



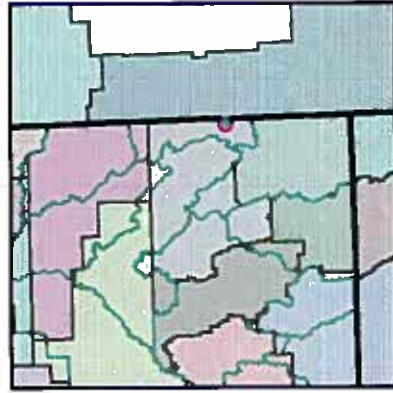
Idaho Department of Water Resources

SRBA Recommendation:

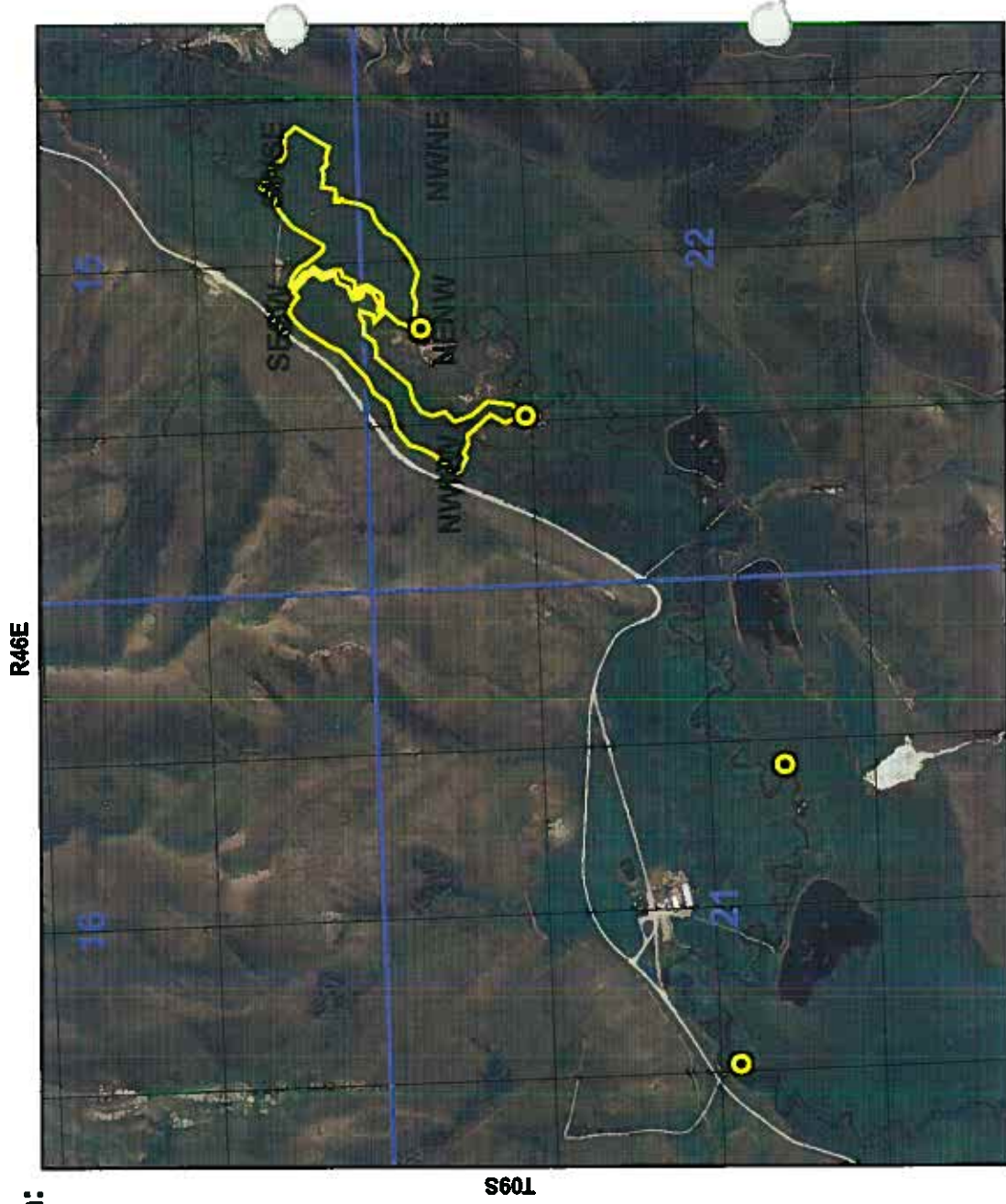
24-4015
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

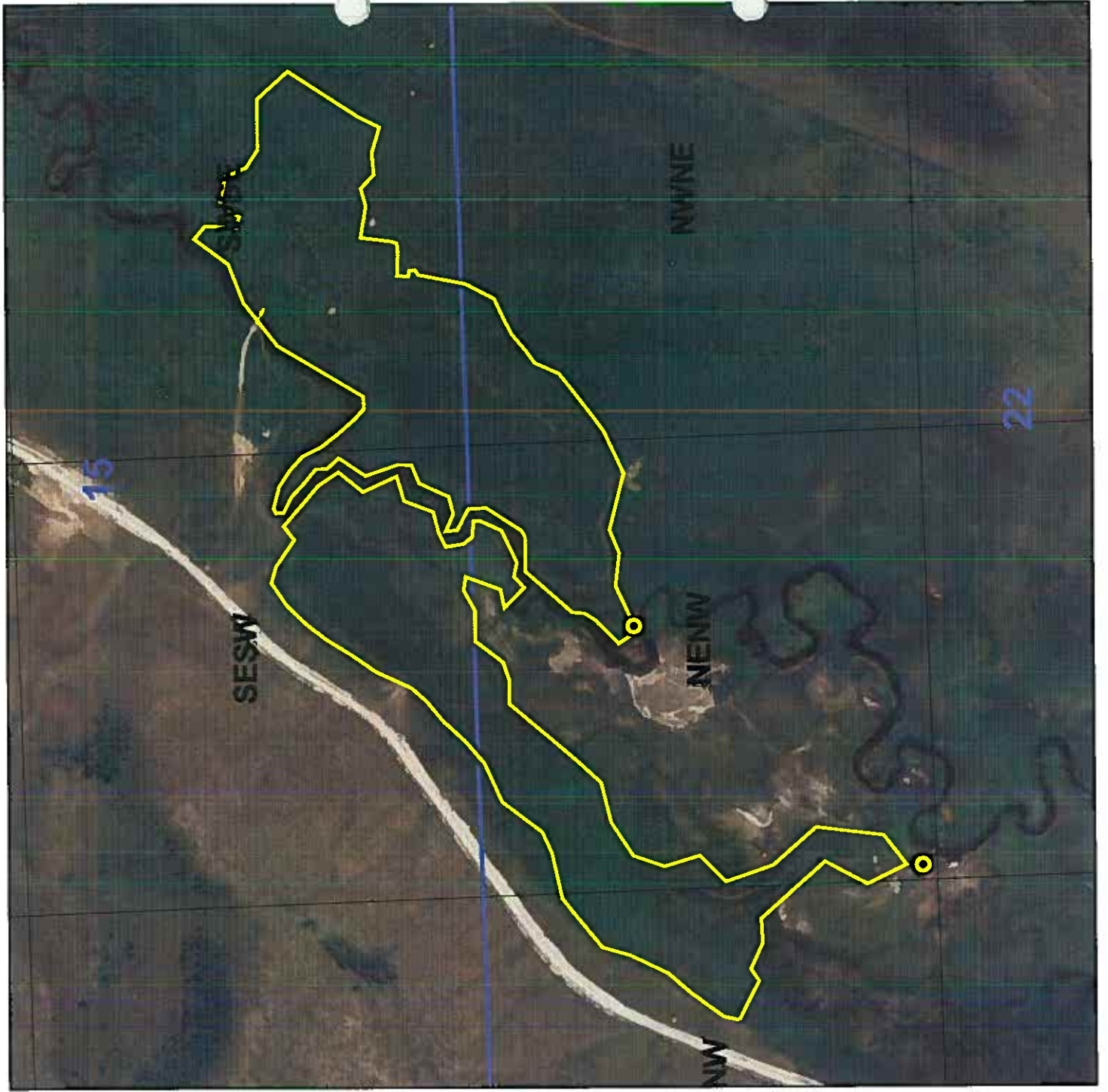


Caribou County
IDWR Basin 24



Prepared by C. Bird
On Thursday, November 15, 2007
2004 Aerial Photography

24-4015





Idaho Department of Water Resources

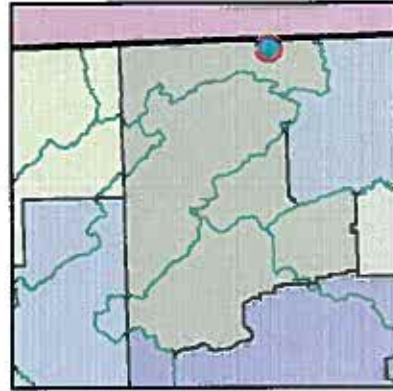
SRBA Recommendation:

24-4015

(Irrigation)

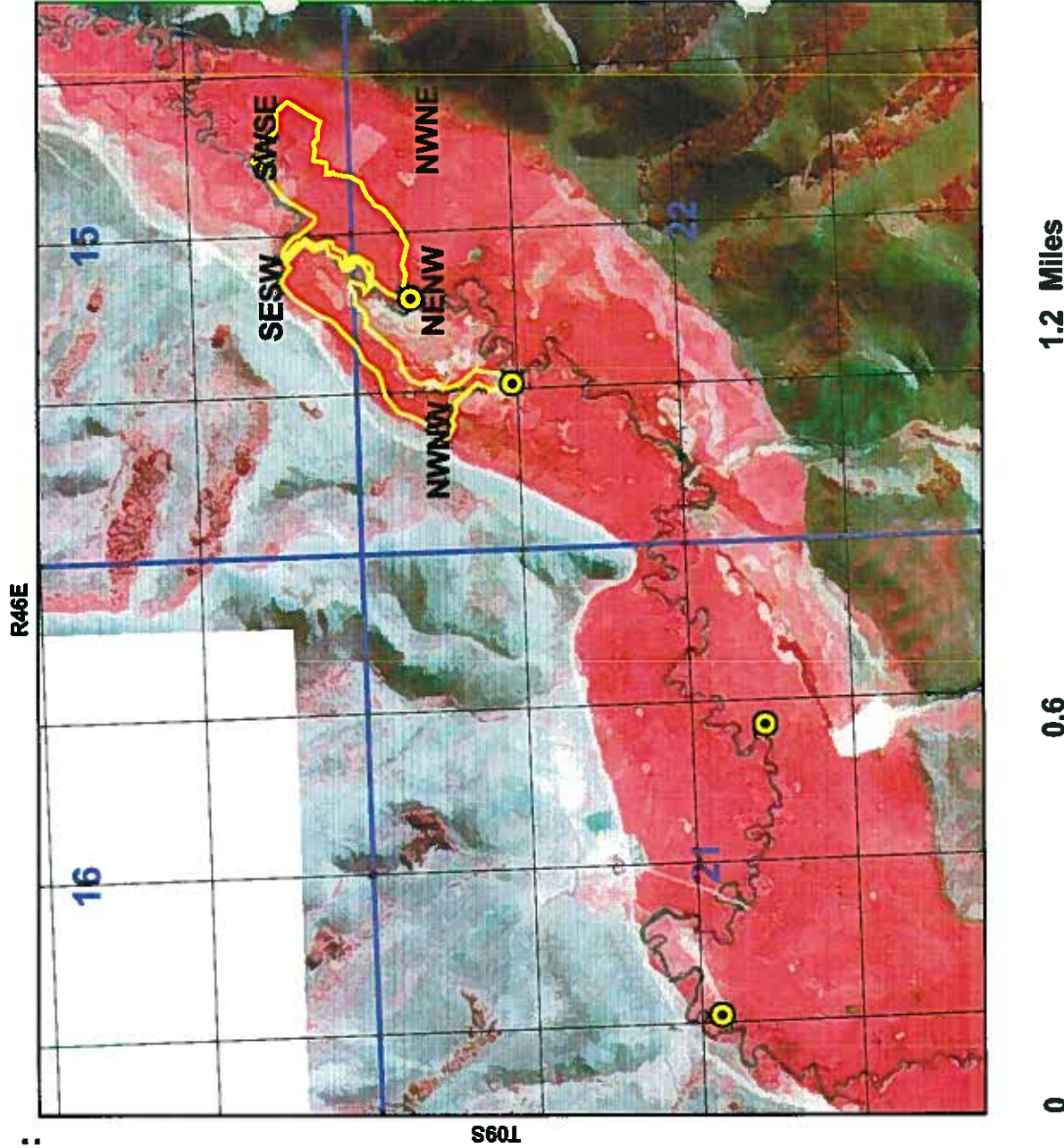
Legend

- Point of Diversion
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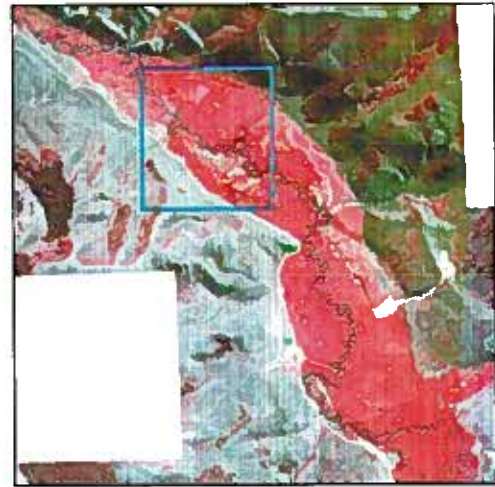
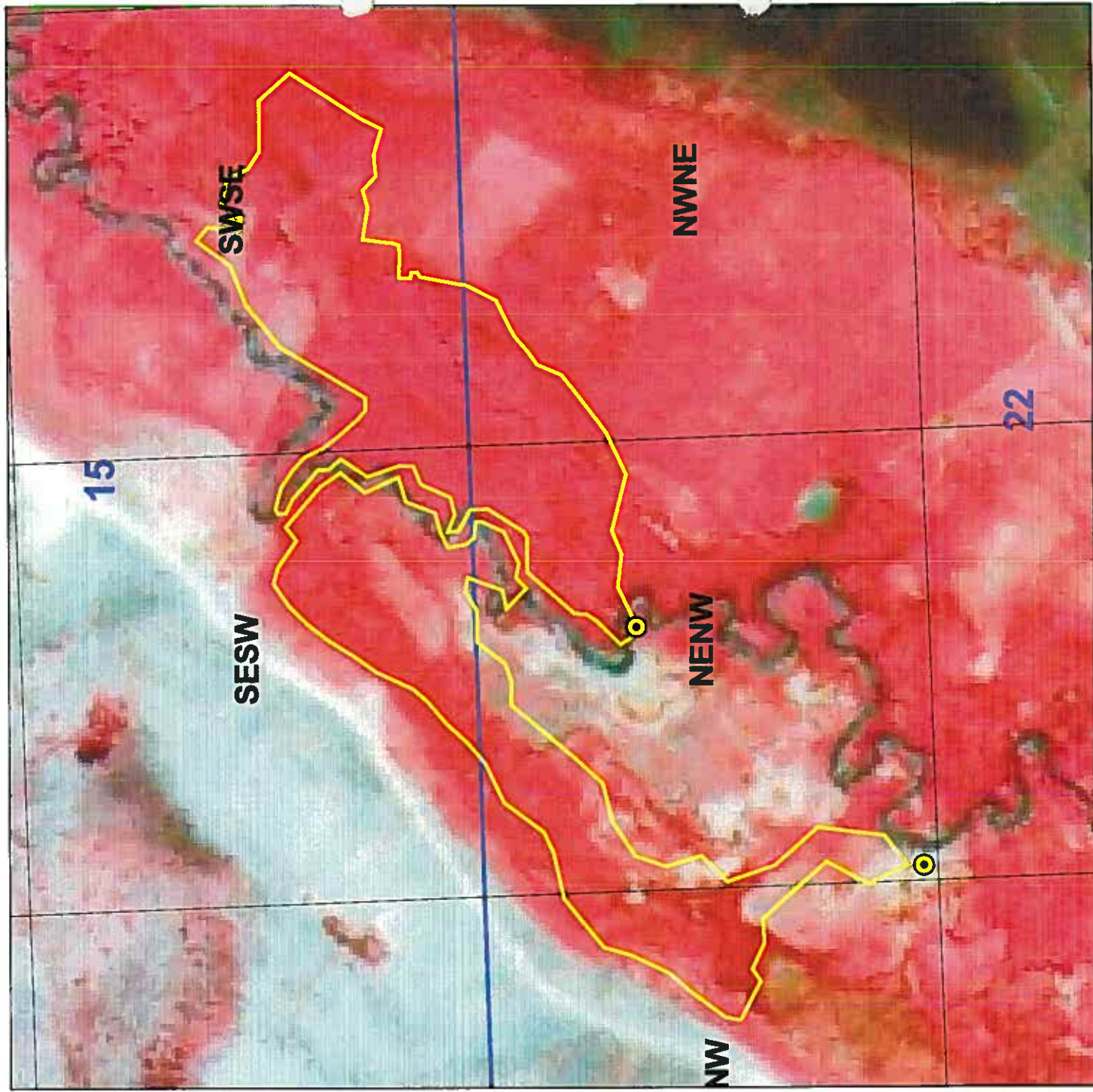


Caribou County
IDWR Basin 24

Prepared by C. BIRD
On Thursday, November 15, 2007
1987/88 Aerial Photography



24-4015



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

In Re SRBA

Case No. 39576

Subcase 24-4015
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

NAME AND ADDRESS OF PERSON OBJECTING

Name: J. R. Simplot Company

Address: P. O. Box 27

Boise, Idaho 83707

Daytime Phone: 208-336-2110

Name & Address of Attorney, if any:

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: _____

Address: _____

I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: T. 9S R. 46E B.M.
Section 21: NWNESW
NENWSE
Section 22: SWNENW
NENENW
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: T. 9S R. 46E B.M.

Section 15:	SESW	8.8 acres
	SWSE	20
	SE - NWSE	3.5
Total acres Section 15		32.3

Section 21:	NESW	Recreation (pond)
	NWSE	Recreation (pond)
	NESE	Recreation (pond)

Section 22:	NWNE	5.3 acres
	NENW	29
	NWNW	11
	SWNW	25

	SWNW	Recreation (pond)
	NWSW	Recreation (pond)
	NENW	<u>3.6</u>
Total Acres Section 22		73.9

Total Irrigated Acres 106.2 acres

10. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING OBJECTION(S):

The J. R. Simplot Company ("Simplot") acquired fee title to the place of use described under water right no. 24-4015 on July 26, 2006. Upon further investigating the diversion and use of water pursuant to this water right, Simplot discovered inconsistencies with the quantity of water, points of diversion and places of use claimed by Simplot's predecessors when compared with the actual historical beneficial use of water under this water right. In an attempt to correct these inconsistencies, Simplot filed an amended claim with the IDWR on or about November 9, 2006. It is Simplot's understanding that the amendments contained in Simplot's amended claim were rejected by the IDWR due to an administrative approval to an application for transfer of water right that was filed by Simplot predecessor on June 6, 1997. This transfer application was filed to change the nature of use for a portion of the rights to irrigate under water right 24-4015 into a recreation use, which involved the construction of ponds on land formerly irrigated.

The transfer application that was filed contained errors in its description of the elements of this water right. These errors persisted in the eventual approval by the IDWR to this transfer application. To further complicate matters, Simplot's predecessor proceeded to complete the pond development requested under the transfer in locations that differ from those approved by the IDWR. In fact, the source for the recreation use (ponds) ultimately constructed is Crow Creek exclusively. However, all of the improvements installed are situated among the places of use identified under Simplot's water right 24-4016. Simplot is filing this objection in an attempt to correct the description of this water right to accurately reflect the historic and current use of water diverted from Crow Creek. Similarly the correct number of acres irrigated with water diverted from Crow Creek should be revised from the 142 acres recommended to the 106.2 acres shown in no. 9 above.

24-4015.

5/23/67 photo 1590 15:52

taken from the road looking east. You can see the steep grade to the road that could not be irrigated by the ditch. In the photo. you can see the darker area that is wet, sub-irrigated?

15:52 photo 1591 looking in a
swirly direction at ditch from Crow Ck.
photo taken from the road.

I remember when I was out here with Jed he said that part of this ground is sub-irrigated and they can't lay it because it doesn't dry out.



Photo 1590



photo 1591