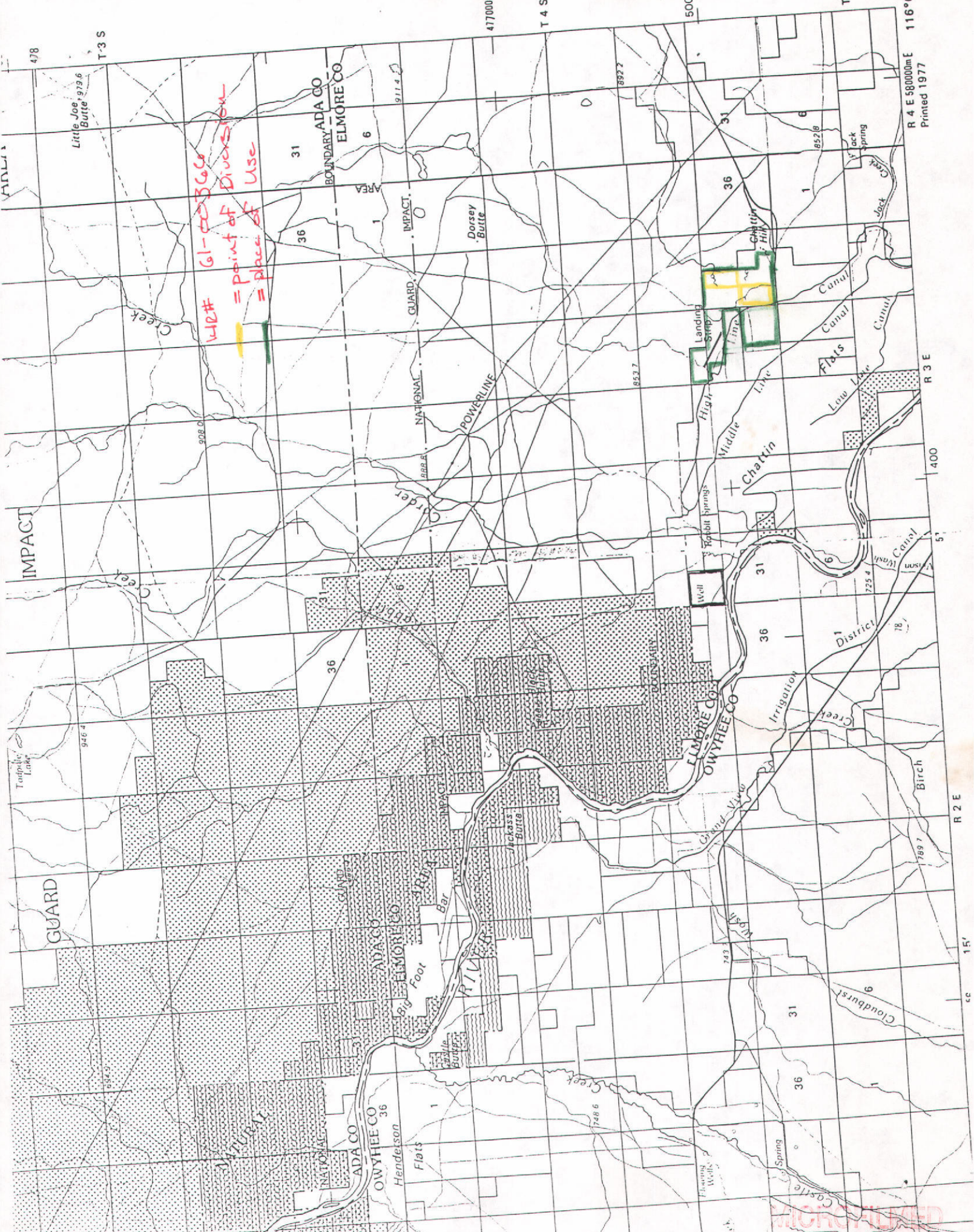


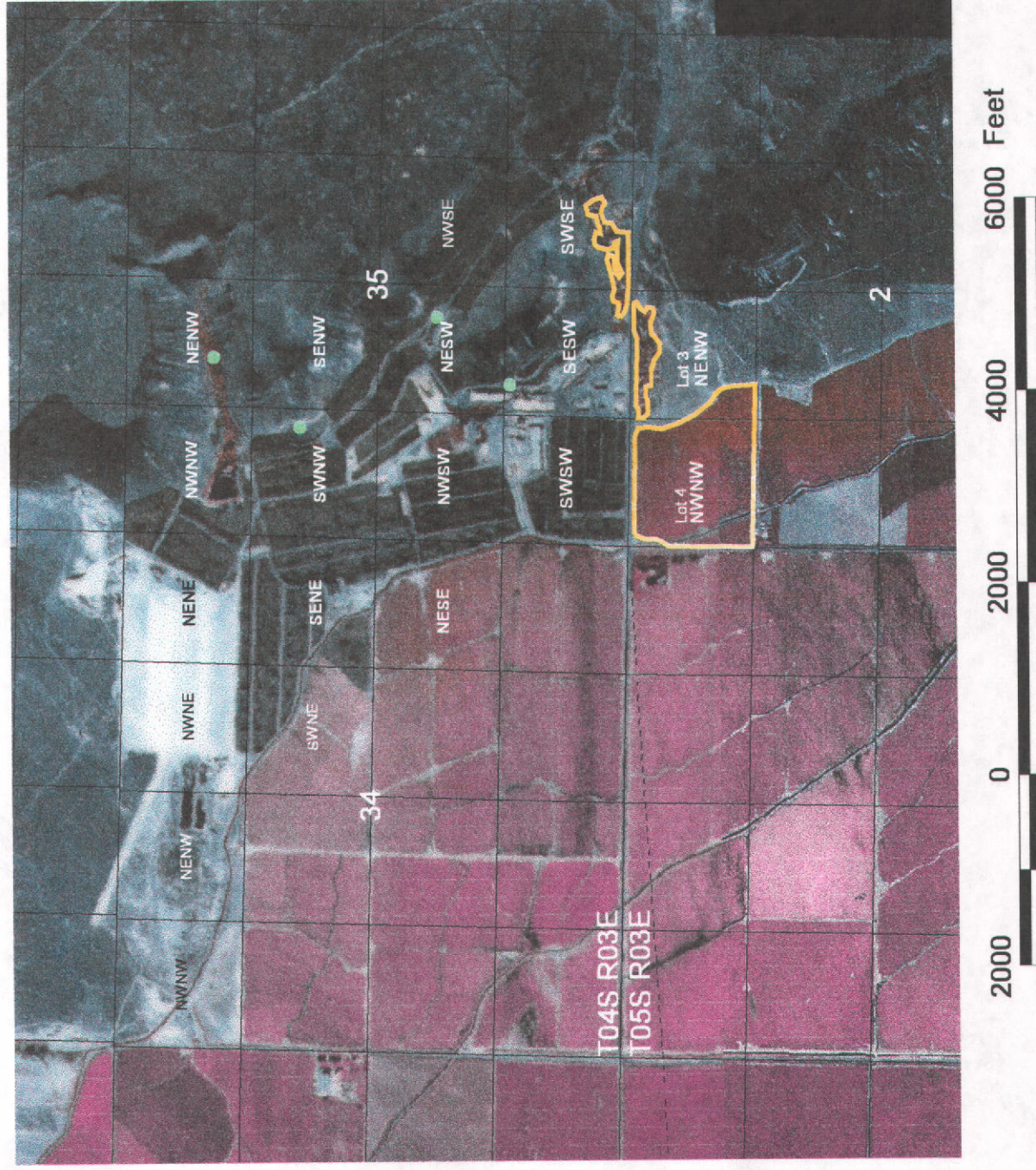


WR# 61-366
= point of Division
= place of Use

AUG 11 1982

R 4 E 580000mE 116°
Printed 1977

61-00366, 61-00367 and 61-04017



- Points of Diversion
- Irrigated Places of Use

Map prepared by: Carter Fritschle
Date prepared: 11/19/98
1987-1988 NAPP photography

Claim identification no.

61-00366
61-00367
61-04017



Facing east looking at the spring collection area.
Standpipe to the right of center is for the overflow.

04-11-4-98



Facing east looking at the valve that has been opened
to show some of the water discharged from the spring

04-11-4-98

Claim identification no.

61-00366
61-00367
61-04017



04 11-4-98

Looking north at the p.o.d of the northernmost
spring. Standpipe is for overflow which would
be collected in the pond.



CH 11-4-98

Looking SSW at the pond that collects the surplus water from the feedlot's distribution system and the filtered waste water.



CH
11-4-98

Looking SW at same pond. Pump for filling trucks to the right of center.



W N E
S

BLACK = 8" PRESSURE
BLUE = 6" "
RED = 4" "
GREEN = 2" "
YELLOW = 4" DRAIN
PURPLE = 10" "

JUN 29 1994

EXHIBIT 1

TRUCK WASHING

Landing Strip
(Private)

Spring

BUNK HOUSE
COOK HOUSE

FEED MILL

Chattin Hill

HOMES

OFFICE
HOMES

42 ACRES

3E

JUN 29 1964

CANAL

Hayland Sci

VABM

BM 2917

BM 2776

2

26

25

36

35

27

23

22

24

2510

2572

2835

2866

2866

2853

2559

2802

2802

2925

2464

2515

2489

257

2576

2858

2888

2978

2907

CANAL

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: A61-00366

Date Received: 1/3/90

Receipt No: 6013788

Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83707

2. Date of Priority: JAN 30, 1870

3. Source: SPRINGS

Trib. to: JACK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	03E	35	NE	NW			ELMORE
			SE	NW			ELMORE
			NW	SW			ELMORE
			SW	SW			ELMORE

5. Description of diverting works:

DEVELOPED SPRINGS, UNDERGROUND PIPES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	02/15	11/15	0.800		
INDUSTRIAL	01/01	12/31	0.800		
COMMERCIAL	01/01	12/31	0.800		
DOMESTIC	01/01	12/31	0.800		
STOCKWATER	01/01	12/31	0.800		

7. Total Quantity Appropriated is:

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

A.F.A.

8. Total consumptive use is

560.0 Acre Feet Per Annum.

9. Non-irrigation uses:

SEE REMARKS

A61-00366

Page

1

Date: 12/29/89

11/10/1991

AUG 11 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
04S	03E	27	SW		SW		STOCK			
			SW		SW		INDUST			
		34	SE		SW		STOCK			
			SE		SW		INDUST			
			NE		NE		STOCK			
			NE		NE		INDUST			
			NW		NE		STOCK			
			NW		NE		INDUST			
			NE		NW		STOCK			
			NE		NW		INDUST			
			NE		SE		IRR	35.0		
			NW		SE		IRR	40.0		
			SW		SE		IRR	40.0		
			SE		SE		IRR	40.0		
			Section Acres							155.0
			35	NE		NW		STOCK		
		NE			NW		INDUST			
		NW			NW		STOCK			
		NW			NW		INDUST			
		SW			NW		STOCK			
		SW			NW		INDUST			
		SE			NW		IRR	5.0		
		SE			NW		STOCK			
		SE			NW		INDUST			
		NE			SW		STOCK			
		NE			SW		INDUST			
		NW			SW		STOCK			
		NW			SW		INDUST			
		SW			SW		STOCK			
		SW			SW		INDUST			
		SW			SW		COMMER			
		SE			SW		STOCK			
		SE			SW		DOMEST			
		SE			SW		INDUST			
SW		SE			DOMEST					
SW		SE		COMMER						
Section Acres							5.0			
05S	03E	2	NE		NW		DOMEST			
Total Acres							160.0			

11. Place of use in counties: ELMORE

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

A61-00366

Page 2

Date: 12/29/89

FILED

1990 11 1502

13. Other Water Rights Used:

61-04017, 61-07398, 61-00367, SEVERAL APPLICATIONS

14. Remarks:

NON-IRRIGATION USES: I/FEEDMILL, TRUCK WASH, DUST CONTROL,
S/10000 HEAD CATTLE, C/BUNKHOUSE, COOKHOUSE, OFFICE, D/19 HOMES

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GEORGE MAHONEY

Decree Plaintiff

vs

LOUIS C. NEISWANGER

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 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
Title

J. R. Simplot Company and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Secretary, J. R. Simplot Company
Title and Organization

January 3, 1990
Date

State of Idaho)
County of Ada) SS.

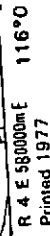
Subscribed and sworn (or affirmed) before me this 3rd day
of January 19 90

Vicki A. Lawer
Notary Public

Seal

Residing at _____ Meridian

My Commission Expires 11-06-91



15'

Water Right Number - R61-00366 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - - +

*** A - ATTORNEY ***
YOUNG OR TERRY UHLING

GRAY

1 - ENV AND REGULATORY AFFAIRS
2 - J R SIMPLOT COMPANY
3 - PO BOX 27
City- BOISE
Phone - 208-389-7318

State- ID Zip- 837070027

*** C - CURRENT OWNER ***
JR SIMPLOT COMPANY

1 - PO BOX 27
2 -
3 -

State- ID Zip- 83707

City- BOISE
Phone - 208-000-0000

*** K - ALSO KNOWN AS ***
SIMPLOT

1 -
2 -
3 -

State- ID Zip- 83707

City- BOISE
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
MAHONEY

GEORGE F

1 -
2 -
3 -

State- ID Zip- 0

City- X
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/30/1870 14 WESTERN D - DECREED

+ - - Source - - - - - + - - - - - Tributary - - - - - JACK CREEK
SPRINGS

+ - - Point of Diversion - - - - - County
Tw n Rng Sec Tract Lot Rflg

04S 03E 35 SW NE NW (39) ELMORE
NE SW NW (39) ELMORE
NE NE SW (39) ELMORE
NW SE SW (39) ELMORE

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/01	11/15		0.250	
07 - INDUSTRIAL		01/01	12/31		0.010	
10 - COMMERCIAL		01/01	12/31		0.010	
43 - DOMESTIC		01/01	12/31		0.020	
04 - STOCKWATER		01/01	12/31		0.510	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.800	0.00	0.0	

Twp	Rng	Sec	Tract	Lot	Acre	Place of Use	Description	County
04S	03E	35	SE SW		0.7		01 IRRIGATION	(39) ELMORE
04S	03E	35	SW SE		3.9		01 IRRIGATION	(39) ELMORE
05S	03E	2	NE NW	3	8.4		01 IRRIGATION	(39) ELMORE
05S	03E	2	NW NW	4	36.0		01 IRRIGATION	(39) ELMORE
04S	03E	34	NE NE				04 STOCKWATER	(39) ELMORE
04S	03E	34	NW NE				04 STOCKWATER	(39) ELMORE
04S	03E	34	SW NE				04 STOCKWATER	(39) ELMORE
04S	03E	34	SE NE				04 STOCKWATER	(39) ELMORE
04S	03E	34	NE NW				04 STOCKWATER	(39) ELMORE
04S	03E	34	NE SE				04 STOCKWATER	(39) ELMORE
04S	03E	35	NW NW				04 STOCKWATER	(39) ELMORE
04S	03E	35	SW NW				04 STOCKWATER	(39) ELMORE
04S	03E	35	SE NW				04 STOCKWATER	(39) ELMORE
04S	03E	35	NE SW				04 STOCKWATER	(39) ELMORE
04S	03E	35	NW SW				04 STOCKWATER	(39) ELMORE
04S	03E	35	SW SW				04 STOCKWATER	(39) ELMORE
04S	03E	35	SE SW				04 STOCKWATER	(39) ELMORE
04S	03E	35	NW SE				04 STOCKWATER	(39) ELMORE
04S	03E	35	SW SE				04 STOCKWATER	(39) ELMORE
04S	03E	35	SW SW				07 INDUSTRIAL	(39) ELMORE
04S	03E	34	NW NW				10 COMMERCIAL	(39) ELMORE
04S	03E	35	NW SW				10 COMMERCIAL	(39) ELMORE
05S	03E	2	NE NW	3			10 COMMERCIAL	(39) ELMORE
04S	03E	35	SE SW				43 DOMESTIC	(39) ELMORE
04S	03E	35	SW SE				43 DOMESTIC	(39) ELMORE
05S	03E	2	NE NW	3			43 DOMESTIC	(39) ELMORE

49.D

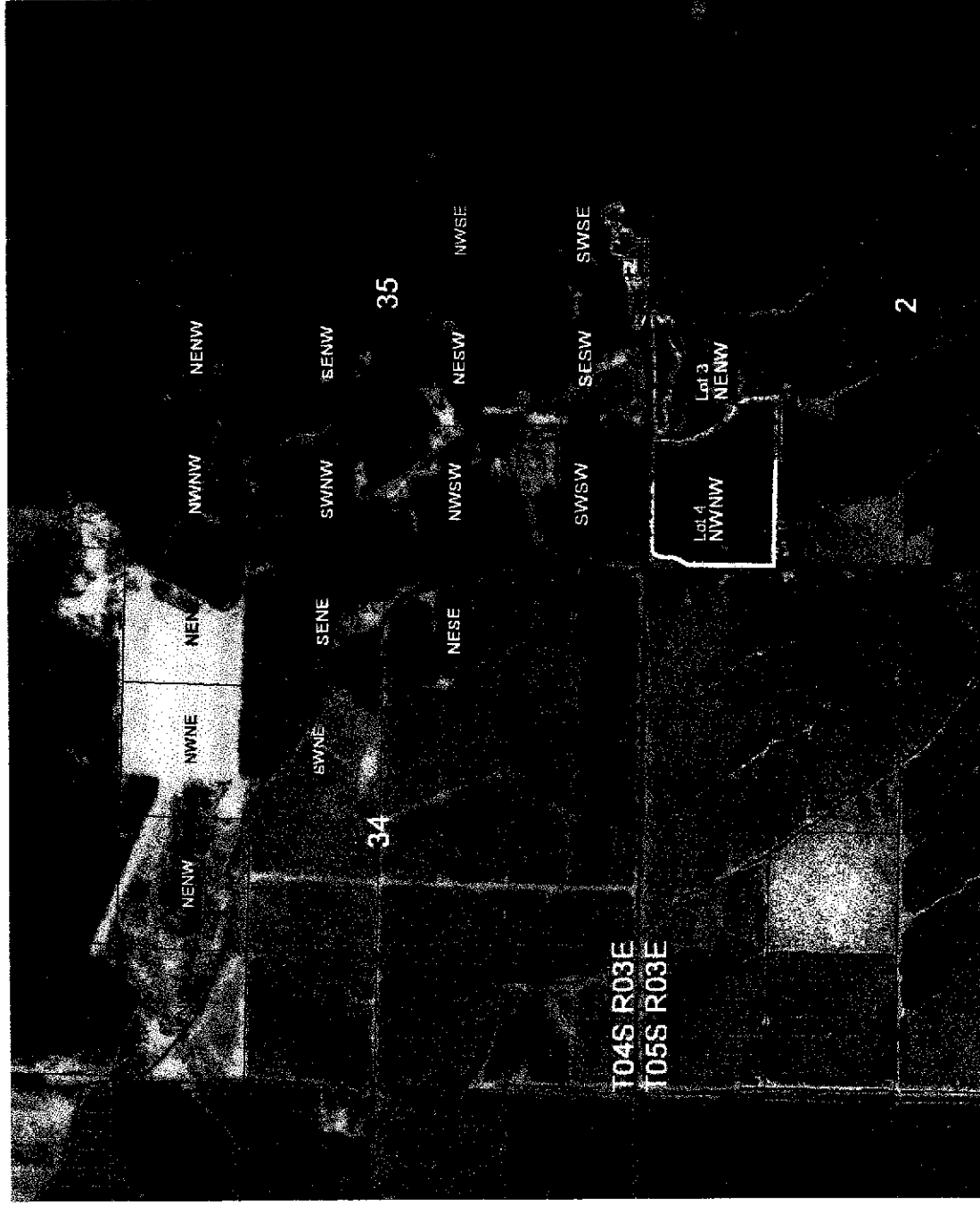
+ - - Other Rights for Same Use - 61-04017, 61-07398, 61-00367, SEVERAL APPLICATIONS

Remarks	

EXP RIGHT NOS. 61-00367 AND 61-04017 ARE ALSO DIVERTED THROUGH

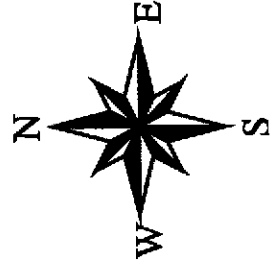
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-	
Claim Received Date	- 01/03/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P	
		Receipt Number	- C013788	Water District	-	
		POU Ownership Flag	- Y	Federal/State Indicator	- S	
		Name Connector	- AND/OR	Presumption Flag	- C	
				Notice of Error Flag	-	

61-00366, 61-00367 and 61-04017



- * Points of Diversion
- Irrigated Places of Use

Map prepared by: Carter Fritschle
Date prepared: 11/19/98
1987-1988 NAPP photography



14:53:31
08/08/96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 20
QUICKLOOK INFORMATION

CLAIM NUMBER: A61-00366

NR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			CA 11-4-98	N	CA 11-8-98	CA 11-9-98	CA 11-20-98	
POINT OF DIV				Y				
SOURCE				N				
PLACE OF USE	Y			Y	CA 11-9-98			
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-			NA				
PURPOSES OF USE	Y			N				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM				N				
REMARKS	Y			Standard				

BARCODE UPDATED
WHOM/DATE

14:53:31
08/08/96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A61-00366

LAST: MAHONEY
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000
OWNER CODE: 0
FIRST: GEORGE F
STATE: ID
ZIP: 0

LAST: SIMPLOT
ADDRESS:
CITY: BOISE
PHONE NUMBER: 208-000-0000
OWNER CODE: K
FIRST:
STATE: ID
ZIP: 83707

LAST: JR SIMPLOT COMPANY
ADDRESS: PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-000-0000
OWNER CODE: C
FIRST:
STATE: ID
ZIP: 83707

LAST: YOUNG OR TERRY UHLING
ADDRESS: ENV AND REGULATORY AFFAIRS
J R SIMPLOT COMPANY
PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-389-7318
OWNER CODE: A
FIRST: GRAY
STATE: ID
ZIP: 837070027

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE
FIELD EXAMINER
Y (X) N ()

CLAIM REMARKS: GEN NON-IRRIGATION USES: I/FEEDMILL, TRUCK WASH, DUST CONTROL,
S/10000 HEAD CATTLE, C/BUNKHOUSE, COOKHOUSE, OFFICE, D/19 HOMES

CONTACT PERSON: Vic Conrad

PHONE NUMBER: (208) 389-7359

DATE OF FIELD EXAM: 11/14/98

APPOINTMENT MADE: Y(X) N()

TIME: 10:00 A(X) P()

ACCOMPANIED BY: Frank Bachmann

PHONE NUMBER: (208) 389-7389 (Ext. 4112)

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A61-00366	PRIORITY DATE: 01-30-1870	STAGE: D
B. WR RECORD: # 61-00366	PRIORITY DATE: 01-30-1870	STAGE: D
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?		Y(☒) N(☐)
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?		Y(☒) N(☐) *
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)		Y(☐) N(☒)
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?		
PROOF OF BENEFICIAL USE SUBMITTED		N/A(☒) Y(☐) N(☐)
FIELD EXAM COMPLETED		N/A(☒) Y(☐) N(☐)
FIELD EXAM SENT TO STATE OFFICE		N/A(☒) Y(☐) N(☐)
LICENSE ISSUED		N/A(☒) Y(☐) N(☐)
* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.		
G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?		N/A(☒) Y(☐) N(☐)
* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.		
H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?		Y(☒) N(☐)

NOTES: Claimed priority date matches decree

* Initially decreed in 1898 Re-decreed in 1900.

=====

RECOMMENDED PRIORITY DATE:

01-30-1870

REVIEWED BY AD DATE 11-18-98

POINT OF DIVERSION REVIEW SHEET

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A61-00366	04S 03E	35		NE	NW			ELMORE		
A61-00366	04S 03E	35		SE	NW			ELMORE		
A61-00366	04S 03E	35		NW	SW			ELMORE		
A61-00366	04S 03E	35		SW	SW			ELMORE		
OTHER AJ CLAIMS WITH SAME AJ POD										
A PREFIX										
R PREFIX										
A61-00367										
A61-04017										
NONE										
61-00365										
61-04017										
61-07398										
61-07667										

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: SPRINGS

TRIB: JACK CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
61-00366	04S 03E	35		NE	NW			ELMORE		
61-00366	04S 03E	35		SE	NW			ELMORE		
61-00366	04S 03E	35		NW	SW			ELMORE		
61-00366	04S 03E	35		SW	SW			ELMORE		
OTHER WR RECORDS WITH SAME WR POD										
A PREFIX										
R PREFIX										
A61-00367										
A61-04017										
NONE										

AJ CLAIMS IN SAME 40 ACRE TRACT

SOURCE: SPRINGS

TRIB: JACK CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(X) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N(X)

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(X) N()

REVIEWED BY: CA DATE: 11-18-98

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

See license files 61-07398 and 61-07667 for information concerning the distribution system. This water is commingled with groundwater and is piped throughout the feedlot.

A. ROOT WATER RIGHT NUMBERS: A61-00366

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	03E	27	SW	SW		JR SIMPLOT COMPANY	A61-00366 /	-	/		
			SW	SW		JR SIMPLOT COMPANY	A61-00367 /	-	/		
			SW	SW		JR SIMPLOT COMPANY	A61-04017 /	-	/		
04S	03E	27	SE	SW		JR SIMPLOT COMPANY	A61-00366 /	-	/		No Use as of 1987
			SE	SW		JR SIMPLOT COMPANY	A61-00367 /	-	/		
			SE	SW		JR SIMPLOT COMPANY	A61-04017 /	-	/		No Use as of 1987
04S	03E	34	NE	NE		JR SIMPLOT COMPANY	A61-00366 /	-	/		Stock water
			NE	NE		JR SIMPLOT COMPANY	A61-00367 /	-	/		
			NE	NE		JR SIMPLOT COMPANY	A61-04017 /	61-04017	/		
			NE	NE		SIMPLOT LIVESTOCK CO		61-07398	/		
			NE	NE		JR SIMPLOT CO		61-07667	/		
04S	03E	34	NW	NE		JR SIMPLOT COMPANY	A61-00366 /	-	/		Stock water
			NW	NE		JR SIMPLOT COMPANY	A61-00367 /	-	/		
			NW	NE		JR SIMPLOT COMPANY	A61-04017 /	-	/		
			NW	NE		SIMPLOT LIVESTOCK CO		61-07398	/		
			NW	NE		JR SIMPLOT CO		61-07667	/		
04S	03E	34	NE	NW		JR SIMPLOT COMPANY	A61-00366 /	61-00366	/	1.0	Stock water
			NE	NW		SHAKE RIVER IRRIGATION DIST	A02-00078 /	-	/		
			NE	NW		JR SIMPLOT COMPANY	A61-00367 /	-	/		
			NE	NW		SHAKE RIVER IRRIGATION DIST	A02-00079 /	-	/		
			NE	NW		SIMPLOT LIVESTOCK CO		61-07398	/		
			NE	NW		JR SIMPLOT CO		61-07667	/		
04S	03E	34	NE	SE		JR SIMPLOT COMPANY	A61-00366 /	35.0	/	34.0	Stock water
			NE	SE		SHAKE RIVER IRRIGATION DIST	A02-00078 /	35.0	/		
			NE	SE		SHAKE RIVER IRRIGATION DIST	A02-00079 /	35.0	/		
			NE	SE		NETSWANGER, LOUIS C.					
			NE	SE		JR SIMPLOT CO		61-00367	/		
			NE	SE		SHAKE RIVER IRRIGATION DIST.		61-07667	/		
			NE	SE		SHAKE RIVER IRRIGATION DIST.		A02-00088	/		
			NE	SE		SHAKE RIVER IRRIGATION DIST.		A02-00089	/		
			NE	SE		SHAKE RIVER IRRIGATION DIST.		A02-00090	/		
			NE	SE		SHAKE RIVER IRRIGATION DIST.		A02-00091	/		
			NE	SE		SHAKE RIVER IRRIGATION DIST.		A02-00092	/		
			NE	SE		SHAKE RIVER IRRIGATION DIST.		A02-00093	/		
			NE	SE		SHAKE RIVER IRRIGATION DIST.		A02-00094	/		
			NE	SE		SHAKE RIVER IRRIGATION DIST.		A02-00095	/		
			NE	SE		SHAKE RIVER IRRIGATION DIST.		A02-04023	/		
			NE	SE		SIMPLOT LIVESTOCK CO		61-07398	/		
04S	03E	34	NW	SE		JR SIMPLOT COMPANY	A61-00366 /	40.0	/	39.0	No Use as of 1987

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	03E	34	SE	SE	SE	SHAKE RIVER IRRIGATION DIST.	A02-00078 / 40.0	-	39.0		
						SHAKE RIVER IRRIGATION DIST.	A02-00079 / 40.0	-			
						NEISHANGER, LOUIS C.		61-00367			
						SHAKE RIVER IRRIGATION DIST.		A02-00088			
						SHAKE RIVER IRRIGATION DIST.		A02-00089			
						SHAKE RIVER IRRIGATION DIST.		A02-00090			
						SHAKE RIVER IRRIGATION DIST.		A02-00091			
						SHAKE RIVER IRRIGATION DIST.		A02-00092			
						SHAKE RIVER IRRIGATION DIST.		A02-00093			
						SHAKE RIVER IRRIGATION DIST.		A02-00094			
						SHAKE RIVER IRRIGATION DIST.		A02-00095			
						SHAKE RIVER IRRIGATION DIST.		A02-04023			
						JR SIMPLOT COMPANY	A61-00366 / 40.0	61-00366			
						SHAKE RIVER IRRIGATION DIST.	A02-00078 / 40.0	-			
						JR SIMPLOT COMPANY	A61-00367 / 35.0	-			
						SHAKE RIVER IRRIGATION DIST.	A02-00079 / 40.0	-			
04S	03E	34	SE	SE	SE	SHAKE RIVER IRRIGATION DIST.	A61-00366 / 40.0	61-00366	36.0		
						SHAKE RIVER IRRIGATION DIST.	A02-00078 / 40.0	-			
						JR SIMPLOT COMPANY	A61-00367 / 15.0	-			
						SHAKE RIVER IRRIGATION DIST.	A02-00079 / 40.0	-			
						SHAKE RIVER IRRIGATION DIST.		A02-00088			
						SHAKE RIVER IRRIGATION DIST.		A02-00089			
						SHAKE RIVER IRRIGATION DIST.		A02-00090			
						SHAKE RIVER IRRIGATION DIST.		A02-00091			
						SHAKE RIVER IRRIGATION DIST.		A02-00092			
						SHAKE RIVER IRRIGATION DIST.		A02-00093			
						SHAKE RIVER IRRIGATION DIST.		A02-00094			
						SHAKE RIVER IRRIGATION DIST.		A02-00095			
						SHAKE RIVER IRRIGATION DIST.		A02-04023			
						JR SIMPLOT COMPANY	A61-00366 / 40.0	61-00366			
						SHAKE RIVER IRRIGATION DIST.	A02-00078 / 40.0	-			
						JR SIMPLOT COMPANY	A61-00367 / 15.0	-			
04S	03E	35	NE	NW	NW	SHAKE RIVER IRRIGATION DIST.	A61-00366 / 40.0	61-00366	36.0		
						SHAKE RIVER IRRIGATION DIST.	A02-00078 / 40.0	-			
						JR SIMPLOT COMPANY	A61-00367 / 15.0	-			
						SHAKE RIVER IRRIGATION DIST.	A02-00079 / 40.0	-			
						SHAKE RIVER IRRIGATION DIST.		A02-00088			
						SHAKE RIVER IRRIGATION DIST.		A02-00089			
						SHAKE RIVER IRRIGATION DIST.		A02-00090			
						SHAKE RIVER IRRIGATION DIST.		A02-00091			
						SHAKE RIVER IRRIGATION DIST.		A02-00092			
						SHAKE RIVER IRRIGATION DIST.		A02-00093			
						SHAKE RIVER IRRIGATION DIST.		A02-00094			
						SHAKE RIVER IRRIGATION DIST.		A02-00095			
						SHAKE RIVER IRRIGATION DIST.		A02-04023			
						JR SIMPLOT COMPANY	A61-00366 / 40.0	61-00366			
						SHAKE RIVER IRRIGATION DIST.	A02-00078 / 40.0	-			
						JR SIMPLOT COMPANY	A61-00367 / 15.0	-			
04S	03E	35	NE	NW	NW	SHAKE RIVER IRRIGATION DIST.	A61-00366 / 40.0	61-00366	36.0		
						SHAKE RIVER IRRIGATION DIST.	A02-00078 / 40.0	-			
						JR SIMPLOT COMPANY	A61-00367 / 15.0	-			
						SHAKE RIVER IRRIGATION DIST.	A02-00079 / 40.0	-			
						SHAKE RIVER IRRIGATION DIST.		A02-00088			
						SHAKE RIVER IRRIGATION DIST.		A02-00089			
						SHAKE RIVER IRRIGATION DIST.		A02-00090			
						SHAKE RIVER IRRIGATION DIST.		A02-00091			
						SHAKE RIVER IRRIGATION DIST.		A02-00092			
						SHAKE RIVER IRRIGATION DIST.		A02-00093			
						SHAKE RIVER IRRIGATION DIST.		A02-00094			
						SHAKE RIVER IRRIGATION DIST.		A02-00095			
						SHAKE RIVER IRRIGATION DIST.		A02-04023			
						JR SIMPLOT COMPANY	A61-00366 / 40.0	61-00366			
						SHAKE RIVER IRRIGATION DIST.	A02-00078 / 40.0	-			
						JR SIMPLOT COMPANY	A61-00367 / 15.0	-			

No use as of
1987

No use as
of 1987

No use as
of 1987

Stockwater

TWP	RNG	SEC	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	03E	35	NW	NW	JR SIMPLOT COMPANY	A61-00367	-	/	/	
			NW	NW	JR SIMPLOT COMPANY	A61-04017	61-04017			
			SW	NW	JR SIMPLOT COMPANY	A61-00368	-			
			SW	NW	JR SIMPLOT COMPANY	A61-00367	-			
04S	03E	35	SW	NW	JR SIMPLOT COMPANY	A61-04017	61-04017	/	/	Stock water
			SW	NW	JR SIMPLOT COMPANY	A61-00367	-			
			SW	NW	JR SIMPLOT CO	A61-04017	61-07667			
			SW	NW	SIMPLOT LIVESTOCK CO	A61-07398	61-07398			
04S	03E	35	SE	NW	JR SIMPLOT COMPANY	A61-00366	5.0	/	/	Stock water
			SE	NW	JR SIMPLOT COMPANY	A61-00367	-			
			SE	NW	JR SIMPLOT COMPANY	A61-04017	61-04017			
			SE	NW	JR SIMPLOT CO	A61-07667	61-07667			
04S	03E	35	SE	NW	SIMPLOT LIVESTOCK CO	A61-07398	61-07398	/	/	Stock water
			SE	NW	JR SIMPLOT COMPANY	A61-00366	-			
			SE	NW	JR SIMPLOT COMPANY	A61-00367	-			
			SE	NW	JR SIMPLOT COMPANY	A61-04017	61-04017			
04S	03E	35	SE	NW	JR SIMPLOT CO	A61-07667	61-07667	/	/	Stock water
			SE	NW	SIMPLOT LIVESTOCK CO	A61-07398	61-07398			
			SE	NW	JR SIMPLOT COMPANY	A61-00366	-			
			SE	NW	JR SIMPLOT COMPANY	A61-00367	-			
04S	03E	35	NE	SW	JR SIMPLOT COMPANY	A61-04017	61-07667	/	/	Stock water Commercial
			NE	SW	JR SIMPLOT COMPANY	A61-00367	-			
			NE	SW	JR SIMPLOT COMPANY	A61-04017	61-04017			
			NE	SW	SIMPLOT LIVESTOCK CO	A61-07398	61-07398			
04S	03E	35	NE	SW	JR SIMPLOT CO	A61-07667	61-07667	/	/	Stock water Industrial
			NE	SW	SIMPLOT LIVESTOCK CO	A61-07398	61-07398			
			NE	SW	JR SIMPLOT COMPANY	A61-00366	-			
			NE	SW	JR SIMPLOT COMPANY	A61-00367	-			
04S	03E	35	NW	SW	JR SIMPLOT COMPANY	A61-04017	61-04017	/	/	Stock water
			NW	SW	JR SIMPLOT COMPANY	A61-00367	-			
			NW	SW	JR SIMPLOT COMPANY	A61-04017	61-04017			
			NW	SW	SIMPLOT LIVESTOCK CO	A61-07398	61-07398			
04S	03E	35	NW	SW	JR SIMPLOT CO	A61-07667	61-07667	/	/	Stock water
			NW	SW	SIMPLOT LIVESTOCK CO	A61-07398	61-07398			
			NW	SW	JR SIMPLOT COMPANY	A61-00366	-			
			NW	SW	JR SIMPLOT COMPANY	A61-00367	-			
04S	03E	35	SW	SW	JR SIMPLOT COMPANY	A61-04017	61-04017	/	/	Stock water
			SW	SW	Snake River Irrigation Dist	A61-00078	1.0			
			SW	SW	JR SIMPLOT COMPANY	A61-00367	-			
			SW	SW	JR SIMPLOT COMPANY	A61-04017	61-04017			
04S	03E	35	SW	SW	Snake River Irrigation Dist	A61-00079	1.0	/	/	Stock water
			SW	SW	JR SIMPLOT COMPANY	A61-00367	-			
			SW	SW	JR SIMPLOT COMPANY	A61-04017	61-04017			
			SW	SW	SIMPLOT LIVESTOCK CO	A61-07398	61-07398			
04S	03E	35	SW	SW	JR SIMPLOT CO	A61-07667	61-07667	/	/	Stock water
			SW	SW	SIMPLOT LIVESTOCK CO	A61-07398	61-07398			
			SW	SW	JR SIMPLOT COMPANY	A61-00366	-			
			SW	SW	JR SIMPLOT COMPANY	A61-00367	-			
04S	03E	35	SW	SW	JR SIMPLOT COMPANY	A61-04017	61-04017	/	/	Stock water
			SW	SW	Snake River Irrigation Dist	A61-00078	1.0			
			SW	SW	JR SIMPLOT COMPANY	A61-00367	-			
			SW	SW	JR SIMPLOT COMPANY	A61-04017	61-04017			
04S	03E	35	SW	SW	Snake River Irrigation Dist	A61-00079	1.0	/	/	Stock water
			SW	SW	JR SIMPLOT COMPANY	A61-00367	-			
			SW	SW	JR SIMPLOT COMPANY	A61-04017	61-04017			
			SW	SW	SIMPLOT LIVESTOCK CO	A61-07398	61-07398			
04S	03E	35	SW	SW	JR SIMPLOT CO	A61-07667	61-07667	/	/	Stock water
			SW	SW	SIMPLOT LIVESTOCK CO	A61-07398	61-07398			
			SW	SW	JR SIMPLOT COMPANY	A61-00366	-			
			SW	SW	JR SIMPLOT COMPANY	A61-00367	-			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	03E	35	SE	SW		JR SIMPLOT COMPANY	A61-00366	-			
			SE	SW		JR SIMPLOT COMPANY	A61-00367	-			
			SE	SW		JR SIMPLOT COMPANY	A61-04017	61-04017			
			SE	SW		SIMPLOT LIVESTOCK CO		61-07398			
			SE	SW		CHATTIN, ROBERT C.		61-02028	1.0		
04S	03E	35	SE	SW		JR SIMPLOT CO		61-07667			
			SE	SW		JR SIMPLOT COMPANY	A61-00366	-			
			SE	SW		JR SIMPLOT COMPANY	A61-00367	-			
			SE	SW		JR SIMPLOT COMPANY	A61-04017	61-04017			
			SE	SW		SIMPLOT LIVESTOCK CO		61-07398			
04S	03E	35	SE	SW		CHATTIN, ROBERT C.		61-02028	1.0		
			SE	SW		JR SIMPLOT CO		61-07667			
			SE	SW		JR SIMPLOT COMPANY	A61-00366	-			
			SE	SW		JR SIMPLOT COMPANY	A61-00367	-			
			SE	SW		JR SIMPLOT COMPANY	A61-04017	61-04017			
04S	03E	35	SE	SW		SIMPLOT LIVESTOCK CO		61-07398			
			SE	SW		CHATTIN, ROBERT C.		61-02028	8.0		
			SE	SW		JR SIMPLOT CO		61-07667			
			SE	SW		JR SIMPLOT COMPANY	A61-00366	-			
			SE	SW		JR SIMPLOT COMPANY	A61-00367	-			
04S	03E	35	SE	SW		JR SIMPLOT COMPANY	A61-04017	61-07398			
			SE	SW		SIMPLOT LIVESTOCK CO		61-02028	8.0		
			SE	SW		CHATTIN, ROBERT C.		61-07667			
			SE	SW		JR SIMPLOT CO					
			SE	SW		JR SIMPLOT COMPANY	A61-00366	-			
05S	03E	2	NE	NW		JR SIMPLOT COMPANY	A61-00367	-			
			NE	NW		JR SIMPLOT COMPANY	A61-04017	61-04017			
			NE	NW		3 SNAKE RIVER IRRIGATION DIST	A02-00078	20.0			
			NE	NW		3 SNAKE RIVER IRRIGATION DIST	A02-00079	20.0			
			NE	NW		SIMPLOT LIVESTOCK CO					
05S	03E	2	NE	NW		JR SIMPLOT CO		61-07398			
			NE	NW		3 SNAKE RIVER IRRIGATION DIST.		61-07667			
			NE	NW		3 SNAKE RIVER IRRIGATION DIST.	A02-00088				
			NE	NW		3 SNAKE RIVER IRRIGATION DIST.	A02-00089				
			NE	NW		3 SNAKE RIVER IRRIGATION DIST.	A02-00090				
05S	03E	2	NE	NW		3 SNAKE RIVER IRRIGATION DIST.	A02-00091				
			NE	NW		3 SNAKE RIVER IRRIGATION DIST.	A02-00092				
			NE	NW		3 SNAKE RIVER IRRIGATION DIST.	A02-00093				
			NE	NW		3 SNAKE RIVER IRRIGATION DIST.	A02-00094				
			NE	NW		3 SNAKE RIVER IRRIGATION DIST.	A02-00095				
05S	03E	2	NE	NW		3 SNAKE RIVER IRRIGATION DIST.	A02-04023				
			NE	NW							
			NE	NW							
			NE	NW							
			NE	NW							

ADDITIONAL POU FOUND

See attachment

TOTAL ACRES

A61-00366

160.00

158.00

GIS
0.7 acGIS
3.9 acGIS
8.4 acStockwater
DomesticDomestic
Stockwater

Domestic

POU COUNTY: ELMORE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(X)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A61-00366	SPRINGS	JR SIMPLOT COMPANY	0.800	0.005		
A02-00078	SNAKE RIVER	SNAKE RIVER IRRIGATION DIST	127.000	0.015		
A02-00079	SNAKE RIVER	SNAKE RIVER IRRIGATION DIST	61.000	0.007		
A61-00367	SPRINGS	JR SIMPLOT COMPANY	0.500	0.003		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-00366	INDUSTRIAL	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.800 CFS	
A61-00366	COMMERCIAL	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.800 CFS	
A61-00366	DOMESTIC	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.800 CFS	
A61-00366	STOCKWATER	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.800 CFS	
A61-00367	STOCKWATER	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.500 CFS	
A61-00367	INDUSTRIAL	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.500 CFS	
A61-00367	COMMERCIAL	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.500 CFS	
A61-00367	DOMESTIC	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.500 CFS	
A61-04017	INDUSTRIAL	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.030 CFS	
A61-04017	STOCKWATER	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.830 CFS	
A61-04017	DOMESTIC	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.030 CFS	
A61-04017	COMMERCIAL	JR SIMPLOT COMPANY	FROM 01-01 TO 12-31	0.030 CFS	

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

Y(X) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 61-04017, 61-07398, 61-00367, SEVERAL APPLICATIONS

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N(X)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N(X)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y(☒) N(☐)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y(☐) N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: ☒ ORTHOPHOTOQUAD, IDWR NO. Z60; ☒ TOPOGRAPHIC QUAD, IDWR NO. Z60;
() NAPP, IDWR NO. _____; () ASCS PHOTO; (☒) OTHER GIS Layout

NOTES: _____

RECOMMENDATIONS:

TOTAL ACRES: 49 N/A(☐)

REVIEWED BY: CA DATE: 11-19-98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A61-00366 IRRIGATION	FROM 02-15 TO 11-15	0.800 CFS	
A61-00366 INDUSTRIAL	FROM 01-01 TO 12-31	0.800 CFS	
A61-00366 COMMERCIAL	FROM 01-01 TO 12-31	0.800 CFS	
A61-00366 DOMESTIC	FROM 01-01 TO 12-31	0.800 CFS	
A61-00366 STOCKWATER	FROM 01-01 TO 12-31	0.800 CFS	
TOTAL DIVERSION RATE/VOLUME		0.800 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
61-00366 IRRIGATION	FROM 02-15 TO 11-15	0.800 CFS	
TOTAL DIVERSION RATE/VOLUME		0.800 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☐) N(☒)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☒) N(☐)F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☒)G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☐) N(☒)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☒) N(☐)J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

NOTES:

Irrigation	0.25 cfs
Stockwater	0.51 cfs
Industrial	0.01 cfs
Commercial	0.01 cfs
Domestic	0.02 cfs
	0.80 cfs

Decreed diversion rate = 0.80 cfs

49 ac

160 ac

$\times 0.80 \text{ cfs}$

= 0.25 cfs for irrigation

0.80 cfs

- 0.25 cfs

0.55 cfs

Industrial

0.55 cfs $\times$ 0.2% $\approx$ 0.01 cfs

Commercial

0.55 cfs $\times$ 0.6% $\approx$ 0.01 cfs

Domestic

0.55 cfs $\times$ 2.2% $\approx$ 0.02 cfs

0.55 cfs - 0.01 cfs = 0.54 cfs

0.54 cfs = 0.01 cfs = 0.53 cfs

0.53 cfs - 0.02 cfs = 0.51 cfs

Stockwater

AJ CLAIM TOTAL DIVERSION RATE: 0.800 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.800 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(X) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(X) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(X)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(X)

E. FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 49 x 0.02 CFS/ACRE = 0.98 CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(X)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME =

ACRES 49 x DIVERSION VOL. AF/A FOR AREA AF/A =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 560.0 AF/A

ACRES 49 x CONSUMPTIVE VOL. AF/A FOR AREA AF/A =

TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

1b. CALCULATIONS
0.25 < 0.98

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	02-15 3-1	11-15	0.800	0.25	UA	560.0	560.0		
INDUSTRIAL	01-01	12-31	0.800	0.01		560.0	560.0		
COMMERCIAL	01-01	12-31	0.800	0.01		560.0	560.0		
DOMESTIC	01-01	12-31	0.800	0.02		560.0	560.0		
STOCKWATER	01-01	12-31	0.800	0.51		560.0	560.0		
TOTAL FOR THIS RIGHT			0.80						

NON-IRRIGATION USES CLAIMED: SEE REMARKS

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

19 Homes

REVIEWED BY: LA DATE: 11-19-98

FLAG: C

STANDARD CONDITIONS (CODE): Remarks USE Industrial use is for a feed mill.
Commercial use is for an office,
a truck wash facility, a bunkhouse and
a cooking facility

STANDARD REMARKS (CODE):

PD41 E11 ⇒ 61-00367 and 61-04017

EXPLANATORY CONDITIONS (CODE): EXP F05 ⇒ 61-00367 and 61-04017
Stockwater, 10,000 cattle

EXPLANATORY REMARKS (CODE): WD8 C03 C04 C05
Change to remark & modify

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-00366

DATABASE 0.800

EXAMINER 0.80

CFS

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "WR" CLAIM NUM.	"WR" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-00366	0.800	-	-	61-00366	0.800

TOTAL CFS 0.800

0.800

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE Y
FIELD EXAMINER Y () N ()

NOTES:

No splits

AUTHENTICATION:

SIGNATURE: Carter Fritzsche DATE: 11-19-98
NAME OF FIELD EXAMINER: Carter Fritzsche TITLE: W.R. Supervisor

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. <u>260</u> Y() N(☒)	
☒ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. <u>260</u> Y() N(☒)	
☐ NAPP	DATE OF PHOTO _____ IDWR ID NO. _____ Y() N()	
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____ Y() N()	
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____ Y() N()	
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____ Y() N()	
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____ Y() N()	
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____ Y() N()	
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____ Y() N()	
☒ OTHER <u>GIS Layout</u>	DATE <u>11-19-98</u> <u>1987-1998</u> <u>NAPP</u> Y(☒) N()	
☐ OTHER _____	DATE _____ Y() N()	
☐ OTHER _____	DATE _____ Y() N()	

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☐ SYSTEM DESCRIPTION	DATE DRAWN _____		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
☐ OTHER _____	DATE _____		
☐ OTHER _____	DATE _____		

14:53:46
08/08/96
21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 21
PROFILE REPORT

CLAIM NUMBER: A61-00366

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JR SIMPLOT COMPANY	01/30/1870	IRRIGATION STOCKWATER INDUSTRIAL COMMERCIAL DOMESTIC	02-15 11-15 01-01 12-31 01-01 12-31 01-01 12-31 01-01 12-31	0.80 CFS 0.80 CFS 0.80 CFS 0.80 CFS 0.80 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.80 CFS	560.00 AFA

Water Source: SPRINGS
Point(s) of Diversion: T04S R03E S35
Place of use Legal Description for: IRRIGATION
Tributary to: JACK CREEK
Stage: DECREED
SWSW ELMORE County

Place of use Legal Description for: IRRIGATION									
NE					SW				
NENE	NWNE	SWNE	SENE		NENW	NWNW	SWNW	SESW	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt
04S	03E	34							
04S	03E	35							
					SUM				
					155.0				
					5.0				
					160.0				

Place of use Legal Description for: STOCKWATER									
NE					SW				
NENE	NWNE	SWNE	SENE		NENW	NWNW	SWNW	SESW	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt
04S	03E	27							
04S	03E	34							
04S	03E	35							
					SUM				
					155.0				
					5.0				
					160.0				

Place of use location for INDUSTRIAL is the same location as described for: STOCKWATER

Place of use Legal Description for: COMMERCIAL									
NE					SW				
NENE	NWNE	SWNE	SENE		NENW	NWNW	SWNW	SESW	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt
04S	03E	35							
					SUM				
					155.0				
					5.0				
					160.0				

Place of use Legal Description for: DOMESTIC									
NE					SW				
NENE	NWNE	SWNE	SENE		NENW	NWNW	SWNW	SESW	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt
04S	03E	35							
					SUM				
					155.0				
					5.0				
					160.0				

PAGE: 22
PROFILE REPORT CONTINUED

CLAIM NUMBER: A61-00366

Place of use Legal Description for: DOMESTIC

	NENE	MUNE	SUNE	SENE	: NENW	NNNW	SNWW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NUSE	SWSE	:
T R S :	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	:
DSS 03E 2 :	- - - -	- - - -	- - - -	- - - -	: - - - -	- - - -	- - - -	- - - -	:	- - - -	- - - -	- - - -	- - - -	:	- - - -	- - - -	- - - -	:
					: D				:					:				:

POU County: ELMORE

Non-Irrigation Uses: SEE REMARKS

Other Rights: 61-04017, 61-07398, 61-00367, SEVERAL APPLICATIONS

Remarks: GEN NON-IRRIGATION USES: I/FEEDMILL, TRUCK WASH, DUST CONTROL, S/10000 HEAD CATTLE, C/BUNKHOUSE, COOKHOUSE, OFFICE, D/19 HOMES

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag: Presumption Flag:	

Simplot's Grandview Feedlot
61-00366 and 61-00367

Places of Use as of 1987 NAPP and 1991 Field Exam:

T04S	R03E	S34	NENE	Stockwater
			NWNE	Stockwater
			SWNE	Stockwater
			SENE	Stockwater
			NENW	Stockwater
			NWNW	Commercial
			NESE	Stockwater
		S35	NWNW	Stockwater
			SWNW	Stockwater
			SENW	Stockwater
			NESW	Stockwater
			NWSW	Stockwater
			NWSW	Commercial
			SWSW	Stockwater
			SWSW	Industrial
			SESW	0.7 Acres Irrigation
			SESW	Stockwater
			SESW	Domestic
			NWSE	Stockwater
			SWSE	3.9 Acres Irrigation
			SWSE	Stockwater
			SWSE	Domestic
T05S	R03E	S02	Lot 3 (NENW)	8.4 Acres Irrigation
			Lot 3 (NENW)	Commercial
			Lot 3 (NENW)	Domestic
			Lot 4 (NWNW)	36 Acres Irrigation

61-00366 61-00367 + 61-04017

11-4-98

Stockwater, commercial domestic

Photo #1 Facing east looking at spring collection area water is so-mingled with groundwater flow. NESW of sec. 35

Photo #2 discharge from spring

"North spring" 4" overflow pipe

NENW Sec 35

Stock water, irrigation, dust control

Photo #3 looking north

#4 SSW at pond

#5 SW at pond.

Seeps

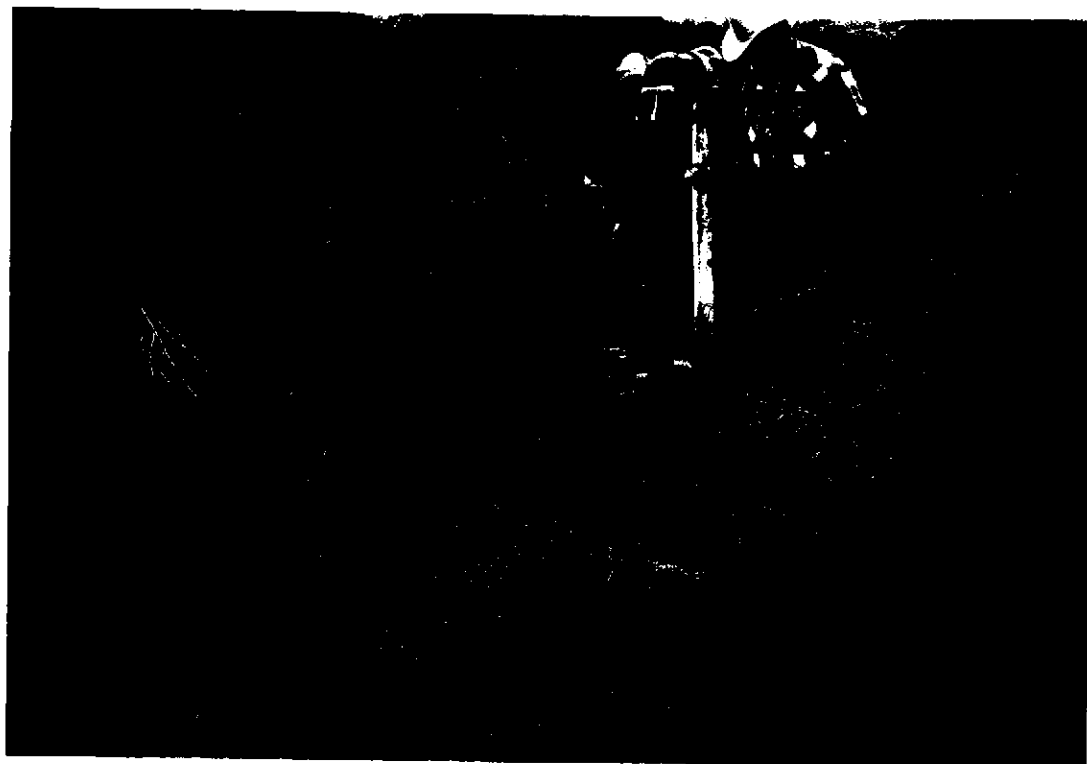
Buried perforated pipes collect spring water (seeps) at two locations. One in NW $\frac{1}{4}$ of Sec. 35 and the other in the SW $\frac{1}{4}$ of sec. 35

The nature of use of 61-00366 and 61-00367 has been changed extensively from irrigation to uses within the feed lot.



Facing east looking at the spring collection area.
Standpipe to the right of center is for the overflow.

04-11-4-98



Facing east looking at the valve that has been opened
to show some of the water discharged from the spring

04-11-4-98

61-00366
61-00367
61-04017

Claim identification no.



14 11-11-98

Looking north at the p.o.d of the northernmost
spring. Standpipe is for overflow which would
be collected in the pond.

Claim identification no.

61-00366
61-00367
61-04017



CH 11-4-98

Looking SSW at the pond that collects the surplus water from the feedlot's distribution system and the filtered waste water.



Looking SW at same pond. Pump for lifting trucks to the right of center

CH
11-4-98

61-00366
61-00367
61-04017

Classification no

11-4-98
CT

Simplot 61-00366
61-00367
61-04017

Photo #5 Looking ^{SSW} south at the pond that collects all the surplus/waste water from the feedlot's water distribution system

IN N N N N N N N N N N

CT 11-4-98

Looking SSW at the pond that collects the surplus water from the feedlot's ~~distribution system~~ and the filtered waste water.

Simplot 61-00366
61-00367
61-04017

11-4-98
CT

Photo #4 Looking SW at pond that collects all the ^{waste surplus} "waste surplus" from the north spring as well as all from the feedlot operations.
See photo #5 for explanation of pond function.

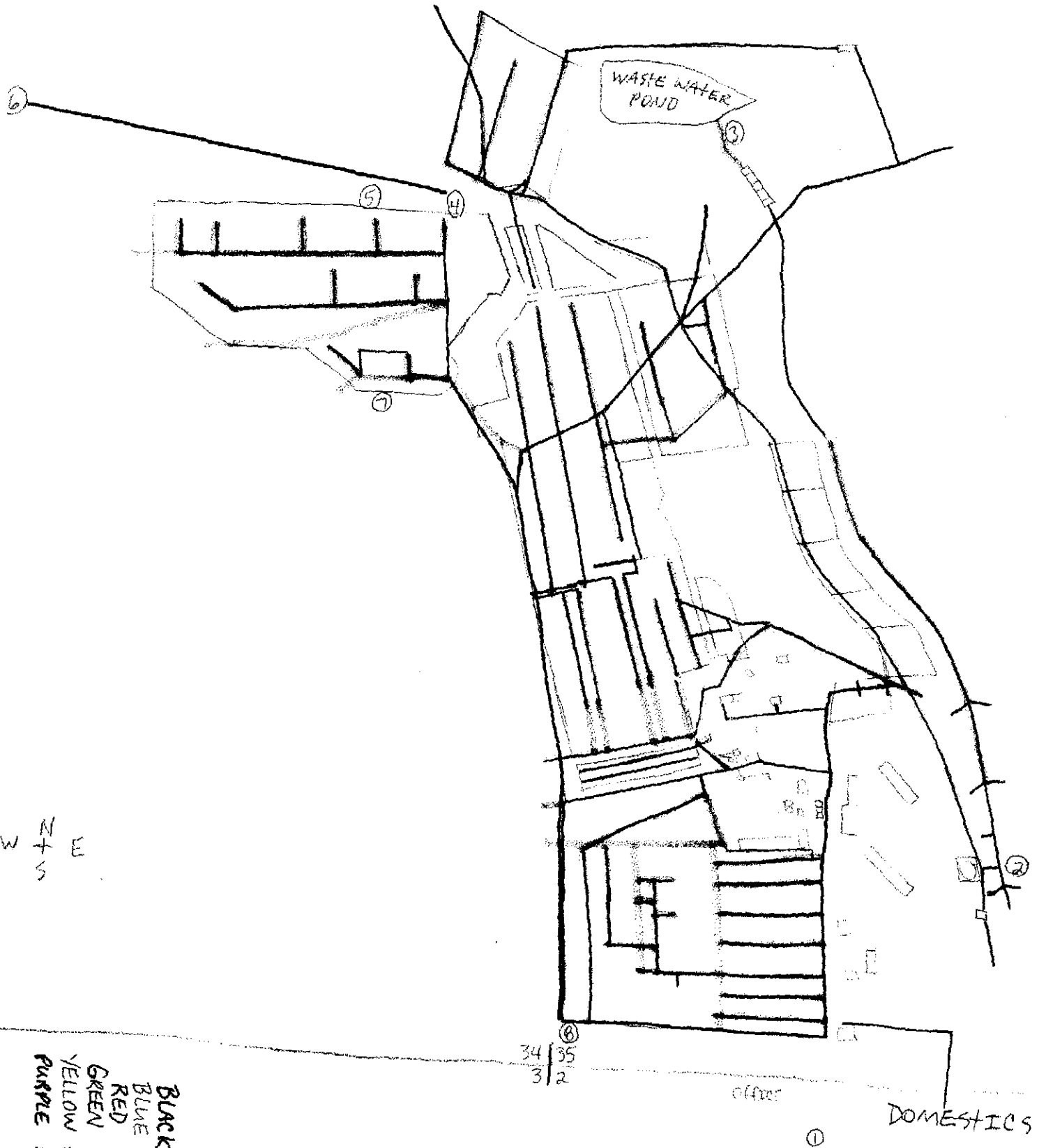
IN N N N N N N N N N N

Looking SW at same pond. Pump for filling trucks to the right of center.

CT
11-4-98

EXHIBIT 1

From license file
61-07398



Simplot's Grandview Feedlot
61-00366 and 61-00367

Calculation of Diversion Rates:

Claims A61-00366 and A61-00367 are for rights that were decreed for irrigation purposes (implied, although not specifically stated). Both of these rights have been claimed with additional uses, which results in a change in purpose of use for both rights. Each right was decreed with a 160 acre place of use (described as two 80 acre tracts). Each claim includes irrigation as a purpose of use as well as the additional uses. However, the water distribution system in place in 1991 restricts the irrigation to 49 acres. Therefore, the percentage of each right that will be recommended for irrigation is calculated by the following formula:

$$\frac{49 \text{ acres (presently irrigated)}}{160 \text{ acres (Decreed P.O.U.)}} \times \text{Decreed Diversion Rate} = \text{Irrigation Diversion Rate}$$

The balance of the right (diversion rate) will be considered for the additional purposes of use. The diversion rates for the additional or changed purposes of use will be prorated using license 61-07667 as the model. This license was issued for all of the non-irrigation uses of water as found in the 1991 field exam for this right. The diversion rate of the license, 8.56 cfs, represents the capacity of the wells at that time. Therefore each non-irrigation water use (with the exception of stockwater) will be calculated as a percentage of the diversion rate that remains after the irrigation diversion rate is subtracted from the total decreed diversion rate. This percentage is determined by the dividing the licensed diversion rate for the non-irrigation use by 8.56 cfs, then multiplying by 100. The diversion rate for stockwater is the remainder of the decreed diversion rate after the other non-irrigation uses are subtracted out.

$$\text{Industrial use} = \frac{0.02 \text{ cfs}}{8.56 \text{ cfs}} \times 100 = 0.2 \%$$

$$\text{Commercial use} = \frac{0.05 \text{ cfs}}{8.56 \text{ cfs}} \times 100 = 0.6\%$$

$$\text{Domestic use} = \frac{0.19 \text{ cfs}}{8.56 \text{ cfs}} \times 100 = 2.2\%$$

See the Claim Verification Report (CVR) for the prorated diversion rates for each right.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07667

Priority: October 8, 1991

Maximum Diversion Rate:

8.56 CFS

This is to certify, that JR SIMPLOT CO

PO BOX 27

BOISE ID 83707

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 8, 1991; and has submitted Proof of Beneficial Use on October 8, 1991. An examination indicates that the works have a diversion capacity of 9.560 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	8.56 CFS	
INDUSTRIAL	01/01 to 12/31	0.02 CFS	
COMMERCIAL	01/01 to 12/31	0.05 CFS	
DOMESTIC	01/01 to 12/31	0.19 CFS	
	Totals	8.56 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 34, Township 04S, Range 03E
SENE , Sec. 34, Township 04S, Range 03E
NWNW , Sec. 34, Township 04S, Range 03E
NWNW , Sec. 35, Township 04S, Range 03E
SWSW , Sec. 35, Township 04S, Range 03E
SWSE , Sec. 35, Township 04S, Range 03E
Lot 3(NENW), Sec. 2, Township 05S, Range 03E
ELMORE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04S 03E 34

35

NENE
SENE
NESE
NENW
NESW
SESW
SESE

NWNE
NENW

SWNW
NWSW
NWSE

SWNE
NWNW

SENW
SWSW
SWSE

PLACE OF USE:

INDUSTRIAL, same as STOCKWATER use

PLACE OF USE:

COMMERCIAL, same as STOCKWATER use

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

10/10/91

10/10/91

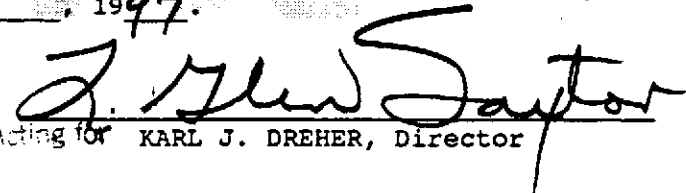
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 61-07667

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
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 the applicable Idaho law.
4. Rights 61-07398 and 61-07667 in combination shall not exceed a total diversion rate of 0.02 cfs and a total annual diversion volume of 5.6 af for industrial purposes.
5. Rights 61-07398 and 61-07667 in combination shall not exceed a total diversion rate of 0.05 cfs and a total annual diversion volume of 9.9 af for commercial purposes.
6. Rights 61-07398 and 61-07667 in combination shall not exceed a total diversion rate of 0.19 cfs and a total annual diversion volume of 11.4 af for domestic purposes.
7. Rights 61-07398 and 61-07667 in combination shall not exceed a total annual diversion volume of 1340.0 af for stockwater purposes.
8. Rights 61-07398 and 61-07667 in combination shall not exceed a total annual diversion volume of 1562.9 af.
9. Right 61-07398 is also diverted through the point(s) of diversion described above.
10. Commercial use is for an office, truck washing, an employee bunkhouse and cooking facility.
11. Industrial use is for a feed mill.
12. Domestic use is for 19 homes.
13. Two points of diversion are located within the NENE, S34, T4S, R3E.

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 9th
day of January, 1997.


Acting for KARL J. DREHER, Director

INFO-11153

FEB 17 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07398

Priority: March 13, 1980

Maximum Diversion Rate:

1.00 CFS

Maximum Diversion Volume:

582.4 AF

This is to certify, that SIMPLOT LIVESTOCK CO
PO BOX 27

BOISE ID 83707

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 22, 1980; and has submitted Proof of Beneficial Use on July 28, 1988. An examination indicates that the works have a diversion capacity of 9.560 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.98 CFS	196.0 AF
STOCKWATER	01/01 to 12/31	1.00 CFS	335.0 AF
INDUSTRIAL	01/01 to 12/31	0.02 CFS	5.6 AF
COMMERCIAL	01/01 to 12/31	0.05 CFS	9.9 AF
DOMESTIC	01/01 to 12/31	0.19 CFS	11.4 AF
	Totals	1.00 CFS	582.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 34, Township 04S, Range 03E
SENE , Sec. 34, Township 04S, Range 03E
SWSNE , Sec. 34, Township 04S, Range 03E
NWNWNW , Sec. 34, Township 04S, Range 03E
SENWNW , Sec. 35, Township 04S, Range 03E
SWSWSW , Sec. 35, Township 04S, Range 03E
NESWSE , Sec. 35, Township 04S, Range 03E
NWNENW , Sec. 2, Township 05S, Range 03E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	03E	35	SESW 0.5	SWSE 3		3.5
05S	03E	2	Lot 3(NENW) 5.5	Lot 4(NWNW) 40		45.5

Total number of acres irrigated: 49

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
04S	03E	34	NENE	NWNE	SWNE
			SENE	NENW	NWNW
			NESE		
	35		NENW	SWNW	SENE
			NESW	NWSW	SWSW
			SESW	NWSE	SWSE
			SESE		

JUN 29 1994

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 61-07398

PLACE OF USE: INDUSTRIALTWN RGE SEC

04S 03E 35 SWSW

PLACE OF USE: COMMERCIALTWN RGE SEC

04S 03E 34 NWNW

35 NWSW

05S 03E 2 NENW

PLACE OF USE: DOMESTICTWN RGE SEC

04S 03E 35 SESW

SWSE

05S 03E 2 NENW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.
6. Commercial use is for an office, truck washing, an employee bunkhouse and cooking facility.
7. Stockwater use is for 25,000 head of range cattle.
8. Industrial use is for a feed mill.
9. Domestic use is for 19 homes.

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 15TH
day of JUNE, 1994.

Acting for R. Keith Higginson, Director

JUN 29 1994

④

Filed under Jones Springs

03-4

In the District Court of the Third Judicial District of the State
of Idaho, in and for Ada County.

George F. Mahoney, Trustee,)
Plaintiff)
vs.)
Louis C. Heiswanger)
and H.H. Jones.)
Defendants. (

Elmore Co.

This cause having come duly on for trial before
the Court, without jury, on the 5th day of March 1898, a jury having
been waived in open Court by the parties hereto; Messrs Wyman & Wyman
and W.H. Borch Esq. appearing as attorneys for plaintiff and J.H. Richards
Esq. Messrs Hawley & Puckett appearing as attorneys for defendants.

Whereupon witnesses were sworn and examined and documentary evidence
introduced and the evidence being closed the cause was submitted to the
Court for consideration and decision.

And now, on this 5th day of March 1898, the Court being fully
advised of the premises, and having filed findings of fact and
conclusions of law herein, it is Ordered, Adjudged and Decreed:

61 6366

1st. That the plaintiff George F. Mahoney, Trustee, do and
is hereby awarded the use of Forty (40) inches of the waters of
the stream formed by the waters of the springs situate upon the
lands of H.H. Jones and being the East half of the North West
quarter and the West half of the South west quarter of section
Thirty five (35) Township four (4) South of Range Three (3) East
Boise Meridian; said waters to be measured under a four inch
pressure at the point of diversion, for use upon the lands of
plaintiff situate in Ada County, State of Idaho, described in the
findings of fact herein, and being the South half of the South
East quarter of Section Thirty four (34) and the West half of
the North west quarter of Section Thirty five (35) all in
Township four (4) South of Range Three (3) East Boise Meridian;
the said right to date from 30th, 1870.

61 6367

2nd. It is further Ordered, Adjudged and Decreed that the
Defendant Louis C. Heiswanger, do and is hereby awarded the use
of twenty five inches of the said stream, described in sub-divi-
sion One (1) hereof, for use upon the land of said Louis C.

JUN 21 1898

Neiswanger Situate in Ada County, State of Idaho, and being the South half of the North East quarter and the North half of the South East quarter of Section Thirty four (34) Township Four (4) South of Range Three (3) East Boise Meridian, the said right to date from May 30th, 1893.

Ord. It is further Ordered, Adjudged and Decreed that each of the parties hereto pay the costs and disbursements herein by each of said parties incurred, except the judgment costs which shall be paid by defendants.

Geo. H. Stewart
Judge of the District Court of the
Third Judicial District of the State
of Idaho, in and for Ada County.

Filed March 9, 1898.
Entered March 10, 1898.

Attest:

RECORDED
JUN 21 1896

03-B ✓

In The District Court of the Third Judicial District of the
State of Idaho in and for the County of Ada.

George F. Mahoney, Trustee.)
Plaintiff.)
vs.) Decree of Court.
Louis C. Helmsinger and H.H. Jones,)
Defendants.)

Now on this 6th day of February, 1900

this cause came regularly on for trial before the Court, and W.E. Borah Esq., and Messrs. Wyman & Wyman appeared for the plaintiff and Messrs. Hewley and Puckett and J.H. Richards Esq., appeared for the defendants, a jury trial and findings of fact & conclusions of law were duly waived. Whereupon witnesses were sworn and examined and the evidence being closed, the cause was submitted to the Court for decision; and the Court being duly advised in the premises, delivered his decision orally and ordered that plaintiff be awarded the use of all the waters of the springs described in his complaint and have decree for the same and according to the prayer of his complaint.

61 0365 In consideration whereof, it is ordered, adjudged and decreed that the plaintiff George F. Mahoney, trustee, be and is hereby awarded the use of all the waters flowing from the springs situated on the East half of the North-west quarter and the East half of the South-west quarter of Section 35, Township 4 South, Range 3 East, B.P.M., lying in Ada County, State of Idaho, for use upon the lands of plaintiff situated in said County and State and described as follows to wit: the South half of the South-east quarter of Section 34, and the West half of the North-west quarter of Section 35, all in Township 4 South, Range 3 East, the said right to date from May 30th, 1870 it is further ordered, adjudged and decreed that the defendants and each of them and each of their heirs, servants and employees be perpetually restrained from in any manner interfering with the waters of said springs or with plaintiff's use and enjoyment of same, and from erecting or maintaining any dams or obstructions that shall prevent or retard the flow of said waters into plaintiff's itches

JAN 27 1906

and from and in any manner interfering the dams and ditches of this
plaintiff; and for cost of suit taxed in the sum of \$327.05/100 Dollars;
and that plaintiff have execution therefor against said defendants.

February 6, 1900.

Geo. H. Stewart
District Judge.

Filed February 6, 1900.

Entered February 6, 1900.

C. F. McConnell Clerk.

JUN 21 1936

