

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-00290
Date Received: 4/26/90
Receipt No: C0116525
Received By: SP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SIMPLOT LIVESTOCK CO.
Address: P.O. BOX 27
BOISE, ID

83707

2. Date of Priority: APR 15, 1882

3. Source: BOISE RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	20	SE	SW			CANYON

5. Description of diverting works:
RIVERSIDE CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.674		

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

A.F.A.

8. Total consumptive use is 322.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	17	SW	SE	8	IRR	10.0

Section Acres 10.0

A63-00290

Page

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Date: 04/09/90

MICROFILMED

JUL 25 1994

MICROFILMED

AUG

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	20	NW	NE		IRR	2.0
			NE	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	82.0
						Total Acres	92.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
SIMPLOT'S WASTE RECOVERY AND APPLICATION SYSTEM

14. Remarks:
WATER DELIVERED BY RIVERSIDE IRRIGATION DISTRICT.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

FARMERS CO-OP DITCH CO.
Decree Plaintiff

vs

RIVERSIDE IRR. DIST.
Decree Defendant

MICROFILMED

JUL 25 1994

MICROFILMED

AUG 1 1994

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

Simplot Livestock Co., that I have signed the foregoing
Organization
document in the space below as Secretary of
Title

Simplot Livestock Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Donald L. James
Signature of Authorized Agent

Secretary, Simplot Livestock Co.
Title and Organization

04-17-90

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of April 19 90

Vicki A. Lawrence
Notary Public

Seal

Residing at Meridian

My Commission Expires 11-06-91

POOR ORIGINAL

- = Point(s) of Diversion
- = Place of Use

09/17/2006

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

RIGHT NUMBER: 63-290

NAME AND ADDRESS: SIMPLOT LIVESTOCK CO
PO BOX 27
BOISE ID 83707

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.840 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

This right when combined with Right No. 63-5036, 63-5037, 63-5038, 63-5039, and 63-10034 shall provide no more than .02 cfs per acre at the field headgate.

PRIORITY DATE: 04/15/1882

POINT OF DIVERSION:

T04N R03W S20 SESW Within CANYON County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

03/01 11/15

1.840 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within CANYON County

T04N R03W S17 Lot 8 SWSE 10.00

T04N R03W S20 NWNE 2.00

T04N R03W S20 NENW 40.00

T04N R03W S20 SENW 40.00

92 ACRES TOTAL

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

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is also designated as Right No. 77-E in the Boise River Stewart Decree and Boise River Water Distribution Report.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water is delivered through the Riverside Canal.

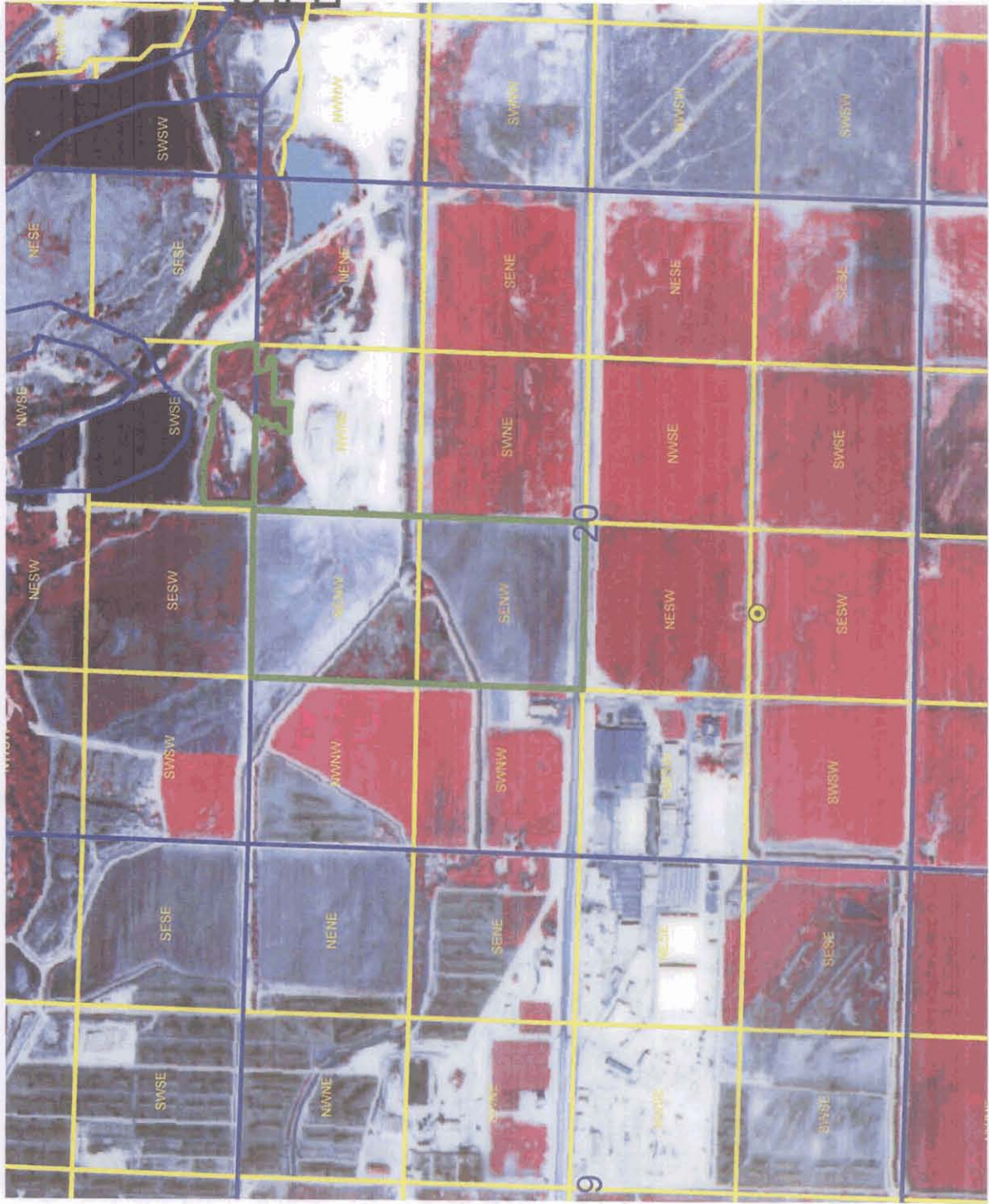
Idaho Department of Water Resources

**T04N, R03W,
SEC 17 & 20**

Claim No: 63-290

Prepared By: Kimberly Brown

Date: September 17, 2006



Place of Use



Section Lines

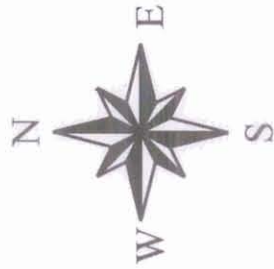


1/4 1/4



Point of Diversion

Irrigated Acres = 92



0.04 Miles

1987 NAPP

#77-E Stewart Decree

This POB must be wrong - neither the Boise River or Riverside Canal are located in this legal (both are located north of POU & not south) -

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-290

WATER RIGHT NUMBER: 63-290

Owner Type
Original Owner
Current Owner
Attorney

Name and Address
ROC HELMS
ZZ
SIMPLOT LIVESTOCK CO
PO BOX 27
BOISE, ID 83701
J R SIMPLOT CO
ENV AND REGULATORY AFFAIRS
ATTN: GRAY YOUNG OR TERRY UHLING
PO BOX 27
BOISE, ID 83707-0027
(208)389-7318

Priority Date: 04/15/1882

Basis: Decreed

Status: Active

Source

BOISE RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

1.84 - 3.67 CFS

Annual Volume

Total Diversion:

3.67 CFS

1.84

Location of Point(s) of Diversion

BOISE RIVER

SE1/4SW1/4

Sec. 20, Twp 04N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp Rge Sec

04N 03W 17

04N 03W 20

Total Acres: 92

Conditions of Approval:

1. WATER DELIVERED BY RIVERSIDE IRRIGATION DISTRICT.

Remarks:

ADD 183 - quantity Condition.

ADD - This right is also designated as Right No. 77-E in the Boise River Stewart Decree and Boise River Water Distribution Report.

118.7" through Riverside Canal
+ 65" diverted from Indian Cr
183.7"

(Boise River F)
- Riverside Canal is north of elm. POD
- how does H2O get to POU?!

CFS FACTOR = 0.039891304

change to 03/01

Riverside Canal (2.374 cfs)

4n 3w (1.3 cfs)

(Kinkade Ditch) from Indian Cr

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	03W	17					10.0
04N	03W	20	2.0	40.0	40.0		82.0

ADD C03 - POD Accomplished Transfer

ADD C05 - POU Accomplished Trans.

Comments:

ADD S49 - period of use condition (downstream from Star Bridge)

ADD EG2 - this right when combined with
ground water rights { 63-5036, 63-5037, 63-5038, 63-10034,
(and 63-5039 shall provide no more
than 0.02 cfs per acre (at the field
headgate).

Field Exam Date 9-17-06

(in-office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$82.00 (should be \$142.00)
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant N/A

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-290

Owner: J. R. Simplot Co. Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME Simplot Feed lots (R350300000) (#)
- ☒ NEW OWNER Naomi Jackson AB R3502100000 # R3498100000
- ☐ No change Address
- ☒ NEW ADDRESS P.O. Box 3429 Ogden, UT 84409-1429
- ☐ How long owned property? _____

Accompanied by: in-office verification

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

- ☐ No Change – SAME SOURCE
- ☒ Source found is different than claimed: Indian Creek was also decreed, not claimed

POINT OF DIVERSION

- ☐ No change
- ☐ POD found is different than claimed: _____
- ☒ If different, when did POD change? 2 PODs were decreed

Unrecorded POD?

2 PODs were decreed & only one claimed –

ADD 003 – POD Accomplished Transfer

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

Riverside Canal → ADD FO1- Water is delivered through the Riverside Canal.

OVERLAP REVIEW

Other water rights with the same point of diversion:

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

Riverside Canal.

WATER USES

Season of use is 3/01 - 11/15.

☐ No change☐ Different Uses

CFS FACTOR = 0.03989/304

Use Irrigation From 3/01 To Amount 3.67 (1.84) CFS AFA

Use From To Amount CFS AFA

Use From To Amount CFS AFA

TOTAL VOLUME - Groundwater only☐ Incomplete on claim, the total is, Amount CFS AFA☒ Changes found, the new total is, Amount 3.67 (1.84) CFS AFA☒ More than 1" per Acre? Yes (claimant must complete excess flow sheet) See Conveyance loss sheet.**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes Stock # and therefore cannot figure conveyance loss.

Types Additional comments:

PLACE OF USE:☐ No Change☒ Changes shown below:

ADD C05- POU Accomplished

Transfer -

acres claimed do not match what was decreed

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-5036, 63-5037, 63-5038, 63-5039,
63-10034 (all groundwater sources @ Boise River)
 Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
when combined, these rights shall not exceed 0.02 cfs
per acre (at the field headgate.) ←

Delivery System Narrative: Riverside Canal.

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

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 9.17.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

Comments:

INTERVENORS - STEWART DECREE

CHART NO. 2

BOISE RIVER

NUMBER	DATE	NAME	CANAL	AMOUNT DECREED		DEPT. OF WATER ADMINISTRATION
				SEC. FT.	INCHES	
8-A	4-1-1865	ADOLPH BAHLER	BAHLER	.80	40	63-0278
8-B	4-1-1865	FIRST NAT. BANK OF PUEBLO	BUBB	1.80	90	63-0280
8-C	1865	LOUISE SIMONSON	LEMP DITCH	6.00	300	63-0270
8-D	1865	S. G. HARDIES	BUBB	.50	25	63-0281
31-A	6-1-1866	WM. MUSSER	LAWRENCE & KENNEDY	2.30	115	63-0254
31-B	6-1-1866	MINNIE & JEREMIAH COUZENS	MIDDLETON WATER	.60	30	63-0255
31-C	6-1-1866	ALBERT C. BOWERMAN	LAWRENCE & KENNEDY	1.10	55	63-0001
35-A	6-1-1867	RALPH T. KNIGHT & ORA K. TILLER	CANYON COUNTY WATER CO.	1.76	88	63-0277
47-A	4-1-1870	ADOLPH BAHLER	BAHLER	.80	40	63-0279
50-A	1870	(S. G. HARDIES (AMELIA EISLEY	BUBB	1.00	50	63-0282) 63-0283)
59-A	5-1-1875	KARL F. & OTTO W. ROEDEL	INDIAN CREEK	3.20	160	63-0305
66-A	4-1-1878	J. S. KRAUSS	BALLENTYNE	.80	40	63-0265
66-C	4-1-1878	J. W. KOLANDER	BALLENTYNE	1.40	70	63-0289
66-D	4-1-1878	M. T. GRIFFITH	BALLENTYNE	.80	40	63-0264
71-A	4-1-1879	ISLAND HIGH LINE DITCH	ISLAND HIGH LINE DITCH	3.00	150	63-0291
73-A	4-1-1880	GOBLE & SONGER	NEW DRY CREEK	.54	27	63-0288
73-B	1880	ALBERT LEMP ET AL	BAXTER DITCH	3.20	160	63-0368
74-A	6-1-1880	C. B. FRANK	NEW DRY CREEK	1.816	90.8	63-0263
77-A	6-1-1881	GUS A. BARTH	PARMA DITCH CO.	1.60	80	63-0272
77-B	6-1-1881	CHARLES JURRIES	PARMA DITCH CO.	.34	17	63-0274
77-C	6-1-1881	JAMES FINLAY	PARMA DITCH CO.	.80	40	63-0275
77-D	6-1-1881	LESTER J. SHIPPY	PARMA DITCH CO.	1.30	65	63-0273
77-E	4-15-1882	ROC HELM	RIVERSIDE IRRIG. DIST.	3.674	183.70	63-0290
85-A	6-1-1882	LEO MARSTERS	WARM SPRINGS SLOUGH	1.76	88	63-0287
85-B	4-1-1883	JACOB BINGMAN	SETTLERS	1.00	50	63-0257
85-C	5-1-1883	WM. HUCKBA	NEW DRY CREEK	.2232	11.16	63-0259
85-D	5-1-1883	C. H. SCHMELZER	BALLENTYNE	.8256	41.28	63-0260
85-E	5-1-1883	C. W. MCCLURG	NEW DRY CREEK	.385	19.25	63-0261
106-A	3-1-1889	AMELIA EISLEY	BUBB	.84	42	63-0284
114-A	5-1-1889	NEIL & PATRICK O'DONNELL	O'DONNELL & BARTH	1.60	80	63-0276
114-B	5-1-1889	GUS A. BARTH	O'DONNELL & BARTH	.80	40	63-0271
116-A	6-1-1890	ANNA SPENCER	RIVERSIDE IRRIG. DIST.	.72	36	63-0266
116-B	6-1-1890	WILLIS B. SPENCER	RIVERSIDE IRRIG. DIST.	.10	5	63-0267
116-C	6-1-1890	REBECCA BELL	RIVERSIDE IRRIG. DIST.	.40	20	63-0268
123-A	4-15-1893	OTTO & MARIE MULLER	MIDDLETON MILL DITCH	1.60	80	63-0370
124-A	5-1-1893	W. D. CHARTERS	NEW DRY CREEK	.825	41.25	63-0258
129-A	4-1-1897	H. E. PLAIN	NEW DRY CREEK	.54	27	63-0286
136	5-1-1906	H. E. WIMER	BALLENTYNE	.392	19.6	63-0285
137	5-1-1909	B. P. WEAVERLING	MACE & MACE	1.76	88	63-0253
137-A	4-1-1910	ISLAND HIGH LINE DITCH	ISLAND HIGH LINE DITCH	7.00	350	63-0292
138	6-14-1912	WESLEY A. MACE	MACE & CATLIN	.44	22	63-0261-382
139	4-1-1915	ISLAND HIGH LINE DITCH CO.	ISLAND HIGH LINE DITCH	10.00	500	63-0293

THE DISTRICT COURT OF THE SEVENTH JUDICIAL

DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON.

Farmers' Co-Operative Ditch Company,
Limited, a corporation,

Plaintiff

vs

Riverside Irrigation District, Limited,
a corporation, et al., (said action being
commonly known as the Boise River Prior-
ity, Suit);

Defendants,

J U D G M E N T.

and

Roc. D. Helms, granted of the rights of
W.E. Parker Administrator, with the will
annexed of the Estate of James G. Kinkaid,
Deceased,

Intervenor.

This cause came on regularly for trial on the 8th day of July, 1918 Scatterday & VanDuyn appearing as counsel for the defendant, at which time they asked to proceed with the trial, the same being the day for the hearing and the making of the temporary order for the duty of water on Boise River, and several parties being before the Court, all present consented to the hearing of the evidence in the above entitled case. Whereupon witnesses on behalf of the intervenor were duly sworn and examined, and documentary evidence introduced.

Thereupon the trial of the case was adjourned to July 26, 1918 at which time Roc D. Helms appeared as a witness and asked to be made a party defendant, which request, not being prejudicial to the rights of any of the parties in the case, was granted, as he had acquired all the right of the estate of James G. Kinkaid, deceased, in and to the lands hereinafter described, and the water rights connected therewith. Further witnesses were duly sworn and examined and documentary evidence introduced by said defendant. The evidence being closed, the cause was submitted to the Court for its consideration and decision, and after due deliberation the Court finds and files its findings and decision in writing, and orders judgment to be

by _____

Decree # XXVI

entered accordingly:

IT IS ORDERED, ADJUDGED AND DECREED, That the lands hereinafter described are arid in character and require the artificial application of water to render them valuable for agricultural purposes;

That the quantity of water required for the successful irrigation and cultivation of said lands, measured at the intake of the canal of the Riverside Irrigation District, for that portion irrigated from said canal and for that portion irrigated from Indian Creek, is one inch per acre, subject to the modification of the Court for 1918, and to be changed to conform to the duty established by the Court in the above entitled case;

That the above mentioned one inch per acre is understood to be in the same status as the one inch per acre in the judgment entered in the above-entitled case on January 18, 1906, and is subject to such modifications and temporary orders as this Court may make for the above entitled case.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the complaint and cross-complaint, and all pleadings filed in this case, shall be and the same are hereby amended to conform to the facts as found by the Court herein;

63 0290 That the defendant and intervenor, [REDACTED] be and he is hereby awarded the use of the waters of Boise River, and the tributaries thereof, subject to the above modifications, from April 15, 1882, 118.7 inches to be used upon the following described lands, to-wit:

Lot 8 of Section 17, and the East half (E $\frac{1}{2}$) of the Northwest quarter (NW $\frac{1}{4}$) and the West half (W $\frac{1}{2}$) of the Northeast quarter (NE $\frac{1}{4}$) of Section 20, Township 4 North, Range 3, West of Boise Meridian, 118.7 inches to be carried through the Riverside canal and diverted at a point on the South side of Boise River, near the center line of Section 20, Township 4 North, Range 3 West of Boise Meridian, for use upon all the above described lands lying North of said Riverside canal, and ten acres lying South of said Canal, and 65 inches to be diverted from Indian Creek and conveyed to what is known as the "Old Kinkaid Ditch", for

Riverside Canal -

10 AC	(SK)
40 AC	NW $\frac{1}{4}$
40 AC	NE $\frac{1}{4}$
90 AC	

- 118.7 inches

Indian Creek -
for 65 AC
lying south of
Riverside
Canal

By Mari K. Eustace Deputy

irrigating 65 acres of the above described lands lying South of
the Riverside canal.

Dated this 26th day of July, 1918

Ed L. Bryan, District Judge.

Filed Aug. 26, 1918 at 10.32 O'Clock A.M.

L.C. Knowlton, Clerk

By Mary Caldwell, Deputy

7-99

Indexed; Compared.

STATE OF IDAHO, }
County of Canyon } ss.

* I, L. C. Knowlton, Clerk of the District Court and Ex-officio Recorder of the County of Canyon,
State of Idaho, do hereby certify that the foregoing copy of Judgment *
..... has been compared by me with the original, and that
it is a correct transcript therefrom, and of the whole of such original

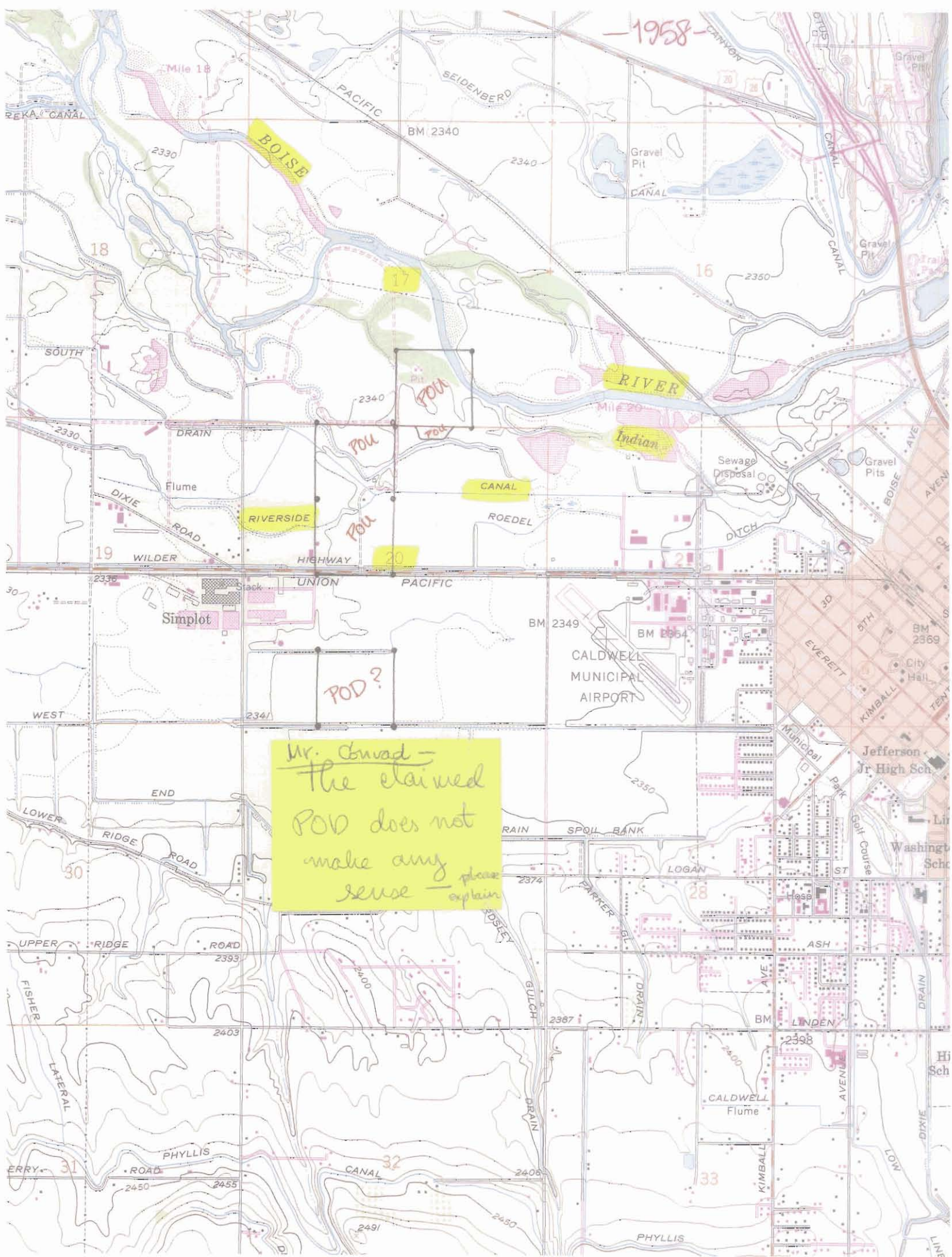
Judgment
of record as the same appears
..... in my office

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal this 5
day of Sept 1918

L. C. Knowlton
Clerk of the District Court and Ex-Officio Recorder.

By Mary Caldwell Deputy.

By Marie K. Eustace Deputy



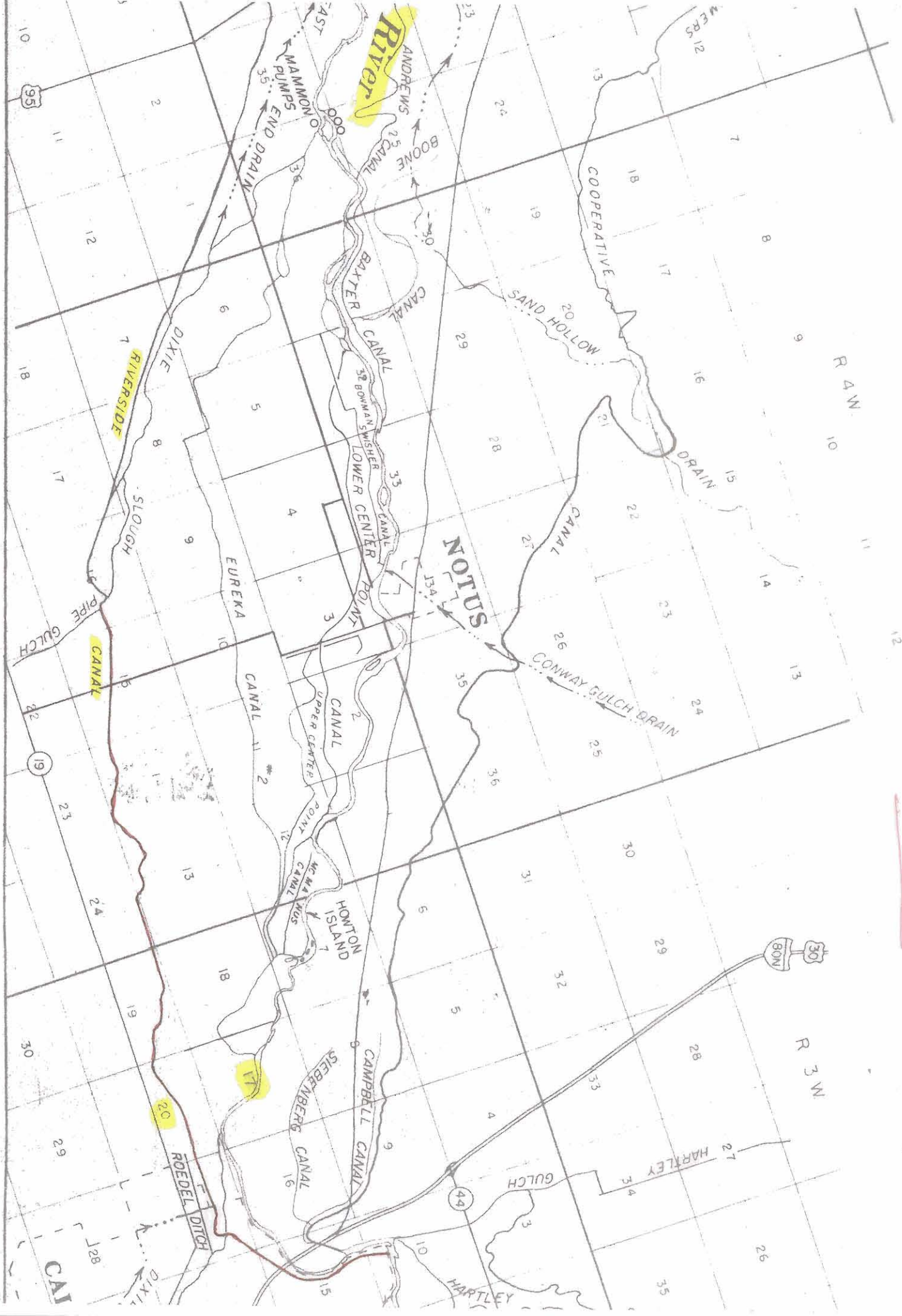
-1958-

Mr. Conrad -
The claimed
POD does not
make any
sense - please
explain

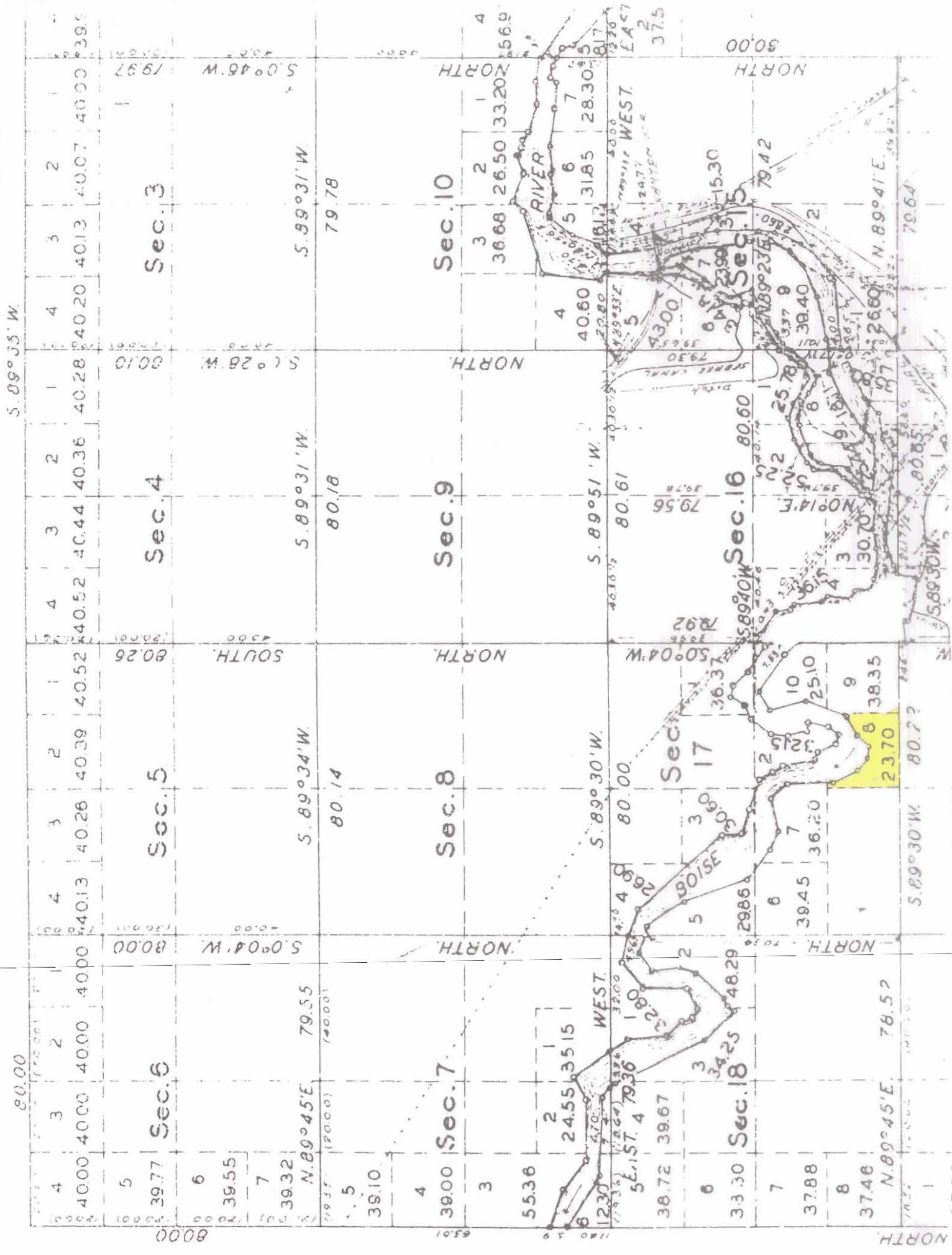


Dec. 1967

#63-290-

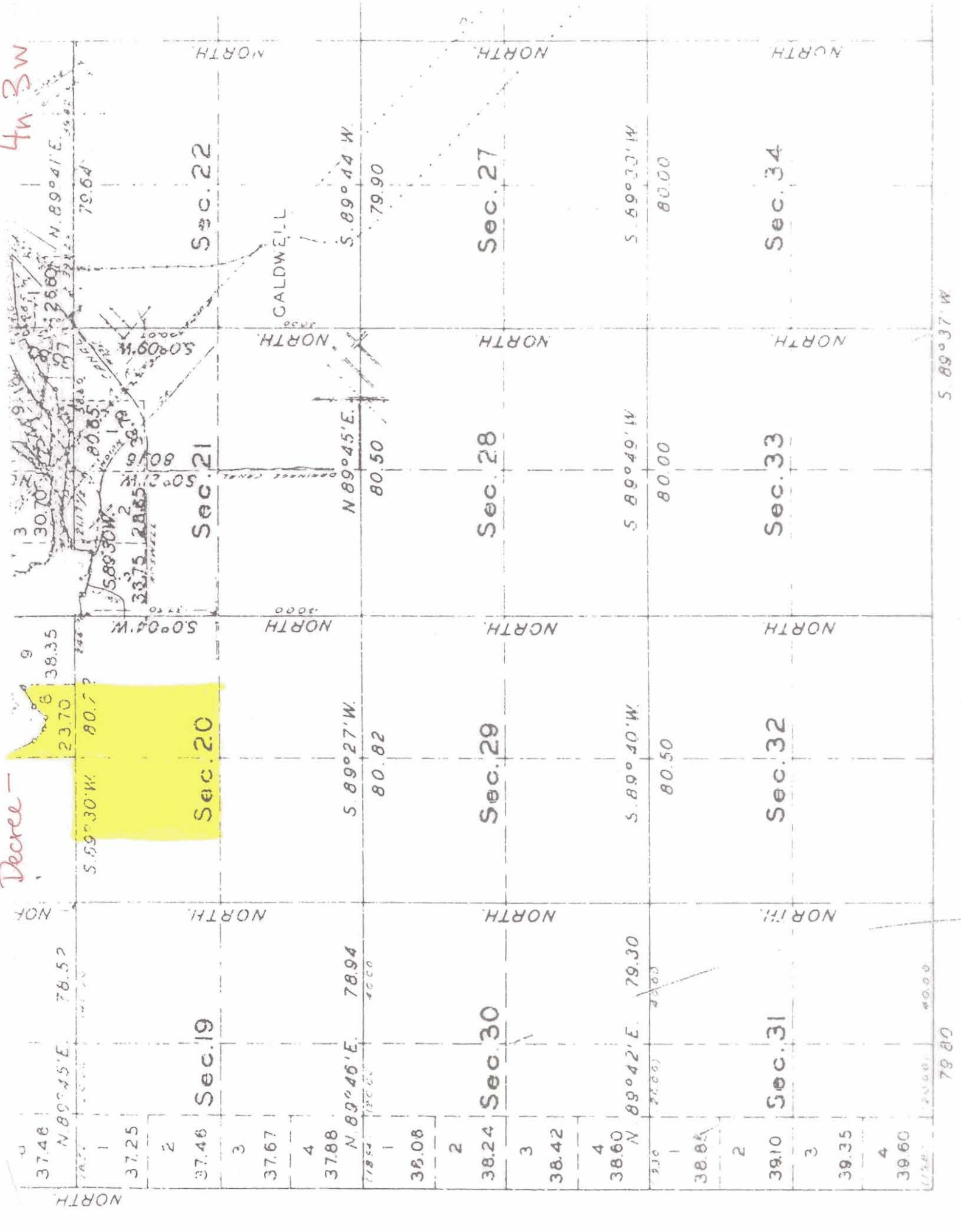


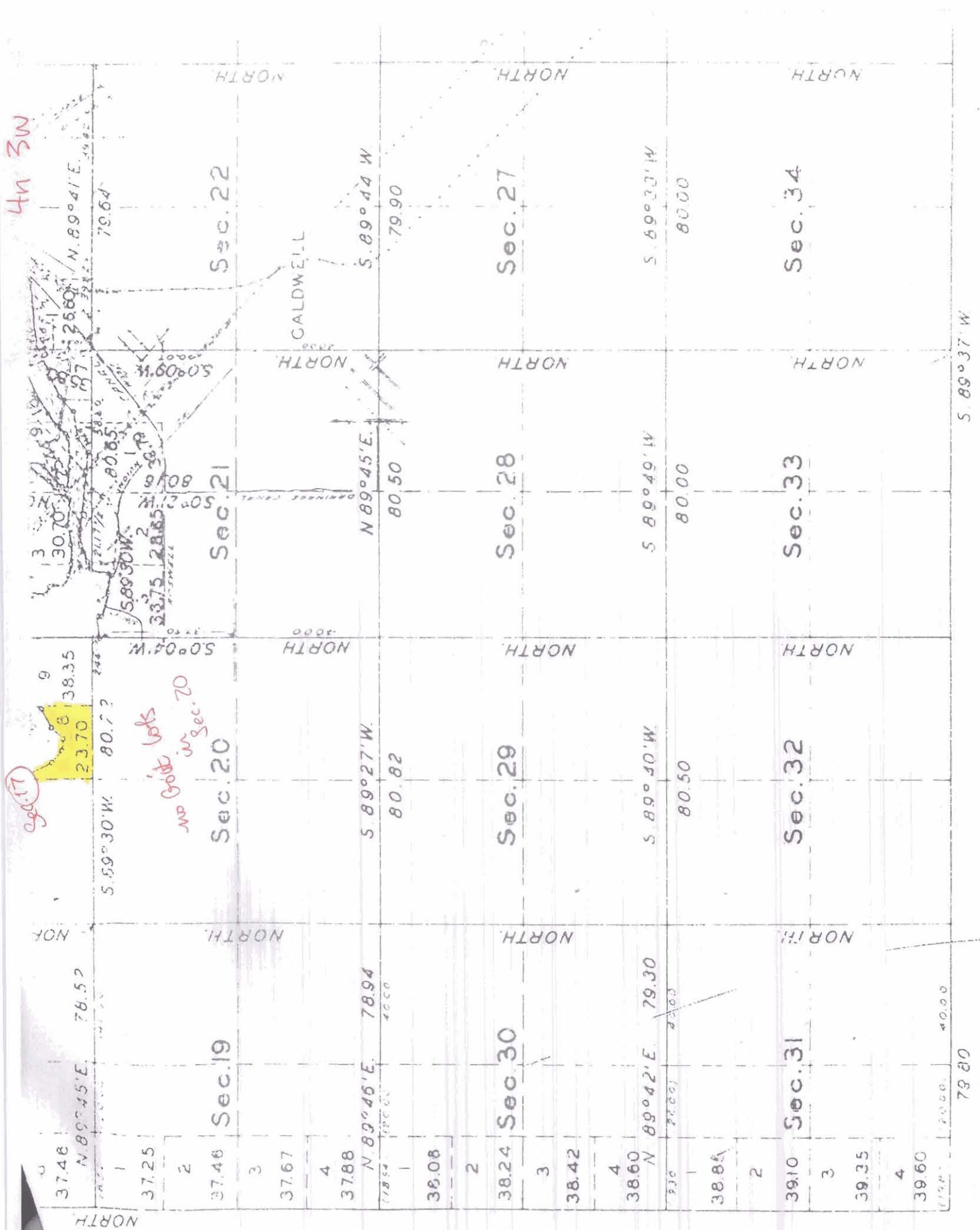
4n 3w



4th 3W

Decree-





ESTIMATING CONVEYANCE LOSS

FIELD EXAMINER: _____

FIELD EXAM DATE: _____

FOR CLAIM(S) _____

FORMULA: $S = (W)(i)(0.0667)$

Where: S = Loss in CFS per Mile
 W = The top width of the high water mark in feet
 i = The loss rate in feet per day (see table)
 0.0667 is a factor used to convert to CFS per mile

TABLE:

Type of Soil	Loss Rate i (Ft/Day)
Medium clay loam.....	0.5 to 1.5
Impervious clay.....	0.5
Medium soils.....	1.0
Somewhat pervious soils.....	1.5 to 2.0
Gravel.....	2.5 to 5.0

WORK SHEET

$W =$ (_____) FT) $i =$ (_____) FT/DAY)(0.0667)

$S =$ _____ CFS/MILE

CONVEYANCE LOSS = (S) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = (_____) CFS/MILE)(_____) MILE)

CONVEYANCE LOSS =

TOP OF DITCH = W

MAP MEASUREMENT

Section 1 = _____

Length in Inches = _____ = A

Section 2 = _____

Section 3 = _____

Map Scale: _____ In. = 1 Mile = B

Total.... = _____

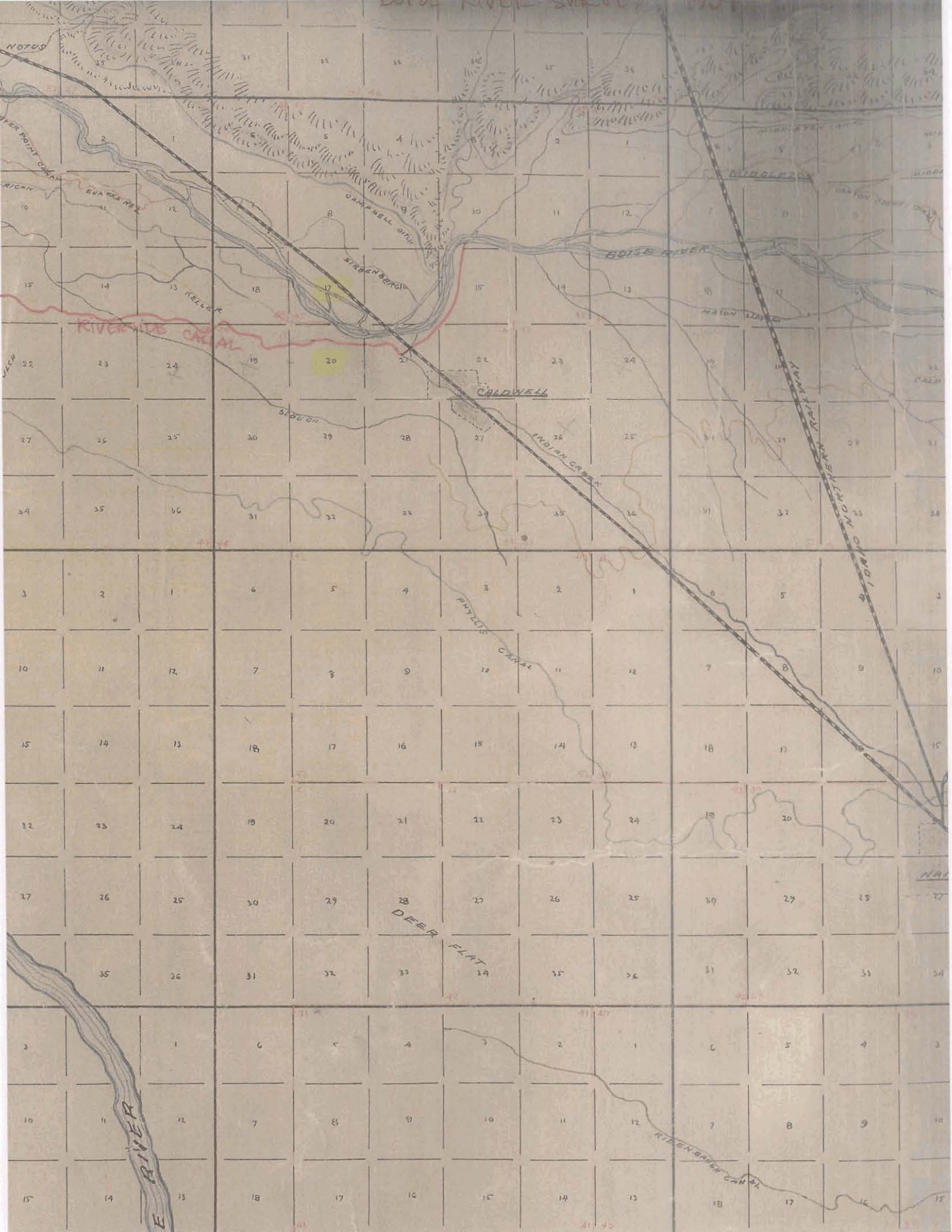
$A/X: B/5,280 = \text{Ft./5,280} = \text{Mile}$

/2or 3... = _____ = W

Data/forms/Conv.los.doc

9/17/06
 * I do not know
 what route the
 water takes
 and, therefore,
 cannot
 figure
 the conveyance
 loss —
 KB

BOISE RIVER SURVEY 1901



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-290

03/16/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
138D	Claim	04N	03W	17	SW	SE		IRRIGATION	3/764	SIEBENBERG COOPERATIVE DITCH C LTD
~~290~~	~~Claim~~	~~04N~~	~~03W~~	~~17~~	~~SW~~	~~SE~~	~~8~~	~~IRRIGATION~~	~~10/92~~	~~SIMPLOT LIVESTOCK CO~~
~~290~~	~~Water Right~~	~~04N~~	~~03W~~	~~17~~	~~SW~~	~~SE~~	~~8~~	~~IRRIGATION~~		~~ROC HELMS~~
305	Water Right	04N	03W	17	SW	SE	8	IRRIGATION		KARL F ROEDEL
~~290~~	~~Claim~~	~~04N~~	~~03W~~	~~20~~	~~NW~~	~~NE~~		~~IRRIGATION~~	~~2/92~~	~~SIMPLOT LIVESTOCK CO~~
~~290~~	~~Water Right~~	~~04N~~	~~03W~~	~~20~~	~~NW~~	~~NE~~		~~IRRIGATION~~		~~ROC HELMS~~
305	Water Right	04N	03W	20	NW	NE		IRRIGATION		KARL F ROEDEL
~~290~~	~~Claim~~	~~04N~~	~~03W~~	~~20~~	~~NE~~	~~NW~~		~~IRRIGATION~~	~~40/92~~	~~SIMPLOT LIVESTOCK CO~~
5036	Claim	04N	03W	20	NE	NW		IRRIGATION	30/999	J R SIMPLOT CO
5037	Claim	04N	03W	20	NE	NW		IRRIGATION	30/999	J R SIMPLOT CO
5038	Claim	04N	03W	20	NE	NW		IRRIGATION	30/999	J R SIMPLOT CO
5039	Claim	04N	03W	20	NE	NW		IRRIGATION	30/999	J R SIMPLOT CO
10034	Claim	04N	03W	20	NE	NW		IRRIGATION	30/959	J R SIMPLOT CO
~~290~~	~~Water Right~~	~~04N~~	~~03W~~	~~20~~	~~NE~~	~~NW~~		~~IRRIGATION~~		~~ROC HELMS~~
5036	Water Right	04N	03W	20	NE	NW		IRRIGATION	30/999	J R SIMPLOT CO
5037	Water Right	04N	03W	20	NE	NW		IRRIGATION	30/999	J R SIMPLOT CO
5038	Water Right	04N	03W	20	NE	NW		IRRIGATION	30/999	SIMPLOT LIVESTOCK CO
5039	Water Right	04N	03W	20	NE	NW		IRRIGATION	30/999	J R SIMPLOT CO
21559	Claim	04N	03W	20	NE	NW		STOCKWATER		SIMPLOT LIVESTOCK CO
~~290~~	~~Claim~~	~~04N~~	~~03W~~	~~20~~	~~SE~~	~~NW~~		~~IRRIGATION~~	~~40/92~~	~~SIMPLOT LIVESTOCK CO~~
5036	Claim	04N	03W	20	SE	NW		IRRIGATION	30/999	J R SIMPLOT CO
5037	Claim	04N	03W	20	SE	NW		IRRIGATION	30/999	J R SIMPLOT CO
5038	Claim	04N	03W	20	SE	NW		IRRIGATION	30/999	J R SIMPLOT CO
5039	Claim	04N	03W	20	SE	NW		IRRIGATION	30/999	J R SIMPLOT CO
10034	Claim	04N	03W	20	SE	NW		IRRIGATION	30/959	J R SIMPLOT CO
~~290~~	~~Water Right~~	~~04N~~	~~03W~~	~~20~~	~~SE~~	~~NW~~		~~IRRIGATION~~		~~ROC HELMS~~
5036	Water Right	04N	03W	20	SE	NW		IRRIGATION	30/999	J R SIMPLOT CO
5037	Water Right	04N	03W	20	SE	NW		IRRIGATION	30/999	J R SIMPLOT CO

63-5036

63-5037

63-5038

63-5039

* 63-10034 overlaps

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-290

03/16/2006

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
5038	Water Right	04N	03W	20	SE	NW		IRRIGATION	30/999	SIMPLOT LIVESTOCK CO
5039	Water Right	04N	03W	20	SE	NW		IRRIGATION	30/999	J R SIMPLOT CO

overlap review

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-5036

WATER RIGHT NUMBER: 63-5036

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

- overlap

Priority Date: 03/10/1943
Basis: Statutory Claim
Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.670 CFS	
INDUSTRIAL	1/01 to 12/31	2.670 CFS	
	<u>Total Diversion:</u>	2.670 CFS	

Location of Point(s) of Diversion

GROUND WATER CANYON County	NE1/4NW1/4	Sec. 13, Twp 04N, Rge 04W, B.M.
GROUND WATER CANYON County	NE1/4NE1/4SE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	NE1/4NW1/4SE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	NW1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	SW1/4SE1/4	Sec. 13, Twp 04N, Rge 04W, B.M.
GROUND WATER CANYON County	NE1/4NW1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	SE1/4SW1/4	Sec. 18, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	SW1/4NE1/4SW1/4	Sec. 20, Twp 04N, Rge 03W, B.M.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5036

GROUND WATER	SW1/4SE1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NW1/4NW1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON Co		
GROUND WATER	SW1/4SW1/4	Sec. 18, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4NW1/4SW1/4	Sec. 20, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 03W 17					5.0	5.0			15.0	10.0	25.0	35.0					95.0
04N 03W 18	35.0	15.0	15.0	25.0	40.0	40.0	35.0	40.0	15.0							29.0	289.0
04N 03W 19	25.0				20.0	30.0	35.0	25.0									135.0
04N 03W 20					30.0	30.0	25.0	30.0									115.0
04N 04W 12																30.0	30.0
04N 04W 13	40.0	35.0	30.0	35.0											40.0	35.0	215.0
04N 04W 24	30.0	30.0	20.0	40.0													120.0

Total Acres: 999

INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 03W 19													X				

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5036

1. THIS CLAIM IS FOR UTILIZATION OF EFFLUENT FROM FOOD PROCESSING PLANT FOR IRRIGATION USE.
SEE ATTACHMENTS FOR MAP AND DESCRIPTION OF WELLS IN COMMON SYSTEM.
TWO POINTS OF DIVERSION IN NENW OF SEC. 19, T4N, R3W.

Remarks:

Comments:

Water Supply Bank:

overlap review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5037

WATER RIGHT NUMBER: 63-5037

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

- overlap

Priority Date: 06/14/1961

Basis: Statutory Claim

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	1/01 to 12/31	2.230 CFS	
IRRIGATION	3/15 to 11/15	2.230 CFS	
	<u>Total Diversion:</u>	2.230 CFS	

Location of Point(s) of Diversion

GROUND WATER CANYON County	SW1/4SE1/4	Sec. 13, Twp 04N, Rge 04W, B.M.
GROUND WATER CANYON County	NE1/4NE1/4SE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	SE1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	NE1/4NW1/4NW1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	SW1/4NE1/4SW1/4	Sec. 20, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	NW1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	SW1/4SW1/4	Sec. 18, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	SW1/4SE1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5037

GROUND WATER	NE1/4NW1/4	Sec. 13, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	NE1/4NW1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4SW1/4	Sec. 18, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NW1/4SE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4NW1/4SW1/4	Sec. 20, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 03W 19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X				

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 03W 17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	95.0
					5.0	5.0			15.0	10.0	25.0	35.0					
04N 03W 18	35.0	15.0	15.0	25.0	40.0	40.0	35.0	40.0	15.0							29.0	289.0
04N 03W 19	25.0				20.0	30.0	35.0	25.0									135.0
04N 03W 20					30.0	30.0	25.0	30.0									115.0
04N 04W 12																30.0	30.0
04N 04W 13	40.0	35.0	30.0	35.0											40.0	35.0	215.0
04N 04W 24	30.0	30.0	20.0	40.0													120.0

Total Acres: 999

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5037

1. THIS CLAIM IS FOR UTILIZATION OF EFFLUENT FROM FOOD PROCESSING PLANT FOR IRRIGATION USE.
SEE ATTACHMENTS FOR MAP AND DESCRIPTION OF WELLS IN COMMON SYSTEM.
TWO POINTS OF DIVERSION IN NENW OF SEC. 19, T4N, R3W.

Remarks:

Comments:

Water Supply Bank:

overlap review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5038

WATER RIGHT NUMBER: 63-5038

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

overlap

Priority Date: 07/20/1944

Basis: Statutory Claim

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	1.340 CFS	
INDUSTRIAL	1/01 to 12/31	1.340 CFS	
IRRIGATION	3/15 to 11/15	1.340 CFS	
<u>Total Diversion:</u>		1.340 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4SW1/4	Sec. 20, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SW1/4SW1/4	Sec. 18, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4SE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NW1/4NW1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SW1/4SE1/4	Sec. 13, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	SE1/4SW1/4	Sec. 18, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NW1/4	Sec. 24, Twp 04N, Rge 04W, B.M.
CANYON County		

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5038

GROUND WATER CANYON County	SE1/4NW1/4SW1/4	Sec. 20, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	NE1/4NW1/4SE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	NW1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	NE1/4NW1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	SW1/4SE1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.

Place of Use

STOCKWATER

[illegible]

INDUSTRIAL

[illegible]

IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5038

04N 03W 19	25.0			20.0	30.0	35.0	25.0				135.0	
04N 03W 20				30.0	30.0	25.0	30.0				115.0	
04N 04W 12										30.0	30.0	
04N 04W 13	40.0	35.0	30.0	35.0						40.0	35.0	215.0
04N 04W 24	30.0	30.0	20.0	40.0								120.0

Total Acres: 999

Conditions of Approval:

- SEE ATTACHMENTS FOR MAP AND DESCRIPTIONS OF WELLS IN COMMON SYSTEM.
TWO POINTS OF DIVERSION IN NENW OF SEC. 19, T4N, R3W.
HOG HOUSE WELL.
NON-IRRIGATION USES: I/ETHANOL, FOOD PROC., WASTE RECOVERY AND APPLICATION,
S/45000 ON SYSTEM (12695 FOR THIS RIGHT).
OTHER RIGHTS: A63-21537, A63-21538, A63-21539, A63-21540, A63-21541, A63-07678,
A63-05036, A63-05037, A63-05039, A63-02731, A63-04968, A63-10034, A63-03107, PIONEER DIXIE
DITCH CO.

Remarks:Comments:Water Supply Bank:

overlap review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5039

WATER RIGHT NUMBER: 63-5039

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

- overlap

Priority Date: 09/15/1947

Basis: Statutory Claim

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.780 CFS	
INDUSTRIAL	1/01 to 12/31	1.780 CFS	
	<u>Total Diversion:</u>	1.780 CFS	

Location of Point(s) of Diversion

GROUND WATER CANYON County	SE1/4NW1/4SW1/4	Sec. 20, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	SW1/4SE1/4	Sec. 13, Twp 04N, Rge 04W, B.M.
GROUND WATER CANYON County	NE1/4NW1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	NE1/4NW1/4	Sec. 24, Twp 04N, Rge 04W, B.M.
GROUND WATER CANYON County	NW1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	NE1/4NW1/4SE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	SE1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
GROUND WATER CANYON County	SW1/4SE1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5039

GROUND WATER	SE1/4SW1/4	Sec. 18, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4SE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SW1/4SW1/4	Sec. 18, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SW1/4NE1/4SW1/4	Sec. 20, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4SW1/4NW1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 03W 17					5.0	5.0			15.0	10.0	25.0	35.0					95.0
04N 03W 18	35.0	15.0	15.0	25.0	40.0	40.0	35.0	40.0	15.0							29.0	289.0
04N 03W 19	25.0				20.0	30.0	35.0	25.0									135.0
04N 03W 20					30.0	30.0	25.0	30.0									115.0
04N 04W 12																30.0	30.0
04N 04W 13	40.0	35.0	30.0	35.0											40.0	35.0	215.0
04N 04W 24	30.0	30.0	20.0	40.0													120.0

Total Acres: 999

INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 03W 19													X				

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5039

1. THIS CLAIM IS FOR UTILIZATION OF EFFLUENT FROM FOOD PROCESSING PLANT FOR IRRIGATION USE.
SEE ATTACHMENTS FOR MAP AND DESCRIPTIONS OF WELLS IN COMMON SYSTEM.
TWO POINTS OF DIVERSION IN NENW OF SEC. 19, T4N, R3W.

Remarks:

Comments:

Water Supply Bank:

overlap review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-10034

WATER RIGHT NUMBER: 63-10034

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

overlap

Priority Date: 03/17/1983

Basis: Permit

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	1/01 to 12/31	9.800 CFS	
IRRIGATION	3/15 to 11/15	9.800 CFS	
	<u>Total Diversion:</u>	9.800 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 24, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	NE1/4NW1/4SE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SW1/4SW1/4	Sec. 18, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NW1/4NW1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NW1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SW1/4SE1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4SW1/4	Sec. 18, Twp 04N, Rge 03W, B.M.
CANYON County		

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-16034

GROUND WATER	NE1/4NE1/4SE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SW1/4SE1/4	Sec. 13, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	SE1/4NW1/4SW1/4	Sec. 20, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SW1/4NE1/4SW1/4	Sec. 20, Twp 04N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4NE1/4	Sec. 19, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 03W 19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				X									X				
04N 03W 20									X								

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 03W 17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	85.0
									15.0	10.0	25.0	35.0					
04N 03W 18	35.0			25.0	40.0	40.0	35.0	40.0	15.0							29.0	259.0
04N 03W 19	25.0				20.0	30.0	35.0	25.0									135.0
04N 03W 20					30.0	30.0	25.0	30.0									115.0
04N 04W 12																30.0	30.0
04N 04W 13	40.0	35.0	30.0	35.0											40.0	35.0	215.0
04N 04W 24	30.0	30.0	20.0	40.0													120.0

Total Acres: 959

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-10034

Conditions of Approval:

1. THE WASTE RECOVERY PLANT WAS BUILT IN 1944 TO FACILITATE FOOD PROCESSING. IN 1985 ETHANOL PRODUCTION BEGAN IN THE SAME LOCATION. I.E. SENE SEC. 19, T4N, R3W. **SEE ATTACHMENTS FOR MAP AND DESCRIPTIONS OF WELLS IN COMMON SYSTEM**
TWO POINTS OF DIVERSION IN NENW SEC. 19, T4N, R3W.
OTHER WATER RIGHTS: PIONEER DIXIE DITCH CO.
2. 01C A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Remarks:

Comments:

Water Supply Bank:

Overlap Review -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21559

WATER RIGHT NUMBER: 63-21559

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SIMPLOT LIVESTOCK CO PO BOX 27 BOISE, ID 83707
Attorney	J R SIMPLOT CO ENV AND REGULATORY AFFAIRS ATTN: GRAY YOUNG OR TERRY UHLING PO BOX 27 BOISE, ID 83707-0027 (208)389-7318

- no overlap

Priority Date: 04/01/1955

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.460 CFS	
	<u>Total Diversion:</u>	0.460 CFS	

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4

Sec. 29, Twp 04N, Rge 03W, B.M.

CANYON County

Place of Use

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	03W	20	X	X	X		

Conditions of Approval:

1. POINT OF DIVERSION LOCALLY KNOWN AS THE JOE AMUSTEGIE WELL.
POINT OF DIVERSION IS SAME AS A63-21558.

Remarks:Comments:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 20, 1994

RECEIVED

MAY 20 1994

WATER RESOURCES
WESTERN REGION

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

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

Dear Ms. Pepe:

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

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sally Sherman'.

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:regions

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JUL 25 1994



CORPORATE HEADQUARTERS

RECEIVED

MAY 20 1994

WATER RESOURCES
WESTERN REGION

April 12, 1994

RECEIVED

APR 14 1994

Department of Water Resources

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

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

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

Dear Mr. Shaff:

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

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

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

Sincerely,

Holly Pepe
Legal Department

/hp
Enclosures
5517v

MICROFILMED

JUL 25 1994

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



RECEIVED
APR 14 1994
Department of Water Resources

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

April 6, 1994

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

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

RE: Appearance of J. R. Simplot in Subcase Nos. 36-13320 and 57-02203A

Dear Mr. Young and Mr. Uhling:

Enclosed I am returning your *Notice of Withdrawal of Counsel* which was received by the court on April 5, 1994, and which stated that Bruce L. Belzer was withdrawing as counsel for J. R. Simplot Company in the above-referenced subcases.

After a search of the files for the above subcase, I am unable to locate any appearance by Bruce L. Belzer. However, on January 28, 1994, a *Notice and Entry of Appearance* was filed on behalf of J. R. Simplot in these subcases. That notice listed Gray Young and Terry Uhling as counsel for J. R. Simplot.

Sincerely,

A handwritten signature in cursive script, reading "Diana R. Delaney".

Diana R. Delaney
Chief Deputy Clerk

DRD

Enclosure

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

MICROFILMED

JUL 25 1994

1 GRAY YOUNG, Assistant General Counsel
2 TERRY T. UHLING, Assistant General Counsel
3 Environmental & Regulatory Affairs
4 J. R. SIMPLOT COMPANY
5 P.O. Box 27
6 999 Main Street, Suite 1300
Boise, Idaho 83707
Telephone: (208) 389-7318
Fax: (208) 389-7515

7 Attorneys for J. R. Simplot Company

1991 APR - 5 PM 2:52
DISTRICT COURT - SRB
TWIN FALLS CO., IDAHO
FILED

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

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

Civil Case No. 39576

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

19 Petitioner,)

20 v.)

NOTICE OF WITHDRAWAL
OF COUNSEL

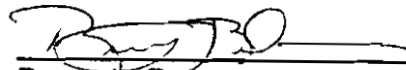
21 _____)
22 The United States; the State of)
23 Idaho; and all claimants to the)
use of water from the Snake)
24 River Basin Water System,)

25 Defendants.)
26 _____)

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

5 36-13320
6 57-02203A

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

8 
9 _____
10 Bruce L. Belzer
11 Assistant General Counsel for
12 J. R. Simplot Company
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MICROFILMED
JUL 25 1994

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of April, 1994, I caused to be served a true and correct copy of the foregoing by United States mail, postage prepaid, addressed to the following:

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

Richard F. Smith
P.O. Box 70
Rexburg, Idaho 83440

Josephine P. Beeman
MOFFATT, THOMAS, BARRETT,
ROCK & FIELDS
First Security Bank Building
911 West Idaho
P.O. Box 829
Boise, Idaho 83701

Brad A. Flinders
STUNZ, FONDA, NICHOLS, KIYUNA,
OKAI, HORTON & FLINDERS
P.O. Box 1565
Nyssa, Oregon 97913

Cliff S. Bentz
YTURRI, ROSE, BURNHAM,
BENTZ & HELFRICH
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Fruitland, Idaho 83619

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Idaho Falls, Idaho 83405

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COOPER & BUDGE, CHARTERED
201 East Center, Suite 2A
P.O. Box 1391
Pocatello, Idaho 83204-1391

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

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

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

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JUL 25 1994

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3 CUMMINGS
4 960 Broadway, Suite 400
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Boise, Idaho 83701

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

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

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

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

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

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

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

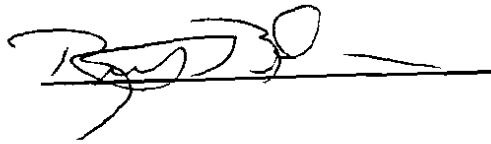
18 Dana L. Hofstetter
19 Murray D. Feldman
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21 West One Plaza, Suite 1400
22 101 South Capitol Boulevard
P.O. Box 2527
Boise, Idaho 83701

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

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

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

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

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JUL 25 1994

Receipt Details for ID C016525

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/26/1990 8:16:25 AM	4/26/1990	State	\$996.00	Check
Payer		SIMPLOT LIVESTOCK COMPANY		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
18278			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$996.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	2240		\$160.00	Claim
63	2343		\$154.00	Claim
63	4597		\$60.00	Claim
63	2241		\$50.00	Claim
63	2601		\$50.00	Claim
63	2617		\$170.00	Claim
63	290		\$82.00	Claim
63	222	L	\$120.00	Claim
63	2239		\$150.00	Claim