

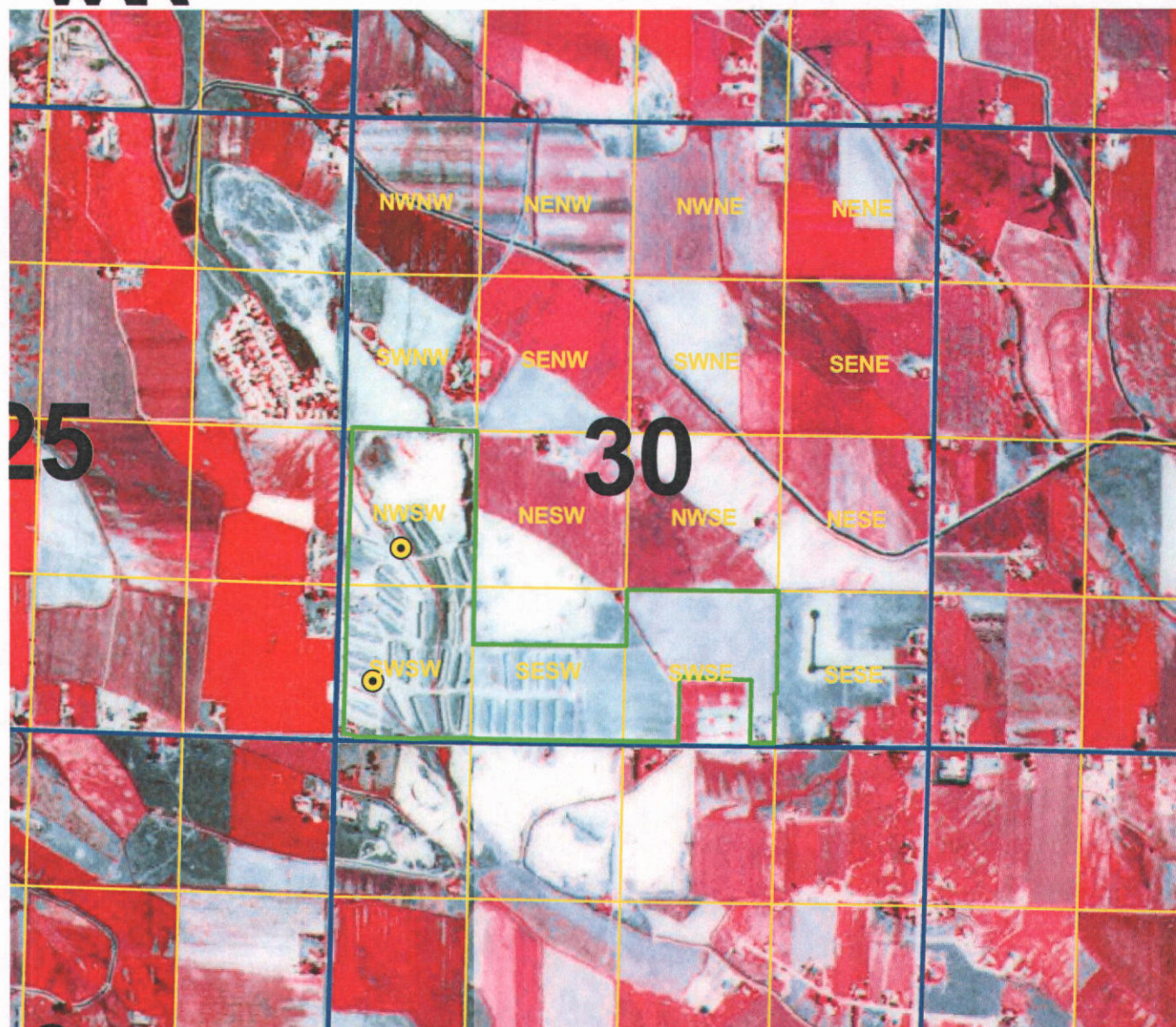


63-3418, 63-9335 AND 63-10314
PORTION IN RED TO BE CONVEYED TO STATE OF IDAHO.
TOTAL ACRES = 30.78

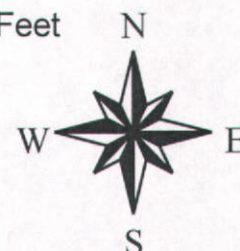


State of Idaho
Idaho Department of Water Resources
Western Region

T3N R1E SECTION 30
Water Right (s): 63-5274



1320 0 1320 2640 3960 Feet



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: April 2005



2003 AERIAL PHOTO

63-5274 - SIMPLOT STAT CLAIM -
please label wells, houses, office/shop



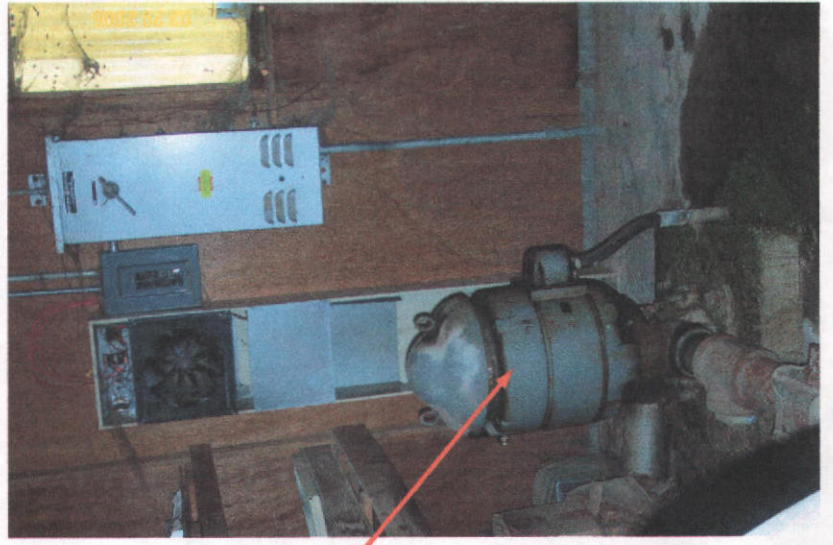
2003 AERIAL PHOTO

63-5274 - SIMPLOT STAT CLAIM -
please label wells, houses, office/shop

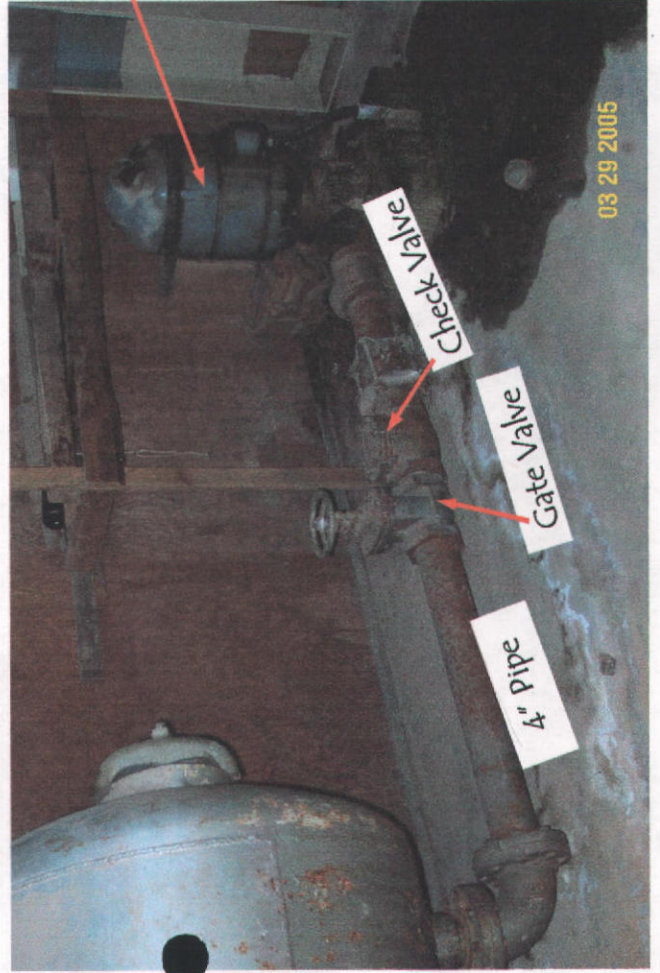


North Pump House
Looking Northeast

Simplot
63-5274



North Pump
10 Horsepower Turbine



4" Pipe

Gate Valve

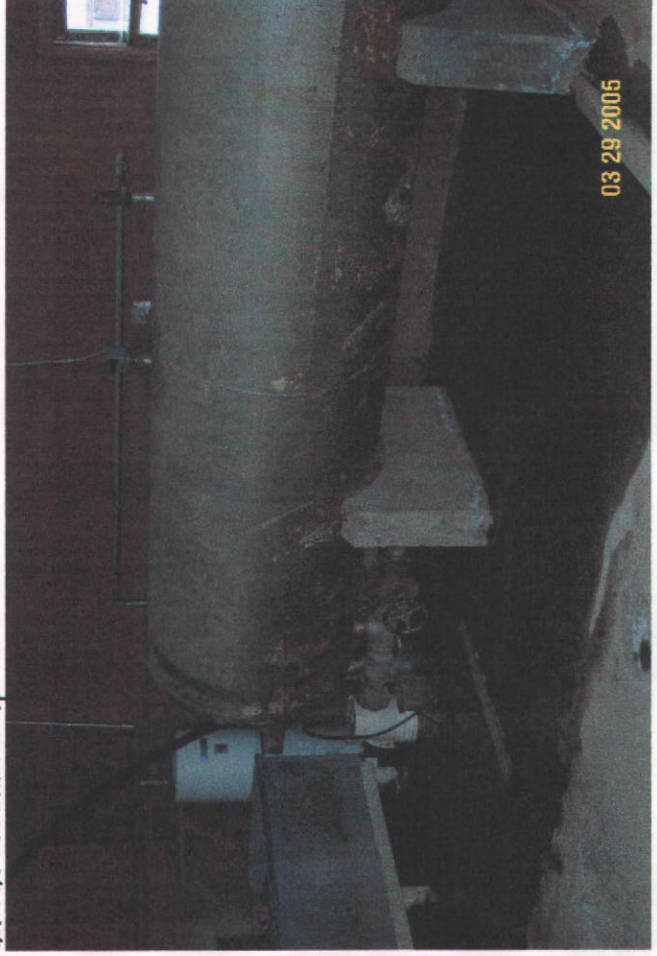
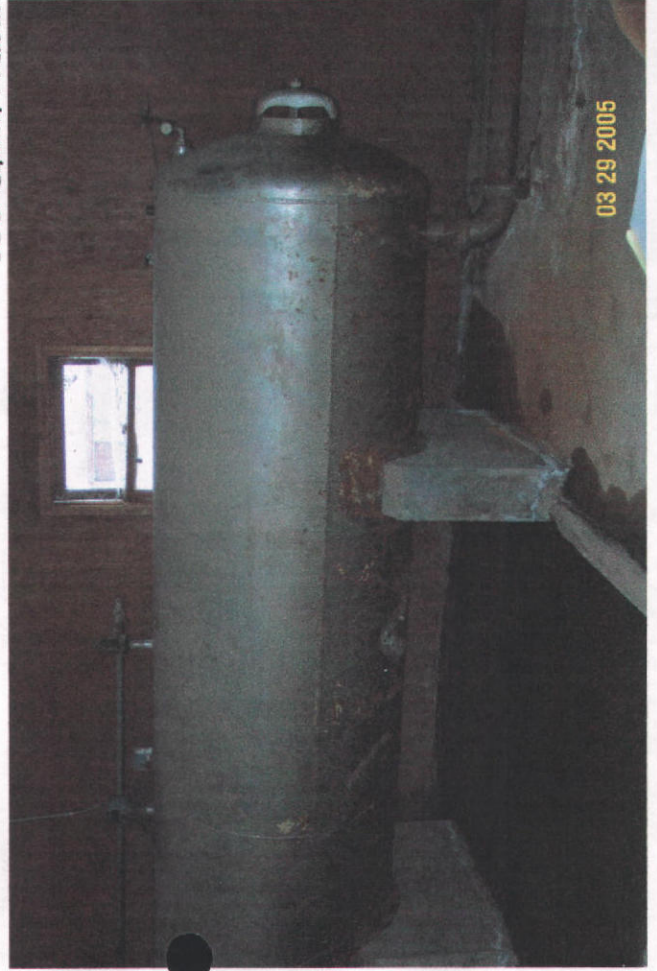
Check Valve

Outlet Plumbing from Pressure Tank



Simplot
63-5274

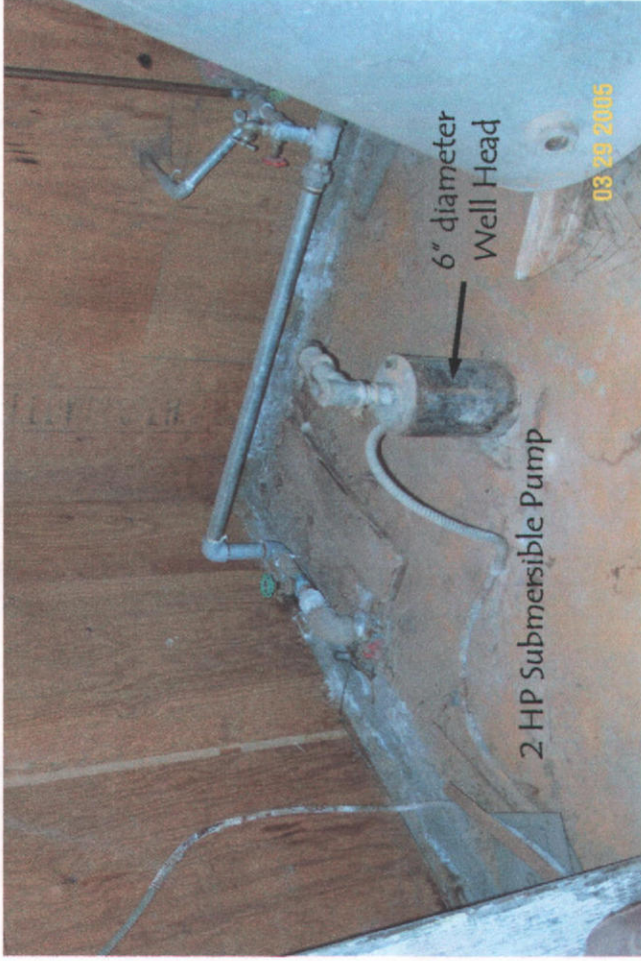
800 Gallon Pressure Tank at North Pump



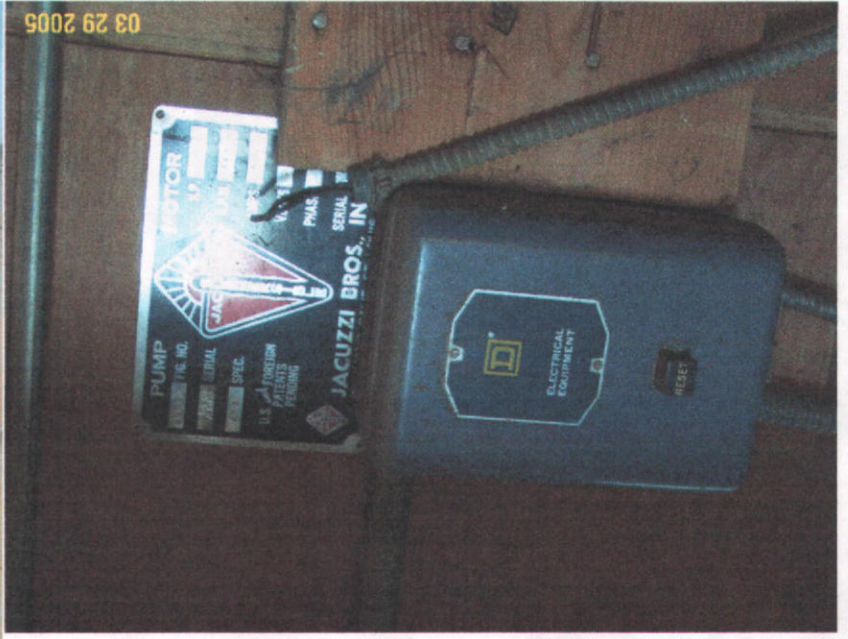


South Pump House, Office and Restrooms
Looking Northwest

Simplot
63-5274



Pump disconnected from system—currently not in use



South Pump Panel
And Name Plate

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: A63-05274
Date Received: 9/8/89
Receipt No: C011416
Received By: 9/

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: MAY 01, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	01E	30	NW	SW		3	ADA
			SW	SW		4	ADA

5. Description of diverting works:
2 WELLS, PUMPS, AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.200		
COMMERCIAL	01/01	12/31	0.100		
DOMESTIC	01/01	12/31	0.120		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/1000 RABBITS, 50 RANGE CATTLE, D/2 HOMES, C/SHOP AND OFFICE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	01E	30	NW		SW		STOCK	
			NW		SW		DOMEST	
			NW		SW		COMMER	
			SW		SW		STOCK	
			SW		SW		DOMEST	
			SW		SW		COMMER	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: One Map

For Organizations:

I do solemnly swear or affirm that I am Secretary of

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

9-7-89

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of September 19 89

[Signature]
Notary Public

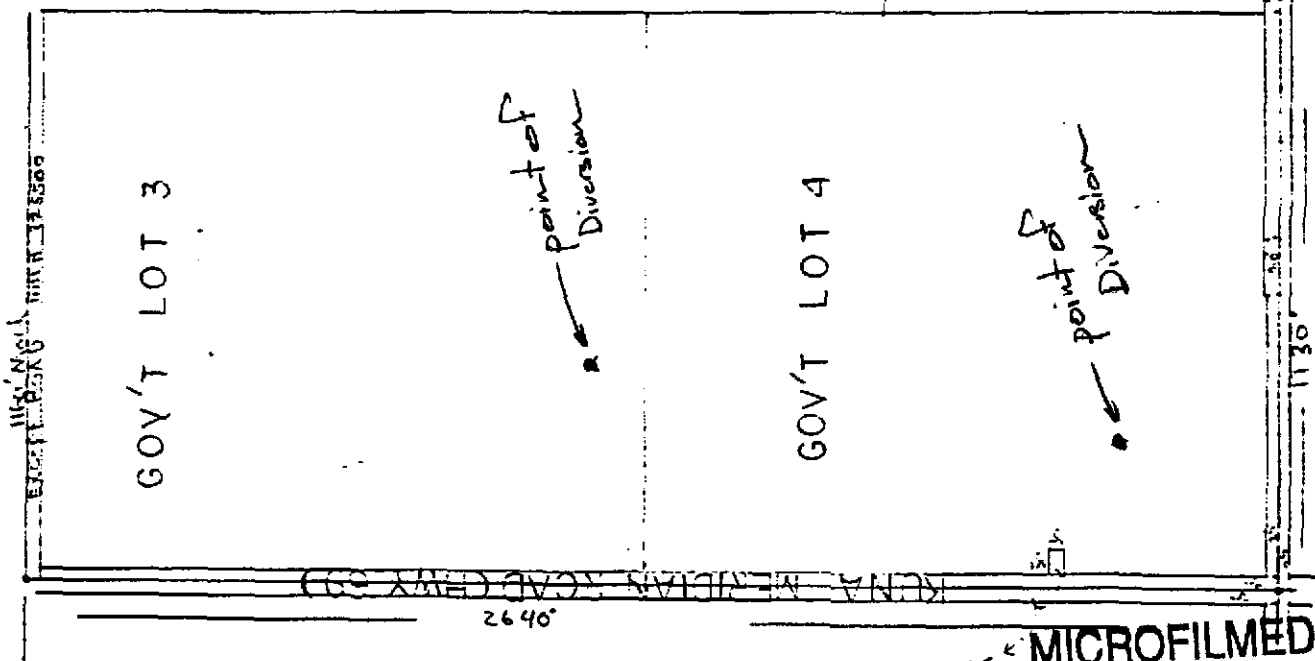
Seal

Residing at Meridian

My Commission Expires 11-06-91

W 1/4 CORNER

SEC. 30



S 1/4 CORNER
SEC 30

SW CORNER T3N R1E
SEC 30

MICROFILMED
AUG 21 1992

ReceiptID	Amount	BasinNumber	SequenceNuml	SplitSuffix	Type
C011416	60.00	63	5274		Claim
C011416	25.00	63	18481		Claim
C011416	53.00	63	3418		Claim
C011416	73.00	63	10314		Claim
C011416	90.00	63	9335		Claim

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
C011416	60.00	63	5274		Claim
C011416	25.00	63	18481		Claim
C011416	53.00	63	3418		Claim
C011416	73.00	63	10314		Claim
C011416	90.00	63	9335		Claim

Receipt Details for ID C011416

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/8/1989 2:22:49 PM	9/8/1989	State	\$326.00	Check
Payer		J. R. SIMPLOT COMPANY		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
055705			
Card Expiration Date	Credit Card Transaction #		

Comment PARTIAL PAYMENT FOR CLAIM NO. A6310299

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$301.00	ADJUDICATION FEE	410162	9337	0	0	6490
\$25.00	PARTIAL PAYMENT FOR CLAIM NO. A6310299	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

File Copies



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

December 7, 2004

RECEIVED
DEC 10 2004
WATER RESOURCES
WESTERN REGION

J R SIMPLOT CO
C/O RON GRAVES
PO BOX 27
BOISE ID 83707

Re: SRBA Claim No. 63-5274

Dear Mr. Graves:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make positive recommendations of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right early next year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

Please contact Vicky Music at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. **If we do not hear from you by January 7, 2005 then your water right will be recommended as disallowed.**

Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer".

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Vicky Music



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WARDEN

December 7, 2004

RECEIVED

DEC 10 2004

WATER RESOURCES
WESTERN REGION

J R SIMPLOT CO
ATTN: GRAY YOUNG OR TERRY UHLING
PO BOX 27
BOISE ID 83707-0027

Re: SRBA Claim No. 63-5274

Dear Mr. Young or Mr. Uhling:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make positive recommendations of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right early next year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

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Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer".

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Vicky Music



63-3418, 63-9335 AND 63-10314
PORTION IN RED TO BE CONVEYED TO STATE OF IDAHO.
TOTAL ACRES = 30.78

02/17/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-5274
NAME AND ADDRESS: J R SIMPLOT CO
C/O RON GRAVES
999 MAIN ST STE 1300
PO BOX 27
BOISE ID 83707

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.140 CFS
PRIORITY DATE: 05/01/1958
POINT OF DIVERSION:

T03N R01E S30 NWSW Lot 3 Within ADA County
T03N R01E S30 SWSW Lot 4 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.080 CFS
STOCKWATER	01/01 12/31	0.040 CFS
COMMERCIAL	01/01 12/31	0.020 CFS
		0.06 AFY

PUBLIC RECORDS

Commercial use is for an office and assembler and vehicle shop.

Stockwater use is for 1000 rabbits and 50 range cattle.

PLACE OF USE: DOMESTIC Within ADA County

T03N R01E S30 NWSW T03N R01E S30 SWSW

STOCKWATER Within ADA County

T03N R01E S30 NWSW T03N R01E S30 SWSW

COMMERCIAL Within ADA County

T03N R01E S30 NWSW T03N R01E S30 SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Use of this right is combined with water from Boise-Kuna Irrigation District.



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R1E SECTION 30
Water Right (s): 63-5274



1320 0 1320 2640 3960 Feet



- ⊙ Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: April 2005

February 17, 2005

TO: BURKE SCHOLER, FIELD EXAMINER
FROM: VICKY MUSIC, WATER RESOURCE AGENT

FIELD EXAM NEEDED FOR BENEFICIAL USE CLAIM 63-5274:

CONTACT FOR FIELD EXAM: Scott Grapatin [SIMPLLOT] PHONE # 888-0016
PROPERTY LOCATED

1-VERIFY USES IN 1987. Claimed domestic for 2 houses, stockwater for 1000 rabbits [also used to be a turkey farm] and commercial for a shop/office. Please confirm places of use and purposes of use. What is the office and shop currently used for?

2 - LOCATE AND GPS the wells used for this claim. There are 2 wells. Please get flow measurement or information to calculate well capacity/ flow.



2003 AERIAL PHOTO

**63-5274 - SIMPLOT STAT CLAIM -
please label wells, houses, office/shop**

MEMORANDUM TO FILE

TO: CLAIM FILE NOS. 63-5274, 63-3418 AND 63-9335
FROM: VICKY L MUSIC, WATER RESOURCE AGENT, IDWR / WESTERN
REGION
SUBJECT: SRBA CLAIM ANALYSIS/ DESKTOP REVIEW
DATE: 12/14/2004
CC: N/A

PROOF OF PRIORITY – 63-5274

I received a phone call from Vic Conrad, Simplot, [389-7359] yesterday re statutory claim 63-5274. They are working on interviewing the prior manager of the site and will provide proof of priority in the next few days. This site was originally a turkey farm, and has been a storage facility for many years. Uses – domestic, stock, commercial. Commercial is for office/restrooms – 3 day workers, work 8 hours/ day, 6 days/ week. Stock – still have cattle. Irrigation water – Boise-Kuna Irr Dis.

AMENDED CLAIMS – 63-3428 and 63-9335

I asked Vic about these amended claims that Ron Howerton had sent him about a year ago. He said he would find them and get them back to me asap. We talked about these to refresh his memory. It looks like there was an error in two of the claimed PODs [wells]. Ron amended the claims to correspond with the licensed PODs.

VLM

Music, Vicky

From: Conrad, Vic [Vic.Conrad@simplot.com]
Sent: Thursday, February 17, 2005 10:34 AM
To: Music, Vicky
Cc: Grapatin, Scott
Subject: RE: statutory claim 63-5274

Vicki,

Please contact Scott Grapatin to coordinate access to the site. Scott's phone number is 888-0016. The below information looks okay, however, we may need to refine the commercial use component of the water use. There are restrooms available to the public which receive water from this well. I think it is possible the 0.02 cfs (9 gallons per minute) may be adequate, however we may want to bump this up a little to allow for times when all systems are in use. Scott, Gene and Burke can verify the flow rate when they meet on site. Thank you.

-----Original Message-----

From: Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]
Sent: Thursday, February 17, 2005 10:15 AM
To: Conrad, Vic
Subject: statutory claim 63-5274

To: Vic Conrad -

Hi Vic. Thanks for sending the evidence of priority for the claim referenced above. The evidence is sufficient to establish the claimed priority date. This claim was for the following uses and diversion rates:

domestic for 2 homes	0.12 cfs
stockwater for 1000 rabbits/turkeys and 50 range cattle	0.20 cfs
commercial for a shop/office	0.10 cfs

Because this is a statutory or beneficial use claim and the total quantity claimed is 0.42 cfs, it will require a field exam. The field examiner will be Gene Gibson or Burke Scholer. Should they contact you to get on site and do well measurements and confirm the uses, or do you have another site contact?

Lastly, I just wanted to give you a heads up that I will be reducing the quantity for all uses. Our standard for a single family domestic use is 0.04 cfs so I will recommend 0.08 for the 2 houses. 0.12 cfs is the standard for internal use for 7 homes. Our standard quantity for up to 1000 head of cattle or sheep/goats is 0.04 cfs so I will be recommending this quantity for the stockwater. RE the commercial use - I calculated cfs for 4 employees working 8 hour days for 312 days of the year and the quantity was 0.0002 cfs. I will recommend 0.02 cfs for commercial. Of course, if you have additional information for the bases of the greater quantities, I will consider the information.

Please fee free to call or e-mail me regarding this claim.

Thank you -

Vicky L. Music
Water Resource Agent

CORPORATE HEADQUARTERS

January 6, 2005

Delivery

Vicky Music
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: IDWR Water Right Nos. 63-3418, 63-05274, 63-9335, 63-10314.

Dear Ms. Music:

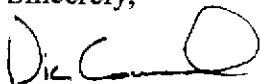
Enclosed for filing are amendments to the claims filed in the Snake River Basin Adjudication for water right nos. 63-3418, 63-9335 and 63-10314. These amended claims contain the permissible place of use recommended earlier by Ron Howerton from your office.

In response to a letter we received December 7, 2004, regarding evidence for the priority claimed under 63-5274, enclosed are copies the following:

1. Plot Plan dated August 15, 1958 showing an existing well house (highlighted). This is the point of diversion located within Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30 T.3N R.1E) identified on claim no. 63-5274.
2. Plot Plan dated July 14, 1959 showing the location of a "New Water Well and Pump House" (highlighted). This is the point of diversion located within Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 30 T.3N R.1E identified on claim no. 63-5274.

I hope you find these drawings sufficient evidence to support the May 1, 1958 date claimed under this water right. Should you have any additional questions about the claims filed for the above referenced water rights, please contact me.

Sincerely,



Vic Conrad
Land, Water & Asset Recovery

Enclosure

c: G. Young

Music, Vicky

From: Conrad, Vic [Vic.Conrad@simplot.com]
Sent: Monday, January 03, 2005 10:05 AM
To: Joanna L. Guilfooy (E-mail)
Cc: Vicky Music (E-mail); Graves, Ronald N.
Subject: Simplot Water Right Claims in the Snake River Basin Adjudication.

Joanna,

Vicky Music is the Agent with the Idaho Department of Water Resources ("IDWR") who is reviewing the Simplot water right claims in the Snake River Basin Adjudication. Vicky is located at the IDWR's Western Region, 2735 Airport Way, Boise, Idaho 83705. Vicky's phone number is 208-334-2190.

I discussed this matter briefly with Vicky this morning and let her know I would be providing her name to you as the IDWR contact should you want any involvement at this stage. Please contact me if you have any questions about these water rights. My phone number is 208-389-7359.

MEMORANDUM TO FILE

TO: CLAIM FILE NOS. 63-5274, 63-3418 AND 63-9335
FROM: VICKY L MUSIC, WATER RESOURCE AGENT, IDWR / WESTERN
REGION
SUBJECT: SRBA CLAIM ANALYSIS/ DESKTOP REVIEW
DATE: 12/14/2004
CC: N/A

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I asked Vic about these amended claims that Ron Howerton had sent him about a year ago. He said he would find them and get them back to me asap. We talked about these to refresh his memory. It looks like there was an error in two of the claimed PODs [wells]. Ron amended the claims to correspond with the licensed PODs.

VLM

Music, Vicky

From: Harvey, Becky
Sent: Friday, December 03, 2004 2:10 PM
To: Music, Vicky
Subject: RE: B 63 letters

Will do.

-----Original Message-----

From: Music, Vicky
Sent: Friday, December 03, 2004 2:08 PM
To: Spencer, Nick; Harvey, Becky
Subject: B 63 letters

Hi - I received a great response from the last batch of letters you sent for me -thanks! I need more ! Below is some information but let me know if it is not enough. Also, will you please ask that they have the info to me sometime in the first week of Jan 2005?

1 - 63-4993 and 63- 4994. EOP/ field exam letter sent 8/24 and have been in touch since but has not given me info.

attn: Lee Hanson

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE

SALT LAKE CITY, UT 84150-6312

2 - 63-5274. EOP/filed exam letter sent 8/24. No response - sent to all 3 guys.

J R SIMPLOT CO
C/O RON GRAVES
999 MAIN ST STE 1300
PO BOX 27
BOISE, ID 83707
(208)336-2110

Attorney

J R SIMPLOT CO
ENV AND REGULATORY AFFAIRS
ATTN: GRAY YOUNG OR TERRY UHLING
PO BOX 27
BOISE, ID 83707-0027
(208)389-7318

12/3/2004

3 - 63-4815/ EOP letter sent 10/15. No response.

Current Owner LINDA RUSH
MICHAEL RUSH
9412 W WRIGHT ST
BOISE, ID 83709
(208)362-4348

4 - 63-15603. EOP/ field exam letter sent 10/15. No response.

HELEN L HUFFMAN
JOHN HUFFMAN
2045 E AMITY RD
MERIDIAN, ID 83642
(208)888-0099

5 - 63-18687. EOP letter sent 10/15. No response.

AARON W KREGER
JANICE KREGER
4410 E FRANKLIN RD
MERIDIAN, ID 83642
(208)322-0346

6 - 63-4995. EOP letter sent 10/12. No response. [new address per Ada co
assessor info]

JOHN JOSEPH SMILEY, trustee
2825 Sophie Lake Rd
Eureka ,MT 59917

7 - EOP letter sent 11/8. No response.

WYMOSA WATER TRUST
4900 WYMOSA
BOISE, ID 83703
(208)344-0045

Thanks again - Vicky M



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 28, 2004

RON GRAVES
TERRY UHLING
GRAY YOUNG
J.R. SIMPLOT CO.
P.O. BOX 27
BOISE, ID 83707

RE: EVIDENCE OF PRIORITY

SNAKE RIVER BASIN CLAIM NO(S): A63-05274

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of your priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by October 18, 2004. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. Therefore, either Mr. Burke Scholer or Mr. Gene Gibson will be contacting you within the next few weeks to schedule a field exam.

Respectfully Submitted,



Vicky L. Music
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-05274

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

C.O.



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
JUL 25 1994

CORPORATE HEADQUARTERS

RECEIVED

MAY 20 1994

WATER RESOURCES
WESTERN REGION

April 12, 1994

RECEIVED

APR 14 1994

Department of Water Resources

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

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

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

Dear Mr. Shaff:

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

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

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

Sincerely,

Holly Pepe

Holly Pepe
Legal Department

/hp
Enclosures
5517v

MICROFILMED

JUL 25 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. - Sel

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
JUL 25 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
Boise, Idaho 83707
Telephone: (208) 389-7318
Fax: (208) 389-7515

7 Attorneys for J. R. Simplot Company

1994 APR - 5 PM 12:52
DISTRICT COURT - SRB
TWIN FALLS CO., IDAHO
FILED

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

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

Civil Case No. 39576

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

19 Petitioner,)

20 v.)

NOTICE OF WITHDRAWAL
OF COUNSEL

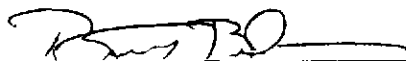
21 _____)
22 The United States; the State of)
23 Idaho; and all claimants to the)
24 use of water from the Snake)
River Basin Water System,)

25 Defendants.)
26 _____)
27)
28)

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

5 36-13320
6 57-02203A

7 DATED this 4th day of April, 1994.

8 
9 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
P.O. Box 1565
Nyssa, Oregon 97913

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

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

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

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

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

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

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

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

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

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

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

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

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

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

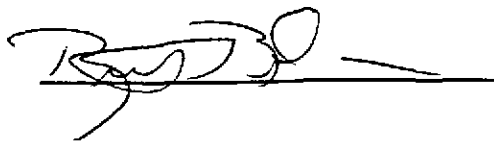
18 Dana L. Hofstetter
19 Murray D. Feldman
20 HOLLAND & HART
21 West One Plaza, Suite 1400
22 101 South Capitol Boulevard
P.O. Box 2527
Boise, Idaho 83701

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

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

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

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

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

Attorneys for J. R. Simplot Company

RECEIVED
JAN 21 1992

Department of Water Resources

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

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

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

Petitioner,

vs.

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

Respondents.

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

Plaintiffs,

vs.

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

Twin Falls County
Civil Case No. 39576

and

Cassia County
Civil Case No. 13770-12-83

NOTICE OF APPEARANCE

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

of 4-1-92

MICROFILMED
OCT 07 1996

Defendants.)

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

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

Counterplaintiff,)

vs.)

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

Counterdefendants.)

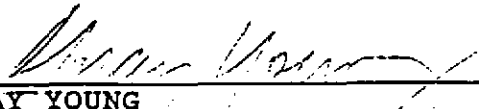
TO ALL PARTIES:

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

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

DATED this 20th day of January, 1992.

By


GRAY YOUNG

Assistant General Counsel

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

MICROFILMED
OCT 07 1996

CERTIFICATE OF MAILING

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

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

Dennis Jay Harper
Star Route
Declo, ID 83323

Roland Allen Land &
Livestock
Star Route
Malta, ID 83342

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

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

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


VICKI SPANGLER

MICROFILMED
OCT 07 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5274

WATER RIGHT NUMBER: 63-5274

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J R SIMPLOT CO C/O RON GRAVES 999 MAIN ST STE 1300 PO BOX 27 BOISE, ID 83707 (208)336-2110
Attorney	J R SIMPLOT CO ENV AND REGULATORY AFFAIRS ATTN: GRAY YOUNG OR TERRY UHLING PO BOX 27 BOISE, ID 83707-0027 (208)389-7318
Priority Date:	05/01/1958 ✓
Basis:	Statutory Claim
Status:	Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.120 CFS	
STOCKWATER	1/01 to 12/31	0.200 CFS	
COMMERCIAL	1/01 to 12/31	0.100 CFS	
<u>Total Diversion:</u>		0.420 CFS	

.08
.04
.02
.14 CFS

Location of Point(s) of Diversion

GROUND WATER	L3 (NW1/4SW1/4)	Sec. 30, Twp 03N, Rge 01E, B.M.
ADA County		
GROUND WATER	L4 (SW1/4SW1/4)	Sec. 30, Twp 03N, Rge 01E, B.M.
ADA County		

Place of UseDOMESTIC Within ADA County

T03N R01E S30	NWSW	T03N R01E S30	SWSW
---------------	------	---------------	------

STOCKWATER Within ADA County

T03N R01E S30	NWSW	T03N R01E S30	SWSW
---------------	------	---------------	------

COMMERCIAL Within ADA County

T03N R01E S30	NWSW	T03N R01E S30	SWSW
---------------	------	---------------	------

W45 Boise - Kang Irr.
X01 DOM - 2 homes
X02 SW - 1000 rabbits, 50 range cattle
X01 Com - shop & office

NOG Q for Dis not def. hrs b/c

P# 91130325752
4390 S. W. H. Rd
Meridian, ID

(4 days/week) (15 b/d) (312 days/yr)
325850 =

.08 afa

(4)(15)/8/60/450 = .0002 CFS -
will rec. .02 CFS

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5274

02/17/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-5274	Claim	03N	01E	30	NW	SW	3	GROUND WATER	J R SIMPLOT CO
63-5274	Claim	03N	01E	30	SW	SW	4	GROUND WATER	J R SIMPLOT CO
63-5274	Water Right	03N	01E	30	SW	SW	4	GROUND WATER	J R SIMPLOT CO

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5274

02/17/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
5274	Claim	03N	01E	30	NW	SW		STOCKWATER		J R SIMPLOT CO
5274	Water Right	03N	01E	30	NW	SW		STOCKWATER		J R SIMPLOT CO
5274	Claim	03N	01E	30	NW	SW		COMMERCIAL		J R SIMPLOT CO
5274	Claim	03N	01E	30	NW	SW		DOMESTIC		J R SIMPLOT CO
5274	Claim	03N	01E	30	SW	SW		STOCKWATER		J R SIMPLOT CO
5274	Water Right	03N	01E	30	SW	SW		STOCKWATER		J R SIMPLOT CO
5274	Claim	03N	01E	30	SW	SW		COMMERCIAL		J R SIMPLOT CO
5274	Claim	03N	01E	30	SW	SW		DOMESTIC		J R SIMPLOT CO

<https://wenet/apps/appsworkflow/Framebuild.asp - Microsoft Internet Explorer>

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Address http://wenet/apps/appsworkflow/Framebuild.asp Go

Information Search (WR/AJ)

Basin	Seq#...	Suffix	Version	Source Table	Basin	Status	Priority Date	DL	Source List	Water Use List	Owner List	Applic...
63	2388			wAApplication...	Licence	Active	1924-08-18	30...	BOISE RIVER	IRRIGATION	UNITED STAT.	
63	5274			wAApplication...	Statutory...	Active	1959-05-01	0.42	GROUND WA...	COMMERCIAL...	JR SIMPLOT	
63	16204			wAApplication...	Beneficial...	Closed	1923-01-01	0.08	GROUND WA...	DOMESTIC S...	STIKES JOHN...	
63	2893		1	wAApplication...	Licence		1962-02-11	0.78	GROUND WA...	MUNICIPAL	CITY OF MERI...	
63	7105		1	wAApplication...	Licence		1968-05-13	0.70	GROUND WA...	MUNICIPAL	CITY OF MERI...	
63	7978		1	wAApplication...	Licence		1974-05-10	1.91	GROUND WA...	MUNICIPAL	CITY OF MERI...	
63	8331		1	wAApplication...	Licence		1976-06-28	1.89	GROUND WA...	MUNICIPAL	CITY OF MERI...	
63	8332		1	wAApplication...	Licence		1976-06-28	2.00	GROUND WA...	MUNICIPAL	CITY OF MERI...	
63	16204		1	wAApplication...	Beneficial...	Closed	1923-01-01	0.08	GROUND WA...	DOMESTIC S...	STIKES JOHN...	
63	2388			wwaterApplca...		Closed	1924-08-18	30...	BOISE RIVER	IRRIGATION	US DEPT OF I...	32223
63	2388			wwaterRight	Licence	Active	1924-08-18	30...	BOISE RIVER	IRRIGATION	US DEPT OF I...	
63	5274			wwaterRight	Statutory...	Active	1959-05-01	0.42	GROUND WA...	COMMERCIAL...	JR SIMPLOT	
63	16204			wwaterRight	Decreed	Active	1923-01-01	0.08	GROUND WA...	DOMESTIC S...	STIKES JOHN...	
63	2388			wwaterPermit		Closed	1924-08-18	30...	BOISE RIVER	IRRIGATION	US DEPT OF I...	

The number of records is 14

Parameters Results

View Documents Print Proof Report Print Transfer Part 2

Show References Next Step Return to Home Previous Steps Screen ID 424

Done Start Doc... Arc... Ad... Htt... Doc... Links Yahoo! Shortcut to Internet Explorer Local Intranet

Microsoft

4:06 PM

T3N R1E S30 NW 5W

Office Microsoft

http://wene/apps/appsWorkflow/framebuild.asp - Microsoft Internet Explorer

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Back Forward Stop Search Media Links Yahoo! Shortcuts to Internet Explorer Customized Links IDWR Workflow

Address http://wene/apps/appsWorkflow/framebuild.asp

Information Search (WR/AJ)

Basin	Seque...	Suffix	Version...	Source Table	Basis	Status	Priority Date	Di...	Source List	Water Use List	Owner List	Applic...
63	2388			wwAdjudication...	License	Active	1924-08-18	30...	BOISE RIVER	IRRIGATION	UNITED STAT...	
63	5274			wwAdjudication...	Statutory...	Active	1958-05-01	0.42	GROUND WA...	COMMERCIAL...	JR SIMPLOT ...	
63	2388			wwWaterRight	License	Active	1924-08-18	30...	BOISE RIVER	IRRIGATION	US DEPT OF I...	
63	5274			wwWaterRight	Statutory...	Active	1958-05-01	0.42	GROUND WA...	COMMERCIAL...	JR SIMPLOT ...	
63	16204			wwWaterRight	Decreed	Active	1923-01-01	0.08	GROUND WA...	DOMESTIC, S...	STIKES, JOHN...	

The number of records is 5

Parameters Results

View Documents Print Proof Report Print Transfer Part 2

Show References Next Step Previous Steps Screen ID 424

Return to Home Links Yahoo! Shortcuts to Internet Explorer

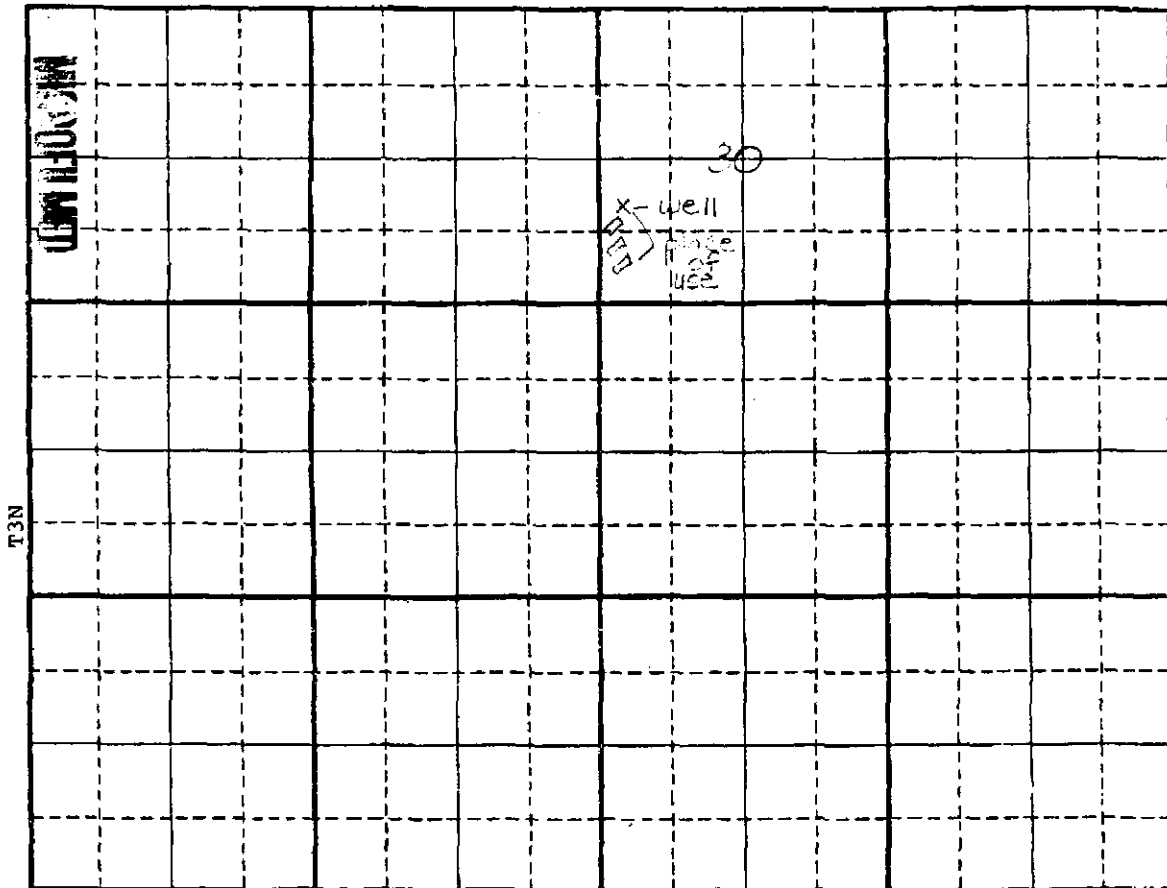
Done Start Doc... Acc... Ad... Doc... Intt...

Local Intranet

4:03 PM

(8) Remarks _____

R1E



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho,)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Lawrence J. Walker Secretary
(Claimant)

Sworn to before me this 30th day of June, 1983

Laurel J. Walker
Notary Public
Residing at Boise, Idaho

My commission expires Lifetime

7-5-83 FOR DEPARTMENT USE ONLY
Received by *SL* Date *6/30/83* Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by *JG* Date *12-22-83* claimant by: _____
\$30.00 fee received by *mg* Date *7/16/83* 20917
Published in *Idaho Statesman*
Dates *6/23 & 3/1/84*

FILED
IN THE OFFICE OF THE
SECRETARY OF STATE OF
STATE OF NEVADA

CERTIFICATE OF OWNERSHIP AND MERGER
INCLUDING ARTICLES OF MERGER

RECEIVED

AUG 1 1985

Department of Water Resource

FEB 27 1985

Merging

SIMPLOT INDUSTRIES, INC.

into

J. R. SIMPLOT COMPANY

63-5274

(Pursuant to Section 78.486 of the Nevada Revised Statutes
and 16-10-70 of the Utah Business Corporation Act.)

J. R. SIMPLOT COMPANY, a corporation organized and
existing under the laws of Nevada, the parent corporation, does
hereby certify:

FIRST: That this corporation was incorporated on the
28th day of June, 1955, pursuant to the laws of the State of
Nevada.

SECOND: The number of outstanding shares of each
class of SIMPLOT INDUSTRIES, INC., a Utah corporation, and the
number of shares of each class owned by J. R. SIMPLOT COMPANY
are as follows:

<u>Names of Subsidiary</u>	<u>Number of Shares Outstanding</u>	<u>Designation of Class</u>	<u>Number of Shares Owned by J. R. Simplot Company</u>
Simplot Industries, Inc.	10	Common	10

THIRD: That this corporation, by resolution of its
board of directors, duly adopted the following Plan of Merger,
at a meeting held on the 15th day of February, 1985, and deter-
mined to merge into itself said SIMPLOT INDUSTRIES, INC. at the
Effective Time which resolution is in the following words
to-wit:

NOW, THEREFORE, be it resolved that J. R. SIMPLOT COMPANY
merge, and it hereby does merge into itself said SIMPLOT
INDUSTRIES, INC. and assumes all of its obligations, at the
Effective Time; under the following terms and conditions:

A. BE IT RESOLVED that effective as of the close of busi-
ness on the 28th day of February, 1985, (the Effective
Time), SIMPLOT INDUSTRIES, INC. shall be and it is hereby
merged into J. R. SIMPLOT COMPANY, with the effect and
result that the existence of SIMPLOT INDUSTRIES, INC. shall

MICROFILMED

STORAGE
RENTAL BUSINESS
MERIDIAN RD/AMITY

Field Exam Date 3/29/05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-05274

Owner: J.R. SIMPLOT CO.

Phone No. 888-0016

Current Address: P.O. Box 27 BOISE ID 83707

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? _____

Accompanied by: SCOTT GRADATIN - MANAGER RENTAL BUSINESS

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: MAY 1, 1958

(If priority date, based on your exam, seems questionable, explain below.)

OK

Source: GROUNDWATER

Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
1	3		NW	SW	30	3N	1E	ADA	GPS - AERIAL PHOTO ATTACHED
2	4		SW	SW	30	3N	1E	ADA	" " "

Description of diverting works

1 - 10 HP TURBINE PUMP INSTALLED IN A 12" Cased WELL THRU PRESS. TANK THRU PIPING DISTRIBUTION SYTEM - MANAGER DOES NOT KNOW THE PIPING ARRANGEMENT. ALSO A 2 HP SUBMERSIBLE PUMP AND PRESSURE TANK. PUMP IS PRESENTLY DIS-CONNECTED FROM DISTRIBUTION PIPE SYSTEM NORMALLY CONNECTED TO THE ENTIRE SYSTEM OVERLAP REVIEW FOR SUPPLEMENTAL OR BACKUP FOR LARGE WELL PUMP.

Other water rights with the same point of diversion:

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

☐ No change

☒ Different Uses

Use STOCKWATER From 1/1 To 12/31 Amount _____ CFS _____ AFA

Use COMMERCIAL From 1/1 To 12/31 Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

NO DOMESTIC

TOTAL VOLUME - Groundwater only

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☐ No change

☒ Changes Exam found: Domestic # of homes 0 Stock # 5 HD CATTLE

CURRENTLY

4 HORSES

Types STOCKWATER Additional comments:

COMMERCIAL - SHOP W/ REST ROOMS
PUMP/WELL HOUSE HAS RESTROOMS

OFFICE FOR STORAGE
RENTAL BUSINESS W/
REST ROOMS

PLACE OF USE:

☒ No Change

☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1E	30										X	X						

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain: _____

Delivery System Narrative: THIS FACILITY WAS FORMERLY A CHICKEN PRODUCTION FARM - PRODUCING MEAT FOR MARKET. THEY HAVE A 12" WELL WITH A 10HP VERTICAL TURBINE PUMP WHICH PUMPS INTO A LARGE PRESSURE TANK ~ 800 GAL (3' DIA 15' LONG). FROM THE PRESSURE TANK THERE IS A PIPE SYSTEM WHICH DELIVERS WATER TO ALL 33 BLDGS ON THE PROPERTY. ALSO THERE IS A SMALL 2 HP PUMP IN A 6" CASED WELL CONNECTED TO THIS SYSTEM FOR SUPPLEMENTAL OR BACK UP WATER. THE TURBINE PUMP HAS A PRESSURE CUT-OFF WHEN THE PSI IS 65 IT WILL SHUT OFF AT 35 PSI. AT THESE PRESSURES THE FLOW RATE WOULD GO DOWN. AT THE SHUT-OFF PRESSURE OF 65 PSI @ 100' LIFT THE FLOW WOULD BE APPROXIMATELY 111 GPM.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
A0002491 #69	JACUZZI BRO	2	Pump: WJD54-7105 SN - NOT AVAILABLE	JACUZZI BRO	1 1/4" DIA DISCHARGE
A0002492 #70	US MOTOR	10	117844	PEERLESS	4" DIA DISCHARGE

SN: 187481

FLOW MEASUREMENTS: THEORETICAL COMBINED PUMPS FLOW ESTIMATE.
 .42 CFS W.R. 188 GPM
 Attach appropriate documents SEE ATTACHED TABLE #1
 PUMP EFF @ 70%

176.45' TDH W/ 25 PSI DISCHARGE PRESS

NARRATIVE/REMARKS/COMMENTS

THIS OLD CHICKEN PRODUCING FACILITIES HAS BEEN CONVERTED TO RENTAL STORAGE UNITS. THE TRANSITION BEGAN IN THE LATE '70S. CATTLE + RABBITS WERE THE MAIN THE PUMPING EQUIPMENT IS STILL IN PLACE AND HAS THE CAPABILITY OF PUMPING THE TOTAL W.R. CFS. HOWEVER, CURRENTLY THE NEED IS QUITE LOW FOR THE CURRENT BUSINESS. THE USE OF THESE FACILITIES HAS VARIED THROUGH OUT THE YEARS. ACCORDING TO SCOTT THE FACILITY HAS BEEN USED FOR STORAGE RENTAL ONLY SINCE THE MID- TO LATE '80'S.

(

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3/29/05 FIELD EXAM. 4/1/05 WRITE-UP

FIELD EXAMINER: Robert H. Scholm

SIMPLLOT MERIDIAN RD/AMITY

63-5274

TABLE #1

	tdh	10 BHP gpm	2BHP gpm	Total gpm	Total cfs	At 25psi min. Ft Lift Available
27720	75	369.6	73.92	443.52	0.99	17.25
5544	80	346.5	69.3	415.8	0.93	22.3
	85	326.1	65.2	391.3	0.87	27.3
	90	308.0	61.6	369.6	0.82	32.3
	95	291.8	58.4	350.1	0.78	37.3
	100	277.2	55.4	332.6	0.74	42.3
	105	264.0	52.8	316.8	0.71	47.3
	110	252.0	50.4	302.4	0.67	52.3
	115	241.0	48.2	289.3	0.64	57.3
	120	231.0	46.2	277.2	0.62	62.3
	125	221.8	44.4	266.1	0.59	67.3
	130	213.2	42.6	255.9	0.57	72.3
	135	205.3	41.1	246.4	0.55	77.3
	140	198.0	39.6	237.6	0.53	82.3
	145	191.2	38.2	229.4	0.51	87.3
	150	184.8	37.0	221.8	0.49	92.3
	155	178.8	35.8	214.6	0.48	97.3
	160	173.3	34.7	207.9	0.46	102.3
	165	168.0	33.6	201.6	0.45	107.3
	170	163.1	32.6	195.7	0.44	112.3
	175	158.40000	31.68000	190.08000	0.423501	117.3
	176.45	157.1	31.4	188.5	-0.42002	118.7
	177.45	156.2	31.2	187.5	0.41765	119.7
	178.45	155.3	31.1	186.4	0.41531	120.7
	179.45	154.5	30.9	185.4	0.41300	121.7
	180.45	153.6	30.7	184.3	0.41	122.7
	181.45	152.8	30.6	183.3	0.41	123.7

MOST
LIKELY
RANGE

63-5274

SIMPLLOT

PRESSURE TANK VOLUME

3' DIA 15' LONG

$$TTR \approx (\pi)(1.5^2) \times 15 = 106 \text{ CU. FT} \times 7.4805 = \underline{793 \text{ GAL}} \pm \underline{800 \text{ GAL}}$$

7.0685835

FLOW RATE @ 65 PSI DISCHARGE PRESSURE

$$GPM = \frac{(HP)(EFF) 3960}{TDA}$$

$$65 \text{ PSI} = 150'$$

$$\text{LIFT @ } \frac{100'}{250}$$

$$GPM = \frac{(10)(.7)(3960)}{250} = \underline{111 \text{ GPM}}$$

TUES

February 17, 2005

TO: BURKE SCHOLER, FIELD EXAMINER
 FROM: VICKY MUSIC, WATER RESOURCE AGENT

TUES
 2-2:30
 3/29

FIELD EXAM NEEDED FOR BENEFICIAL USE CLAIM 63-5274:

CALL MON
 28th

CONTACT FOR FIELD EXAM: Scott Grapatin [SIMPLOT] PHONE # 888-0016
 PROPERTY LOCATED

1-VERIFY USES IN 1987. Claimed domestic for 2 houses, stockwater for 1000 rabbits [also used to be a turkey farm] and commercial for a shop/office. Please confirm places of use and purposes of use. What is the office and shop currently used for?

← RENTAL ← EQUIP. REPAIRS

2 - LOCATE AND GPS the wells used for this claim. There are 2 wells. Please get flow measurement or information to calculate well capacity/ flow.

SOUTH PUMP

6" DIA - SUBMERSIBLE

JACUZZI BROS

FIG NO. = 25414

SN = WJD584-7105

HP = 2 RPM = 3450

MOTOR AMPS = 6.3 VOLTS = 220

PHASE = 3

GPS = 2306763
 1376276 #69

SITE TAG = A0002491

NORTH PUMP

1/2 MOTOR

~~TO~~ HP440
13.5 AMP @ 480V27.0 " @ 220
240V

SN = 117844

PUMP ~~PEERLESS~~~~TO PUMP~~

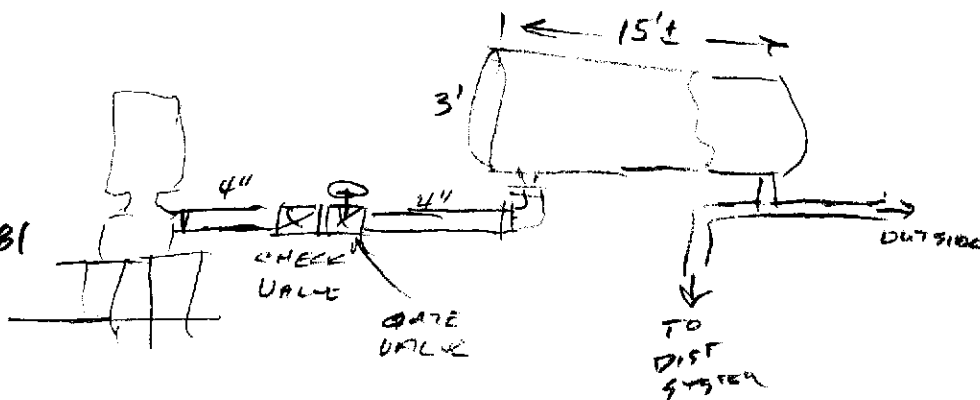
SN = 187481

SMALL TURBINE

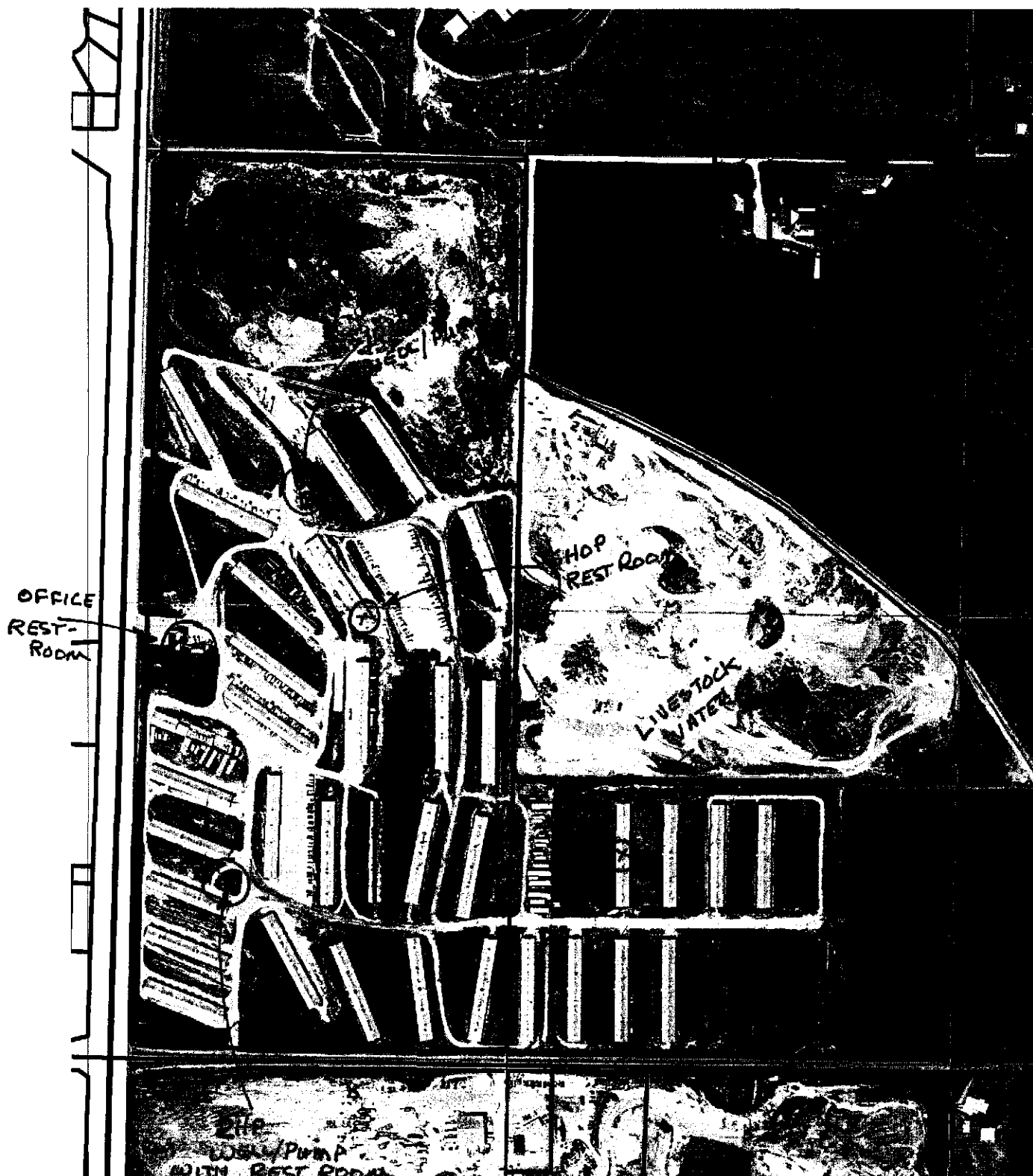
4" DISCHARGE

GPS = 2306838 #70
 1376621

SITE TAG = A0002492



(OFF) 64 PSI
 OFF STOP



2003 AERIAL PHOTO

63-5274 - SIMPLOT STAT CLAIM -
please label wells, houses, office/shop

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: A63-05274
Date Received: 9/8/89
Receipt No: CD11416
Received By: 91

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: MAY 01, 1958✓

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01E	30	NW	SW		3	ADA
			SW	SW		4	ADA

5. Description of diverting works:
2 WELLS, PUMPS, AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.200		
COMMERCIAL	01/01	12/31	0.100		
DOMESTIC	01/01	12/31	0.120		

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

A.F.A.

188.5' GPM

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/1000 RABBITS, 50 RANGE CATTLE, D/2 HOMES, C/SHOP AND OFFICE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	01E	30	NW		SW		STOCK	
			NW		SW		DOMEST	
			NW		SW		COMMER	
			SW		SW		STOCK	
			SW		SW		DOMEST	
			SW		SW		COMMER	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: One 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

9-7-89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of September 19 89

[Signature]
Notary Public

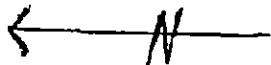
Seal

Residing at Meridian

My Commission Expires 11-06-91

W 1/4 CORNER

SEC. 30



1142' N 1/2 S 1/2 E 1/4
1142' N 1/2 S 1/2 E 1/4

GOV'T LOT 3

point of
Diversion

GOV'T LOT 4

point of
Diversion

PTN SE 1/4 SW 1/4

SW 1/4 SE 1/4

EXCEPT OUT
SCHOOL
PROPERTY

626.75' N

1326'

S 1/4 CORNER
SEC 30

1130' AMITY ROAD

SW CORNER T 3 N R 1 E
SEC 30

MICROFILMED
AUG 21 1992

411

2. ~~_____~~ _____

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(Name of Claimant)

Telephone No. 336-2110

(Mailing Address)

(Zip Code)

May 1, 1958

- (1) Date of priority: (When was the water first applied to a beneficial use)

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
 well - subterranean tributary to

- (cfs. af)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

(Mo., Day)

Quantity .12 cfs

Use domestic

Period of Use From

To Dec 31

Quantity .20 cfs

Use stock

Period of Use From

To Dec 31

Quantity

Use

Period of Use From _____

To Dec 31

Quantity .10 cfs

Use shop (COMMERCIAL)

Period of Use From

To Dec 31

Quantity

Use _____
TOTAL QUANTITY USED.

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW ¼ SW ¼, Sec. 30 Twp. 3N Rge. 1E B.M., County of Ada

Additional points of diversion.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities; be as specific as possible. Describe any changes in the system and give the date of the change. 10 hp pump 4" line suction on 12" casing

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

[illegible]

No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

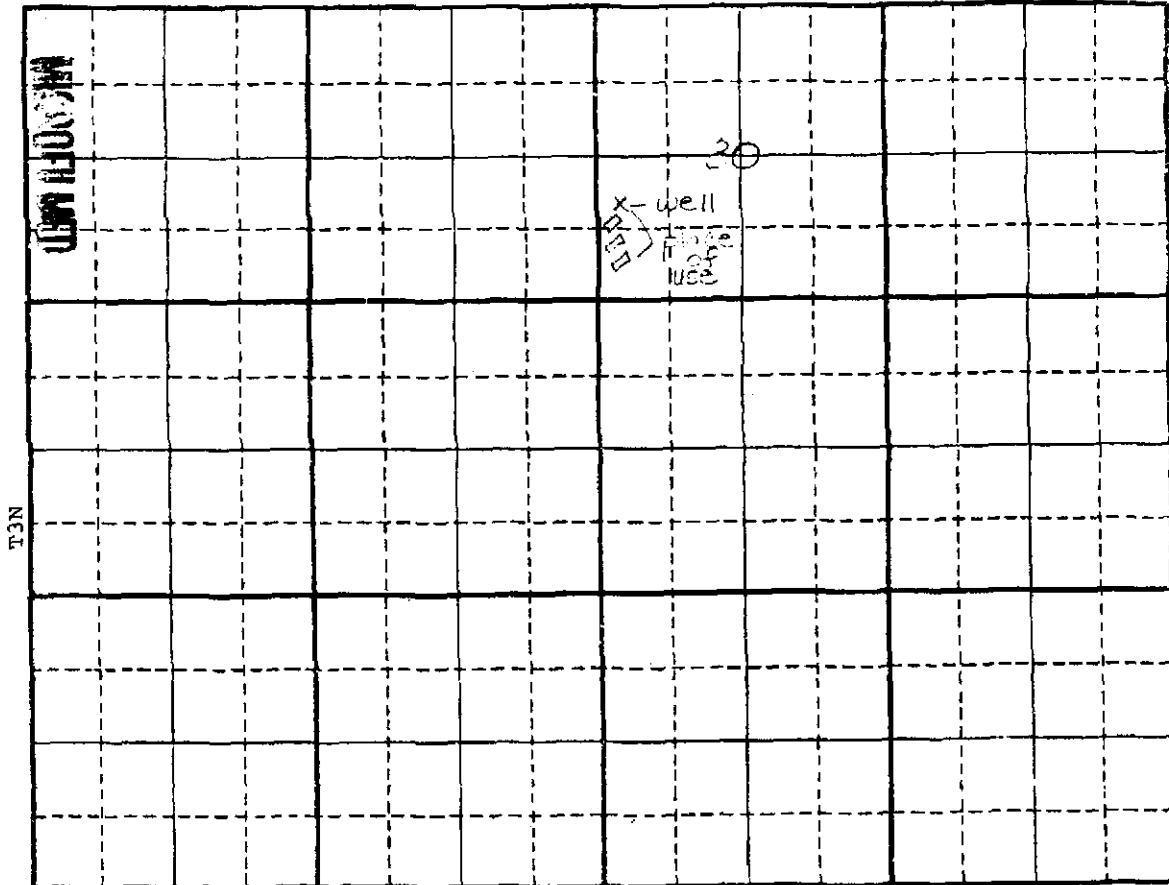
2 homes, 1000 rabbits, 50 cows

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____

R1E



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho,)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

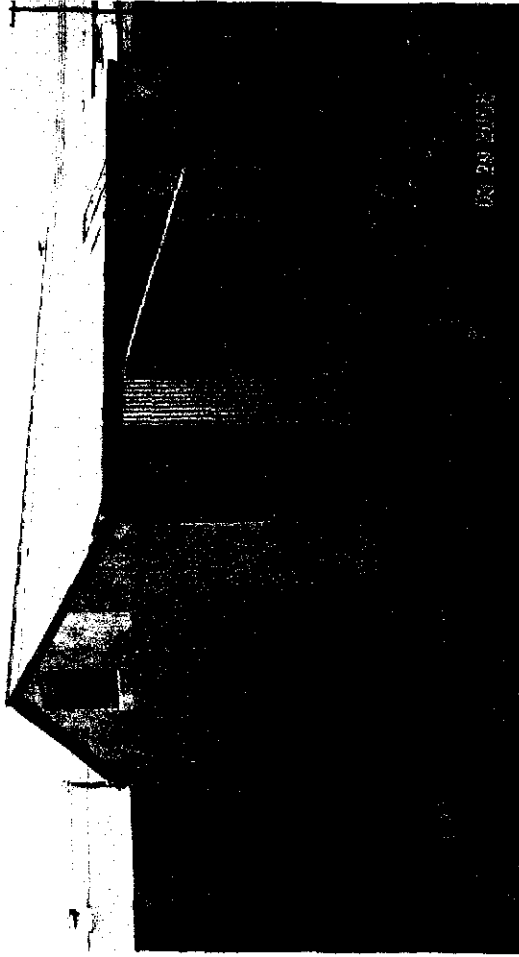
Russell J. Thomas Secretary
(Claimant)

Sworn to before me this 30th day of June, 1983

Laurel J. Walker
Notary Public
Residing at Boise, Idaho

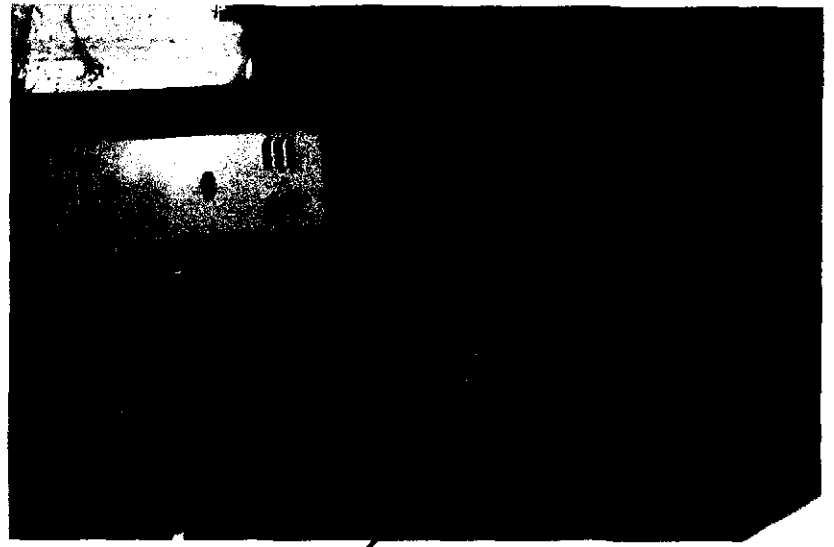
My commission expires Lifetime

7-583 FOR DEPARTMENT USE ONLY
Received by SLA Date 6/30/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by IG Date 12-22-83
\$30.00 fee received by IG Date 7/6/83 20917
Published in Idaho Statesman
Date 8/3/84

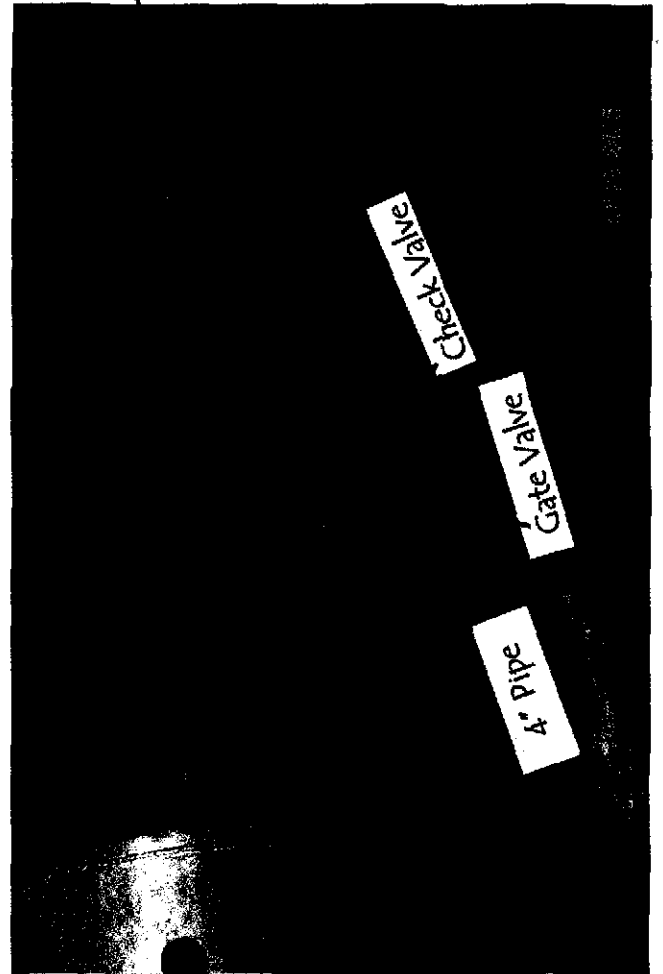


North Pump House
Looking Northeast

Simplot
63-5274



North Pump
10 Horsepower Turbine



Check Valve

Gate Valve

4" Pipe



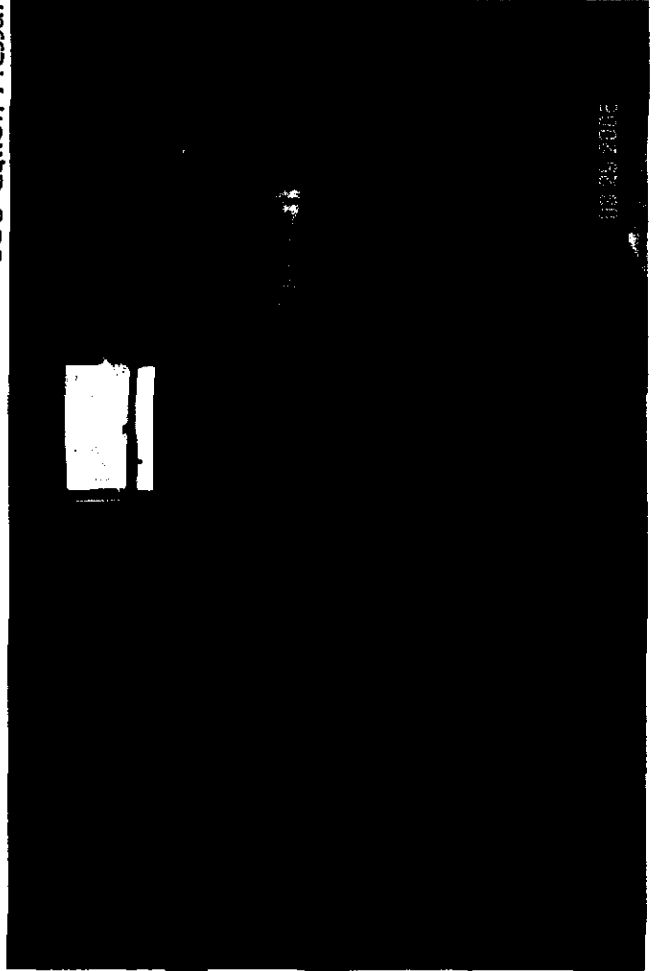
Outlet Plumbing from Pressure Tank

03 29 2005

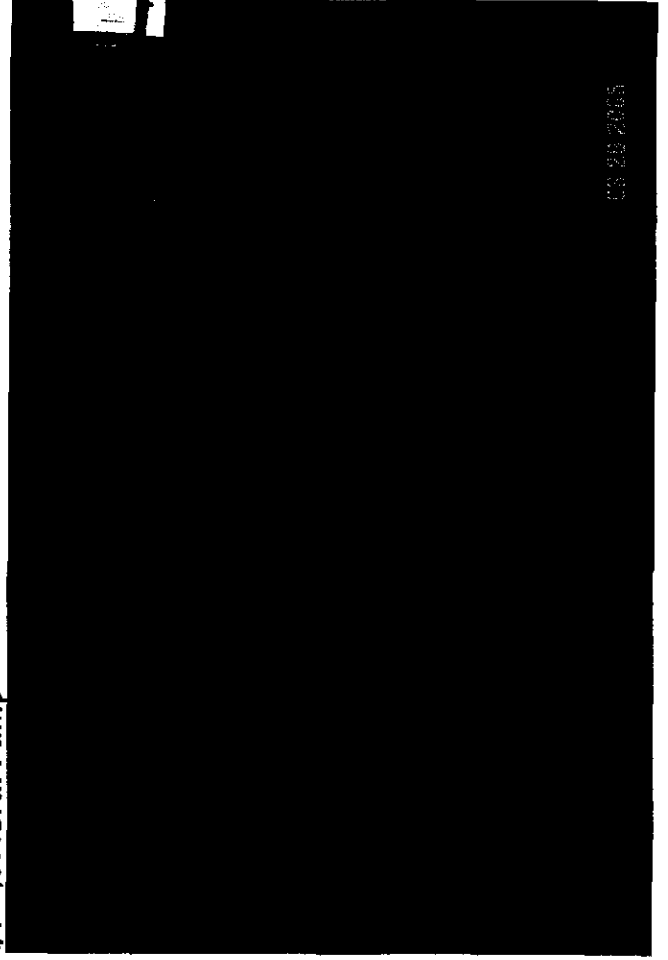
Simplot

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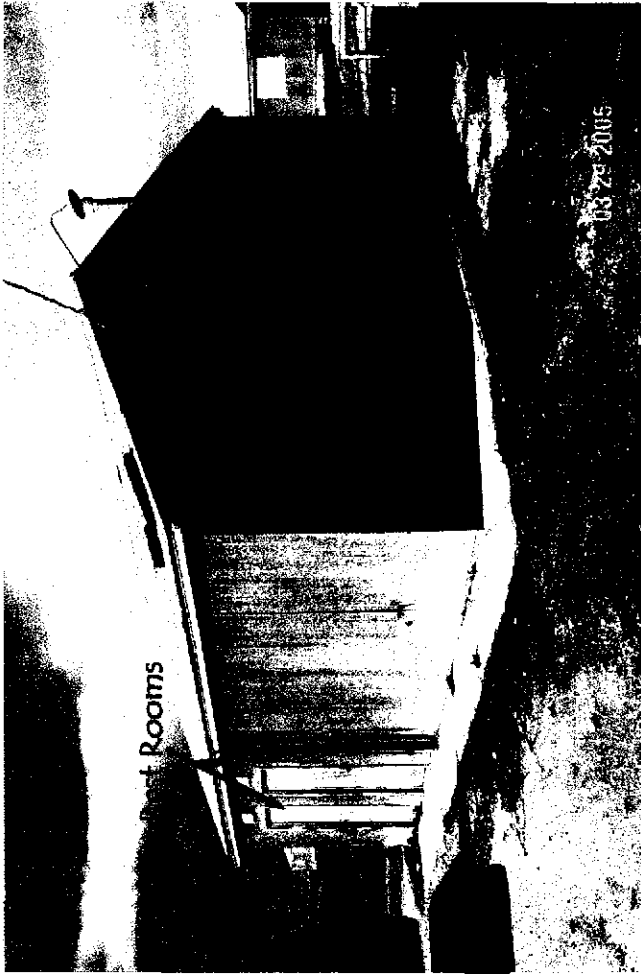
800 Gallon Pressure Tank at North Pump



03 29 2005

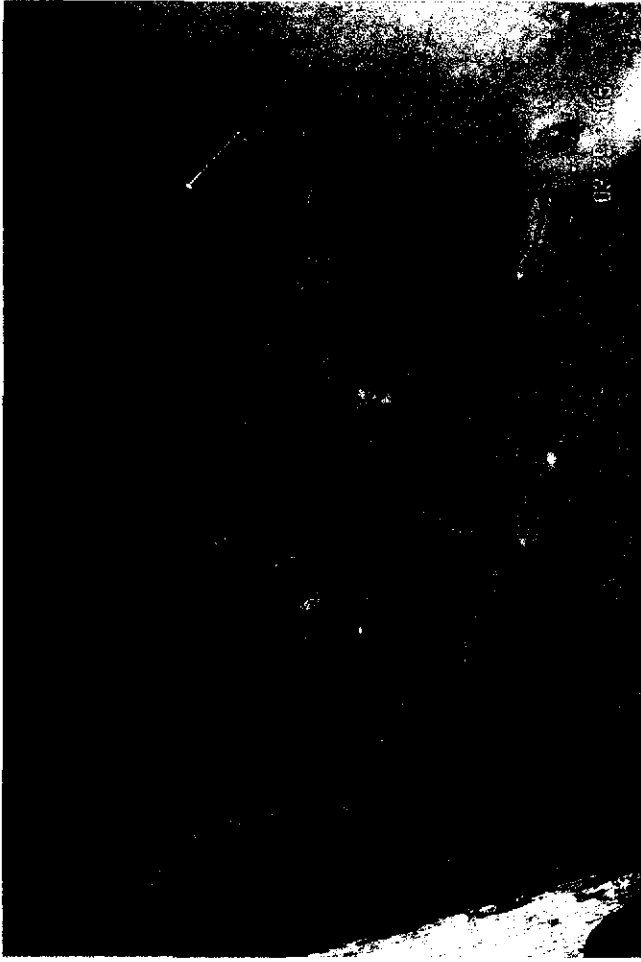


03 29 2005

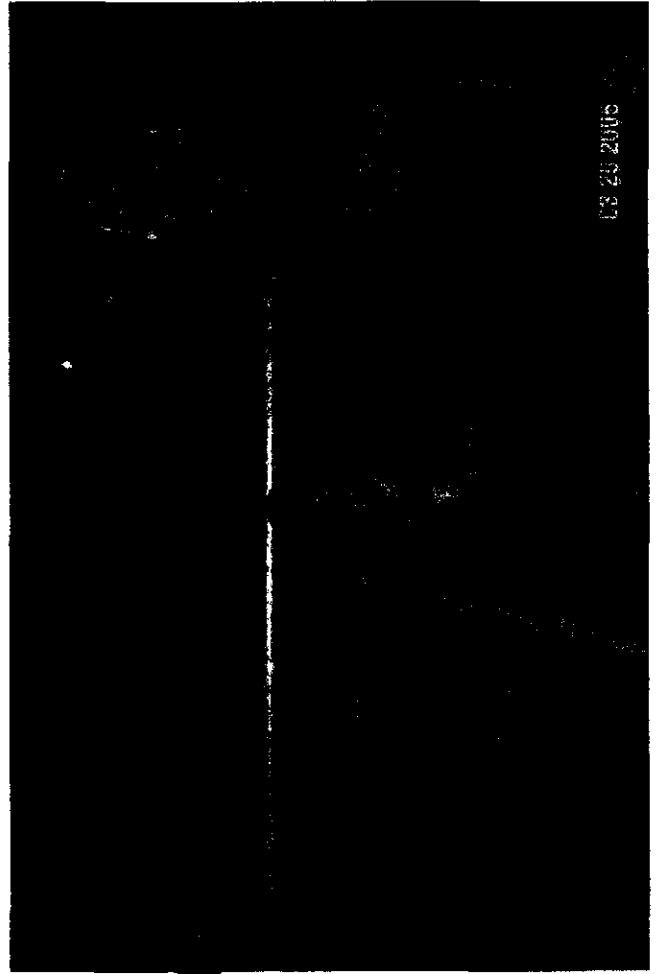


South Pump House, Office and Restrooms
Looking Northwest

Simplot
63-5274



Pump disconnected from system—currently not in use



South Pump Panel
And Name Plate

