 01, 1940

3. Source: BIG PAYETTE LAKE Trib. to: Payette River

4. Point of Diversion:

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

5. Description of diverting works:
2" intake line, 2 $\frac{1}{2}$ HP pump.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.020		

7. Total Quantity Appropriated is:
0.020 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
19N	03E	15	~~SE~~ SW	~~SW~~ SE	4	IRR	~~1.5~~ 1.5
Section Acres							~~1.5~~ 1.5
Total Acres							~~1.5~~ 1.5

A65-10424

Page 1

Date: 10/20/88

MICROFILMED

SEP 24 1992

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:
65-10423, 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

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. Lawrence
Notary Public

Seal

Residing at Meridian, Idaho

My Commission Expires 11-06-91

ED STATES
OF THE INTERIOR
ICAL SURVEY

70 E

71

72 S

74



1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME T. R. Simplot Co. CLAIM IDENT. NO. A65-10424

DATE RECEIVED 11-23-89 CK # C006162 AMOUNT \$ _____

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒ N/A	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒ N/A	☐	
Is the consumptive use correct?	☒ N/A	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒ N/A	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☒	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒ N/A	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒ N/A	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒ Exempt	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒ N/A	☐	
22. Should this claim be ~~received~~ and data entered?	☒	☐	

Claim checked by: CT Date: 4-5-89Claim must be returned to claimant: (Yes) ☒ (No) ☐Claimant must be notified of modifications: (Yes) ☒ (No) ☐

Receipt Prepared by: CT Date: _____
 Claim data entered by: CT Date: 4-5-89 Checked by: _____ Date: _____
 Sent to claimant by: _____ Date: _____

Comments:

P/D & P/U Changed
Expanded decreed water right

MICROFILMED

SEP 24 1992

AJ0749NP
No. R65-10424

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

DATE: 08/17/99
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE    VOLUME
-----
C  J R SIMPLOT COMPANY    06/01/1940    IRRIGATION    04-15    10-15    0.020 CFS
   PO BOX 27
   BOISE ID 83707
   (208) 336-2110
                                     TOTAL DIVERSION:    0.020 CFS
=====
```

Water Source: BIG PAYETTE LAKE

Tributary to: PAYETTE RIVER, NORTH FORK

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

POU County: VALLEY

Other Rights: 65-10423, 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

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT 65-10423 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: Y
Presumption Flag:

Audit: 08/17/99 KWALKER

00:01:02
08/17/99
34

CLAIM NUMBER: A65-10424

TOTAL DIVERSION: 0.020 CFS ✓

Tributary to: PAYETTE RIVER, *North Fork* Stage: DECREE

SES W

Other Rights: 65-10423, 65-00787

Dates:	Exam Made Date:	Verified Date:	04/10/1986	Objection Filed Date:
Misc:	Water District Number: 65	Field Inspection Flag: Y		
		Presumption Flag:		

QNT: This right when combined with Right 65-10423 shall provide no more than 0.02 cfs/acre.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:12
08/17/99

PAGE: 1
GENERAL INFORMATION

18
CLAIM NUMBER: A65-10424

LAST: J R SIMPLOT COMPANY
ADDRESS: PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-336-2110

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

✓

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 similar to previous dectee -
changed 40 ac tract description of POD
but the 40 could be either SWSE
or SESW- Rec. showing 6L4 &
recommend the 40 ac tract as
SESW as with other claims.*

A. AJ CLAIM: # A65-10424 PRIORITY DATE: 06-01-1940 STAGE: D

B. WR RECORD: # 65-10424 PRIORITY DATE: 06-01-1940 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:

06-01-1940

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
A65-10424	19N 03E	15		SW	SE	4		VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE 65-00786
65-10428
65-11227
R65-10426

WR RECORDS IN SAME 40 ACRE TRACT
65-07203
65-12911
65-13046

SOURCE: BIG PAYETTE LAKE

TRIB: PAYETTE RIVER

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
65-10424	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
A65-10423 65-00786
65-11227
R65-02416

SOURCE: BIG PAYETTE LAKE

TRIB:

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()

*both in
Box lot 4*

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.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
19N	03E	15		~~SW~~	~~SE~~	4		VALLEY		
19N	3E	15		SE	SW	4				

SOURCE: *Big Payotte Lake* TRIB: *Payotte R., N. Fk.*

REVIEWED BY: *Ken*

DATE: *8/17/99*

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

prior decree

A. ROOT WATER RIGHT NUMBERS: A65-10424

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	SW	SE	4	J R SIMPLOT COMPANY	A65-10424 /	1.5	- /		
			SW	SE		YOUNG OR TERRY UHLING, GRAY	A65-00787 /	65-00787 /			
			SW	SE		YOUNG OR TERRY UHLING, GRAY	65-00787 /	- /			
			SW	SE	4	JR SIMPLOT COMPANY	R65-10426 /	- /			
			SW	SE	4	JR SIMPLOT COMPANY	65-10428 /	- /			
			SW	SE	4	YOUNG OR TERRY UHLING, GRAY	65-00786 /	- /			
			SW	SE	4	STATE OF IDAHO	65-11227 /	- /			
			SW	SE		MOSS, FRIEDA H.		65-02732 /			
			SW	SE	4	MOSS, EST. OF A. H.		65-07203 /			
			SW	SE	4	BOSPFLUG, LANCE F		65-12911 /			
			SW	SE	4	MC KINNEY, DOROTHY J		65-13046 /			

1.0 - prior
decree

ADDITIONAL POU FOUND

TOTAL ACRES A65-10424 1.50

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
A65-00787	DOMESTIC	YOUNG OR TERRY UHLING, GRAY	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-00787	DOMESTIC	YOUNG OR TERRY UHLING, GRAY	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
R65-10426	DOMESTIC	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-10428	DOMESTIC	JR SIMPLOT COMPANY	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

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: 65-10423, 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(☒)

NOTES: prior decree

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
A65-10424 IRRIGATION	FROM 04-15 TO 10-15	0.020 CFS	
TOTAL DIVERSION RATE/VOLUME		0.020 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-10424 IRRIGATION	FROM 04-15 TO 10-15	0.020 CFS	
TOTAL DIVERSION RATE/VOLUME		0.020 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

27

CLAIM NUMBER: A65-10424

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.020 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.020 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 = N/A 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 ()

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 0.020	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.020	_____	N/A	_____	0.0	N/A

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: kw

DATE: 8/17/99

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

QNT: This right when combined with Right
65-10423 shall provide no more than
0.02 cfs/acre.

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: 65-10424

N/A

DATABASE
0.020

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
-	A65-10424	0.020	-		65-10424	0.020
TOTAL CFS		0.020				0.020

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:

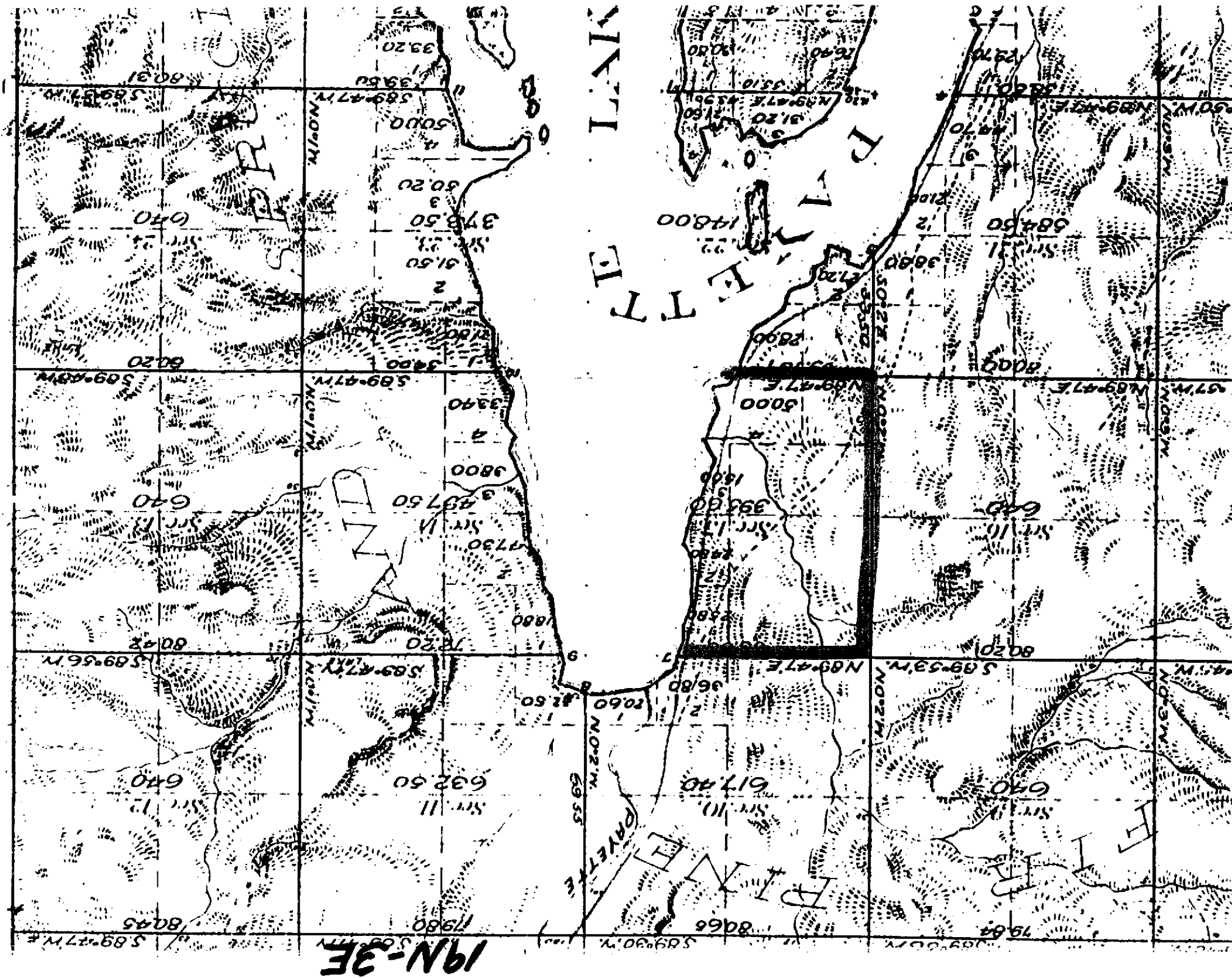
AUTHENTICATION:

SIGNATURE: Ray Walker DATE: 8/17/99
NAME OF FIELD EXAMINER: Ray Walker TITLE: Sr. Agent

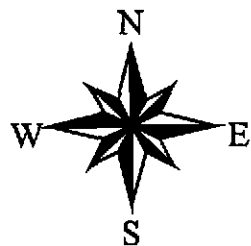
MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

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>1</u> _____	Y(☒) N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
(☒) OTHER <u>B/S shape</u>	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>PRBA claim</u>	DATE _____	<u>1</u>	_____
(☒) OTHER <u>PRBA decree</u>	DATE _____	<u>1</u>	_____



IDAHO DEPT OF WATER RESOURCES



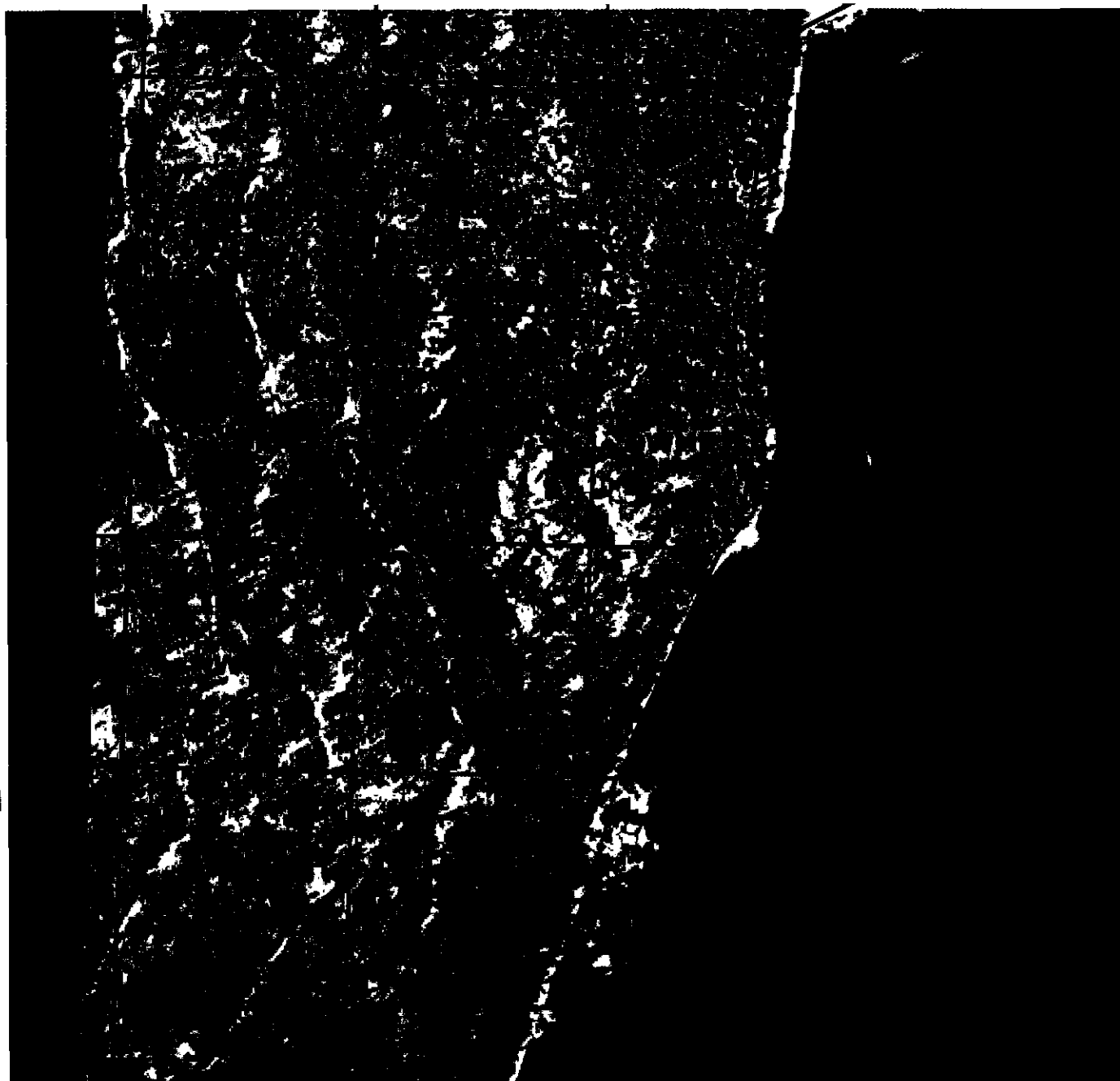
CLAIM(S): 65-10424

T19N, R03E, S15

Owner(s):SIMPLOT

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

Prepared by: KAY WALKER
Date: August 16, 1999



0 0.25 0.5 0.75 Miles



19A78/23/77

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 65-10428 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	7/ 1/1940	IRRIGATION	4/15 10/15	--- AFA .03 CFS 2.40 AFA .08 CFS *---*AFA *---*CFS	LOT 4 (SESW)S15 T19N R 3E	LOT 4(SESW)(1) S15 T19N R 3E *1* LOT 4 S15-T19N-R-3E SAME AS OTHER USE	BENEFICIAL USE
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 6.00 AFA .20 CFS *---*AFA *---*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	4/15 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-HANOR-#188 MERIDIAN, IDAHO-83643 DONNELLY, IDAHO 83615 REMARKS: P/O of LOT 332, 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

WR5809NP
No. 65-10424

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/14/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J.R. SIMPLOT CO. P.O. BOX 27 BOISE ID 83707	06/01/1940	IRRIGATION	04/15 10/15	0.020 CFS	0.020 CFS
TOTAL DIVERSION:					0.020 CFS	

Water Source: BIG PAYETTE LAKE
Point(s) of Diversion: T19N R03E S15 Lot 04(SES) SWSE claimed VALLEY 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
19N	03E	15																
																	04-01	1.0
																	TOTAL ACRES	1.0

Pou County: VALLEY

Dates: App. Received: Priority Date: 06/01/1940
Proof Due Date:
Exam Made Date: Proof Made Date:
Licensed Date: Exam Sent to S.O.:
Misc: Water District Number: 65 Field Exam Fee:
Audit: 09/11/86 04/30/88 CONVERT 02/08/98 CLEARFLD

allow 1 acre
as decreed-

changed
p/u to SWSE -
when? so
close could
be in either
40. Rec. as
Gov't lot 4
w/remark
p/d & p/u on
line-



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 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.
-Sal*

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

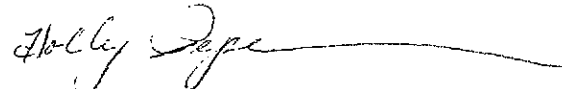
Dear Mr. Shaff:

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 - 0 PM 2:52
DISTRICT COURT - SRP
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,)

22 v.)

NOTICE OF WITHDRAWAL
OF COUNSEL

23 The United States; the State of)
24 Idaho; and all claimants to the)
25 use of water from the Snake)
26 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
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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
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Nyssa, Oregon 97913

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YTURRI, ROSE, BURNHAM,
BENTZ & HELFRICH
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Fruitland, Idaho 83619

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Idaho Falls, Idaho 83405

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COOPER & BUDGE, CHARTERED
201 East Center, Suite 2A
P.O. Box 1391
Pocatello, Idaho 83204-1391

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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

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Jeffrey C. Fereday
Michael C. Creamer
Christopher H. Meyer
Roy L. Eiguren
GIVENS, PURSLEY, & HUNTLEY
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P.O. Box 2720
Boise, Idaho 83701

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2 MEULEMAN, MILLER, STROTHER &
3 CUMMINGS
4 960 Broadway, Suite 400
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Boise, Idaho 83701

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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

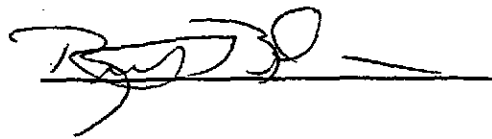
Jeanette Wolfley
Candy L. Jackson
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, Idaho 83203

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

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

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

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
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28

POOR ORIGINAL

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 4-1-92

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.)

POOR ORIGINAL

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,)

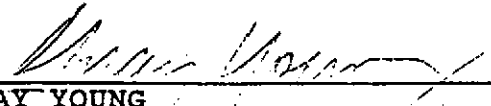
Counterdefendants.)

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

MICROFILMED
OCT 21 1998

CERTIFICATE OF MAILING

POOR ORIGINAL

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

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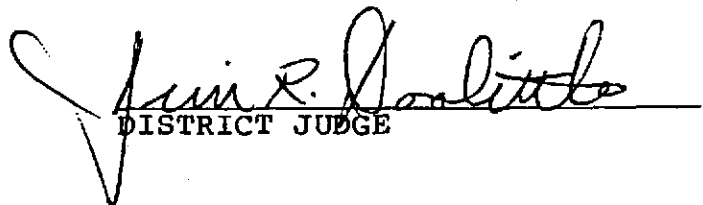
IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR GEM COUNTY, Deputy

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.


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 2.40 AFA .08 CFS *---*AFA *.11*CFS	LOT 4 (SESW)S15 T19N R 3E	LOT 4(SESW)(1) S15 T19N R 3E *1* LOT-4 S15-T19N-R-3E SAME AS OTHER USE	BENEFICIAL USE
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 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	4/1-1-12/31 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-MANOR-#188 MERIDIAN, IDAHO-83642 DONNELLY, IDAHO 83615 REMARKS: P/U = 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 T19N R 3E	LOT 1(NWNW) S33-T19N-R-3E S33 T19N R 3E	BENEFICIAL USE