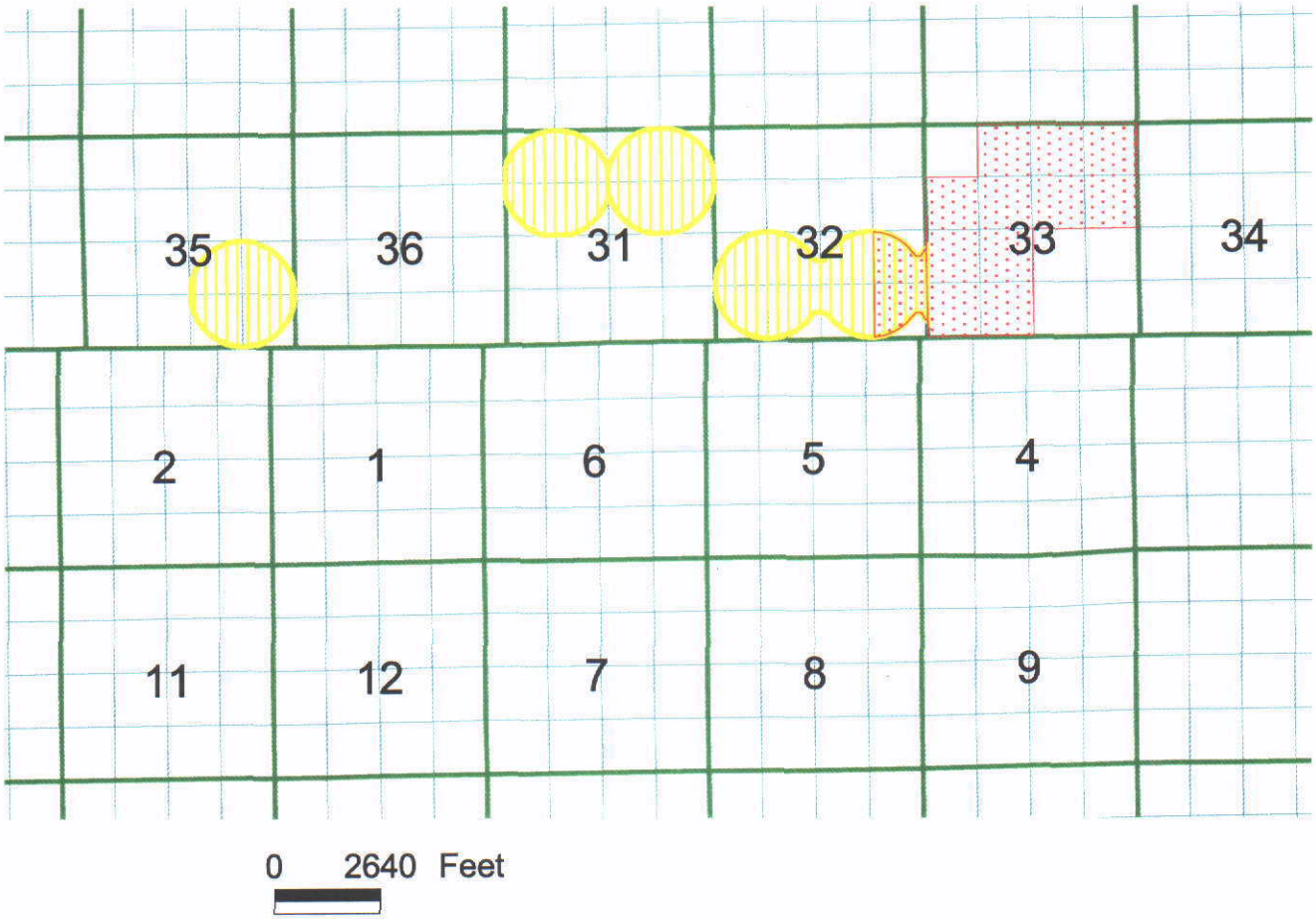
Idaho Department of Water Resources

Overlap Analysis -- 32-02119 and 32-02125



32-02119
32-02125
Section Lines
Quarter-Quarter Lines

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
August, 1999

31

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33

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A33-02119

7

8

9

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/03/99 11:06:27
Page 1

Water Right Number - 33-02119 Prefix Translation: WATER RIGHT Old (D) Number - 32364

*** C - CURRENT OWNER ***
J.R. SIMPLOT CO.

1 - P.O. BOX 27
2 -
3 -
City- BOISE State- ID Zip- 83707
Phone - 208-000-0000

Priority Date: 05/11/1965
Region: 15 EASTERN
Stage: L - LICENSE
Status:

Source: GROUNDWATER
Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
05N	29E	1	NW NW			(23) BUTTE			
06N	30E	31	NE NE			(23) BUTTE			
		32	SE SE			(23) BUTTE			

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	09/15	10.080	1512.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
10.080	1512.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06N	30E	32	NE SE		32.0	01	IRRIGATION	(23) BUTTE
06N	30E	32	SE SE		32.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	NE NE		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	NW NE		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	SW NE		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	SE NE		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	NE NW		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	SW NW		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	SE NW		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	NE SW		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	NW SW		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	SW SW		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	SE SW		40.0	01	IRRIGATION	(23) BUTTE

Total Acres: 504.0

Diversion Means -

Non-Irrigation Use -

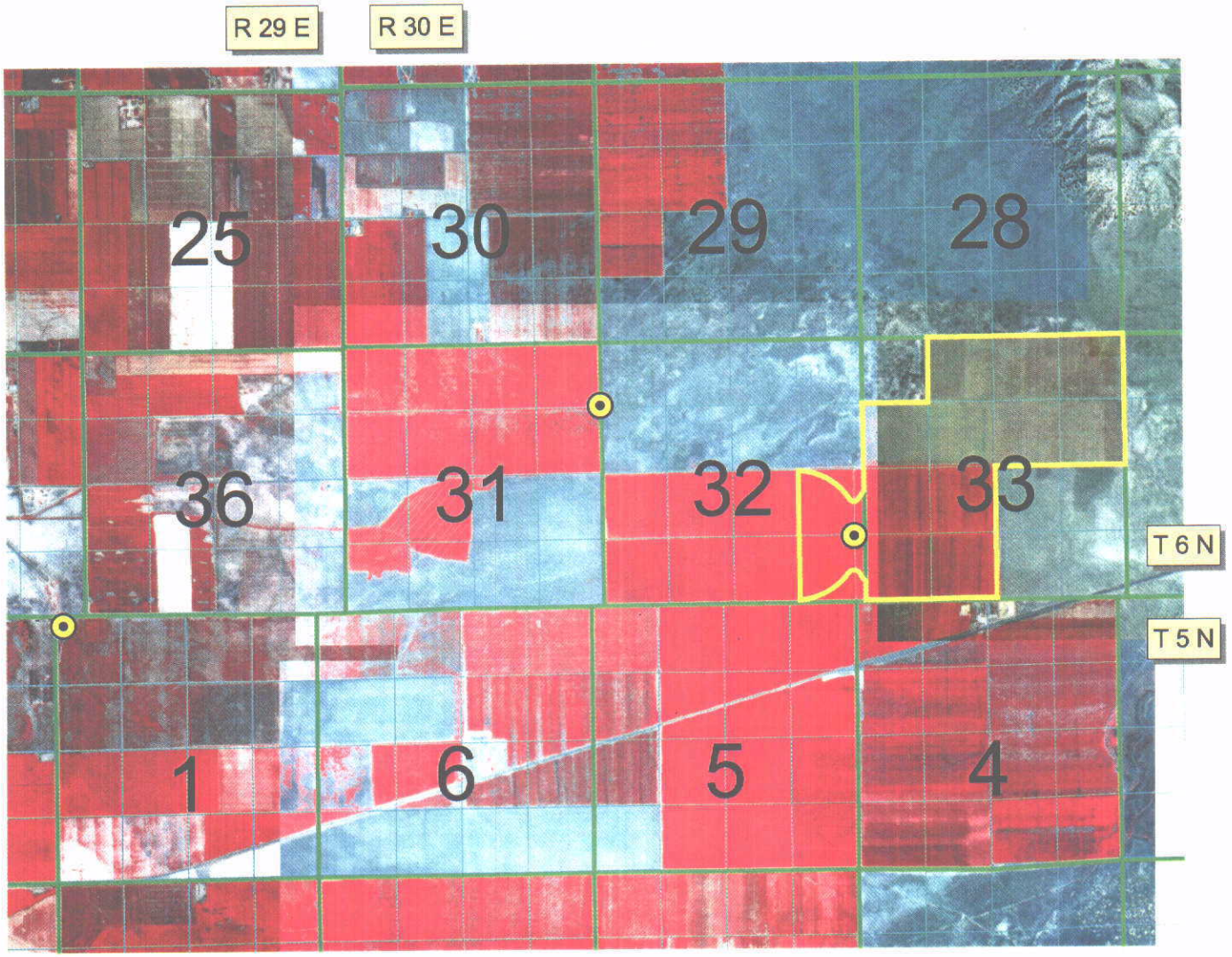
10.08 x 1.983 x 180 = 3598

504 x 3 = 1512

504 x 3.5 = 1764

Idaho Department of Water Resources

Water Right 33-02119



Townships 5 and 6 North
Ranges 29 and 30 East

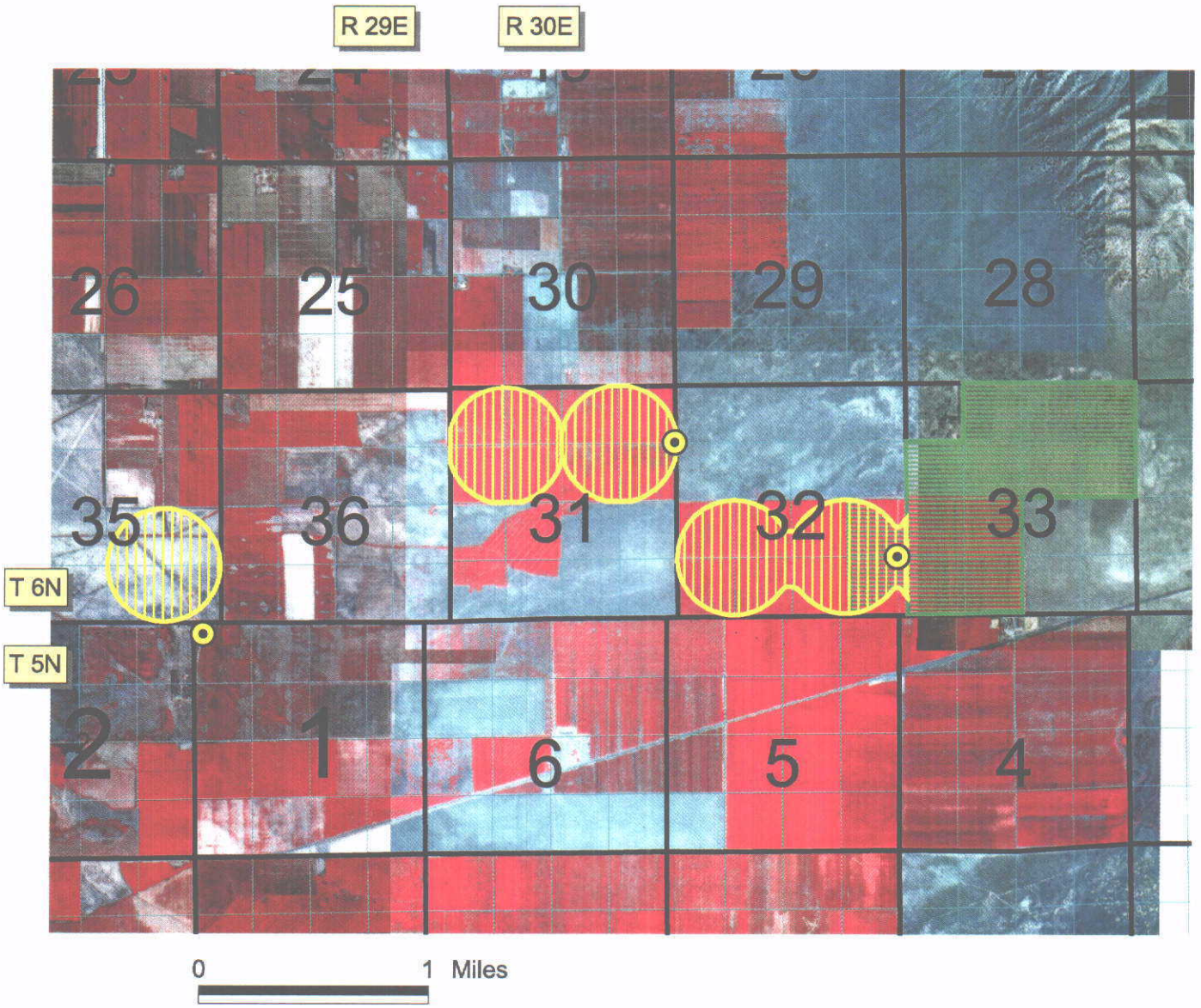
N
W
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S

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

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
November, 1999

Idaho Department of Water Resources

Water Rights 33-02119, 33-02125



Point(s) of Diversion
32-02125 Place of Use
32-02119 Place of Use
Section Lines
Quarter-quarter Lines

Townships 5 and 6 North
Ranges 29 and 30 East

N
W
E
S

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
September, 1999

To: File 33-02119, 33-02125
Fr: Bryce A Contor
Date: 8/11/1999

1) Combined volume limitation of 12.9 cfs is from original licenses and reflects capacity of original wells.

2) POU overlaps by 64 acres. Combined afa limitation = 1074 total acres x 3.5 afa.

3) See memo in file re: Unauthorized use - some corners supposedly dived up by T 3722 are still irrigated.

Bryce A. Contor

To: Harold Jones
Ernest Carlsen
Fr: Bryce Contor
Date: 8/10/1999

Re: Unauthorized use, 33-02119, 33-02125, transfer 3722

Transfer 3722 changes place of use of these two water rights by drying up 16 pivot corners in 06N 30E 31 and 32, and transferring these irrigated acres to a new pivot in 06N 29E 35 SE 1/4.

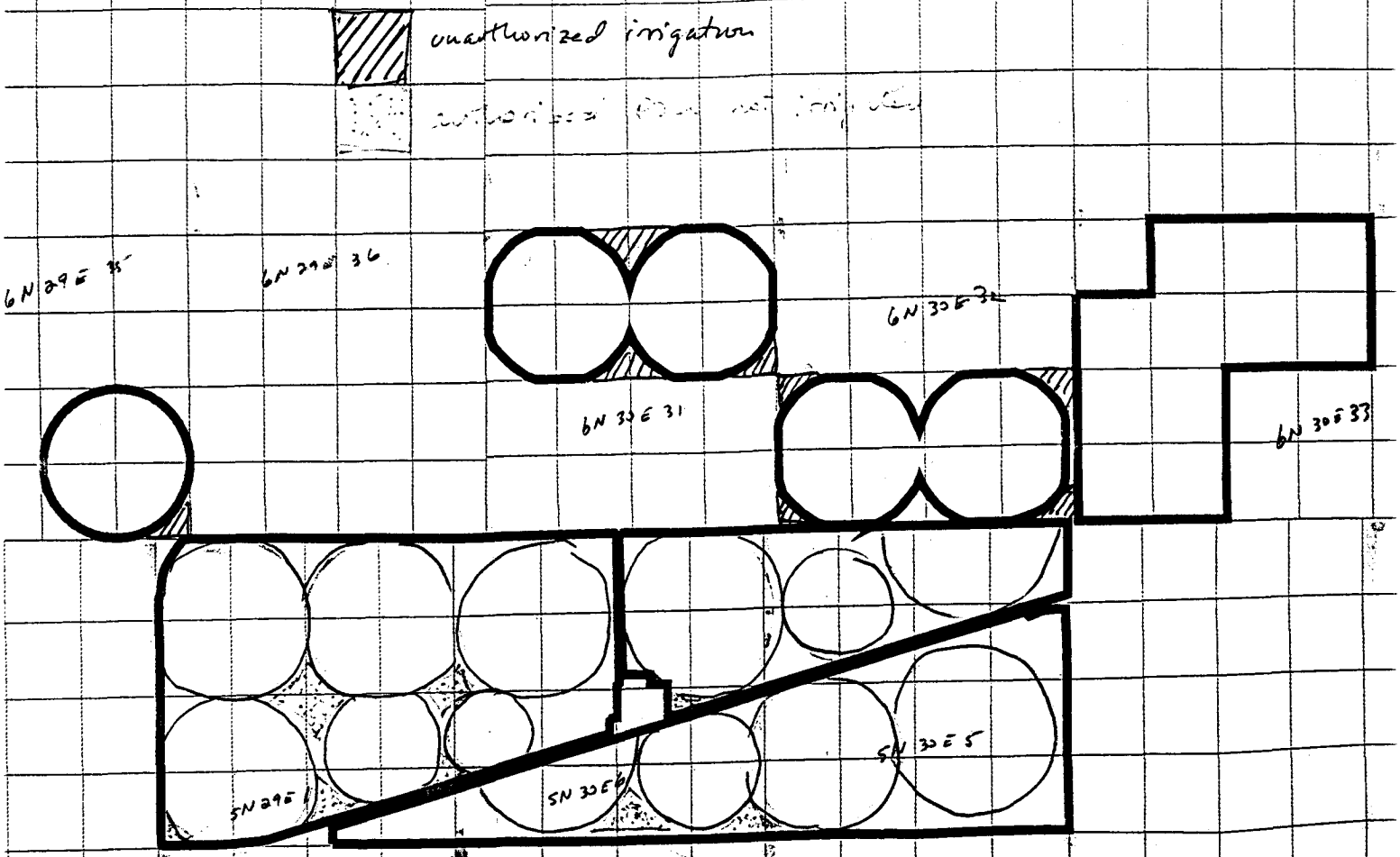
This morning I observed irrigated crops on nine of the "dried up" corners and on one unauthorized corner of the new pivot. These are marked in blue on the attached sketch.

The ~~permit~~ transfer authorizes 122 acres of irrigation on the new pivot. Per Debbie at the Farm Service Agency in ~~Boise~~, the 1998 acreage of that pivot was 125.6 acres, with an additional 4.4 acres in the irrigated corner. She cautioned me that Simplot has installed new pivots on some of its fields, so the 1998 data are questionable. 1999 data are not available.

This unauthorized use is offset by pivot corners that have been dried up on the southern part of the farm, covered by water rights 33-02054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053, and 33-07061. These are marked in red on the sketch. However I don't find any transfer authorizing a change in place of use.

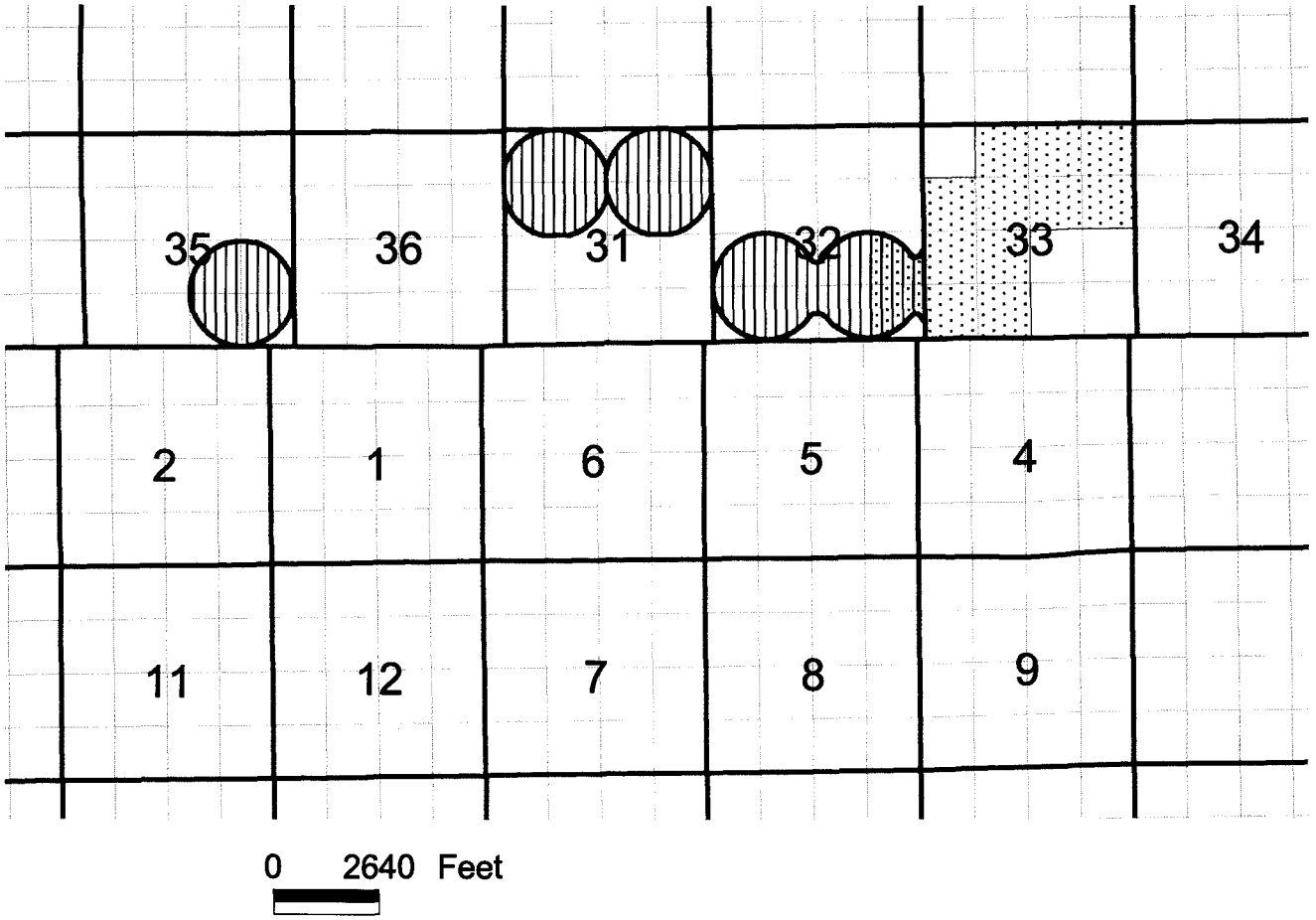
As you know, Simplot is a high profile operator in the Little Lost, and this morning another water user in the area mentioned that people are wondering about the status of these corners.

33- 02119
33- [redacted]2125
Transfer 3722
Field Observations 8/10/99
Bryce A. Contor



Idaho Department of Water Resources

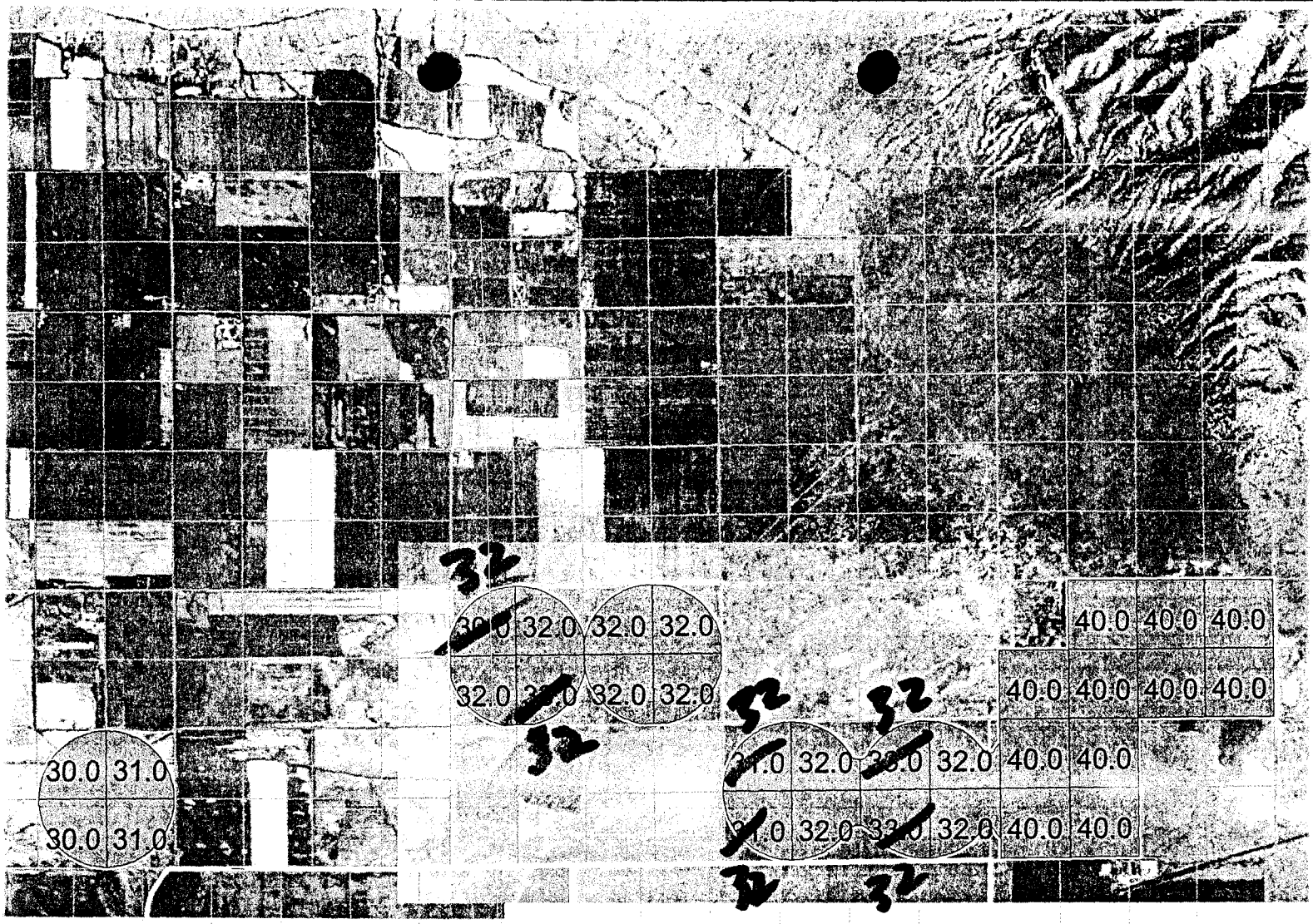
Overlap Analysis -- 32-02119 and 32-02125



32-02119
32-02125
Section Lines
Quarter-Quarter Lines

N
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GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
August, 1999


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40.0 40.0

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

E.O.

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 20, 1994

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

RECEIVED
MAY 24 1994
Department of Water Resources
Eastern District Office

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
NOV 15 1996

J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

RECEIVED
APR 14 1994
Department of Water Resources

April 12, 1994

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

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

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

Dear Mr. Shaff:

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

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

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

Sincerely,

Holly Pepe

Holly Pepe
Legal Department

/hp
Enclosures
5517v

RECEIVED
NOV 15 1995

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

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

Gray Young
Terry Uhling
J. R. Simplot Company
P.O. Box 27
Boise, ID 83707

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

NOV 15

GRAY YOUNG, Assistant General Counsel
TERRY T. UHLING, Assistant General Counsel
Environmental & Regulatory Affairs
J. R. SIMPLOT COMPANY
P.O. Box 27
999 Main Street, Suite 1300
Boise, Idaho 83707
Telephone: (208) 389-7318
Fax: (208) 389-7515

Attorneys for J. R. Simplot Company

1995 APR -6 PM 2:52
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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 No. 39576
The State of Idaho, ex rel. R. Keith Higginson in his official capacity as director of the Idaho Department of Water Resources, Petitioner, v. The United States; the State of Idaho; and all claimants to the use of water from the Snake River Basin Water System, Defendants.	**NOTICE OF WITHDRAWAL OF COUNSEL**

NOV 15 1995

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

36-13320
57-02203A

DATED this 4th day of April, 1994.

Bruce L. Belzer
Assistant General Counsel for
J. R. Simplot Company

NOV 15

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:

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Law Office of James Annest
1742 Overland Avenue
Burley, Idaho 83318

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Rexburg, Idaho 83440

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Boise, Idaho 83701

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NOV 15 1995

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Albert P. Barker
Richard B. Burleigh
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Murray D. Feldman
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Boise, Idaho 83701

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Payette, Idaho 83661

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Scott L. Campbell
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Key Financial Center, 10th Floor
702 West Idaho Street
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NOV 15 1995

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Ketchum, Idaho 83340

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Vale, Oregon 97918

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

Craig R. Zaiss
CRAIG R. ZAISS, P.A.
Attorney at Law
305 Grover Street
P.O. Box 628
Parma, Idaho 83660

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

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

NOV 15 1995

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

5500v

NOV 15 1995

T3722 J.R. SIMPLOT

33-2119
33-2125

Copy for AT files

DO NOT FILM

Form 222
1-87

Page 1 of 8

RECEIVED
DEC - 9 1991
Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 19 1990

Transfer No. 3722

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED
Department of Water Resources

PART 1

Name of applicant J. R. Simplot Company Phone (208) 336-2110

Post Office address P.O. Box 27 83707

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Prior to the installation of 4 center pivots in 1988 and 1989 there were 634 acres irrigated under a flood irrigation system. The installation of the center pivots in 1988 and 1989 resulted in the drying up of 122 acres. These corner acres are no longer irrigated. The proposed change is to (Con't in Remarks Part 1 #6d.)

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
33-2125	6/8/66	10.00	Irrigation	4/15	to 9/15
* 33-2119	5/11/1965	10.08	"	"	to "
					to
					to

2. Total amount of water being transferred ~~2.56~~ 10.00 (33-2125) cubic feet per second and/or ~~320.0~~ 10.08 (33-2119) acre-feet per annum.

3. * Source of water groundwater tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	31	6N	30E	Butte	
		SE	SE	32	6N	30E	Butte	
		NW	NW	1	5N	29E	Butte	

DO NOT WRITE

5. Lands irrigated or place of use:

	Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
				NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
33-125	6N	30E	31	32	32	32	32	32	32	32	32									256
			32									32	32	32	32	32	32	32	32	256
		29E	35													30	31	31	30	122
33-119 *	6N	30E	32													32			32	64
			33	40	40	40	40	40		40	40	40	40	40	40					440

DO NOT WRITE

* 1 ... DID ... irrigation w/in the CAFO of J. R. Simplot Co.

634 (33-2125)

Transfer No. 3722

PART 1

6. General Information:

a. Description of diversion system Wells, pumps, pipelines, prinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The land previously irrigated will remain dry.

d. Remarks:
take the water right pertaining to the dried up corner acreage and transfer the place of use listed below to new acreage irrigated with a new pivot. The total acreage irrigated after the installation of the new center pivot will remain at 634 acres.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 33-2125 & 33-2119

And said application is hereby APPROVED, subject to the following limitations and conditions:

See attached sheet for conditions of approval.

Witness my hand this 25th day of November, 1991.

J. Glenn Saxton
Chief, Water Allocation Bureau

DO NOT FILM

Transfer No. 3722

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. _____ Decreed to _____
      in case of _____ vs. _____
      dated _____ in _____ county of _____
   b. License No. 33-02125 issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water Groundwater tributary to _____
4. Date or priority 6/8/1966
5. Water is used for the following purpose:
   amount 10 c.f.s. (cfs/ac-ft) for Irrigation purposes from 4/15 to 9/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	31	6N	30E	Butte	
		SE	SE	32	6N	30E	Butte	
		~~NW~~	~~NW~~	~~1~~	~~5N~~	~~29E~~	~~Butte~~	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	30E	31	39	40	40	39	40	40	40	40									318
		32									40	39	39	40	39	40	40	39	316

Total acres 634

9. Describe any other water rights used for the same purpose as described above _____

DO NOT FILM

PART 2

Transfer No. 3722

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No
_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.56 c.f.s (cfs/ac-ft) for Irrigation purposes from 4/15 to 9/15
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	31	6N	30E	Butte	
		SE	SE	32	6N	30E	Butte	
		NW	NW	1	5N	29E	Butte	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	29E	35													30	31	31	30	122

Total acres 122

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount 7.44 c.f.s (cfs/ac-ft) for Irrigation purposes from 4/15 to 9/15
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	31	6N	30E	Butte	
		SE	SE	32	6N	30E	Butte	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	30E	31	32	32	32	32	32	32	32	32									256
		32									32	32	32	32	32	32	32	32	256

Total acres 512

DO NOT FILE

Transfer No. 3722

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. _____ Decreed to _____
      in case of _____ vs. _____
      dated _____ in _____ county of _____
   b. License No. 33-2119 issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water GROUND WATER tributary to _____
4. Date or priority 5/11/65
5. Water is used for the following purpose:
   amount 10.36 cfs (cfs/ac-ft) for IRRIGATION purposes from 4/15 to 9/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	31	6N	30E	Butte	
		SE	SE	32	6N	30E	Butte	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	30E	32													39			39	78
		33	40	40	40	40	40		40	40	40	40	40	40					440

Total acres 518

9. Describe any other water rights used for the same purpose as described above SAME P/D AS 33-2125
   78 ACRE OVERLAP IN SEC 32 W/ 33-2125

DO NOT FILM

PART 2

Transfer No. 3722

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)

2. Point(s) of Diversion:

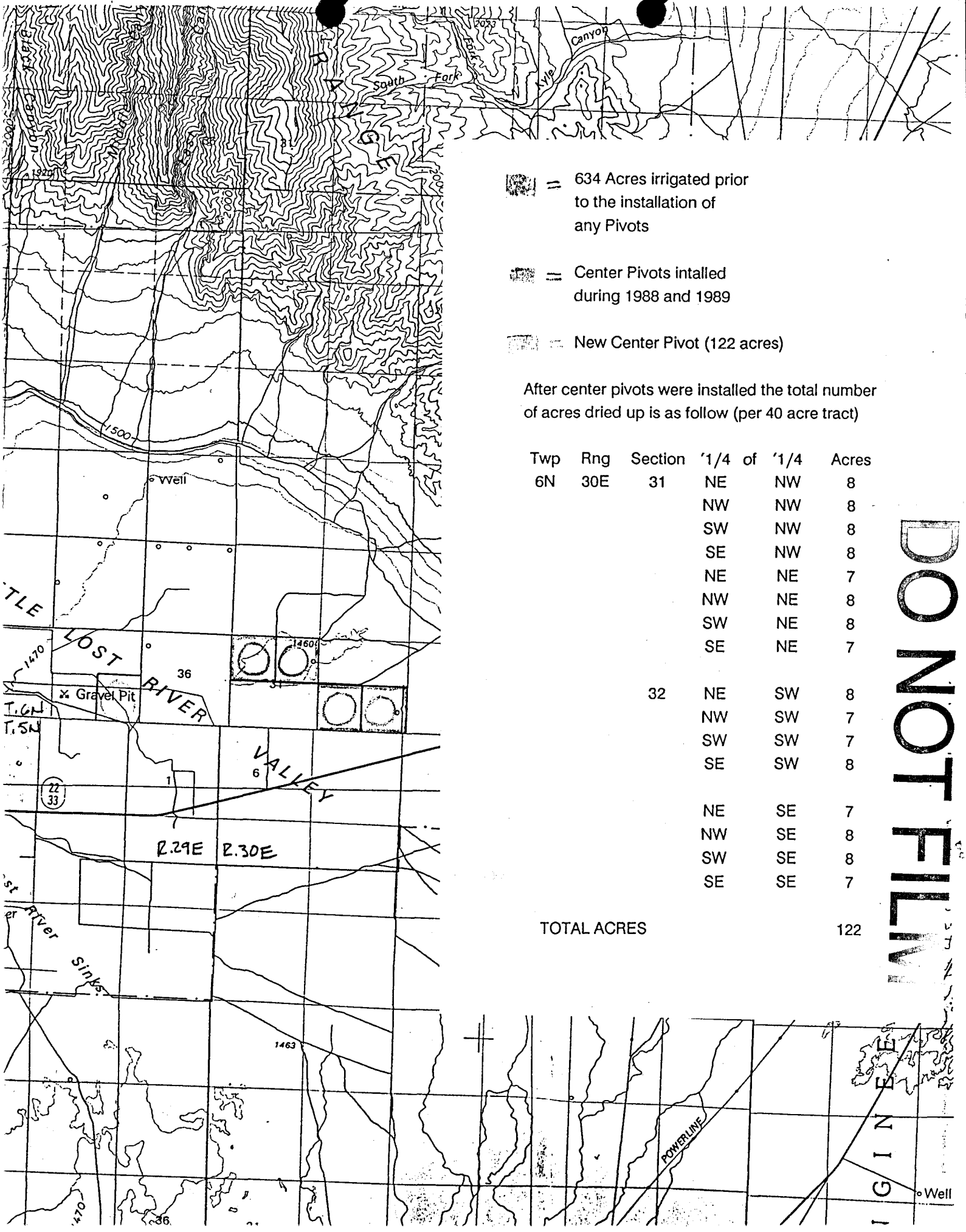
Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

NOTE



= 634 Acres irrigated prior to the installation of any Pivots

= Center Pivots intalled during 1988 and 1989

= New Center Pivot (122 acres)

After center pivots were installed the total number of acres dried up is as follow (per 40 acre tract)

Twp	Rng	Section	'1/4	of	'1/4	Acres
6N	30E	31	NE		NW	8
			NW		NW	8
			SW		NW	8
			SE		NW	8
			NE		NE	7
			NW		NE	8
			SW		NE	8
			SE		NE	7
		32	NE		SW	8
			NW		SW	7
			SW		SW	7
			SE		SW	8
			NE		SE	7
			NW		SE	8
			SW		SE	8
			SE		SE	7
TOTAL ACRES						122

DO NOT FILM

Transfer No. 3722

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
			to
			to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Lawrence W Grover - Sec. JR Simplot Comp.
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of June, 19 90.

Kelline Eaton
(Notary Public)

My commission expires 10-13-92

DO NOT WRITE

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee $50.00 _____

Receipted by J Dawson Date 6/19/90 _____

Published in State Wide Copies of protest forwarded by _____

Pub. dates 7-18; 25-91 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by Rec

Copy of transfer sent to lien holder _____

ATTACHMENT
CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 33-2125 & 33-2119

Transfer No. 3722

1. The maximum combined rate of diversion under this right and Right No. 33-2119 shall not exceed 12.9 cfs.

2. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.

3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 25th day of November, 1991.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

DO NOT FILM

RECEIVED
DEC 29 1977
Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 33-2125 Priority June 8, 1966 Amount 10.0 cfs

THIS IS TO CERTIFY, that Simplot Industries, Inc.

of Boise, Idaho, has complied with the terms and conditions of Permit No. 33-2125 issued pursuant to Application for Permit dated June 8, 1966, and has submitted proof to the Department of Water Resources on April 14, 1971, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 12.9 cfs of water from a groundwater source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use		Rate of Diversion		Annual Volume
Irrigation	from April 15	to September 15	at 10.0	cfs and	1668 acre feet
	from	to	at	cfs and	
	from	to	at	cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 10.0 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1668 acre feet per year, said waters to be diverted within the NE¼NE¼, Sec. 31 and SE¼SE¼, Sec. 32, Twp. 6N, Rge. 30E, B. M. in the County of Butte

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	30E	31	39	40	40	39	40	40	40	40									318
		32									40	39	39	40	39	40	40	39	316

Total number of acres irrigated 634

This right when combined with License No. 33-2119 shall produce a maximum rate of diversion of 12.90 cfs.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of December, 19 77.

Director

DO NOT FILM

Filing Fee: $10.00
Receipt # 10338

RECEIVED
DEC 21 1977
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT

Permit No. 33-2125

Comes now Simplot Industries, Inc. of (address) Box 2777, Boise, Idaho 83707, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 33-2125, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE ¼ NE ¼, Sec. 31 Twp. 6N Rge. 30E, B.M., County of Butte. Other points of diversion:

SE¼SE¼, Sec. 32, Twp. 6N, Rge. 30E, B. M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
NO CHANGE

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

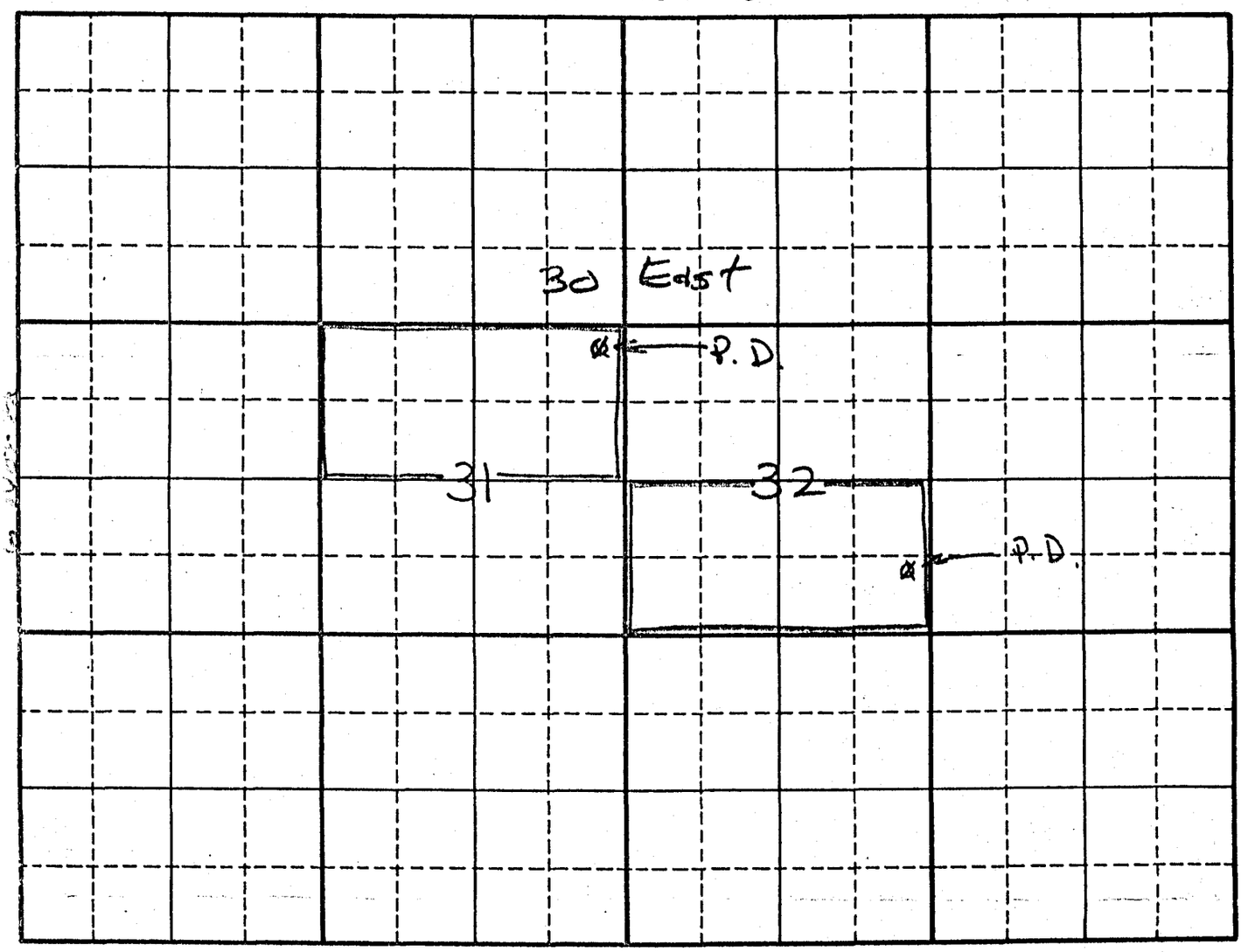
3. Place of use or land to be irrigated:
NO CHANGE

TWP	RANGE	SEC	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total number of acres to be irrigated

DO NOT FIL

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Boise, Idaho, this 16th day of December, 1977.

SIMPLOT INDUSTRIES, INC.

By _____ (signature)

Its Senior Vice Presiden

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. Stephen Allred, Director of the Department of Water Resources

hereby approve the foregoing application for amendment for Permit No. 33-2125.

Witness my hand this 23 day of December, 1977.

_____
Director

DO NOT FILE

RECEIVED
DEC 29 1977
Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 33-2119 Priority May 11, 1965 Amount 10.36 cfs

THIS IS TO CERTIFY, that Simplot Industries

of Boise, Idaho, has complied with the terms and conditions of Permit No. 33-2119 issued pursuant to Application for Permit dated May 11, 1965, and has submitted proof to the Department of Water Resources on April 10, 1970, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 12.90 cfs of water from a groundwater source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
Irrigation	from April 15	to September 15	at 10.36 cfs	and 1554 acre feet
	from	to	at	cfs and
	from	to	at	cfs and

(both dates inclusive)

Subject, however, to the condition that no more than 10.36 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1554 acre feet per year, said waters to be diverted within the SE¼SE¼, Sec. 32, and NE¼NE¼, Sec. 31, Twp. 6N, Rge. 30E, B. M. in the County of Butte

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	30E	32													39			39	78
		33	40	40	40	40	40		40	40	40	40	40	40					440

Total number of acres irrigated 518

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of December, 19 77.

Director

DO NOT FILE

Filing Fee: $10.00
Receipt # 10224
Wtm

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT

Permit No. 33-2119

Comes now Simplot Industries, Inc. of (address) Box 2777, Boise, ID 83707, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 33-2119, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE ¼ NE ¼, Sec. 31 Twp. 6N Rge. 30E, B.M., County of Butte. Other points of diversion:

SE¼SE¼, Sec. 32, Twp. 6N, Rge. 30E, B. M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
NO CHANGE

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

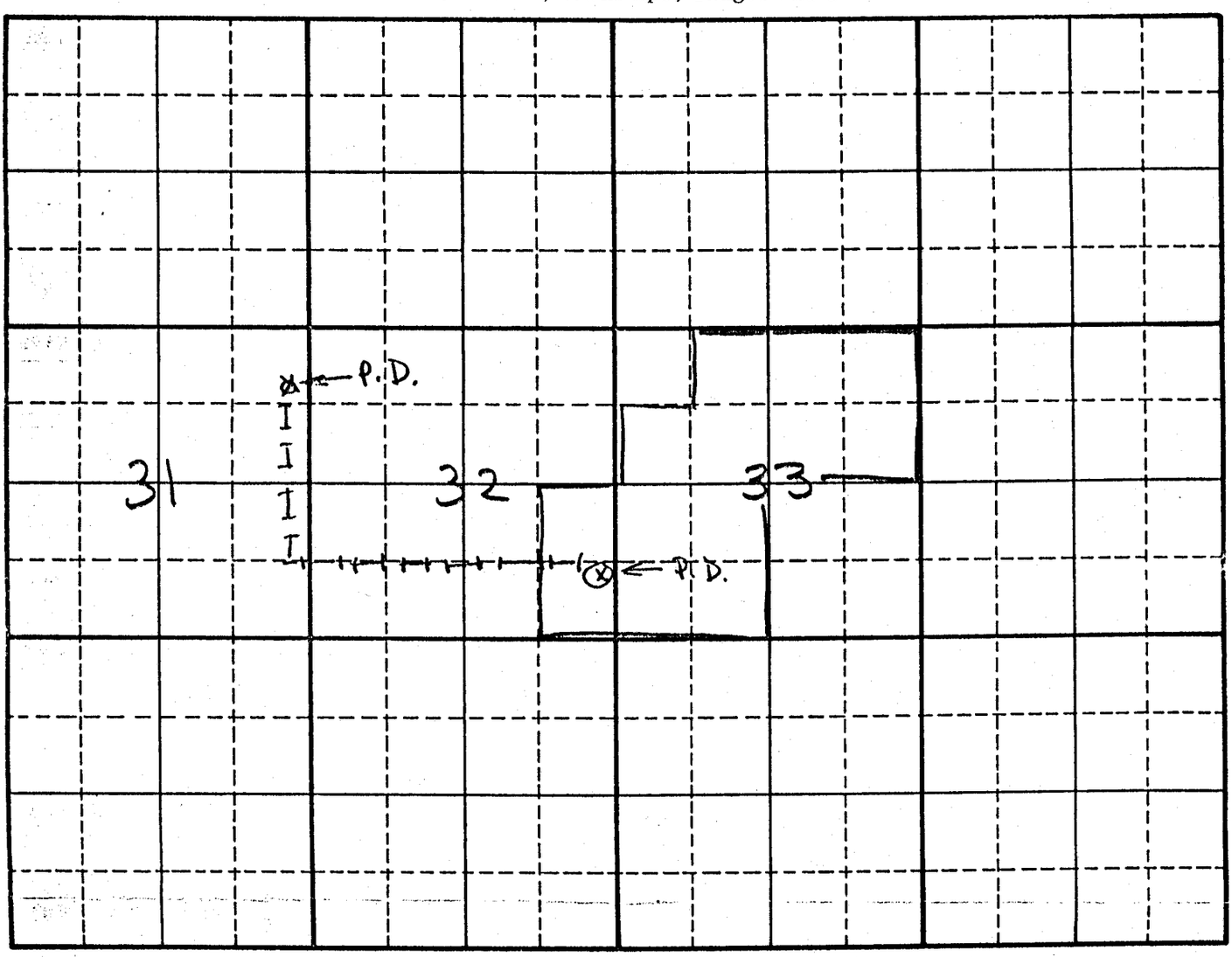
3. Place of use or land to be irrigated:
NO CHANGE

TWP	RANGE	SEC	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total number of acres to be irrigated

DO NOT FIL

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Boise, Idaho, this 15th day of December, 19 77.

SIMPLOT INDUSTRIES, INC.

By _____ (signature)

Its Senior Vice President

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. Stephen Allred, Director of the Department of Water Resources hereby approve the foregoing application for amendment for Permit No. 33-2119.

Witness my hand this 23 day of December, 19 77.

_____
Director

WATER RIGHT LICENSE

License of Water Right No. 33-2119 Priority May 11, 1965 Amount 10.36 cfs

THIS IS TO CERTIFY, that Simplot Industries

of Boise, Idaho, has complied with the terms and conditions of Permit No. 33-2119 issued pursuant to Application for Permit dated May 11, 1965, and has submitted proof to the Department of Water Resources on April 10, 1970, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 12.90 cfs of water from a groundwater source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 15 to September 15th	10.36 cfs and	1554 acre feet
_____	from _____ to _____	cfs and	_____
_____	from _____ to _____	cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 10.36 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1554 acre feet per year, said waters to be diverted within the SE¼SE¼, Sec. 32, and NE¼NE¼, Sec. 31, Twp. 6N, Rge. 30E, B. M. in the County of Butte

Description and location of place of use:

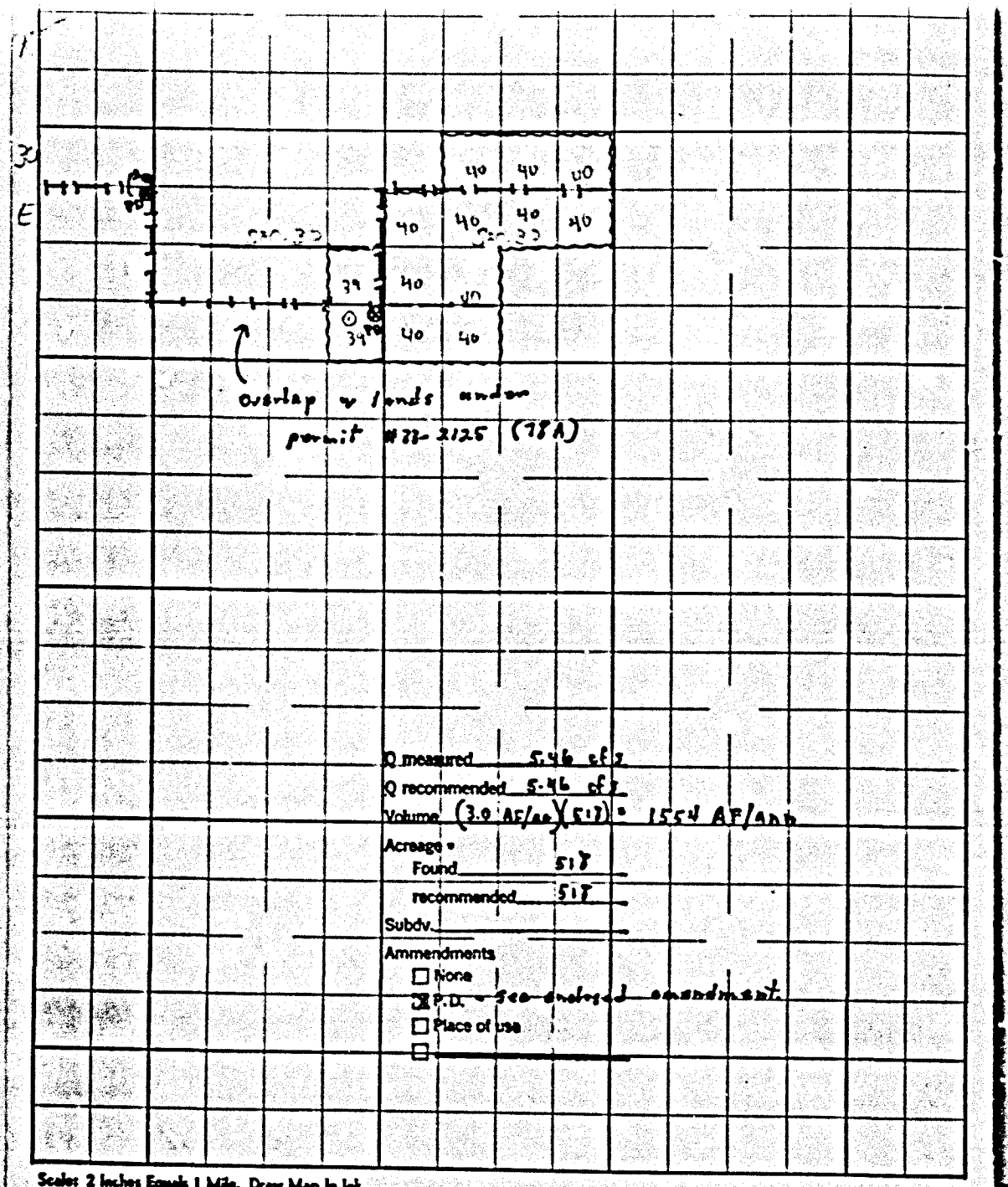
Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	30E	32													39			39	78
		33	40	40	40	40	10		40	40	40	40	40	40					440

Total number of acres irrigated 518

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

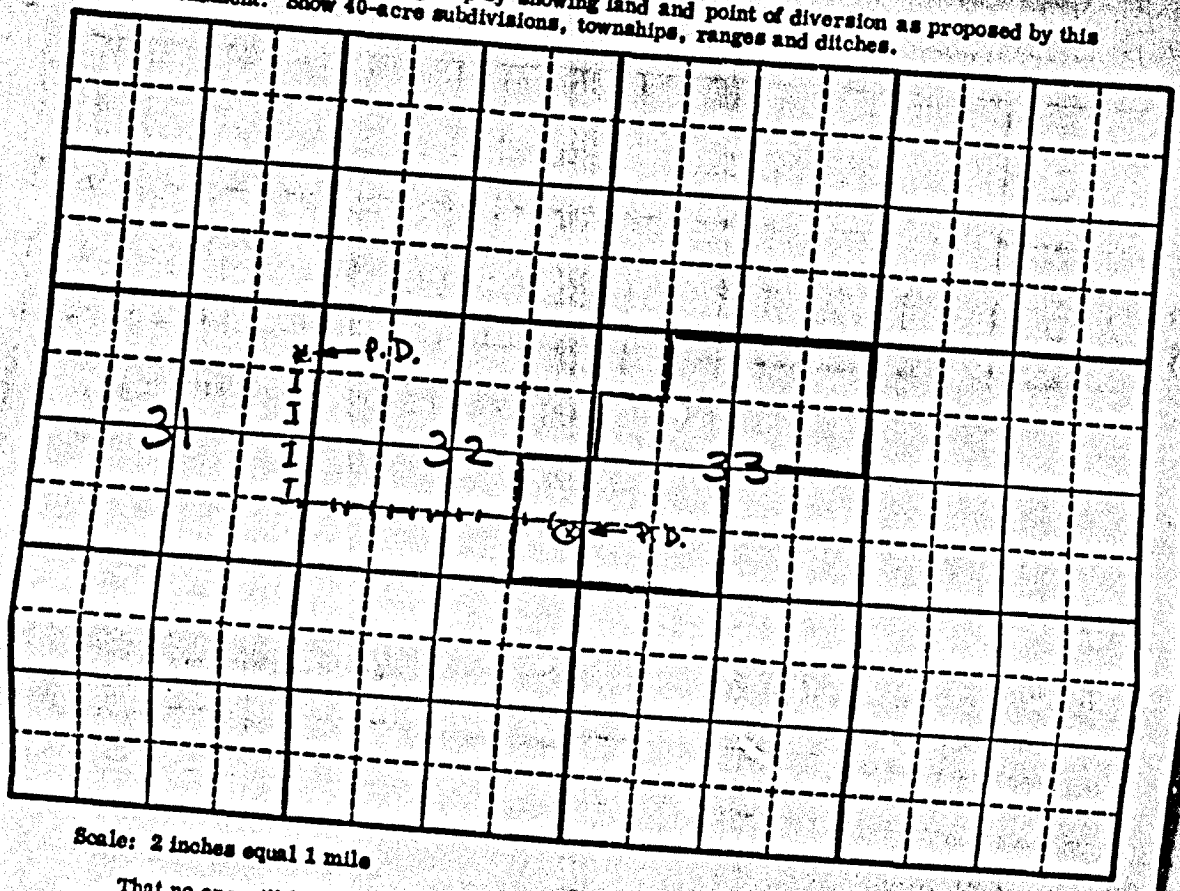
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of December, 19 77.


40
40
40
40
40
40
40
39
40
34
40
40
overlap w lands under
permit #88-2125 (78A)
Q measured 5.46 cfs
Q recommended 5.46 cfs
Volume (3.0 AF/ac)(518) = 1554 AF/anb
Acreage =
Found 518
recommended 518
Subdv.
Ammendments
None
P.D. - See enclosed amendment.
Place of use
Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

DO NOT

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Boise, Idaho, this 15th day of December, 19 77.

SIMPLOT INDUSTRIES, INC.

By _____

Its (signature) Senior Vice President

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. Stephen Allred, Director of the Department of Water Resources hereby approve the foregoing application for amendment for Permit No. 33-2119.

Witness my hand this 23 day of December, 19 77.

_____
Director

DO NOT F

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Ruby Company, Box 2777, Boise, Idaho, has received an approved permit No. G-32364/33-2119 issued by the Idaho State Reclamation Department authorizing the diversion of 10.4 cubic feet per second of water from a ground-water source, subject to all prior rights. The priority to be established under this permit is May 11, 1965 and the permit was approved May 14, 1965. Water is to be diverted by well and pump from a point within the SE¼SE¼, Sec. 32, T. 6 N, R. 30 E, B. M., Butte County to be used for irrigation in the E½SE¼, Sec. 32; NE¼, E½NW¼, SW¼NW¼, SW¼, Sec. 33, T. 6 N, R. 30 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before May 14, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Arco Advertiser, Arco, Idaho, on _____ and _____.

33364
33-2119

Re: Permit No. G

Ruby Company
Box 2777
Boise, Idaho

ATTENTION: R. M.

Dear Mr. Winsns:

During the amendments were making proof of ment to comply were adopted on the amended law relieve the perm of works and ber

The enclose rules and regul required to publ in a paper as pr been issued a pe Previously, a pe when he submitte

If you will notice to be pub mation, we will

DWM:JMB

Enc. Order
Advertising

G 32364

Mrs Roth -

The attached log belongs to Application G 40513 Permit No. G 32364 Checked with our people in Asbury & they verified the Point of Diversion as -

SE¼ SE¼, Sec 32, T6N, R30E

Ron Winans

RECEIVED
JUL 15 1965
Department of Reclamation

32364

Road of the Domeliners and Streamliners

Owner's Permit No. [illegible]

NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: _____

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other _____

CASING SCHEDULE: Threaded ☐ Welded ☐ (explain)
24 "Diam. from 0 ft. to 152 ft.
26 "Diam. from _____ ft. to 368 ft.
_____ "Diam. from _____ ft. to _____ ft.
_____ "Diam. from _____ ft. to _____ ft.
Thickness of casing: ¼ inch Material
Steel ☒ concrete ☐ wood ☐ other ☐
To 18" depth 24" casing [illegible]

PERFORATED? Yes ☐ No ☒ Type of perforator used: _____

Size of perforations: _____" by _____"
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

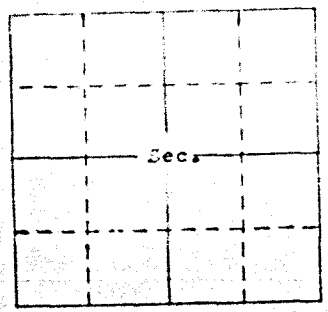
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☐ No. ☒ size of gravel _____ Gr[illegible]
placed from _____ ft. to _____ ft. Surface [illegible] provided? Yes ☐ No ☐ To what de[illegible] _____ ft. Material used in seal: _____

Did any strata contain unusable water? Yes ☒ No. ☐ Type of water: _____
Depth of strata _____ ft. Method of sealing strata off: _____

Surface casing used? Yes ☐ No. ☒
Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County [illegible]
SW ¼ SW ¼ Sec. 33 T. 6 N/S R. 30 E/W
SE¼ SE¼ 32

Use other side for additional re[illegible]

Size of pump an[illegible]
Length of time Drawdown: _____
above land surf[illegible]
or _____ gpm. Sh[illegible]
Controlled by:
No control ☐
Yes ☐ No

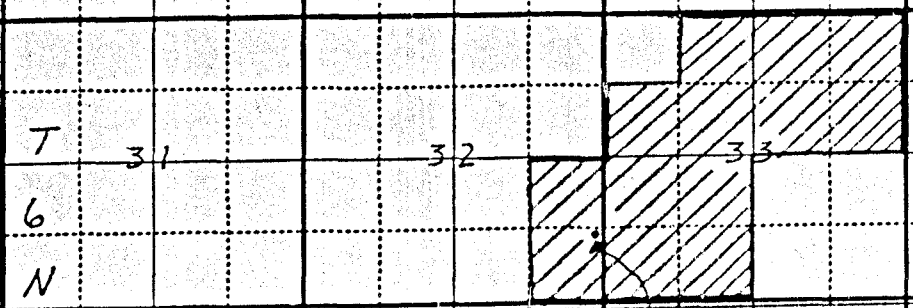
DEPTH FROM FEET	TO FEET	
0	24	[illegible]
24	26	[illegible]
26	45	[illegible]
45	62	[illegible]
62	85	[illegible]
85	125	[illegible]
125	161	[illegible]
161	195	[illegible]
195	216	[illegible]
216	235	[illegible]
235	253	[illegible]
253	265	[illegible]
265	412	[illegible]
412	419	[illegible]
419	423	[illegible]
423	431	[illegible]
431	442	[illegible]
442	462	[illegible]
462	474	[illegible]
474	485	[illegible]
485	493	[illegible]
493	511	[illegible]
511	527	[illegible]

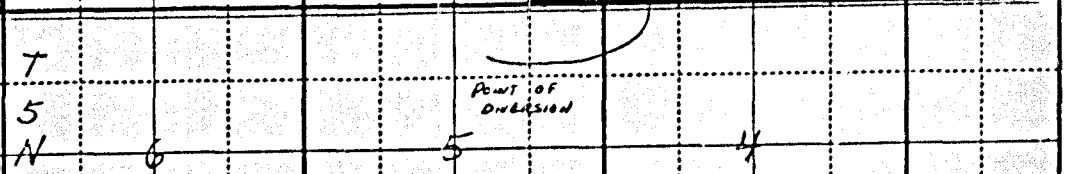
Work started:
Work finished
Well Driller's
drilled under
is true to the
Name: [illegible]
Address: [illegible]
Signed by: [illegible]
License No. [illegible]

NAME OF APPLICANT RUBY COMPANY

Form No. 0

DO NOT FILE





Permit Map No. 32364

As Approved MAY 14 1965

CARL E. TAPPAN

State Reclamation Engineer

R29E

R 30 E

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

32304

Form 23
2M-4-65

Examined 7/26/76

GE 450 hp
LB pump
5251 depth

A33-02487

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF EXAMINER

PERMIT NO. G-32364/33-2119

REPORT ON PROOF OF R/U - Simplot Industries

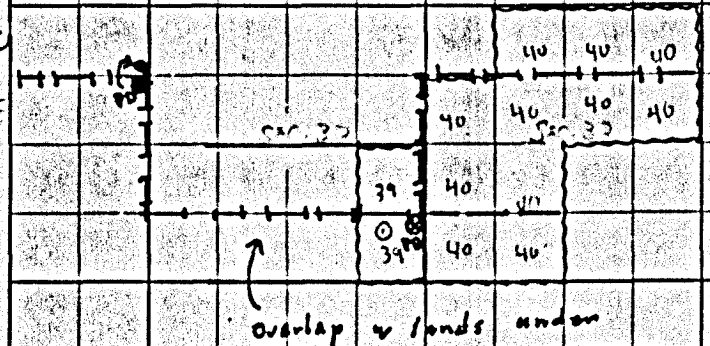
DO NOT FI

KH.

T 6 N

R 3 E

DO NOT FILE



Q measured 5.46 cfs

Q recommended 5.46 cfs

Volume (3.0 AF/ac)(518) = 1554 AF/Anh

Acreage =

Found 518

recommended 518

Subdv.

Ammendments

- ☐ None
- ☒ P.D. - see enclosed amendment
- ☐ Place of use
- ☐

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 3 1976
Department of Water Resources

REPORT OF EXAMINER

Permit No. G-32364/33-2119

This proof is for b/u In Water District No.

1. Name of applicant Simplot Industries, Box 2777, Boise, Idaho
2. Source of water supply: groundwater
3. Location of point of diversion: Is in the SE¼SE¼ of Section 32
   T. 6 N. R. 30 E. County of Butte
4. Describe works as they exist, giving dimensions and capacities of same: 650' deep - 24" - 7/16" and 20" - 5/16" casing - 650 H.P. G. E. Motor - 18" - 5 stage bowls. Water is conveyed through a mainline and sprinkler system.
   Motor: GE 450 HP, SN DAJ 421001; Pump - Layne-Bowler Pump no model #; into 18" main north 30ft to E-W 12" buried lateral w/ main containing North for approximately ½ mi. to second E-W lateral. Second Pd-See Exam on 33-2125 for pump data
5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion:
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

T. 6 N. R. 30 E.	Sec. 32	E½SE¼	80 acres
	33	NE¼, NE¼NW¼, S½NW¼, SW¼	440
			1° 52'

Total acres found 1518

Meas Calc: 163.2 gpm (hl) + 4 laterals (314.1 + 325.5 + 727.2 + 911.2) gpm

Σ gpm = 2451.2 gpm $\left(\frac{1 \text{ cfs}}{448.8 \text{ gpm}}\right)$ = 5.46 c.f.s.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: From laterals operate from this system - ea ½ mi. long - 2 with 260 heads, 2 - with 194 heads ea. - all 1" nozzels. Wells System tied together with wells under permit no 33-2125 & Surface ground water may also be pumped into system from Simplot Ditch as supplement but this hasn't been done for last 2 yrs. One ½ mi hand line also operating - 32 - 1" nozzels

This examination was made on the 26 day of July, 19 76.

(Signed) Wilbur L. Rock
Examiner.

ASCS : Arco
SCS : Arco

Permit No. G-32364/33-2119 - Simplot Industries

Examination for b/u

County Butte

Sec. 32 T. 6N R. 30E

Quantity: (permit) 10.4 cfs (proof) same

Source: groundwater

P.D.: SE¼SE¼

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: May 11, 1965 MADE: April 10, 1970

Due: May 14, 1970 PRIORITY: May 11, 1965

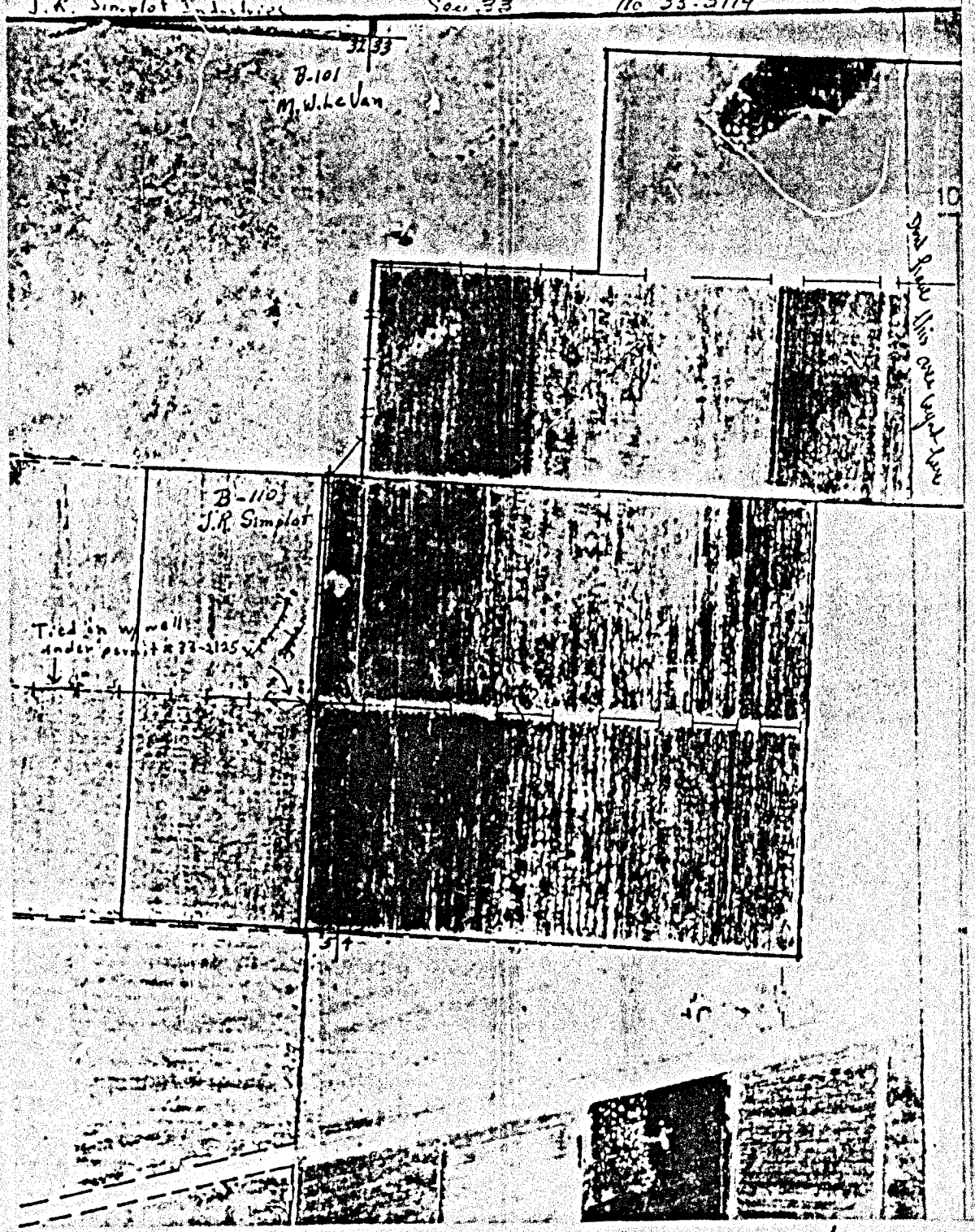
INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

NOTICE

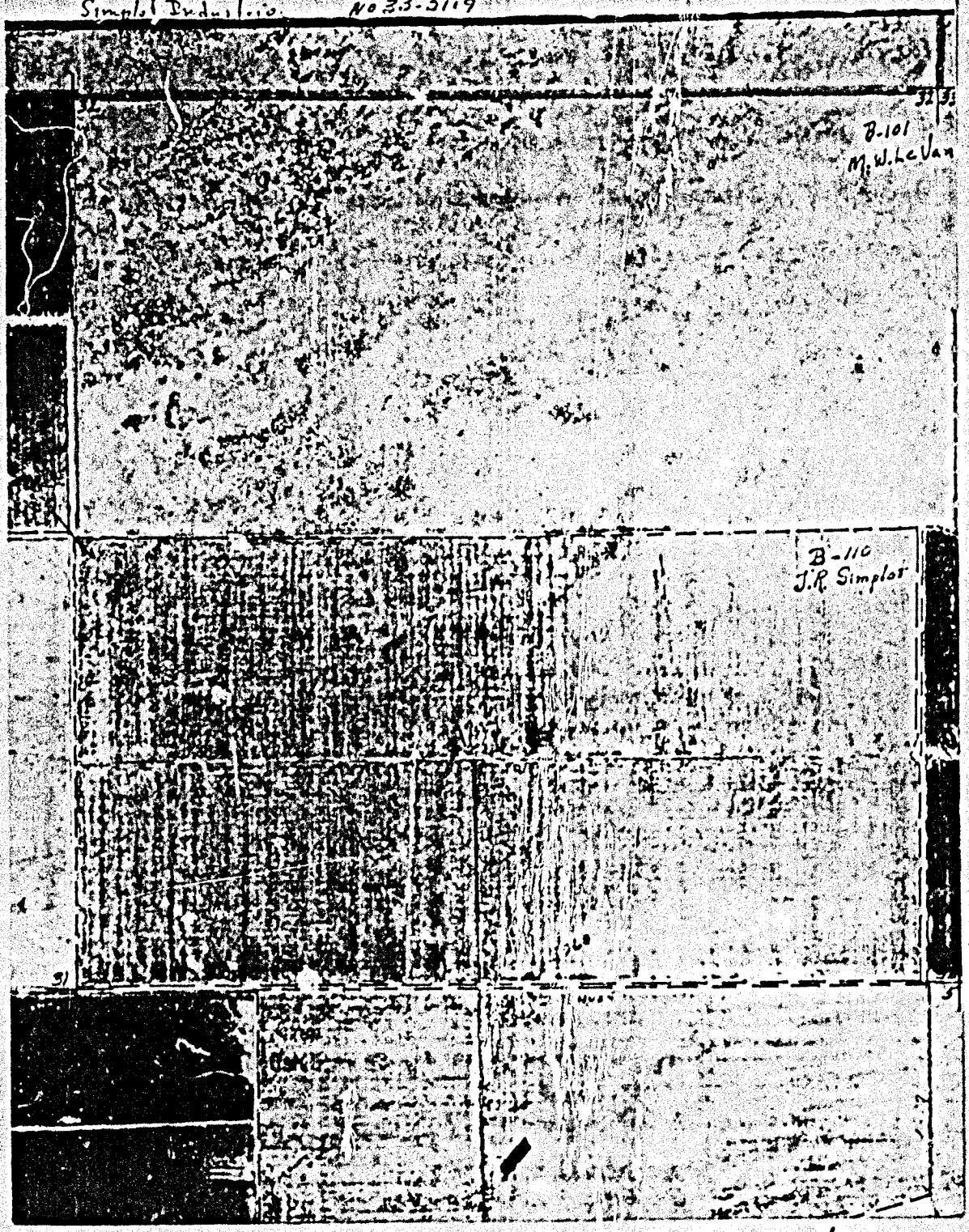
DO NOT F

J.R. Simplot Industries Sec. 33 No 33-2119



DO NOT F

Simplot Dudley No 23-2119



DO NOT

From: Bill MacAllister

To: Files 33-2119 and 33-2125

Once these permits are amended to show both P.D.'s capacity of the system will be the sum of the two seperate messurements. Thus:

$$Q_{capacity} = 5.46 \text{ cfs} + 7.44 \text{ cfs} = 12.90 \text{ cfs}$$

$$V_{capacity} = \frac{153 \text{ day} \times 24 \frac{\text{hr}}{\text{day}} \times 60 \frac{\text{m}}{\text{hr}} \times 448.8 \frac{\text{gpm}}{\text{cfs}} \times 12.9 \text{ cfs}}{325{,}900 \text{ gal/AF}}$$

$$= 3914 \text{ AF/year}$$

Recommendations:

33-2119

Q = ~~10.36 cfs~~ 10.36 cfs

V = 3.0 AF/A.year × 518 A = 1554 AF

33-2125

Q = 10.0 cfs

V = 3.0 AF/A.year × 634 A. − 3 AF/A.year × 78 A (overlap)

V = 1668 AF/year

Condition: This right when combined with 33-2119 shall produce a ~~rate~~ of maximum rate of diversion of 12.90 cfs.

31

32

33

1

6

5

4

A33-02119

7

8

9

29 28
32 33

T.6N. R.30E.

28 27
33 34

308
T 350
C & Y FARMS

② NHEL
282.1

8.5

③
176.5

32 33
5 4

33 34
4 3

T.5N.

V-17

Water Right Number - 33-02119 Prefix Translation: WATER RIGHT Old (D) Number - 32364

*** C - CURRENT OWNER ***
J.R. SIMPLOT CO.

1 - P.O. BOX 27
2 -
3 -
City- BOISE State- ID Zip- 83707
Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/11/1965	15 EASTERN	L - LICENSE	

Source: GROUNDWATER

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
05N	29E	1	NW NW			(23) BUTTE			
06N	30E	31	NE NE			(23) BUTTE			
		32	SE SE			(23) BUTTE			

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	09/15	10.080	1512.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
10.080	1512.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06N	30E	32	NE SE		32.0	01	IRRIGATION	(23) BUTTE
06N	30E	32	SE SE		32.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	NE NE		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	NW NE		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	SW NE		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	SE NE		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	NE NW		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	SW NW		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	SE NW		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	NE SW		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	NW SW		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	SW SW		40.0	01	IRRIGATION	(23) BUTTE
06N	30E	33	SE SW		40.0	01	IRRIGATION	(23) BUTTE

Total Acres: 504.0

Diversion Means -

Non-Irrigation Use -

10.08
x 1,983 x 180 =
35.98

504 x 3 =
1512
504 x 3.5
= 1764

Water right number - 33-02119 Prefix Translation: WATER RIGHT

+ - - Other Rights for Same Use -

+ - Remarks - +

GEN The maximum combined rate of diversion under this right and Right No. 33-2125 shall not exceed 12.9 cfs.

+ - Old Water Right Numbers - +

No Old Water Right Numbers found.

+ - Conditions of Approval - +

T07 - The right holder shall accomplish the change authorized by this - transfer within one (1) year of the date of this approval.
T08 - Failure of the right holder to comply with the conditions of this - transfer is cause for the Director to rescind approval of the - transfer.
T09 - Approval of this transfer does not preclude the opportunity for - review of the validity of the water right(s) in the ongoing - Snake River Basin Adjudication.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
		00/00/0000

+ -Comments- +

Date: 11/19/1991 User Id: LUKE Subject: Transfer No. 3722
Transfer No. 3722 added a point of diversion to this right and also reduced total acreage from 518 acres to 504 acres. Due to reduction in acreage, the total rate of diversion and annual volume was reduced proportionately.

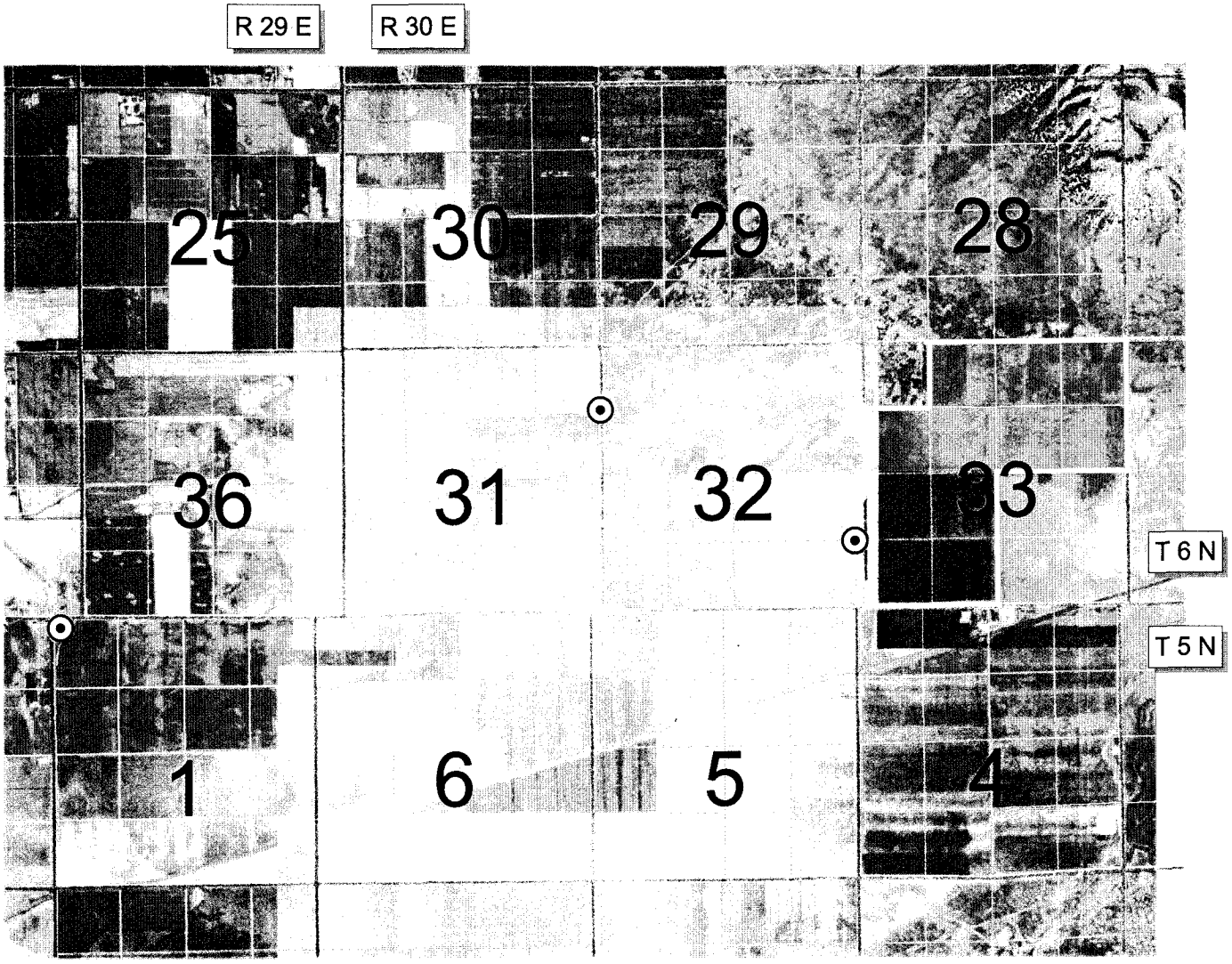
+ - - Audit Fields - 05/20/86 05/22/88 CONVERT 07/13/89 CURTIS 11/19/91 LUKE 11/19/91 LUKE 11/22/91 MILLER 08/10/95 BCHAPMAN

+ - Water Rights Dates and Flags Area - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 04/19/1979	Appl Received	- 00/00/0000	Transfer/Amended	- T
Presumption Flag	-	Name Connector	-	POU Ownership Flag	-
SRBA Decreed Flag	-				

Idaho Department of Water Resources

Water Right 33-02119



Townships 5 and 6 North
Ranges 29 and 30 East

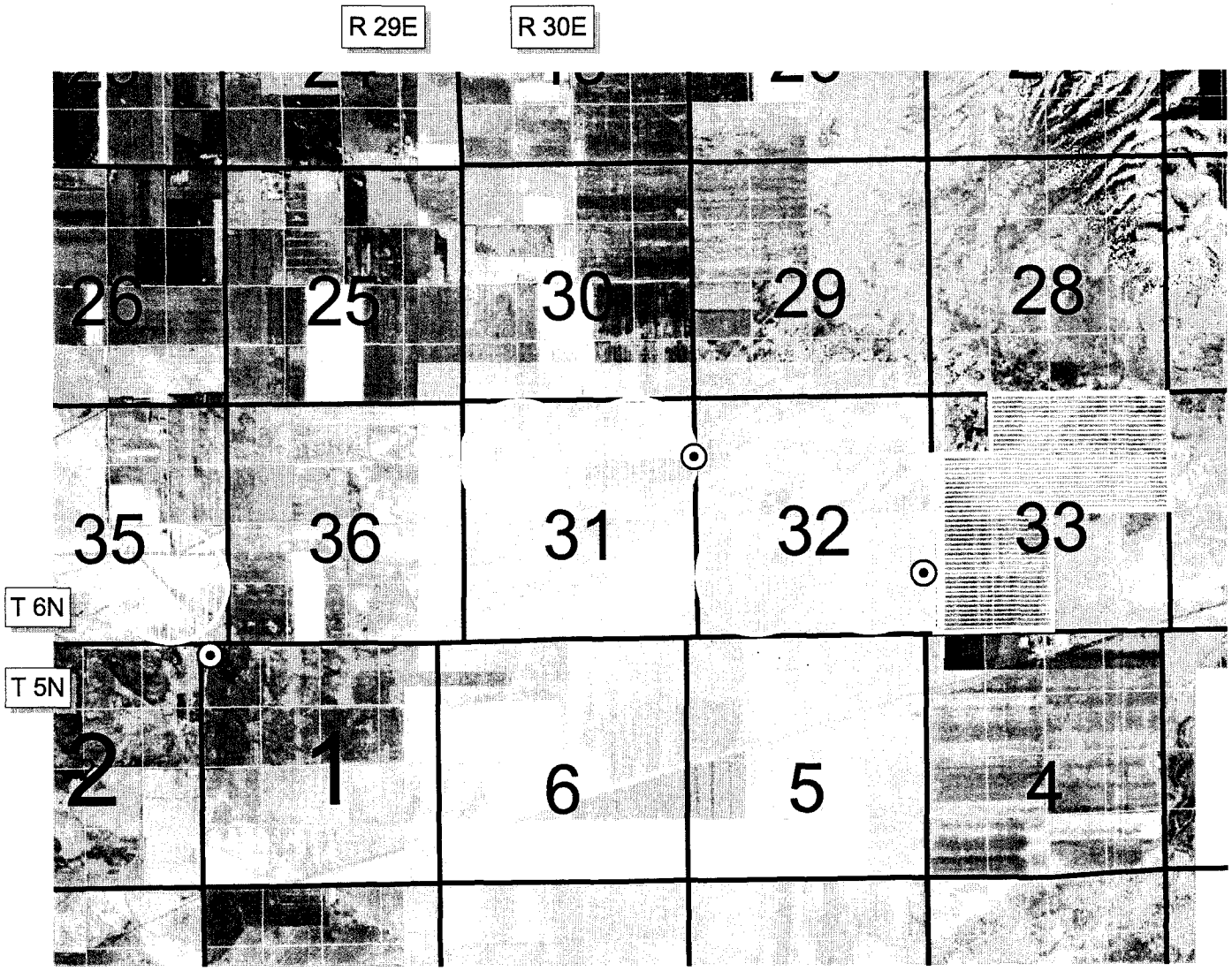
N
W
E
S

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

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
November, 1999

Idaho Department of Water Resources

Water Rights 33-02119, 33-02125



Point(s) of Diversion
32-02125 Place of Use
32-02119 Place of Use
Section Lines
Quarter-quarter Lines

Townships 5 and 6 North
Ranges 29 and 30 East

N
W
E
S

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
September, 1999

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	J R SIMPLOT COMPANY	05/11/1965	IRRIGATION	04-15	09-15	10.080 CFS	1512.00 AFA
					TOTAL DIVERSION:	10.080 CFS	1512.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion:

T05N R29E S01	NWNW		BUTTE County
T06N R30E S31	NENE		BUTTE County
S32	SESE		BUTTE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	SUM
06N	30E	32													32			32	64.0
06N	30E	33	40	40	40	40	40		40	40	40	40	40	40					440.0
																	TOTAL ACRES		504.0

POU County: BUTTE

Other Rights: 33-02125

Conditions of Approval:

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS - NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT - ADMINISTRATION OF THE WATER RIGHTS.

Remarks:

QNT USE OF THIS RIGHT WITH RIGHT NO. 33-02125 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.9 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3759 AF.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 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.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 33-02125 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1074 ACRES IN A SINGLE IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 33-02054, 33-02075, 33-02076A, 33-020768, 33-02125, 33-07007, 33-07053, 33-07061.

POD # 97, 98, 99

POU # 79, 80

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Comments: Date: 08/05/1999 User-ID: BCONTOR Subject: COPIED FROM REMARKS
OTHER RIGHTS: A33-02054, A33-02075, A33-02076A, A33-02076B,
A33-02125, A33-07007, A33-07053, A33-07061.
THESE RIGHTS ARE ALL PART OF THE SAME SYSTEM.
|
CLAIM AMENDED 8/99 TO CORRECT LEGAL LOCATION OF POD'S. BCONTOR.
|
ACREAGE, CFS, ACRE FEET REDUCED PER T3722, SEE T. LUKE NOTES
FROM 1991.
|
POD AT 05N 29E 01 NWNW IS NO LONGER USED, HAS BEEN REPLACED WITH
NEW WELL AT 06N 29E 35 SESESE. THIS OCCURED AFTER 1987 W/O VALID
TRANSFER SO ORIGINAL LOCATION IS RECOMMENDED.

Audit: 10/26/99 BCONTOR

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: **A33-02119**
Date Received: 1/12/1990
Receipt No: C013984
Received By: _____

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

1. Name: J R SIMPLOT COMPANY
   Address: PO BOX 27
   BOISE ID 83707

2. Date of Priority: MAY 11, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	30E	5		SW	NW		BUTTE
		6		SE	NW		BUTTE
06N	29E	35	SE	SE	SE		BUTTE
	30E	31		NE	NE		BUTTE
		32		SE	SE		BUTTE

5. Description of diverting works:
   WELLS, PUMPS AND PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	09/15	10.360		1554.00

7. Total Quantity Appropriated is:
   10.360 C.F.S. (and/or) 1554.00 A.F.A.

8. Total consumptive use is 7572.5 Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
05N	29E	1	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	640.0
	30E	5	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	640.0
		6	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	48.0
			SW	NW		IRR	47.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
05N	30E	6	NW	SW		IRR	47.0
			SW	SW		IRR	47.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		669.0
06N	30E	31	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
					Section Acres		320.0
		32	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		320.0
		33	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
					Section Acres		440.0

10. Place of Use: Continued

Total Acres 3029.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:
OTHER RIGHTS: A33-02054, A33-02075, A33-02076A, A33-02076B, A33-02125, A33-07007, A33-07053, A33-07061.
THESE RIGHTS ARE ALL PART OF THE SAME SYSTEM.
CLAIM AMENDED 8/99 TO CORRECT LEGAL LOCATION OF POD'S. BCONTOR.

15. Basis of Claim: LICENSE

Water Right Number: 32364

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: None

For Organizations:

I do solemnly swear or affirm that I am Secretary (Title) of J.R. Simplot Company (Organization), that I have signed the foregoing document in the space below as Secretary (Title) of J.R. Simplot Company (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Ronald N. Graves

Secretary, J.R. Simplot Company

Title and Organization

10/14/99

Date

State of Idaho)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 14th day of October 19 99

Janene A. Kattnes
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 5/31/02

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: A33-02119
Date Received: 1/12/90
Receipt No: C0139984
Received By: gp

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW



1. Name: J. R. SIMPLOT COMPANY
   Address: P.O. BOX 27
   BOISE, ID 83707

2. Date of Priority: MAY 11, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
05N	29E	1	NW NW		BUTTE
	30E	5	SW NW		BUTTE
		6	SE NW		BUTTE
06N	30E	31	NE NE		BUTTE
		32	SE SE		BUTTE

5. Description of diverting works:
   .WELLS, PUMPS AND PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	04/15	09/15	10.360	1554.00

7. Total Quantity Appropriated is:
   10.360 C.F.S. (and/or) 1554.00 A.F.A.

8. Total consumptive use is 7572.5 Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

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10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
05N	29E	1	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	640.0
	30E	5	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	640.0
		6	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	48.0
			SW	NW		IRR	47.0
			SE	NW		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05N	30E	6	NE	SW		IRR	40.0
			NW	SW		IRR	47.0
			SW	SW		IRR	47.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		669.0
06N	30E	31	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
					Section Acres		320.0
		32	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		320.0
		33	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
					Section Acres		440.0

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10. Place of Use: Continued

Total Acres 3029.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:
OTHER RIGHTS: A33-02054, A33-02075, A33-02076A, A33-02076B, A33-02125, A33-07007, A33-07053, A33-07061.
THESE RIGHTS ARE ALL PART OF THE SAME SYSTEM.

15. Basis of Claim: LICENSE
Water Right Number: 32364

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

Signature of Authorized Agent

Secretary, J. R. Simplot Company
Title and Organization

January 12, 1990
Date

State of Idaho)
) SS.
County of **Ada**)

Subscribed and sworn (or affirmed) before me this **12th** day of **January** 19 **90**

Notary Public

Seal

Residing at **Meridian**

My Commission Expires **11-06-91**

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