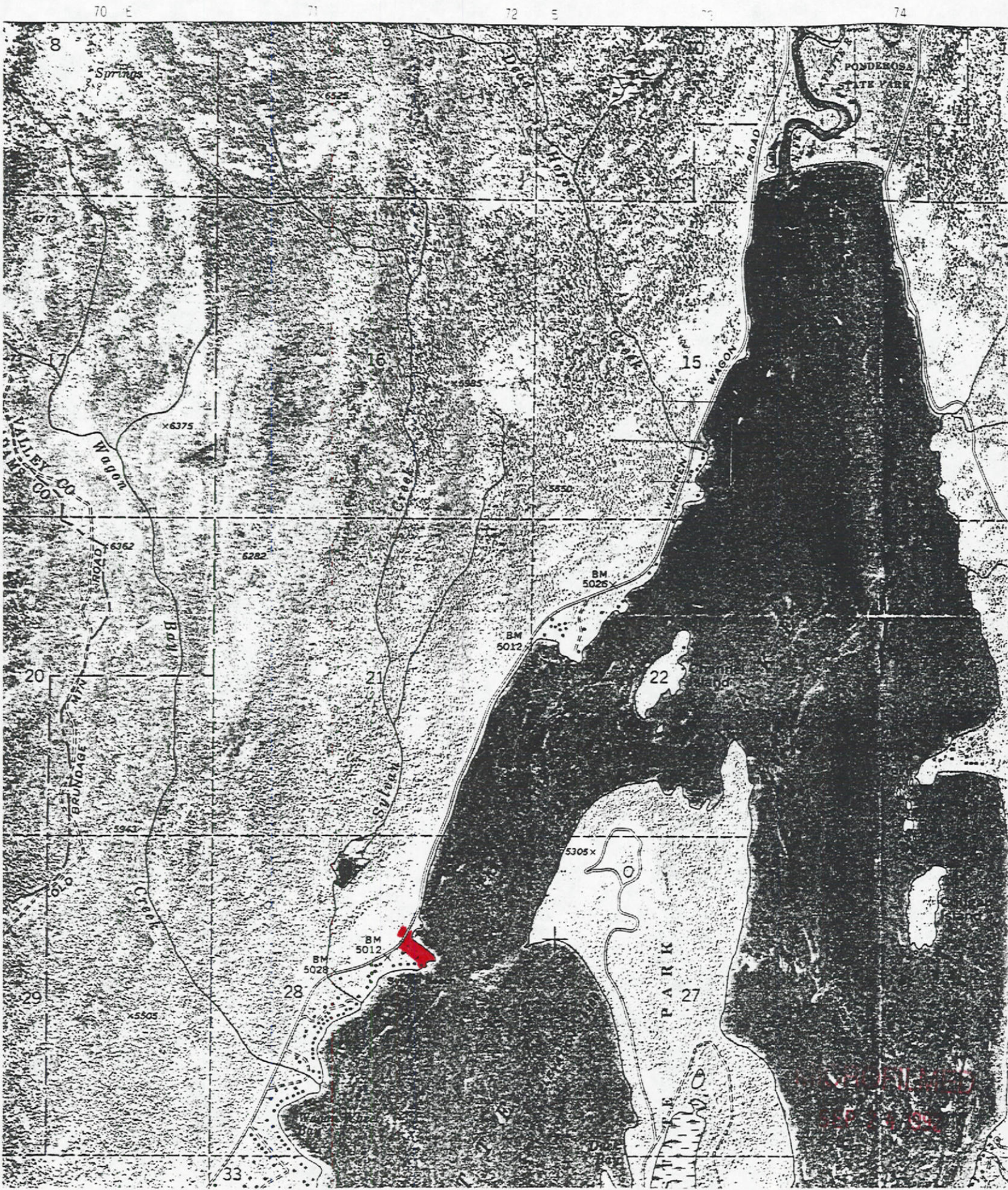
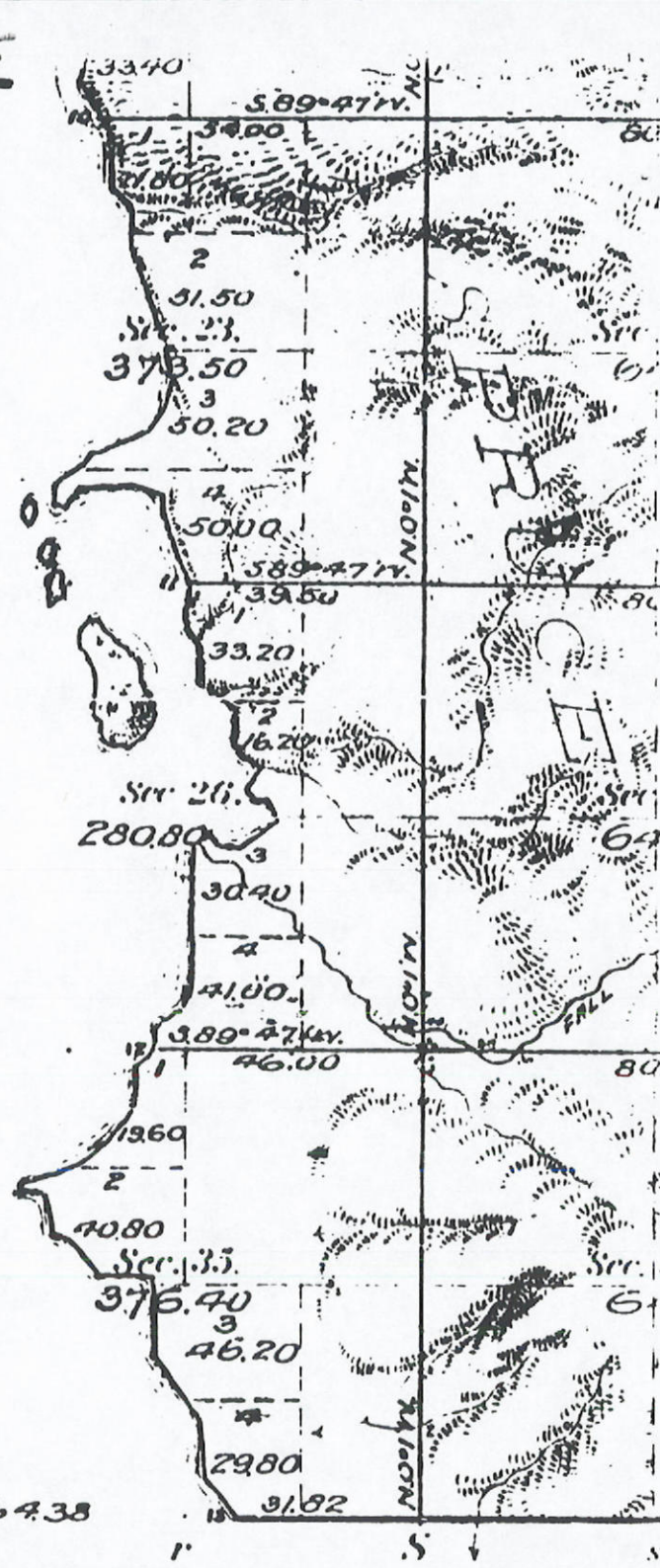
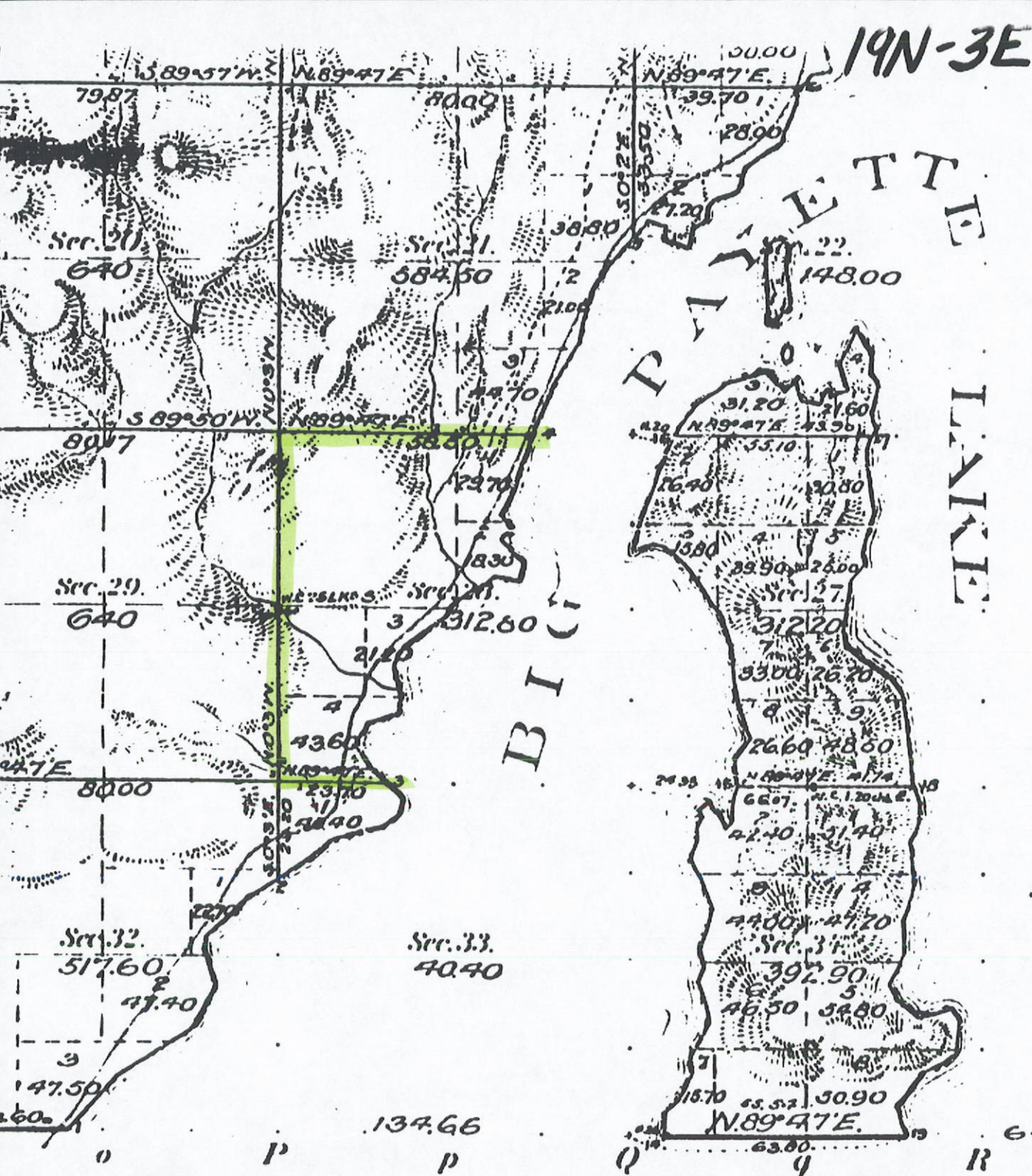


ED STATES
OF THE INTERIOR
ICAL SURVEY



UNCLASSIFIED
DATE 11-11-01



19N-3E
Total number of Acres 237.00

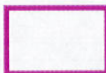
IDAHO DEPT OF WATER RESOURCES



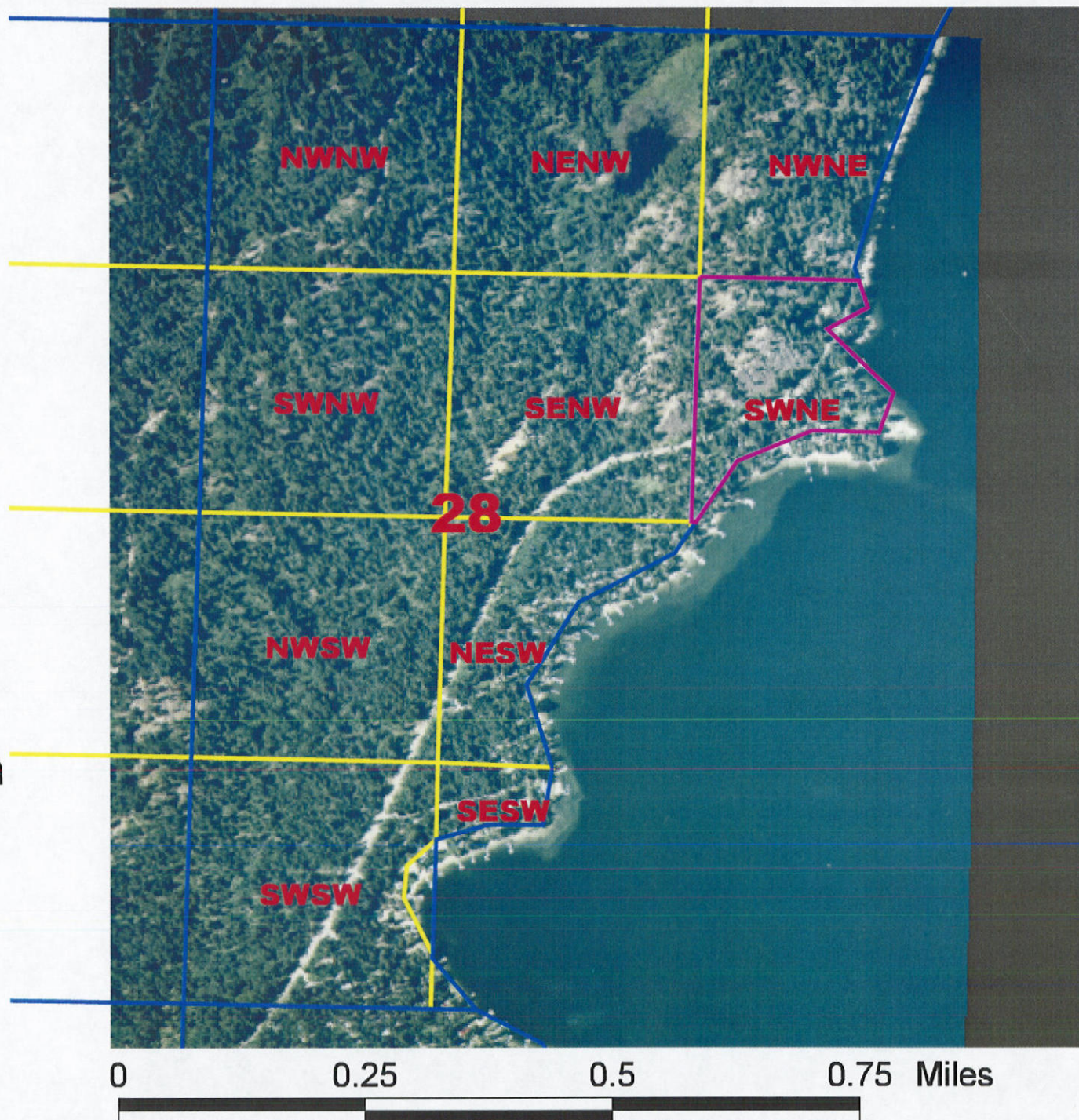
CLAIM(S): 65-10425A

T19N, R03E, S28

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: A65-10425A
Date Received: 4/25/89
Receipt No: X999999
Received By: *JP*

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, 1938

3. Source: BIG PAYETTE LAKE

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	03E	28	SW	NE		2	VALLEY

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.150		
IRRIGATION	04/15	10/15	0.090		

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

A.F.A.

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 4

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	03E	28	SW	NE	2	IRR	3.0
Section Acres							3.0

A65-10425A

Page 1

Date: 04/06/89

MICROFILMED

SEP 24 1992

10. Place of Use: Continued

Total Acres 3.0

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:
NONE

14. Remarks:

DIVERTING WORKS: TWO INTAKE LINES INTO SEPARATE 5 HP PUMPS;
CONNECTED BY COMMON MANIFOLD; DIVERTED TO PRESSURE TANKS FOR
IRRIGATION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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 Secretary of J. R. Simplot Company, that I have signed the foregoing document in the space below as Secretary of J. R. Simplot Company and that the statements contained in the foregoing document are true and correct.

Barbara L. Groves
Signature of Authorized Agent

Secretary
Title and Organization

April 19, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of April 19 89

Kelline East
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 10-13-92

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: A65-10425

Date Received: _____

Receipt No: _____

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

RECEIVED
NOV 23 1988

2. Date of Priority: JUL 01, 1938

3. Source: BIG PAYETTE LAKE

Trib. to: Payette River

Department of Water Resources

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	03E	28	SW	NE		2	VALLEY

5. Description of diverting works:

1. 10HP submersible pump and 6" intake line - aesthetic waterway.

2. 2 intake lines into separate 5HP pumps; connected by common mainfold; diverted to

6. Water is used for the following purposes: pressure tanks or irrigation.

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.200		6.00
IRRIGATION	04/15	10/15	0.090		
Aesthetic and fish ponds	04/15	10/15	0.5		
Stock	04/15	10/15	.01		

7. Total Quantity Appropriated is:
0.80 ~~0.200~~ C.F.S. (and/or) A.F.A.

8. Total consumptive use is 6 Acre Feet Per Annum.

9. Non-irrigation uses: Domestic - 5

Aesthetic waterway with small fish ponds

10. Place of Use: Stock - 15 head horses

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
19N	03E	28	SW	NE	2	IRR	3.0

Section Acres 3.0

10. Place of Use: Continued

Total Acres 3.0

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: Aesthetic waterway added approximately 1960 - essentially nonconsumptive except for evaporation.

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

[Signature]
Notary Public

Seal

Residing at Meridian, Idaho

My Commission Expires 11-06-91

ED STATES
OF THE INTERIOR
ICAL SURVEY

70 E

71

72

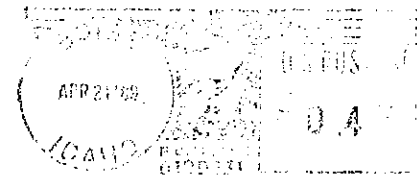
S

74





FIRST CLASS



CORPORATE HEADQUARTERS
P.O. BOX 27 · BOISE, IDAHO 83707

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

0.40

MICROFILMED
SEP 24 1992

WESTERN REGION

OWNER (S):

Simploot

CLAIM NUMBERS:

65-10425A

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 (445) () () ()

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

 B65-DBPOU.DBF UPDATED BY kw

 B65-DBPOD.DBF UPDATED BY kw

NOTES:

no pod id'd

AJ0749NP
No. R65-10425B

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

DATE: 10/19/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GAY SIMPLOT OTTER PO BOX 27 BOISE ID 83707 (208) 336-2110	07/01/1938	DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.040 CFS	1.20 AFA

Water Source: BIG PAYETTE LAKE

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T19N R03E S28 Lot02(SWNE)

VALLEY County

Place of Use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
19N	03E	28	:					02-D	:											:

POU County: VALLEY

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS.

Remarks: EXP PARCEL NO. RP19N03E281210A

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

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

Comments: Date: 09/07/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
INSTALLATION OF SEWER CUT LINE FROM 65-10425. EXISTING DIVERSION
WORKS INSTALLED IN 1987.

Date: 10/03/1997 User-ID: AJU4-JSH Subject: DOMESTIC 1 HOME UPDATE

AJ0749NP
No. R65-10425B

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

DATE: 10/19/99
PAGE: 2

=====

Comments: Date: 10/03/1997 User-ID: AJU4-JSH Subject: DOMESTIC 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Date: 09/25/1999 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 00/00/0

AJ0749NP
No. R65-10425A

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	07/01/1938	IRRIGATION DOMESTIC	04-15 10-15 01-01 12-31	0.090 CFS 0.150 CFS	4.80 AFA ✓
TOTAL DIVERSION:					0.150 CFS	

Water Source: BIG PAYETTE LAKE

Tributary to: PAYETTE RIVER, NORTH FORK ✓

Stage: DECREED

Point(s) of Diversion: T19N R03E S28 Lot02(SWNE)

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	28	:			02-03	:													:	3.0
TOTAL ACRES																				3.0	

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

POU County: VALLEY

Non-Irrigation Uses: 4 HOMES ✓

Other Rights: NONE

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

65-07973	65-08471	65-08472	65-09000	65-09001	65-09627	65-18072	A65-07973	A65-08471	A65-08472
A65-08831	A65-09000	A65-09001	A65-09627	A65-10425A	A65-10425B	A65-18072	R65-10425B		

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

A65-02154 A65-10425 A65-10425A

Conditions of Approval:

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

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

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

AJ0749NP
No. R65-10425A

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: COPIED FROM REMARKS
DIVERTING WORKS: TWO INTAKE LINES INTO SEPARATE 5 HP PUMPS;
CONNECTED BY COMMON MANIFOLD; DIVERTED TO PRESSURE TANKS FOR
IRRIGATION.

Audit: 08/17/99 KWALKER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:40
08/17/99
51

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-10425A

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J R SIMPLOT COMPANY	07/01/1938	IRRIGATION DOMESTIC	04-15 10-15 01-01 12-31	0.090 CFS 0.150 CFS	4.8

TOTAL DIVERSION:
CONSUMPTIVE USE:

0.150 CFS

6.00 AFA out

Water Source: BIG PAYETTE LAKE

Tributary to:

Payette R., N. FK.

Stage: DECREED

Point(s) of Diversion:

T19N R03E S28 Lot02(SWNE)

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	28	:			02-03														:	3.0
																				TOTAL ACRES	3.0

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

POU County: VALLEY

Non-Irrigation Uses: DOMESTIC - 4 homes

Other Rights: NONE

Remarks: GEN DIVERTING WORKS: TWO INTAKE LINES INTO SEPARATE 5 HP PUMPS;
CONNECTED BY COMMON MANIFOLD; DIVERTED TO PRESSURE TANKS FOR
IRRIGATION.

Comments

Dates: Exam Made Date:

Verified Date:

04/10/1986

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

N10, N12

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:12
08/17/99

PAGE: 1
GENERAL INFORMATION

35
CLAIM NUMBER: A65-10425A

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?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN DIVERTING WORKS: TWO INTAKE LINES INTO SEPARATE 5 HP PUMPS;
CONNECTED BY COMMON MANIFOLD; DIVERTED TO PRESSURE TANKS FOR
IRRIGATION.

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:

*in-office verification -
same as previous deck ee
portion of*

A. AJ CLAIM: # A65-10425A PRIORITY DATE: 07-01-1938 STAGE: D

B. WR RECORD: # 65-10425 PRIORITY DATE: 07-01-1938 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:

07-01-1938

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
A65-10425A	19N	03E	28		SW	NE	2		VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-07973	65-07973
A65-08471	65-08471
A65-08472	65-08472
A65-09000	65-09000
A65-10425B	65-09001
	65-09627
	R65-10425B

WR RECORDS IN SAME 40 ACRE TRACT

65-07973

SOURCE: BIG PAYETTE LAKE

TRIB:

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
65-10425	19N	03E	28		SW	NE	2		VALLEY		

OTHER WR RECORDS WITH SAME WR POD

65-07973

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-07973	65-07973
A65-08471	65-08471
A65-08472	65-08472
A65-09000	65-09000
A65-10425B	65-09001
	65-09627
	R65-10425B

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(☒)

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. 28	1/4	1/4 SW	1/4 NE	LOT 2	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: BIG PAYETTE LAKE

TRIB:

Payette River, North Fork

REVIEWED BY:

kw

DATE:

8/17/99

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

A. ROOT WATER RIGHT NUMBERS: A65-10425B
A65-10425A
R65-10425B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
19N	03E	28	SW	NE	2	J R SIMPLOT COMPANY	A65-10425A /	3.0	-	/	
			SW	NE		J R SIMPLOT COMPANY	A65-18072 /	-	/		
			SW	NE		J R SIMPLOT COMPANY	65-18072 /	-	/		
			SW	NE	2	GORRISSEN, JANE MC DONALD	A65-09000 /	-	/		
			SW	NE	2	LOWELL, GERALDINE	A65-08471 /	-	/		
			SW	NE	2	LOWELL, GERALDINE	A65-08472 /	-	/		
			SW	NE	2	SYLVAN BEACH MUTUAL CORP	A65-02154 /	2.0	65-02154 /	2.0	
			SW	NE	2	WESTWATER INTERVIVOS TRUST	A65-07973 /	-	65-07973 /		
			SW	NE	2	OTTER, GAY SIMPLOT	A65-10425B /	-	/		
			SW	NE	2	LOWELL, GERALDINE	65-08472 /	-	/		
			SW	NE	2	WESTWATER INTERVIVOS TRUST	65-07973 /	-	/		
			SW	NE	2	DONALD, JIMMY A	65-09627 /	-	/		
			SW	NE	2	HARBERT, WILLIAM	65-08471 /	-	/		
			SW	NE	2	OTTER, GAY SIMPLOT	R65-10425B /	-	/		
			SW	NE	2	GORRISSEN, JANE MC DONALD	65-09000 /	-	/		
			SW	NE	2	COONEY, THOMAS J	65-09001 /	-	/		
			SW	NE	2	J.R. SIMPLOT CO.		65-10425 /	3.0		
			SW	NE	2	SYLVAN BEACH MUTUAL CORP		65-13012 /	2.3		

ADDITIONAL POU FOUND

TOTAL ACRES A65-10425A

3.00

POU COUNTY: VALLEY

3.0

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

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-10425A	BIG PAYETTE LAKE	J R SIMPLOT COMPANY	0.150	0.050		
A65-02154	SYLVAN CREEK	SYLVAN BEACH MUTUAL CORP	2.000	0.500	14.10	3.52
	WAGON WHEEL BAY CREEK					

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-10425A	DOMESTIC	J R SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.150 CFS	
A65-10425A	IRRIGATION	J R SIMPLOT COMPANY	FROM 04-15 TO 10-15	0.090 CFS	
A65-18072	DOMESTIC	J R SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.040 CFS	
65-18072	DOMESTIC	J R SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.040 CFS	
A65-09000	DOMESTIC	GORRISSEN, JANE MC DONALD	FROM 01-01 TO 12-31	0.040 CFS	
A65-08471	DOMESTIC	LOWELL, GERALDINE	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-08472	DOMESTIC	LOWELL, GERALDINE	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-07973	DOMESTIC	WESTWATER INTERVIVOS TRUST	FROM 01-01 TO 12-31	0.040 CFS	
A65-10425B	DOMESTIC	OTTER, GAY SIMPLOT	FROM 01-01 TO 12-31	0.150 CFS	
65-08472	DOMESTIC	LOWELL, GERALDINE	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-07973	DOMESTIC	WESTWATER INTERVIVOS TRUST	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-09627	DOMESTIC	DONALD, JIMMY A	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-08471	DOMESTIC	HARBERT, WILLIAM	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-10425B	DOMESTIC	OTTER, GAY SIMPLOT	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-09000	DOMESTIC	GORRISSEN, JANE MC DONALD	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-09001	DOMESTIC	COONEY, THOMAS J	FROM 01-01 TO 12-31	0.040 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: NONE

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:

could not determine exact location of the 3 acres - shape includes all of BL2 -

RECOMMENDATIONS:

TOTAL ACRES: 3.0 N/A()

REVIEWED BY: Kew

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
A65-10425A DOMESTIC	FROM 01-01 TO 12-31	0.150 CFS	
A65-10425A IRRIGATION	FROM 04-15 TO 10-15	0.090 CFS	
TOTAL DIVERSION RATE/VOLUME		0.150 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-10425 DOMESTIC	FROM 01-01 TO 12-31	0.200 CFS	6.00 AF/A
65-10425 IRRIGATION	FROM 04-15 TO 10-15	0.090 CFS	
TOTAL DIVERSION RATE/VOLUME		0.200 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(☒)

along w/ 65-10425B for home

PAGE: 10

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

CLAIM NUMBER: A65-10425A⁴⁴

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.150 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.200 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 3 x 0.02 CFS/ACRE = 0.06 CFS
(Taken from pou review)

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 6.0 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 ()

1b. CALCULATIONS

*can allow
0.03 cfs/ac if
> 5 ac.*

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	0.150	_____		<u>4.8</u>	~~6.0~~	_____
			0.090	_____		_____	~~6.0~~	_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.150	_____		_____	~~6.0~~	<u>N/A</u>

NON-IRRIGATION USES CLAIMED: DOMESTIC - 4 ✓

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

REVIEWED BY: KW

DATE: 8/17/99

FLAG: _____

STANDARD CONDITIONS (CODE):

N10, N12

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: 65-10425

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.200	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-10425A	0.150	R65-10425B	0.040	65-10425	0.200
-	A65-10425B	0.050	R65-10425A	0.15	-	-
TOTAL CFS		0.200		0.19 ~~0.040~~		0.200

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
N	Y() N(☒)

NOTES:

65-10425A could have 0.16 cfs for
4 homes - only claimed 0.15 cfs
so left as is.

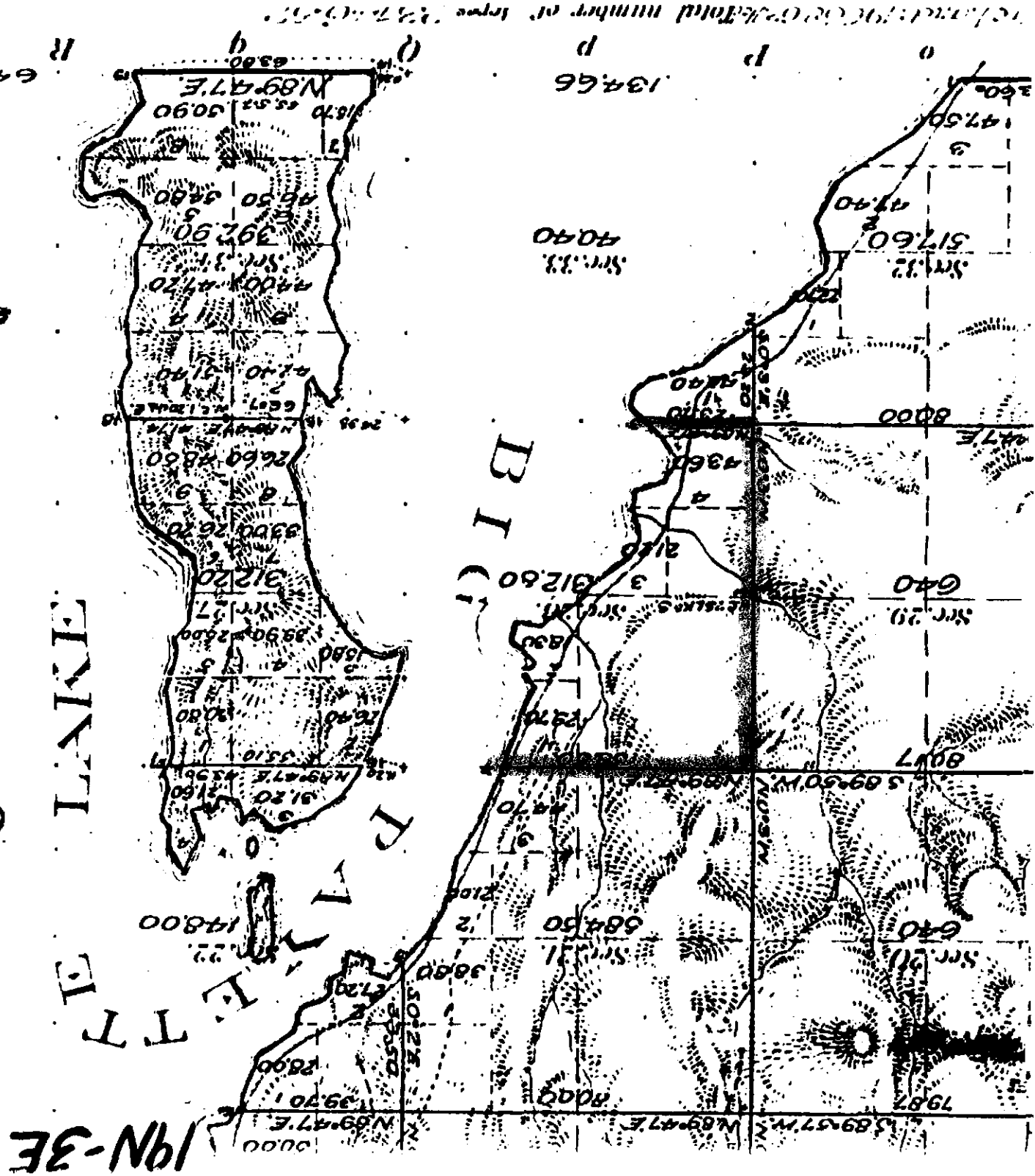
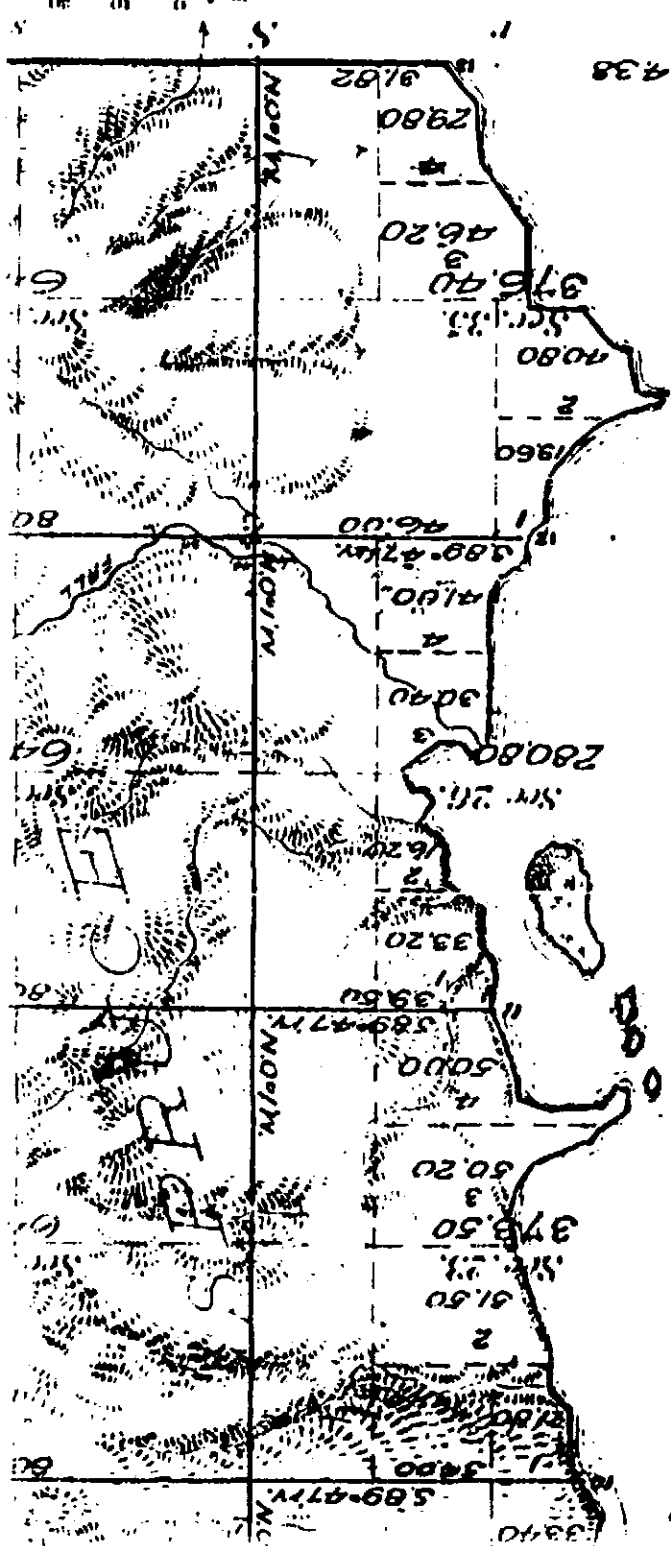
AUTHENTICATION:

SIGNATURE: Ray Walker DATE: 8/17/99
NAME OF FIELD EXAMINER: RAY WALKER TITLE: SR. AGENT

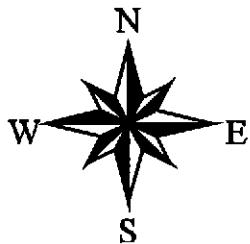
MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

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>u k n</u>	Y(☒) N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>GIS shape</u>	DATE <u>8/16/99</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 decision</u>	DATE _____	<u>1</u>	_____
☒ OTHER <u>PRBA claim</u>	DATE _____	<u>1</u>	_____



IDAHO DEPT OF WATER RESOURCES



CLAIM(S): 65-10425A

T19N, R03E, S28

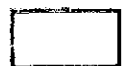
Owner(s):SIMPLOT



Place of Use



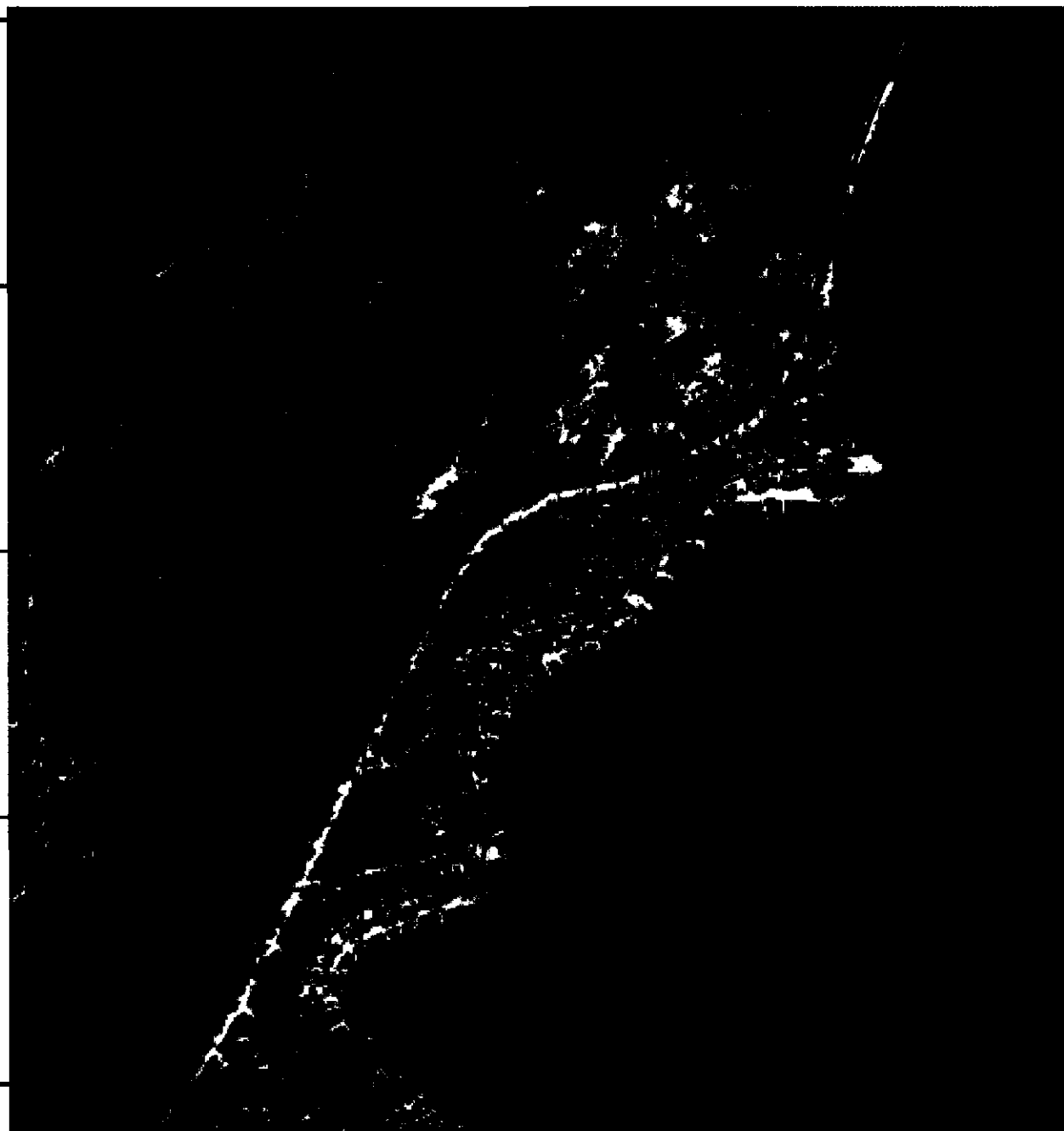
Point(s) of Diversion



1/4 1/4's

Prepared by: KAY WALKER

Date: August 16, 1999



0

0.25

0.5

0.75

Miles



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 *---*AFA *.11*CFS		LOT 4 S15-T19N-R-3E SAME AS OTHER 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	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	4/1-12/31 4/15 10/15	1.20 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 #132, 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

WR5809WP
No. 65-10425

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/14/99
PAGE: 1

portion of "A"

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J.R. SIMPLOT CO.	07/01/1938	IRRIGATION DOMESTIC	04/15 10/15 01/01 12/31	0.090 CFS ~~0.200 CFS~~	~~6.00 AFA~~ 0.15 4.8
TOTAL DIVERSION:					~~0.200 CFS~~ 0.15	

Water Source: BIG PAYETTE LAKE ✓

Tributary to:

*Payette River
North Fork*

Stage: DECREED ✓

Point(s) of Diversion:

T19N R03E S28 Lot 02 (SWNE)

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
19N	03E	28	1/4					:					:					:						3.0 ✓
TOTAL ACRES																							3.0 ✓	

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

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-07973 65-08104 65-08471 65-08472 65-08831 65-09001 65-09627

Other Water Rights Listing Overlapping Place(s) of use:
65-02154 65-13012

Dates:	App. Received:	Priority Date:	07/01/1938
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 09/11/86 04/30/88 CONVERT



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.
-Jal*

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

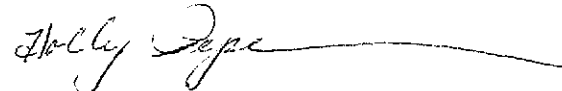
Dear Mr. Shaff:

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 - 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,)

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
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Rexburg, Idaho 83440

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ROCK & FIELDS
First Security Bank Building
911 West Idaho
P.O. Box 829
Boise, Idaho 83701

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OKAI, HORTON & FLINDERS
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Nyssa, Oregon 97913

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BENTZ & HELFRICH
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Staff Attorney
Nez Perce Tribal Executive
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11 LEZAMIZ, CHARTERED
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P.O. Box 389
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14 HOBDEY & HOBDEY
15 Attorneys at Law
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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
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23 William R. Hollifield
24 HOLLIFIELD AND TOLMAN
25 249 Third Avenue East
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Rigby, Idaho 83442-0036

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Richard B. Burleigh
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26 South Ninth Street
P.O. Box 158
Payette, Idaho 83661

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Scott L. Campbell
ELAM & BURKE
Key Financial Center, 10th Floor
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Boise, Idaho 83701

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2 Kent Fletcher
3 PARSONS, SMITH, STONE &
4 FLETCHER
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6 P.O. Box 910
7 Burley, Idaho 83318

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Ray W. Rigby
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RIGBY & KAM, CHARTERED
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Rexburg, Idaho 83440

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

John A. Rosholt
James C. Tucker
ROSHOLT, ROBERTSON & TUCKER
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10 James P. Speck
11 HOGUE, SPECK & AANESTAD, P.A.
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SCHROEDER, HUTCHENS & SULLIVAN
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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

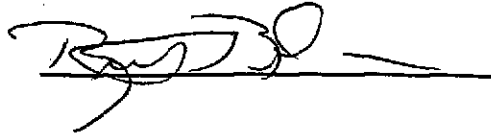
Jeanette Wolfley
Candy L. Jackson
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, Idaho 83203

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

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

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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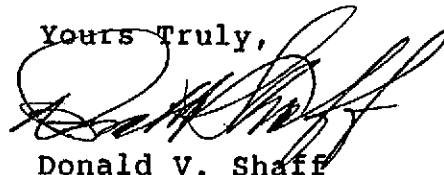
Mr. Bruce Belzer
Page 2
April 10, 1989

Also concerning Claim #A65-10425, it is our understanding that the J. R. Simplot Company requested an amendment to this claim which would remove domestic use for one residence. We have prepared Claim #A65-10425A for your review and the appropriate notarized signature. We have already received an acceptable claim from Gay Simplot Otter, for the residence which was removed as a result of this request.

Also enclosed are copies of the computer-generated claim forms referenced above, for your review. These are new claims which needed some clarifications during data entry; the items in question have been highlighted. If there are any changes needed on these claims, please let us know.

Please submit the appropriate documents to this office at the attention of Jeff Peppersack, before May 7, 1989, to avoid a late filing fee. Do not hesitate to contact this office if you have any questions or concerns.

Yours Truly,



Donald V. Shaff
Manager, Adjudication Section

DVS:JP:mcc:state
Enclosures:

Claims #A65-10425A/#A65-18068/#A65-18069/
#A65-18070/#A65-18071/#A65-18072

MICROFILMED

SEP 24 1992

CORPORATE HEADQUARTERS

April 20, 1989

RECEIVED
APR 25 1989

Department of Water Resources

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

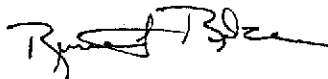
RE: 65-10425

Dear Don:

Pursuant to your April 10, 1989 letter regarding Valley County claims, I have enclosed A65-10425A as amended by the Department and executed by J. R. Simplot Company. Additionally, I have enclosed an additional claim to encompass the aesthetic, fish and stockwater uses. I would appreciate it if you would credit the overpayment which accompanied the Valley County claims to the new claim, and advise me as to any additional funds required. Please call me if you have any questions.

As usual, we appreciate the Department's cooperation and assistance with these filings.

Sincerely,



BRUCE L. BELZER
Assistant General Counsel

0474R

Enclosures

MICROFILMED
SEP 24 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 10, 1989

Mr. Bruce Belzer
J. R. Simplot Company
P. O. Box 27
Boise, Idaho 83707

Re: Snake River Basin Adjudication SRBA
Claims #A65-10425/#A65-18068/#A65-18069/
#A65-18070/#A65-18071/#A65-18072 - Valley County

Dear Mr. Belzer:

We have received the claims in Valley County for J. R. Simplot Company, which includes the above-referenced claims as well. However, some problems have been identified which require your attention.

Check #44787 in the amount of \$309.50 has been received to cover the filing fees for these claims. We have calculated a total cost of \$229.00 for all of the acceptable claims. The itemized breakdown is as follows:

Domestic/Stock Claims (5 @ \$25.00 each)	\$125.00
Expansion of Claim #A65-10423	52.00
Expansion of Claim #A65-10424	52.00
SUBTOTAL	\$229.00
 Check #44787	 \$309.50
Total Fees	- 229.00
 OVERPAYMENT	 \$ 80.50

The overpayment of \$80.50 could be refunded to you or applied to the unacceptable portion of Claim #A65-10425, as described below.

Claim #65-10425 has been partially rejected. The acceptable portion includes the domestic and irrigation uses at a diversion rate of 0.2 cfs as decreed in the Payette Adjudication. It appears from your claim that a new water right was developed in 1960 for aesthetic, fish, and stockwater uses at a diversion rate of 0.51 cfs. It would be necessary to file an additional notice of claim form in order to claim the water uses developed in 1960. The basis for this claim would be beneficial use. You may want to file an application for permit instead of, or in addition to, the beneficial use claim.

MICROFILMED

SEP 24 1992

W-8
POOR ORIGINAL

RECEIVED
JAN 21 1992

Department of Water Resources

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

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.

Twin Falls County
Civil Case No. 39576

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

and

Cassia County
Civil Case No. 13770-12-83

Petitioner,

NOTICE OF APPEARANCE

vs.

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

Respondents.

*Don modified all thru
C.A.N. program.*

of 4-1-92

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,

MICROFILMED
OCT 21 1996

Defendants.)

POOR ORIGINAL

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,)

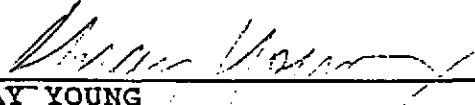
Counterdefendants.)

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

MICROFILMED

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

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 A.M.

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. J. Schen
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(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 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	1.20 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/U = LOT #32, 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