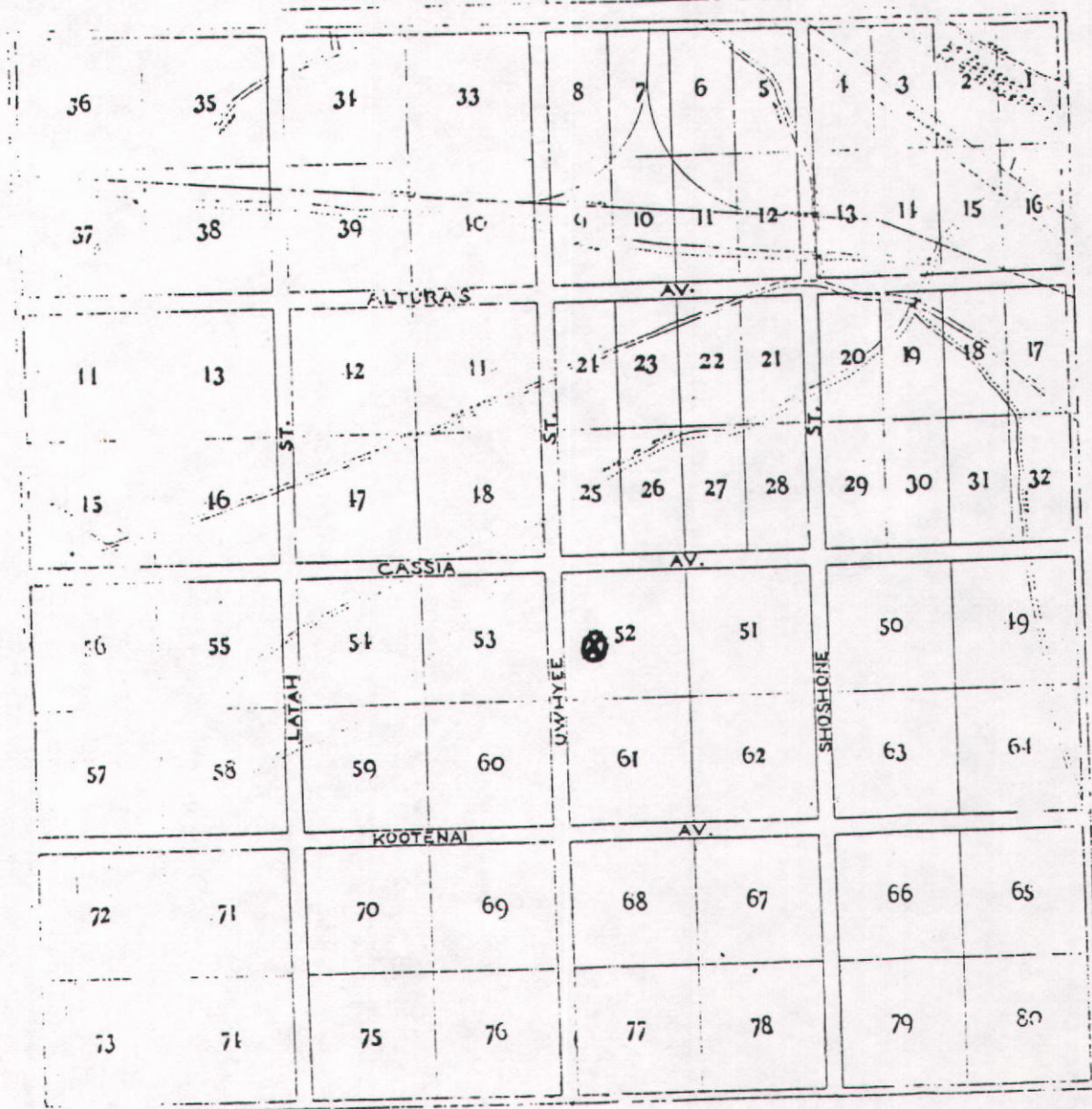


SECTION SIXTEEN

T. 3 N., R. 2 E. OF B.B. AND M.



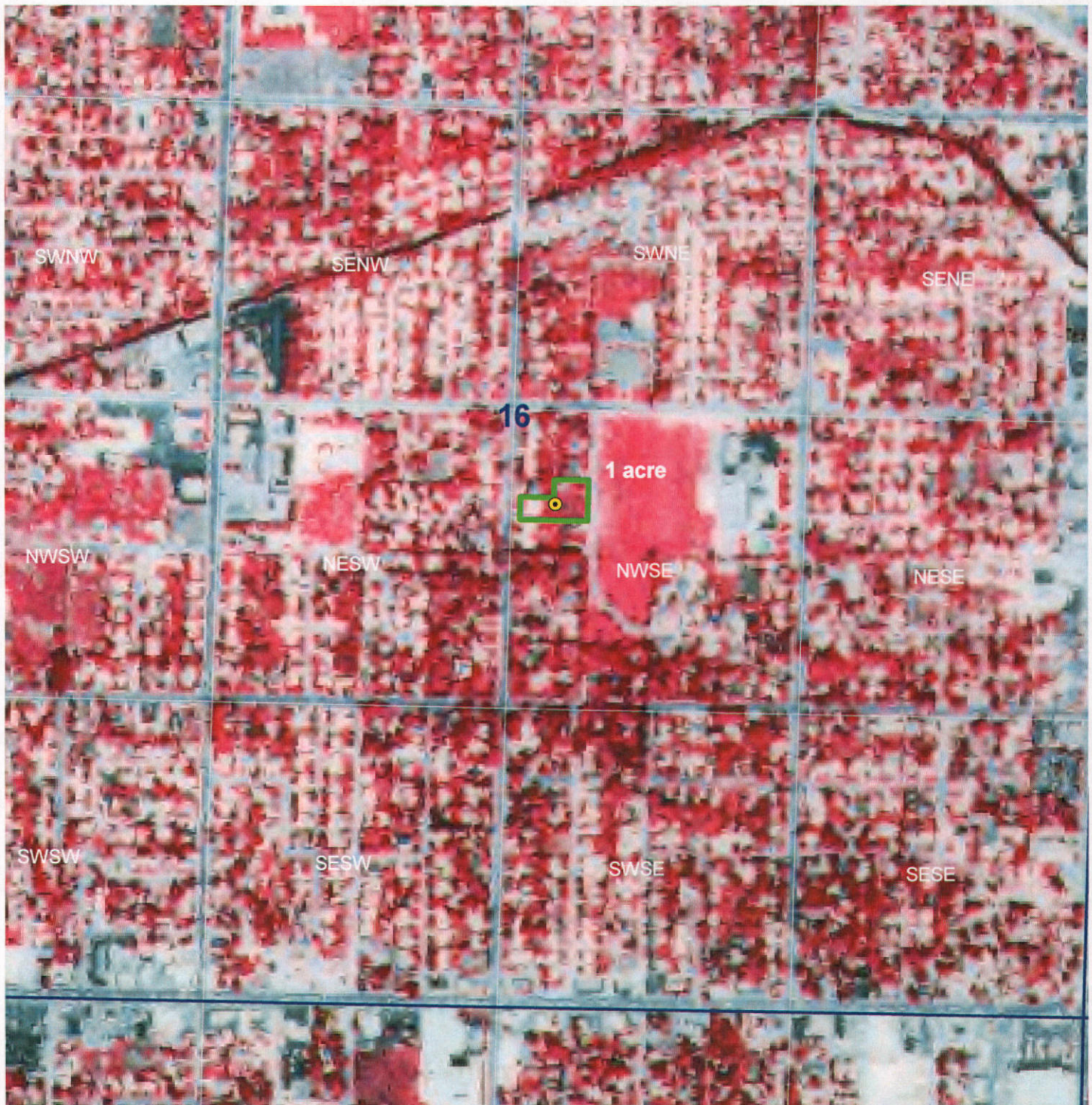
MICROFILMED

AUG 24 1992

Idaho Department of Water Resources

63-10299

T03N R02E S16



-  Point of Diversion
-  Place of Use
-  Sections
-  Quarter Quarter



IDWR

Prepared by: Sandy Egbert

Date: 5-20-05

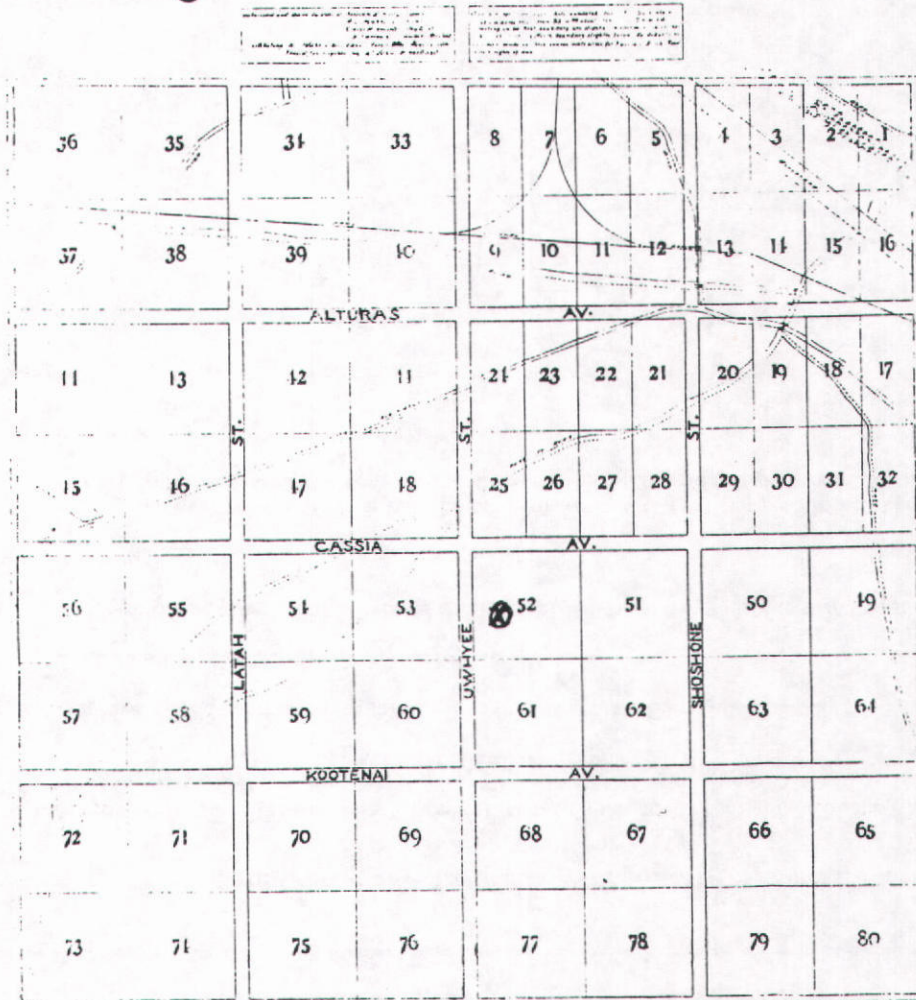
1987 NAPP Photography

600 0 600 1200 1800 2400 Feet



SECTION SIXTEEN

T. 3N., R. 2 E. OF B.B. AND M.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Russell L. Davis - Secretary
(Applicant)

MICROFILMED

43° 37' 30"



BOISE, ID.

43° 37' 30"

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 63-10299
Date Received: 9/13/1989
Receipt No: C011604
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

ADELIA G. SIMPLOT Phone: (208)389-9871
904 S. OWYHEE
BOISE ID USA 83705

2. Date of Priority: 06/04/1985

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02E	16	NW SE	ADA	

5. Description of diverting works:

WELL, 190' DEEP, 6" CASING, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.03	4.5
STOCKWATER	1/01	12/31	0.01	0.1

7. Total Quantity Appropriated is:

0.04 C.F.S. and/or 4.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02E	16	NW	SE	IRRIGATION	1
					Section Acres	1
					Total Acres	1

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:

14. Remarks:

CHANGE OF OWNERSHIP LG 10/25/05

15. Basis of Claim: License

RECEIVED
JUL 13 2005
WATER RESOURCES
WESTERN REGION

5/31/2005

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water Right Number: **63-10299**

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Name and Address

2. Describe the changes you wish to make in the proposed recommendation:

The Name and Address should be changed as follows:

**Adelia G. Simplot
904 S. Owyhee
Boise, ID 83705**

3. Give a brief explanation as to why you disagree with these portions:

Attached is a Notice of Change of Water Right Ownership together with deeds recorded in the real property records of Ada County, Idaho to confirm the current owner of the place of use and point of diversion under this water right. Water right no. 63-10299 is appurtenant to the land described by these deeds and ownership of this water right conveyed at the same time title to the land was transferred in accordance with these deeds.

_____ **I AGREE with this proposed recommendation; no changes need to be made.**

J. R. Simplot Company

DATE: July 12, 2005

SIGNATURE: By: _____

Please print your name: Terry T. Uhling, Senior Vice President,
Secretary and General Counsel

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
 JUL 13 2005
 WATER RESOURCES
 WESTERN REGION

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>63-10299</u>	<u>A63-10299</u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

***Please see Exhibit A attached hereto for a summary of the attached deeds.**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):

PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) J. R. Simplot Company
PO Box 27, Boise, ID 83707
4. New Owner/Claimant(s) Adelia G. Simplot
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 904 S. Owyhee
- City, State and ZIP Code Boise, ID 83705
- New Telephone Number (208) 389-9871
5. Date you acquired the property December 8, 1993

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Adelia G. Simplot
(include title if applicable) Adelia G. Simplot

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Exhibit A

Document Name	Date Document was Recorded in the Real Property Records of Ada County, Idaho and Instrument Number	Grantee and Grantor
Warranty Deed	October 16, 1962; Book 494, Page 213, Instrument No. 540392	<u>Grantor:</u> Sidney and Blanche Coy, Husband and Wife <u>Grantee:</u> Ruby Company
Special Corporation Warranty Deed	Dec 8, 1993; Instrument No. 93103736	<u>Grantor:</u> J. R. Simplot Company (successor by merger to Ruby Company) <u>Grantee:</u> John Edward Simplot as the personal representative of The Estate of Richard Simplot
Personal Representative's Deed	December 8, 1993; Instrument No. 93103737	<u>Grantor:</u> John Edward Simplot as the personal representative of the estate of Richard R. Simplot <u>Grantee:</u> Adelia G. Simplot

THIS INDENTURE, Made this 28th day of October

in the year of our Lord one thousand nine hundred and fifty-nine, between

SIDNEY COY and BLANCHE COY, husband and wife

of Boise, County of Ada, State of Idaho

the parties of the first part, and RUBY COMPANY, a corporation of the

State of Utah, having a place of business at

Boise, County of Ada, State of Idaho,

the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and NO/100 (\$10.00) - - - - - DOLLARS,

lawful money of the United States of America, and other good and valuable consideration to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to its successors, heirs and assigns forever, all of the following described real estate, situated in Boise, County of Ada, State of Idaho, to-wit:

Beginning at a point 270 feet North of the SE corner of the W $\frac{1}{2}$ of Lot 52, Section 16, T. 3 N., R. 2 E., B.M., in Ada County, State of Idaho, thence

West 154.55 feet to a point 190 feet East of the center line of Whyee Street; thence

North 80 feet; thence

East 154.55 feet; to a point on the East line of the W $\frac{1}{2}$ of Lot 52, thence

South 80 feet along the East line of the W $\frac{1}{2}$ of Lot 52, to the point of beginning



TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to its successors, heirs and assigns forever and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, its successors, heirs and assigns, against the said part of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Blanche Coy [Seal]
Sidney Coy [Seal]
[Seal]
[Seal]

STATE OF IDAHO

County of Ada

ss.

On this 4th day of ~~October~~ NOVEMBER in the year 1959, before me

THE UNDERSIGNED

, a Notary Public

in and for said State, personally appeared Blanche Coy and Sidney Coy

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



[Signature]
Notary Public for the State of Idaho,
Residing at Boise, Idaho

No. 540392

WARRANTY DEED

Sidney Coy

-TO-

Ruby Company

Dated _____, 19____

STATE OF IDAHO

ss.

County of Ada

I hereby certify that this instrument was filed

for record at request of

Ruby Company
at 2⁵ minutes past 10¹

o'clock A.M., this 18 day

of Oct, A. D. 1962

in my office, and duly recorded in Book 494

of Deeds at page 213

VERN THOMAS
Ex-Officio Recorder.

By [Signature]
Deputy.

Fees, \$ 1.85

Mail to Box 2477

[Signature]

SYMS-YORK COMPANY, BOISE

ORIGINAL

1645001767

SPECIAL CORPORATION WARRANTY DEED

Grantor, J. R. SIMPLOT COMPANY, a Nevada corporation (successor in interest to RUBY COMPANY, a Utah corporation) duly qualified to do business in the State of Idaho, does hereby grant and convey in fee simple to JOHN EDWARD SIMPLOT as the personal representative of THE ESTATE OF RICHARD SIMPLOT, Grantee, whose current mailing address is c/o David E. Spurling, Attorney at Law, P.O. Box 27, Boise, Idaho 83707, for good and valuable consideration, receipt of which is hereby acknowledged, the following described real property in Ada County, State of Idaho:

Beginning at a point 270 feet North of the SE corner of the $W\frac{1}{2}$ of Lot 52, Section 16, T. 3 N., R. 2 E., B.M., in Ada County, State of Idaho, thence

West 154.55 feet to a point 190 feet East of the center line of Owyhee Street; thence

North 80 feet; thence

East 154.55 feet; to a point on the East line of the $W\frac{1}{2}$ of Lot 52, thence

South 80 feet along the East line of the $W\frac{1}{2}$ of Lot 52, to the point of beginning;

and

A part of the $W\frac{1}{2}$ of Lot 52 of Section 16, T. 3 N. R. 2 E.B.M., Ada County, Idaho, described as follows:

Beginning at the intersection of the South line of Lot 52 of said Section 16, and the center line of Owyhee Street, running thence

North along the center line of Owyhee Street a distance of 170 feet; thence

1645001768

East parallel with the South line of said Lot 52 a distance of 40 feet to a point, the real point of beginning; thence

North parallel with the West line of said Lot 52 a distance of 100 feet; thence

East parallel with the South line of Lot 52 a distance of 304.55 feet, more or less, to the East line of the $W\frac{1}{2}$ of Lot 52; thence

South along the East line of the $W\frac{1}{2}$ of said Lot 52 a distance of 100 feet; thence

West 304.55 feet, more or less, to the real point of beginning.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging.

Grantor warrants to the Grantee, and its successors in title, that Grantor has not created or permitted to be created any lien, charge or encumbrance against said real estate which is not shown herein, and Grantor covenants that it will defend said premises to the extent of the warranties made herein against the lawful claims of all persons.

IN WITNESS WHEREOF, The Grantor has caused its corporate name and seal to be affixed hereto by its duly authorized officers this 11th day of October, 1993.

J. R. SIMPLOT COMPANY

By: James A. Smith
Its President

ATTEST:

James A. Smith
Secretary

1645001766

STATE OF IDAHO

County of Ada

ss.

On this 17 day of October, 1993, before me, a Notary Public in and for said State, personally appeared GORDON C. SMITH and RONALD N. GRAVES, the President and Secretary, respectively, of the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Arthur F. Frazier
Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 9/16/94

AFTER RECORDING, RETURN TO:

David Spurling
Attorney at Law
P.O. Box 27
Boise, Idaho 83707

60132

93103736
The Estate of Richard R. Simplot
J. D. ...
BOISE ID

'93 DEC 8 PM 1 19
FEL 900
RECORDED
K. Larson
CLERK OF

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, made this 9 day of ^{November} ~~October~~, 1993, between JOHN EDWARD SIMPLOT, the duly appointed qualified and acting personal representative of the estate of Richard R. Simplot, deceased, Grantor, and ADELIA G. SIMPLOT, 904 S. Owyhee, Boise, ID 83705, Grantee, WITNESSETH:

THAT WHEREAS, on the 12th day of August, 1993, John Edward Simplot was duly appointed as personal representative of the estate of Richard R. Simplot, deceased, by the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, Magistrate Division, and is now the duly qualified and acting personal representative of said deceased;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt whereof is hereby acknowledged, Grantor hereby grants, bargains, sells and conveys, unto Grantee, her heirs and assigns forever, all of the right, title and interest of the Estate of Richard R. Simplot, deceased, and all of his estate and all of the interest of the undersigned personal representative, in and to all that certain real property situated in the County of Ada, State of Idaho, and particularly described as follows, to-wit:

Beginning at a point 270 feet North of the SE corner of the W $\frac{1}{2}$ of Lot 52, Section 16, T. 3 N., R. 2 E., B.M., in Ada County, State of Idaho, thence

West 154.55 feet to a point 190 feet East of the center line of Owyhee Street; thence

North 80 feet; thence

East 154.55 feet; to a point on the East line of the W $\frac{1}{2}$ of Lot 52, thence

South 80 feet along the East line of the W $\frac{1}{2}$ of Lot 52, to the point of beginning;

and

A part of the W $\frac{1}{2}$ of Lot 52 of Section 16, T. 3 N. R. 2 E.B.M., Ada County, Idaho, described as follows:

Beginning at the intersection of the South line of Lot 52 of said Section 16, and the center line of Owyhee Street, running thence

1645001771

North along the center line of Owyhee Street a distance of 170 feet; thence

East parallel with the South line of said Lot 52 a distance of 40 feet to a point, the real point of beginning; thence

North parallel with the West line of said Lot 52 a distance of 100 feet; thence

East parallel with the South line of Lot 52 a distance of 304.55 feet, more or less, to the East line of the $W\frac{1}{2}$ of Lot 52; thence

South along the East line of the $W\frac{1}{2}$ of said Lot 52 a distance of 100 feet; thence

West 304.55 feet, more or less, to the real point of beginning.

together with all the tenements, hereditaments and appurtenances whatsoever to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, her heirs and assigns forever.

IN WITNESS WHEREOF, Grantor, in his capacity as personal representative, has hereunto set his hand and seal the day and year first above written.

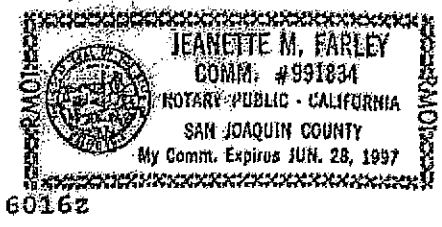

JOHN EDWARD SIMPLOT
Personal Representative of the
Estate of Richard R. Simplot,
deceased

1645001769

STATE OF CALIFORNIA)
) ss.
County of SAN JOAQUIN)

On this 9th day of November, 1993, before me a Notary Public in and for said State, personally appeared JOHN EDWARD SIMPLOT, personal representative of the Estate of Richard R. Simplot, deceased, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Jeanette M. Farley
Notary Public for California
Residing at: Manteca, California
My Commission expires: June 28, 1997

93103737
The Estate of Richard R. Simplot
NOTARY RECORDER
J. L. LAYMAN
BOISE ID

'93 DEC 8 PM 1 20
FILED 92 *K. Larson*
RECORDED AT THE REQUEST OF

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: A63-10299
Date Received: 9/8/89
Receipt No: PARTIAL - CO11416
Received By: JP

CO11604 JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83707

2. Date of Priority: JUN 04, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	16	NW	SE			ADA

5. Description of diverting works:
WELL, 190' DEEP, 6" CASING, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.030		4.50
STOCKWATER	01/01	12/31	0.010		0.10

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 4.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/4 MIXED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	16	NW	SE		IRR	1.0
Section Acres							1.0

A63-10299

Page 1

Date: 09/07/89

MICROFILMED
AUG 24 1992

10. Place of Use: Continued

Total Acres 1.0

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: LICENSE

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

Frank A. Lower
Notary Public

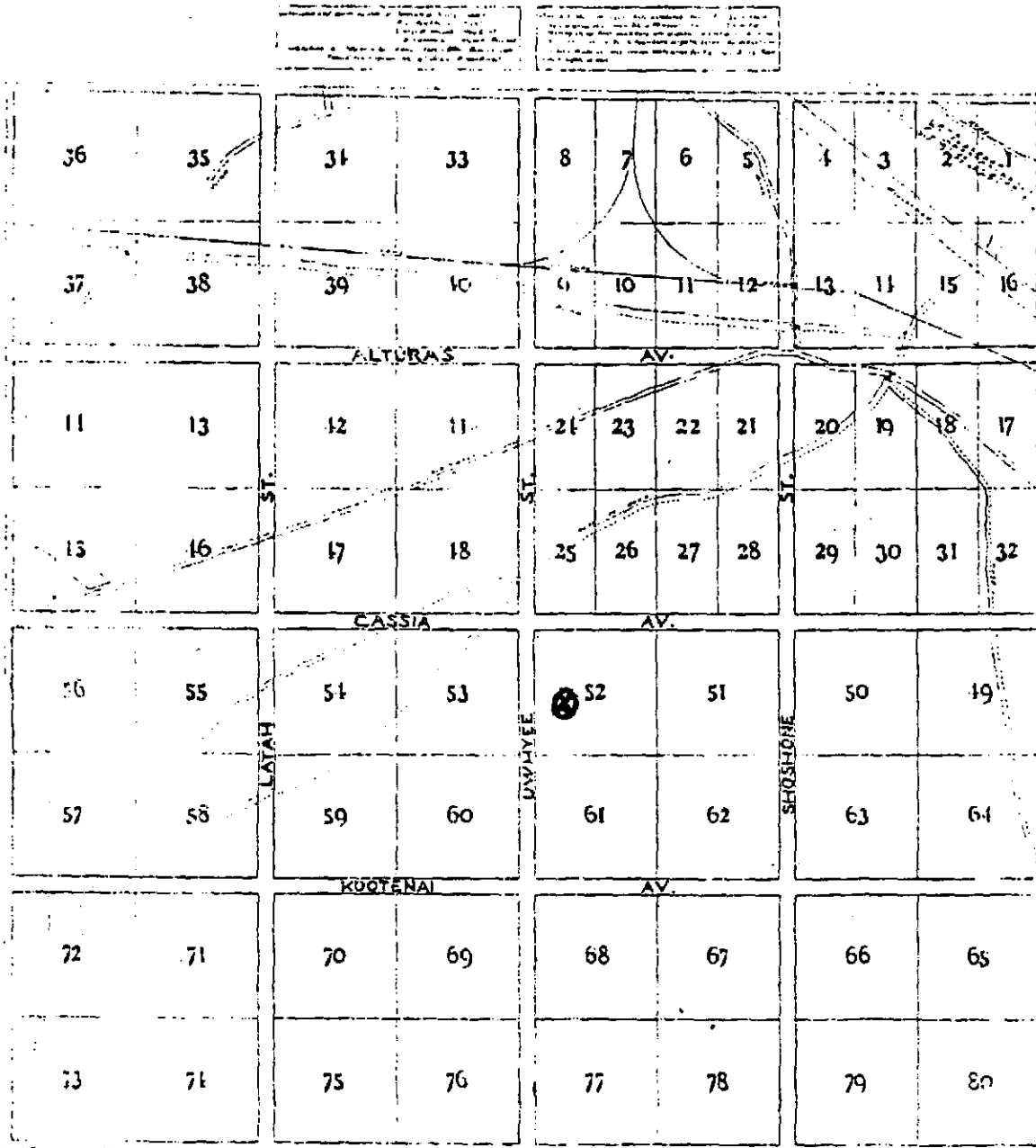
Seal

Residing at Meridian

My Commission Expires 11-06-91

SECTION SIXTEEN

T. 3 N., R. 2 E. OF B.B. AND M.



MICROFILMED
AUG 24 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

W.O.

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 20, 1994

RECEIVED

MAY 20 1994

WATER RESOURCES
WESTERN REGION

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

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

Dear Ms. Pepe:

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

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

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:regions

MICROFILMED

JUL 26 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 26 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,

Diana R. Delaney
Chief Deputy Clerk

DRD

Enclosure

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

MICROFILMED

JUL 26 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 2:52
DISTRICT COURT - SRP
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)
use of water from the Snake)
River Basin Water System,)

24 Defendants.)
25 _____)

26
27
28 MICROFILMED

JUL 26 1994

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 36-13320
5 57-02203A

6 DATED this 4~~th~~ day of April, 1994.

7
8 
9 Bruce L. Belzer
10 Assistant General Counsel for
11 J. R. Simplot Company
12
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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

MICROFILMED

JUL 26 1994

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

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

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

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

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

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

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

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

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

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

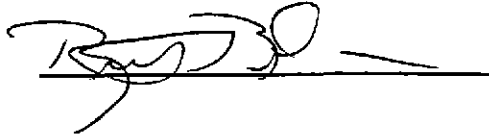
23 William R. Hollifield
24 HOLLIFIELD AND TOLMAN
25 249 Third Avenue East
26 P.O. Box 66
27 Twin Falls, Idaho 83303-0066

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

MICROFILMED

JUL 26 1994

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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MICROFILMED

JUL 26 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

9/8/1989

J.R. SIMPLOT COMPANY
P.O. BOX 27
BOISE, ID 83707

RE: SRBA
CLAIM # A63-10299

Dear Claimant:

Your Notice of Claim to a Water Right filed for your ADA County property is returned for the reason(s) below:

☐ Your receipt # _____ in the amount of \$ _____ is enclosed. Should you choose to defer a determination of your water right by not filing a claim, you will want to request a refund of these fees.

☒ Inadvertently I am sure, the filing fees for this Notice of Claim were either missing ☐ or incorrect ☒. The filing fee required for this claim is \$ 26.

☐ Priority date was excluded from Notice of Claim. This date is when the water was first placed to beneficial use, by yourself or your predecessors, to the best of your knowledge.

☐ No signature of claimant. Notice of Claim must be signed on Item #16 by the person/persons listed as Claimant on Item #1.

☐ No Notary Public for signature. The Notary signature and seal are required on this document as it is for the judicial process.

☐ Other items must be completed and a set of instructions is enclosed.

If you wish to file your claim, please return the documents to this office. If you will make the necessary corrections before 10/8/1989 you will not be assessed a late filing fee. ~~Should you choose to defer a determination of your water right, you do not need to do anything further.~~ Please do not hesitate to contact this office if you have any questions or concerns.

Yours truly,

Donald V. Shaff
Manager, Adjudication Section

DVS:DSR4
Enclosures

MICROFILMED

AUG 24 1992

Date Received

RECEIVED
FEB 21 1989

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

J. R. Simplot Company, its affiliates and subsidiaries, including but not limited to Three Creek Ranch Company, Simplot Livestock Co., M. L. Investment Co., Buck

Name of Claimant
Creek Ranch, Inc. and Gay Simplot Otter, by and through Little Valley Mutual Irrigation Co.

P.O. Box 27

Post Office Address

Boise, Idaho 83707

City, State, Zip Code

Owyhee

County(s) where Place of Use is located FEB 22 1989

January 19, 1989

Date Claim Originally Due

Department of Water Resources
Western Regional Office

All water rights

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Applicant was previously granted an extension to February 20, even though applicant requested an extension date of March 1st. Because of the volume of applicant's claims, applicant and Department have worked closely together in order to minimize filing difficulties. Department prints out proposed claims based upon Department's records. Department has requested that applicant turn in changes and additions to Department in handwritten form, in order to minimize burden on Department for generation of final forms.*

Claimant requests an extension to March 1, 1989.

*Applicant submitted the changed forms on February 16, but Department has not been able to re-key all the changes because of the volume of claims.

Signature

Secretary

Treasurer

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted denied,
and the filing deadline extended to 3/1, 1989.

Signed this 22 day of February, 1989.

Director or his designated agent

DAVID B. SHAW

MICROFILMED

AUG 24 1992

Date Received _____

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

J. R. Simplot Company, its affiliates and subsidiaries, including but not limited to Three Creek Ranch Company, Simplot Livestock Co., M. L. Investment Co., Buck Creek Ranch, Inc. and Gay Simplot Otter, by and through Little Valley Mutual Irrigation Co.

P.O. Box 27

Post Office Address

Boise, Idaho 83707

City, State, Zip Code

Owyhee

County(s) where Place of Use is located

January 19, 1989

Date Claim Originally Due

all water rights

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

J. R. Simplot Company, its subsidiaries and affiliates have extensive property holdings in more than 20 counties affected by the Snake River Adjudication.

Nearly concurrent filing dealines with Twin Falls County have created a burden in meeting this deadline.

Claimant requests an extension to March 1, 1989.


Signature

Secretary

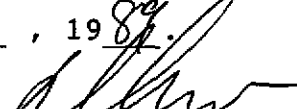
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted _____ denied,
and the filing deadline extended to 2/20, 1989.

Signed this 30 day of January, 1989.


Director or his designated agent
DAVID B. SHAW

MICROFILMED
AUG 24 1992

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 08 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.)

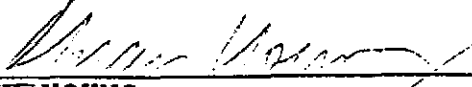
TO ALL PARTIES:

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

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

MICROFILMED
OCT 08 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 08 1996

10/25/2005

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

RIGHT NUMBER: 63-10299

NAME AND ADDRESS: ADELIA G. SIMPLOT
904 S. OWYHEE
BOISE ID 83705

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
4.600 AFY

PRIORITY DATE: 06/04/1985

POINT OF DIVERSION:

T03N R02E S16 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.010 CFS 0.10 AFY
IRRIGATION	4/01 10/31	0.030 CFS 4.50 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S16 NWSE 1.0

STOCKWATER same as IRRIGATION

1 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Water Right 63-10299

1



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 25, 2005

Adelia G. Simplot
904 S. Owyhee
Boise, ID 83705

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Notice of Claim to a Water Right No. 63-10299

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

05/20/2005

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

RIGHT NUMBER: 63-10299

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: 0.040 CFS
4.600 AFY

PRIORITY DATE: 06/04/1985

POINT OF DIVERSION:

T03N R02E S16 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.010 CFS 0.10 AFY
IRRIGATION	4/01 10/31	0.030 CFS 4.50 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S16 NWSE 1.0

STOCKWATER same as IRRIGATION

1 ACRES TOTAL

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.

EXPLANATORY MATERIAL: License

Idaho Department of Water Resources

63-10299

T03N R02E S16



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



IDWR

Prepared by: Sandy Egbert

Date: 5-20-05

1987 NAPP Photography

600 0 600 1200 1800 2400 Feet

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10299 V1

WATER RIGHT NUMBER: 63-10299 V1

<u>Owner Type</u>	<u>Name and Address</u>
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
Current Owner	J R SIMPLOT CO C/O RON GRAVES 999 MAIN ST STE 1300 PO BOX 27 BOISE, ID 83707 (208)336-2110

Priority Date: 06/04/1985

Basis: License

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>
STOCKWATER	1/01 to 12/31	0.010 CFS	0.10 AF
IRRIGATION	4/01 to 10/31	0.030 CFS	4.50 AF
	<u>Total Diversion:</u>	0.040 CFS	4.60 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 16, Twp 03N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	16															1.0		1.0

Total Acres: 1

STOCKWATER same as IRRIGATIONConditions of Approval:

1. 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 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10299 V1

2. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	5/20/2005 7:39:57 AM	segbert			Active
POD	5/20/2005 8:16:15 AM	segbert			Active
Source	5/20/2005 8:17:21 AM	segbert			Active
POU	5/20/2005 8:17:41 AM	segbert			Active
Use	5/20/2005 8:47:47 AM	segbert			Active
Season	5/20/2005 8:48:54 AM	segbert			Active
Quantity	5/20/2005 8:49:28 AM	segbert			Active
Summary			05/20/2005	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	5/20/2005 8:17:22 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10299 V1

General	5/20/2005 7:39:58 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	5/20/2005 8:16:16 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	5/20/2005 8:16:35 AM	segbert	Updated shape
POU	5/20/2005 8:17:42 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	5/20/2005 8:18:02 AM	segbert	Updated shape for Active POU
Use	5/20/2005 8:47:48 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	5/20/2005 8:48:55 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10299 V1

Quantity	5/20/2005 8:49:28 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - as licensed
Summary	5/20/2005 9:01:55 AM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-10299

WATER RIGHT NUMBER: 63-10299

<u>Owner Type</u>	<u>Name and Address</u>
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
Current Owner	J R SIMPLOT CO ✓ C/O RON GRAVES 999 MAIN ST STE 1300 PO BOX 27 BOISE, ID 83707 (208)336-2110

Priority Date: 06/04/1985 ✓

Basis: License ✓

Status: Active ✓

Source

GROUND WATER ✓

TributaryBeneficial Use

STOCKWATER ✓

IRRIGATION ✓

From To

1/01 to 12/31 ✓

4/01 to 10/31 ✓

gou 3-1 to 11-15

Total Diversion:Diversion Rate

0.010 CFS ✓

0.030 CFS ✓

0.040 CFS ✓

Annual Volume

0.10 AF ✓

4.50 AF ✓

4.60 AF ✓

Location of Point(s) of Diversion

GROUND WATER

ADA County

NW1/4SE1/4 ✓

Sec. 16, Twp 03N, Rge 02E, B.M. ✓

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE ✓				Totals
03N	02E	16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	1.0
																			1.0 ✓

Total Acres: 1

STOCKWATER same as IRRIGATIONConditions of Approval:Remarks:

**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 25 + 26 = 51
- ☐ 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 completeClaim No(s) 63 – 10299

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

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: _____

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

Source: _____ 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

Description of diverting works

OVERLAP REVIEW

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 _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only *NC*☐ 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 _____ Stock # _____

Types _____ Additional comments: _____

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	

Overlap with other water rights: _____

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

Delivery System Narrative: _____

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10299

Priority: June 4, 1985

Amount:

0.04 CFS

4.6 AFA

This is to certify, that J. R. SIMPLOT CO.

C/O RON GRAVES

P.O. BOX 27

BOISE, ID 83707

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 4, 1985, and has submitted proof to the Department of Water Resources on October 3, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 10/31	0.03 CFS	4.5 AFA
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AFA
	Totals	0.04 CFS	4.6 AFA

LOCATION OF POINT OF DIVERSION(S):

NWSE , Sec. 16, Township 03N, Range 02E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 02E 16	NWSE 1			1

Total number of acres irrigated:

1

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or applicable Idaho law.

MICROFILMED

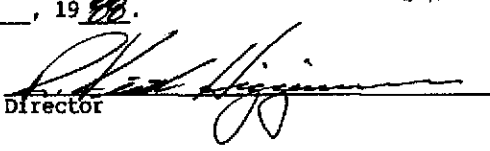
JUL 07 1988

25
26

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10299

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 14th
day of June, 1988.


Director

MICROFILMED

JUL 07 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-10299

RECEIVED
JUN 4 1985
APPROVED

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant J. R. SIMPLOT COMPANY Phone 336-2110

Post office address P. O. Box 27, Boise, Idaho 83707 Attn: Ron Graves

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 16 Township 3N

Range 2E B.M. Ada County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount ^{*}.03 cfs for irrigation purposes from April to October (both dates inclusive)
(cfs or acre-feet per annum)

Amount .01 cfs for stockwater purposes from January to December (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. ^{*}.04 cfs _____ cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 5 horse pump sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 80 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 16 Township 3N

Range 2E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 2 horses and 2 dogs

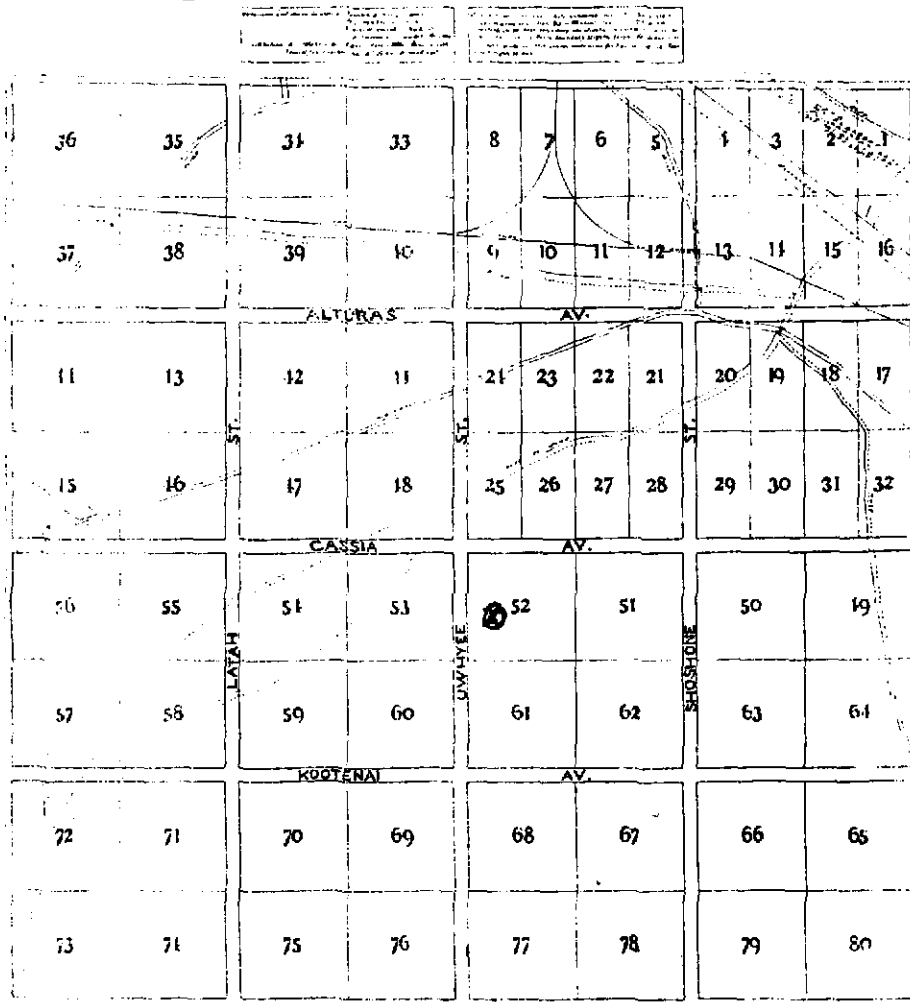
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

SECTION SIXTEEN

T. 3 N., R. 2 E. OF B.B. AND M.



Point of Division
Place of Use

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Russell L. Lewis
(Applicant)

MICROFILMED

Proposed Priority 6/4/85

Received by

Date

6-4-85 9:30 am

6-4-85 4:00 p.m.

Preliminary check by

JP

Date 6/5/85

Fee \$ 30.00

Received by

JP

Date 6/5/85

Publication prepared by

JP

Date 6/17/85

Published in

IDaho STATESMAN

Publication dates

6/20 & 6/27/85

correction 6/19/85

Publication approved

JP

Date 6/9/85

Protests filed by:

none

Copies of protests forwarded by

Hearing held by

Date

Recommended for

approval

denial

by

DET LW

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-10299, and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

October 1

19 86

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other:

Witness my hand this

26th day of September, 1985.

Chief, Operations Bureau

A. Alan Sauton

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources - 10299

1. Owner: J. R. SIMPLOT COMPANY Phone No. 336-2110
Current Address: P.O. Box 27 BOISE, ID. 83707
2. Accompanied by: RICHARD SIMPLOT EXAM. DATE: 7/10/86
Address: 904 S. OWNEY BOISE, ID. 83705 Phone No. 344-8056
Relationship to Permit Holder: CO-OWNER 7/10-9-87
3. Source: GROUNDWATER tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GENERAL ELECTRIC	5	UNKNOWN	SUBMERSIBLE	UNKNOWN

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
~~SEMI~~ SUBMERSIBLE PUMP, 6" CASED WELL 100' DEEP. 2" PIPE LEADS TO UNDERGROUND SPRINKLER
 SYSTEM AND TO DOG KENNEL. 3/4" ID IRRIGATION ABOUT 1 ACRE, APRIL - OCTOBER. STOCKWATER
 USE JAN. - DEC. (HORSES AND DOGS, SEE PERMIT). MIXTURE OF SPRINKLER HEADS PREVENTS ANY
 MEASUREMENT.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NINE						

7. Measurements ☐ Additional data/computation sheets attached

IRRIGATION .03 FOR 1 ACRE APRIL - OCTOBER 214 DAYS
 $.03 \times 1.78 \times 214 = 12.71$ AFA OR 1×4.5 (4.5 AFA)

STOCKWATER .01 11-12/31 2 HORSES + 2 DOGS
 HORSES 12 GPD, DOGS EST. 16PD $[(2 \times 12 \times 365)] + [(2 \times 16 \times 365)] = 8760 + 770 = 9530$ GPD (= .029 AFA)

8. Point(s) of Diversion: Indicate Method of Determination *61565 7 1/2' & 6440*

[illegible]

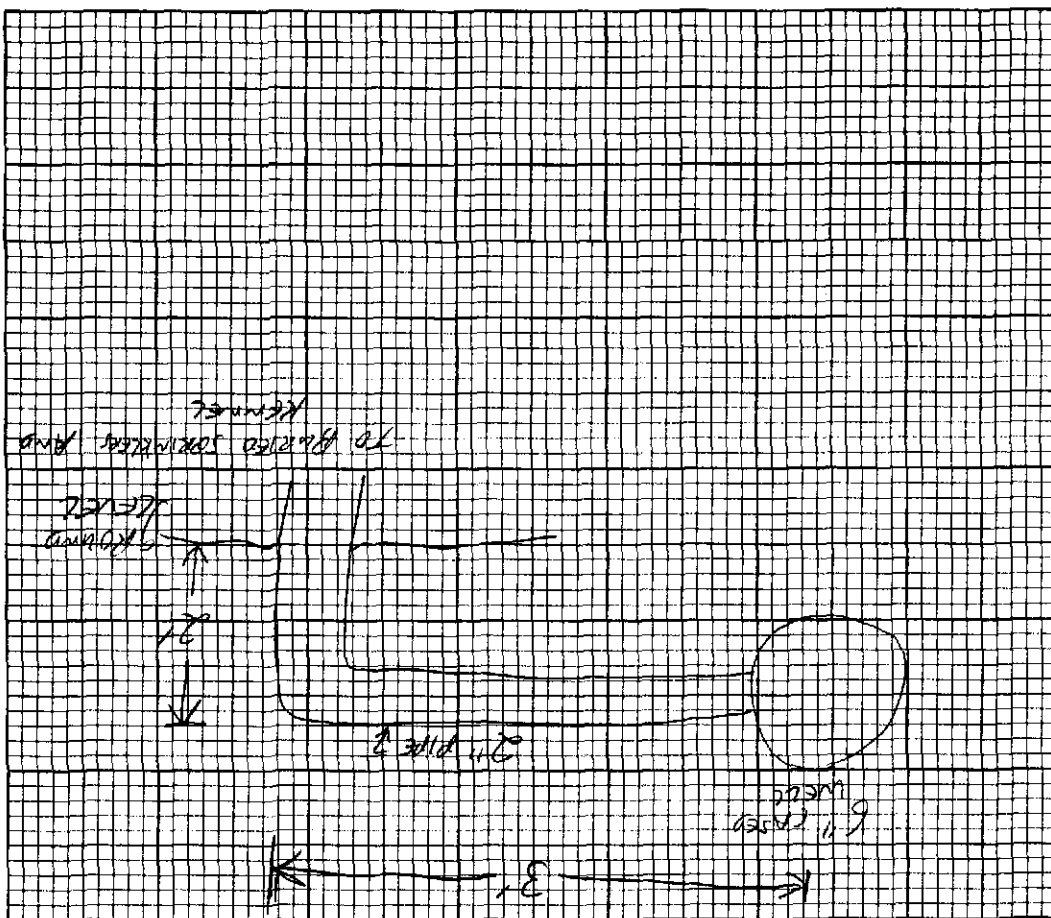
9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination *USGS 7 1/2' Aerial*

			NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
Twp.	Rge.	Sec.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3 N	2 E	16														/			/
Total Acres																			/

10. Other water rights on these lands
11. Other water right diverted from same p.d. 63-2925 - See # 10 Above

12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

NOT TO SCALE



13. ☐ Photo of Diversion & System Attached
- ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks *Mr. Simpson is interested in being licensed for more than the .04 cfs for which he applied. He thinks his system produces about 60 gpm (.13 cfs). I explained that the license would not exceed the amount applied for and let him know I would look into the matter and contact him (see letter of 7/10/86 to Mr. Simpson).*

Flow limit limits cfs/ac to .02 (Slightly off .03 since average is .5).

15. Recommended Amendments
- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above
16. Examiners/Consultants Signature *[Signature]* Date *7/10/86*
- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above
- ☒ None
- ☐ Other

Consultants License Number

IDWR Director's Authorization to Conduct

Beneficial Use Examination

Date

CONSULTANT SEAL

