

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-2070B
Date Received: 4/18/1990
Receipt No: C016376
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

W/T LAND AND CATTLE INC Phone: (208) 454-8239
PO BOX 209
NOTUS ID USA 83656

2. Date of Priority: 12/16/1907

3. Source: UNNAMED STREAM Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	04W	24	SE SE	CANYON	

5. Description of diverting works:

HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	6.4	

7. Total Quantity Appropriated is:
6.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
04N	04W	9	NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	40
			SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
						Section Acres	480
						Total Acres	480

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:

14. Remarks:

15. Basis of Claim: License

16. Signature(s)

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

RECEIVED

AUG 10 2006

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

DEPARTMENT OF
WATER RESOURCES

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
<u>63-4688 B</u>					
<u>63-2070 B</u>					
<u>63-222 J</u>					
<u>63-8352</u>					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s)

JR Simplot Co.

P.O. Box 27 Boise, Id 83707

4. New Owner/Claimant(s)

W/T Land & Cattle Inc.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 209

City, State and ZIP Code

Notus, Id 83656

New Telephone Number

(208) 454-8239

5. Date you acquired the property

8/29/03

*See
attachment*

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

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

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

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) W/T Land & Cattle Inc.

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

For Office Use Only

Received by _____ Date _____ Fee 0 - pending in SRBA
 Receipted by N/A Date _____ Receipt No. _____
 Processed by EW AJ Date 8/17/06 WR _____ Date _____

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: A63-02070B

Date Received: 4/18/90

Receipt No: C016376

Received By:

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: DEC 16, 1907

3. Source: UNNAMED STREAM Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	24	SE	SE			CANYON

5. Description of diverting works:
HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.400		

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

8. Total consumptive use is 2240.0 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	04W	9	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0

A63-02070B

Page 1

Date: 04/09/90

MICROFILMED

AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	9	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
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
						Section Acres	480.0
						Total Acres	480.0

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:
A63-00222J, POOR BOY DITCH COMPANY

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 3416

16. Signature(s)

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

Number of attachments: One Map

For Organizations:

I do solemnly swear or affirm that I am Secretary of _____ Title

J. R. Simplot Company, that I have signed the foregoing Organization document in the space below as Secretary of _____ Title

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

Richard D. Lawrence
Signature of Authorized Agent

Secretary, J. R. Simplot Company
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

W. A. Lawrence
Notary Public

Seal

Residing at Meridian

My Commission Expires 11-06-91

Water Right Number = A63-02070B

 = Point of Diversion

 = Place of Use

MICROFILMED

AUG 18 1985

09/29/2006

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-2070B

W/T LAND AND CATTLE INC

PO BOX 209

NOTUS ID 83656

Telephone Number: (208) 454-8239

RECEIVED

NOV 08 2006

WATER RESOURCES
WESTERN REGION

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

Place of USE NWNE Should be 40.00 Not 14.00 - Not 40
per '87 photo

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

Change 14.00 Acres to 40.00 Acres on NWNE

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

Water Rights State 40.00 Acres
per Civil Case # 39576

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10/31/06

SIGNATURE:

Todd Cheney President
Todd Cheney

Please print your name:

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

no change -
KW
11/14/06

09/29/2006

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

RIGHT NUMBER: 63-2070B

NAME AND ADDRESS: W/T LAND AND CATTLE INC
PO BOX 209
NOTUS ID 83656

SOURCE: WEST END DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 6.400 CFS

This right when combined with all other rights shall not exceed 0.02 cfs per acre at the field headgate.

PRIORITY DATE: 12/16/1907

POINT OF DIVERSION:
T04N R04W S24 SESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	6.400 CFS
PLACE OF USE:	<u>IRRIGATION Within CANYON County</u>		
	T04N R04W S09 NENE 40.00	T04N R04W S09	NWNE 14.00
	T04N R04W S09 SWNE 40.00	T04N R04W S09	SENE 40.00
	T04N R04W S09 NENW 40.00	T04N R04W S09	NWNW 40.00
	T04N R04W S09 SWNW 40.00	T04N R04W S09	SENW 40.00
	T04N R04W S09 NESW 40.00	T04N R04W S09	NWSW 40.00
	T04N R04W S09 NESE 40.00	T04N R04W S09	NWSE 40.00
	454 ACRES TOTAL		

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

08/17/2006

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

RIGHT NUMBER: 63-2070B

NAME AND ADDRESS: W/T LAND AND CATTLE INC
PO BOX 209
NOTUS ID 83656

SOURCE: WEST END DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 6.400 CFS

This right when combined with all other rights shall not exceed 0.02 cfs per acre at the field headgate.

PRIORITY DATE: 12/16/1907

POINT OF DIVERSION:

T04N R04W S24 SESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	6.400 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S09	NENE	40.00	T04N R04W S09	NWNE	14.00
T04N R04W S09	SWNE	40.00	T04N R04W S09	SENE	40.00
T04N R04W S09	NENW	40.00	T04N R04W S09	NWNW	40.00
T04N R04W S09	SWNW	40.00	T04N R04W S09	SENW	40.00
T04N R04W S09	NESW	40.00	T04N R04W S09	NWSW	40.00
T04N R04W S09	NESE	40.00	T04N R04W S09	NWSE	40.00

454 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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



Idaho Department of Water Resources

SRBA Recommendation:

63-2070B

Acres = 454

Legend

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



Canyon County
IDWR Basin 63



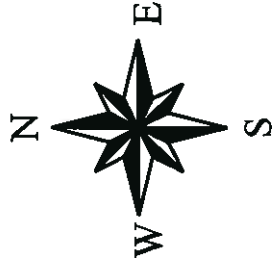
0 2 4 Miles

Prepared by K. Walker
On Wednesday, May 10, 2006
1987/88 Aerial Photography

63-2070B Closeup Map



63-2070shp.shp
Sections
Canyon taxlots
GCDB04N04W GCDB
GCDB04N03W GCDB





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

August 18, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

W/T LAND AND CATTLE INC
PO BOX 209
NOTUS ID 83656

RE: Notice of Claims to Water Right Nos. 63-4688B, 63-2070B, 63-222J and
63-8352

Dear Claimants:

We have processed the change in ownership for the above referenced Notices of
Claims. Enclosed are copies of the Claims for your files.

If your mailing address changes in any form, please contact us in writing so we can
update our records to assure you receive important notices concerning your water
rights. If you have any questions concerning this matter, please do not hesitate to
contact me at (208) 287-4953.

Sincerely,


KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

July 26, 2006 ← *resent kw*
~~March 23, 2006~~

JAMES E. RISCH
Governor

KARL J. DREHER
Director

W / T LAND & CATTLE INC
ATTN: TODD CHENEY
PO BOX 209
NOTUS ID 83656

RE: Notice of Claims to Water Rights Nos. 63-4688B, 63-2070B, 63-222J and
63-8352

Gentlemen:

We are currently preparing the above referenced Notices of Claims for a Director's Report in the Snake River Basin Adjudication (SRBA). These claims were submitted by J. R. Simplot Company for use of water in Section 9, Twp. 4N, Rge. 4W, Canyon County. In a phone conversation with Vic Conrad, of Simplot, and in review of Canyon County tax lot information for this area, we found that you may be the current owner of the lands under these claims. I am enclosing claim reports of these records for your convenience. If you are the owner of this property, please complete the enclosed Change in Ownership form, as appropriate, to correct our records. Please submit a copy of a deed indicating your ownership as described in the instructions attached to the form. We are attempting to get the recommendations for Canyon County done by this summer and your assistance in the matter would be greatly appreciated.

Also enclosed is a layout of the NE1/4, Sec. 9, Twp. 4N, Rge. 4W that we need you to locate the domestic well and place of use location of the home that is claimed under 63-4688B. Please draw these features on the map and return it with the change in ownership form.

If no response is received from you within the next 3 weeks, all further legal notices concerning these claims will be sent to the Simplot Company as claimants of record. Should you have any questions, or feel that you need assistance, please contact me at (208) 287-4953.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

05/10/2006

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

RIGHT NUMBER: 63-2070B

NAME AND ADDRESS: J R SIMPLOT CO
C/O RON GRAVES
999 MAIN ST STE 1300
PO BOX 27
BOISE ID 83707

SOURCE: WEST END DRAIN TRIBUTARY: BOISE RIVER

QUANTITY: 6.400 CFS

This right when combined with all other rights shall not exceed 0.02 cfs per acre at the field headgate.

PRIORITY DATE: 12/16/1907

POINT OF DIVERSION:

T04N R04W S24 SESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	6.400 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S09	NENE	40.00	T04N R04W S09	NWNE	14.00
T04N R04W S09	SWNE	40.00	T04N R04W S09	SENE	40.00
T04N R04W S09	NENW	40.00	T04N R04W S09	NWNW	40.00
T04N R04W S09	SWNW	40.00	T04N R04W S09	SENW	40.00
T04N R04W S09	NESW	40.00	T04N R04W S09	NWSW	40.00
T04N R04W S09	NESE	40.00	T04N R04W S09	NWSE	40.00

454 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-2070B

WATER RIGHT NUMBER: 63-2070B

Owner Type Name and Address
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

Original Owner J R BECK

Original Owner CALDWELL, ID 83605
 WILLIAM A BLACK

 CALDWELL, ID 83605

Priority Date: 12/16/1907

Basis: License

Status: Active

Source

UNNAMED STREAM

Tributary

BOISE RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

6.400 CFS

Total Diversion:

6.400 CFS

Annual Volume

N/A - surface water

Location of Point(s) of Diversion

UNNAMED STREAM

CANYON County

SE1/4SE1/4

Sec. 24, Twp 04N, Rge 04W E.M.

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	
40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	480.0

Total Acres: 480

Conditions of Approval:

in office verification RW
5/10/04

this right
earliest priority
on this source
if recommended -
(see attached
original sheet)

"West End Drain"
Riverside Drig. - 1915 priority
not on this property

per topo -

NO pld OL

EO4
claimed
change in p/u -

topo X4 & X5

Rights found with source of WEST END DRAIN

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Source	Owner(s)	Source Table
63	2549		License	2/15/1940	1.80	WEST END DRAIN	TRACY, W F	wrWaterRight
63	2549	A	License	2/15/1940	0.70	WEST END DRAIN	TRACY, GARY	wrAdjudicationClaim
63	2549	A	License	2/15/1940	0.70	WEST END DRAIN	TRACY, GARY	wrAdjudicationRecommendation
63	3080		License	10/11/1955	2.40	WEST END DRAIN	COLEMAN, DELYNN ; MILLS, BRYAN	wrAdjudicationRecommendation
63	3088		License	7/9/1956	2.02	WEST END DRAIN	REDMON, IRENE ;	wrAdjudicationClaim
63	3088		License	7/9/1956	2.02	WEST END DRAIN	REDMON, JOHN	wrAdjudicationRecommendation
63	3088		License	7/9/1956	2.02	WEST END DRAIN	REDMON, IRENE ;	wrAdjudicationRecommendation
63	3088		License	7/9/1956	2.02	WEST END DRAIN	REDMON, JOHN	wrAdjudicationRecommendation
63	4010		Beneficial Use	12/1/1915	70.00	WEST END DRAIN	HULL, CALVIN H ; HULL, LELA G	wrWaterRight
63	4010		Beneficial Use	12/1/1915	70.00	WEST END DRAIN	THE RIVERSIDE IRRIGATION DIST LTD	wrAdjudicationClaim
63	4010		Statutory Claim	1/8/1917	30.00	WEST END DRAIN	THE RIVERSIDE IRRIGATION DIST LTD	wrAdjudicationRecommendation
63	4010		Statutory Claim	12/1/1915	70.00	WEST END DRAIN	RIVERSIDE IRRIGATION DIST LTD	wrWaterRight
63	4022		Statutory Claim	5/1/1936	4.80	WEST END DRAIN	MUNN LAND CO INC	wrWaterRight
63	21542		Beneficial Use	12/31/1956	0.60	WEST END DRAIN	LANE, JANET ; LANE, W R	wrAdjudicationClaim
63	21542		B/U	12/31/1956	0.60	WEST END DRAIN	LANE, JANET ; LANE, W R	wrAdjudicationRecommendation

↑ before 70B
 03-20-70B
 (12/11/1907)

West End Drain Query in ~~Excel~~ Excel 5/10/06

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2070B

WATER RIGHT NUMBER: 63-2070B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM A BLACK
	CALDWELL, ID 83605
Original Owner	WILLIAM A BLACK
	CALDWELL, ID 83605
Original Owner	J R BECK
	CALDWELL, ID 83605

Priority Date: 12/16/1907

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	6.400 CFS	
	<u>Total Diversion:</u>	6.400 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	SE1/4SE1/4	Sec. 24, Twp 04N, Rge 04W, 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	04W	8	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	04W	9	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									320.0

Total Acres: 640

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

March 23, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

W / T LAND & CATTLE INC
PO BOX 209
NOTUS ID 83656

RE: Notice of Claims to Water Rights Nos. 63-4688B, 63-2070B, 63-222J and
63-8352

Gentlemen:

We are currently preparing the above referenced Notices of Claims for a Director's Report in the Snake River Basin Adjudication (SRBA). These claims were submitted by J. R. Simplot Company for use of water in Section 9, Twp. 4N, Rge. 4W, Canyon County. In a phone conversation with Vic Conrad, of Simplot, and in review of Canyon County tax lot information for this area, we found that you may be the current owner of the lands under these claims. I am enclosing claim reports of these records for your convenience. If you are the owner of this property, please complete the enclosed Change in Ownership form, as appropriate, to correct our records. Please submit a copy of a deed indicating your ownership as described in the instructions attached to the form. We are attempting to get the recommendations for Canyon County done by this summer and your assistance in the matter would be greatly appreciated.

Also enclosed is a layout of the NE1/4, Sec. 9, Twp. 4N, Rge. 4W that we need you to locate the domestic well and place of use location of the home that is claimed under 63-4688B. Please draw these features on the map and return it with the change in ownership form.

If no response is received from you within the next 3 weeks, all further legal notices concerning these claims will be sent to the Simplot Company as claimants of record. Should you have any questions, or feel that you need assistance, please contact me at (208) 287-4953.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

*NO response -
recommended
as claimed.
KW
5-10-06*

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2070B

01/30/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
222J	Claim	04N	04W	9	NE	NE		IRRIGATION	40/480	J R SIMPLOT CO
070B	Claim	04N	04W	9	NE	NE		IRRIGATION	40/480	J R SIMPLOT CO
222H	Water Right	04N	04W	9	NE	NE		IRRIGATION		W A BLACK
070B	Water Right	04N	04W	9	NE	NE		IRRIGATION	40/640	WILLIAM A BLACK
222J	Claim	04N	04W	9	NW	NE		IRRIGATION	40/480	J R SIMPLOT CO
070B	Claim	04N	04W	9	NW	NE		IRRIGATION	40/480	J R SIMPLOT CO
222H	Water Right	04N	04W	9	NW	NE		IRRIGATION		W A BLACK
070B	Water Right	04N	04W	9	NW	NE		IRRIGATION	40/640	WILLIAM A BLACK
222J	Claim	04N	04W	9	SW	NE		IRRIGATION	40/480	J R SIMPLOT CO
070B	Claim	04N	04W	9	SW	NE		IRRIGATION	40/480	J R SIMPLOT CO
222H	Water Right	04N	04W	9	SW	NE		IRRIGATION		W A BLACK
070B	Water Right	04N	04W	9	SW	NE		IRRIGATION	40/640	WILLIAM A BLACK
222J	Claim	04N	04W	9	SE	NE		IRRIGATION	40/480	J R SIMPLOT CO
070B	Claim	04N	04W	9	SE	NE		IRRIGATION	40/480	J R SIMPLOT CO
222H	Water Right	04N	04W	9	SE	NE		IRRIGATION		W A BLACK
070B	Water Right	04N	04W	9	SE	NE		IRRIGATION	40/640	WILLIAM A BLACK
1688A	Claim	04N	04W	9	SE	NE		DOMESTIC		LENA C CAIRO
1688B	Claim	04N	04W	9	SE	NE		DOMESTIC		J R SIMPLOT CO
4688	Water Right	04N	04W	9	SE	NE		DOMESTIC		LENA C CAIRO
222J	Claim	04N	04W	9	NE	NW		IRRIGATION	40/480	J R SIMPLOT CO
070B	Claim	04N	04W	9	NE	NW		IRRIGATION	40/480	J R SIMPLOT CO
222H	Water Right	04N	04W	9	NE	NW		IRRIGATION		W A BLACK
070B	Water Right	04N	04W	9	NE	NW		IRRIGATION	40/640	WILLIAM A BLACK
222J	Claim	04N	04W	9	NW	NW		IRRIGATION	40/480	J R SIMPLOT CO
070B	Claim	04N	04W	9	NW	NW		IRRIGATION	40/480	J R SIMPLOT CO
222H	Water Right	04N	04W	9	NW	NW		IRRIGATION		W A BLACK
070B	Water Right	04N	04W	9	NW	NW		IRRIGATION	40/640	WILLIAM A BLACK
222J	Claim	04N	04W	9	SW	NW		IRRIGATION	40/480	J R SIMPLOT CO

OL w/ Poor Boy Ditch?
✓ Limit to 0.02 cfs/ac

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2070B

01/30/2006

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
070B	Claim	04N	04W	9	SW	NW		IRRIGATION	40/480	J R SIMPLOT CO
222H	Water Right	04N	04W	9	SW	NW		IRRIGATION		W A BLACK
070B	Water Right	04N	04W	9	SW	NW		IRRIGATION	40/640	WILLIAM A BLACK
222J	Claim	04N	04W	9	SE	NW		IRRIGATION	40/480	J R SIMPLOT CO
070B	Claim	04N	04W	9	SE	NW		IRRIGATION	40/480	J R SIMPLOT CO
222H	Water Right	04N	04W	9	SE	NW		IRRIGATION		W A BLACK
070B	Water Right	04N	04W	9	SE	NW		IRRIGATION	40/640	WILLIAM A BLACK
222J	Claim	04N	04W	9	NE	SW		IRRIGATION	40/480	J R SIMPLOT CO
070B	Claim	04N	04W	9	NE	SW		IRRIGATION	40/480	J R SIMPLOT CO
222H	Water Right	04N	04W	9	NE	SW		IRRIGATION		W A BLACK
222J	Claim	04N	04W	9	NW	SW		IRRIGATION	40/480	J R SIMPLOT CO
070B	Claim	04N	04W	9	NW	SW		IRRIGATION	40/480	J R SIMPLOT CO
222H	Water Right	04N	04W	9	NW	SW		IRRIGATION		W A BLACK
8352	Water Right	04N	04W	9	NW	SW		IRRIGATION	40/160	ARTHUR H VAN WYK
222J	Claim	04N	04W	9	NE	SE		IRRIGATION	40/480	J R SIMPLOT CO
070B	Claim	04N	04W	9	NE	SE		IRRIGATION	40/480	J R SIMPLOT CO
222H	Water Right	04N	04W	9	NE	SE		IRRIGATION		W A BLACK
222J	Claim	04N	04W	9	NW	SE		IRRIGATION	40/480	J R SIMPLOT CO
070B	Claim	04N	04W	9	NW	SE		IRRIGATION	40/480	J R SIMPLOT CO
222H	Water Right	04N	04W	9	NW	SE		IRRIGATION		W A BLACK

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-222J

WATER RIGHT NUMBER: 63-222J

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	W A BLACK
Current Owner	BOISE, ID 83705 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

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	8.000 CFS	
	<u>Total Diversion:</u>	8.000 CFS	

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

04N 04W 9

NE				NW				SW				SE				Totals
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			40.0	40.0			480.0

Total Acres: 480

Conditions of Approval:

1. WATER IS DIVERTED FROM RIVERSIDE CANAL IN SE1/4SW SEC 14, WATER IS THEN CARRIED THROUGH DITCH OWNED AND MAINTAINED BY SIMPLOT TO PLACE OF USE.

Remarks:

County: Canyon
 Stream: Unnamed stream
 Amount: 6.4 cu.ft.
 Use: Irrig. & Domestic
 Priority: 12-16-07

STATE OF IDAHO

Water License No. 3416...
 WATER DISTRICT no. 12-A

WHEREAS, On the 16th day of December, A. D. 1907 Wm. A. Black and J.R. Beck

of Caldwell, County of Canyon, State of Idaho, duly made application (No. 4667) to me for a permit to use 7.2 cubic feet per second of the waters of an Unnamed stream, in Water District No. 12-A.

County of Canyon, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 15th day of February, A. D. 1908, Permit No. 3416 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 15th day of February, A. D. 1910, and for the application to beneficial use of said water on or before the 15th day of February, A. D. 1912, and,

WHEREAS, On the 15th day of February, A. D. 1910, WM. A. BLACK and J. R. BECK

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 7.2 cubic feet per second of said waters, as evidenced by my Certificate No. 3416 dated January 14, 1911 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 7.2 cubic feet per second of said water with date of priority of December 16, 1907, and

WHEREAS, On the 8th day of February, A. D. 1912, WM. A. BLACK

the holder of said permit, duly made proof of the application to beneficial use of 6.4 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to WM. A. BLACK

of Caldwell, County of Canyon, State of Idaho, the holder and owner of said Permit No. 3416, a perpetual right, dating from December 16, 1907 to the use of 6.4 cubic feet per second of the waters of an unnamed stream

in the County of Canyon and State of Idaho, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted at a point in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 24, T. 4 N., R. 4 W.B.M.

and conducted to and upon 640 acres, as follows: 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, all in Section 9; 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; and 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, all in section 8, Township 4 North, Range 4 West of Boise Meridian.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source or supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 4th day of May A. D. nineteen hundred and sixteen

(Seal)

J.H. SMITH

State Engineer

63 2070

REPORT OF ENGINEER

1. State name of applicant and number of permit: Wm. D. Black - #3416
2. State source of water supply: Unnamed stream in Canyon Co.
3. Location of point of diversion: S2 & S34, Sec. 24 - Tp. 1 N., R. 1 E.
4 1/2 N. D. 74.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes
5. Describe works as they exist, giving dimensions and capacities of same: Dam 60' wide on top - 45' on bottom - 7 ft. high - log cribbing gravel-filled. Headgate in center of dam, acting as spillway. Headgate 8' wide, 3 1/2' high - spillway - 2" boards, 15' long. (at point A on map). From "A" to bank, ditch is 8' on bottom, 10' on top, 2 1/2 ft. deep - grade about 8' to one mile. From "B" to "C" is natural slough, which has been widened & cleaned to capacity - from "C" to "D" is constructed section, 6' on bottom, 8' on water line, 2' deep - grade about 8' to one mile - capacity about 15 sec. ft.
6. State whether or not water has been turned into works of diversion: Yes, and all lands irrigated.
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): T² Sec. 2, and E² Sec. 8, Tp. 1 N., R. 1 E., 4 1/2 N. D. 74.
All land is cultivated - hay and pasture land - used mainly as stock ranch.

8. Submit map on enclosed plat, showing location and details of above description.

Remarks: This examination was made in lieu of #10564 - Deposition submitted in 1912, but for some reason, the report of the examining engineer failed to reach this office.

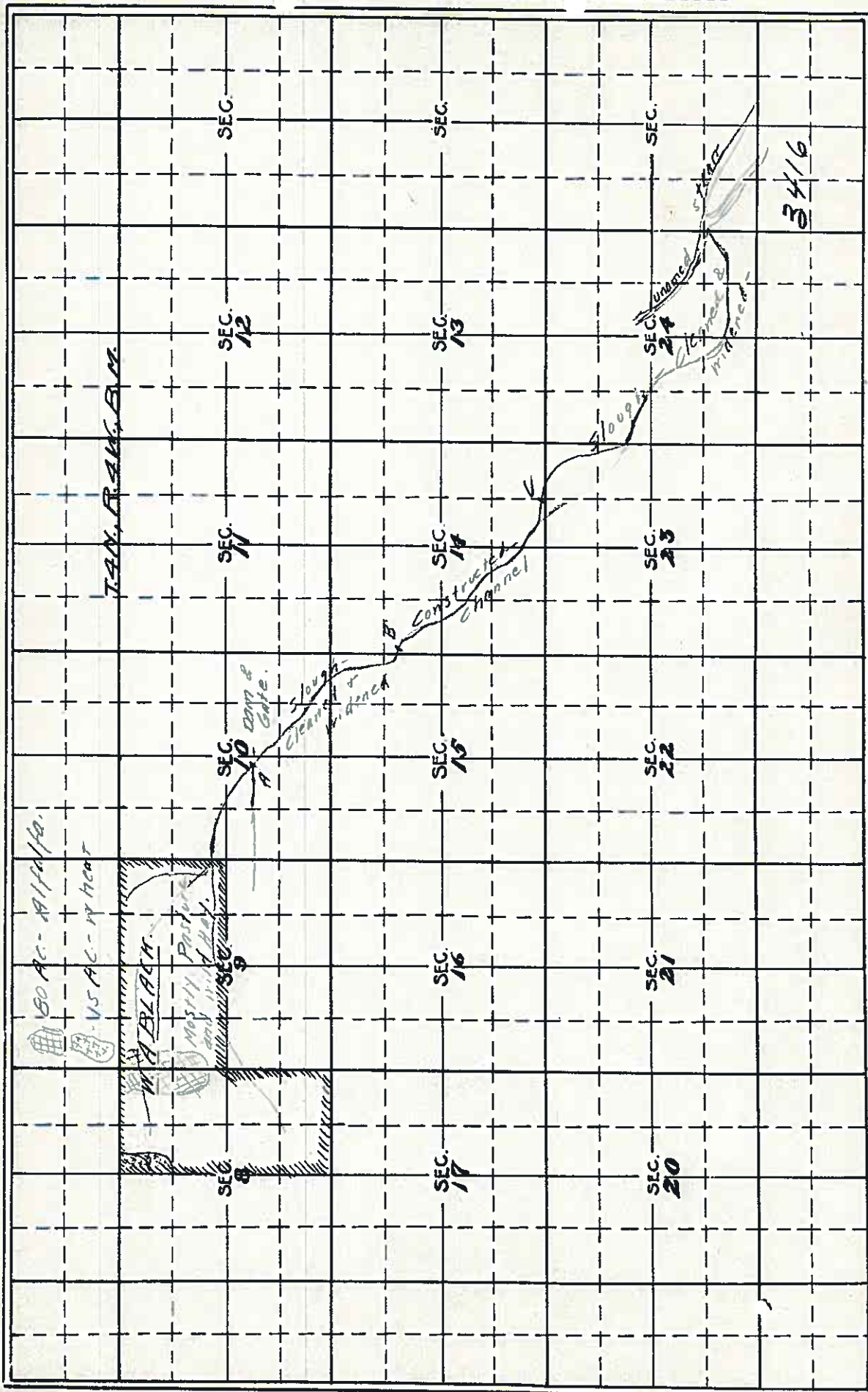
3416

This examination was made on the 28 day of April 1916

(Signed) _____

E. J. [Signature]
Examiner.

Name of Applicant Wm A Black # 3416



SCALE: 2 INCHES = 1 MILE.

DRAW PLAN IN INK

3416

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 3416

Comes now Wm. A. Black and represents to the State Engineer of the State of Idaho, That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 3416, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

SW4 SW4 Section four (4) North one-half Section Nine (9) and East one-half Section Eight (8) All in Township four (4) North four (4) West of the Boise Meridian, Canyon County, Idaho, making a total of 680 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Wm. A. Black.
Signed at Caldwell, Idaho, this 25th day of November, 1911.

(SEAL)

Thos. E. Buckner,
Notary Public.

Date of receipt at office of State Engineer 9.00 a.m. November 27, 1911.

APPROVAL OF STATE ENGINEER.

I, A. E. Robinson, State Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Water of the State of Idaho, No. 3416. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Witness my hand this 29th day of November, 1911

A. E. Robinson,
State Engineer.

Report of Engineer

RECEIVED

JAN 9 1911

OFFICE OF STATE ENGINEER

1. State name of applicant and number of permit: W. A. Black & J. D. Black Permit 3416
2. State source of water supply: Unnamed Stream
3. Location of point of diversion: Bears N. 34° W. 1326' from S.E. corner Sec. 24, Tp. 4 N., R. 4 W. 3

4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit: _____

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 7 feet
- (b) Width at water line: 10 "
- (c) Depth of water: 1.5 "
- (d) Grade per mile: about ten feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent: _____
to full extent.

7. Give exact location of lands to be irrigated. ~~Give exact number of acres under cultivation in each~~
forty acre tract: SW $\frac{1}{4}$, SW $\frac{1}{4}$ of Sec. 4., and N $\frac{1}{2}$ of Sec. 9, all in
T4N, R4W, EM.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: Canal is well constructed and will carry all
the water necessary to irrigate the above
described land.



Water Commissioner, Div. No. 3.

STATE OF IDAHO,

County of _____ } ss.

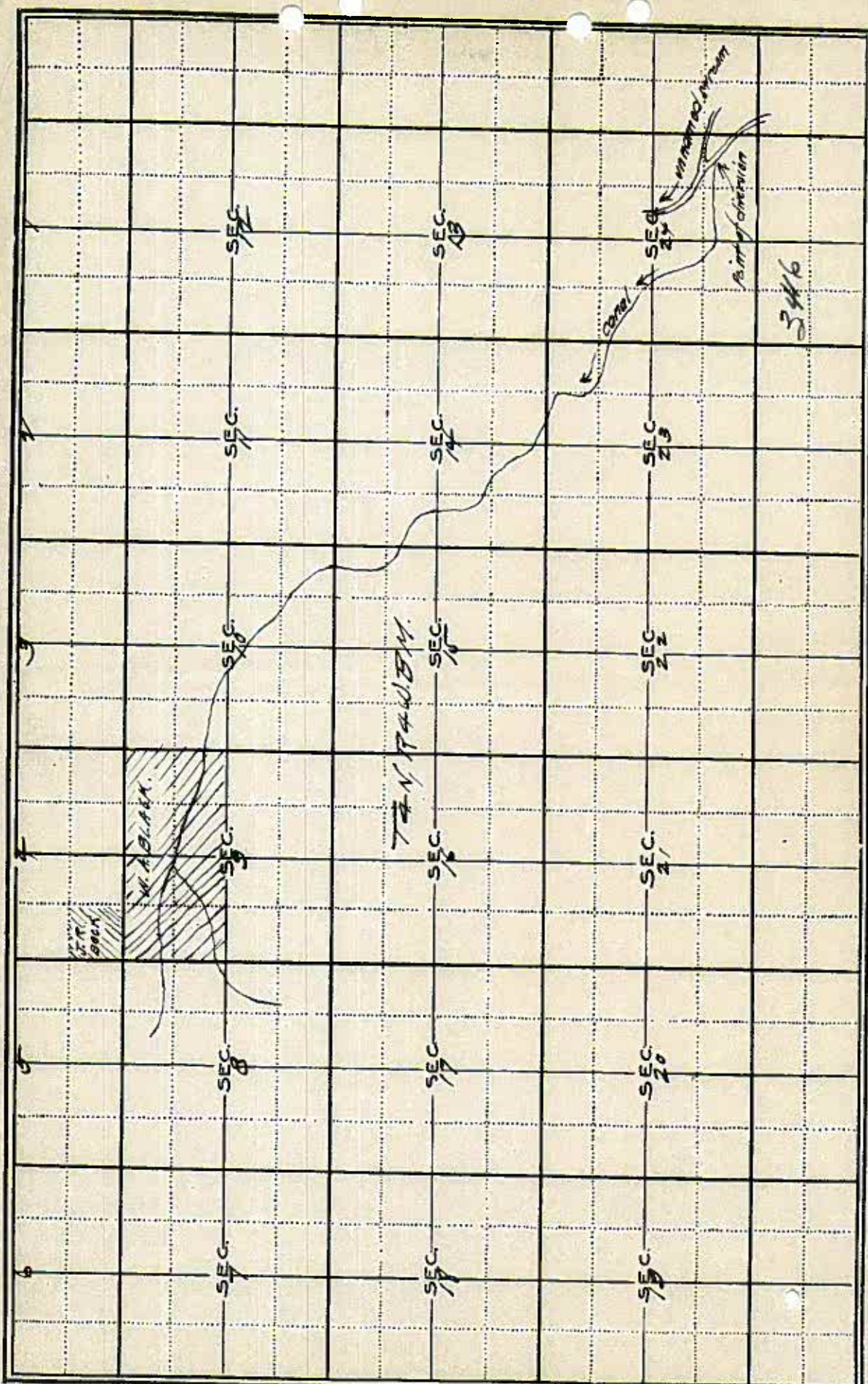
_____, Being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 190_____

My Commission Expires _____

Notary Public.

3416



Canyon County *
Unnamed Stream *
.8 of 1 second foot *
Irrigation and domestic *
Priority 12-16-07 *

STATE _ _ OF _ _ I D A H O

Water License No. 3416

this part "A"
not claimed
in SRBA-
KW
5/10/04

WHEREAS, On the 16th day of December, A.D. 1907, Wm. A. BLACK and J. R. BECK, of Caldwell, County of Canyon, State of Idaho, duly made application (No. 4667) to me for a permit to use 7.2 cubic feet per second of the waters of an unnamed stream, County of Canyon, State of Idaho for irrigation and domestic purposes, and

WHEREAS, On the 15th day of February, A.D. 1908, Permit No. 3416, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 15th day of February, A.D. 1910, and for the application to beneficial use of said water on or before the 15th day of February, A.D. 1912, and

WHEREAS, On the 15th day of February, A.D. 1910, Wm. A. BLACK and J. R. BECK, the holders of said permit duly made proof of the completion of adequate works for the diversion of 7.2 cubic feet per second of said waters, as evidenced by my Certificate No. 3416, dated January 14, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 7.2 cubic feet per second of the waters of an unnamed stream, with date of priority of December 16, 1907, and

WHEREAS, On the 21st day of July, A.D. 1910, J. R. BECK, the holder of said permit duly made proof of the application to beneficial use of .8 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to J. R. BECK, of Caldwell, County of Canyon, State of Idaho, the holder and owner of said Permit No. 3416, a perpetual right, dating from December 16, 1907, to the use of .8 of 1 cubic foot per second of the waters of an unnamed Stream, in the County of Canyon, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the southeast corner of section 24, township 4 North of Range 4 West of the Boise Meridian, N. 34° W. 1328', and conducted to and upon (30 acres in the southwest quarter of southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of section 4, township 4 North of Range 4 West of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

Witness my hand and the seal of my office at Boise, Idaho, this fourteenth day of January,

A.D. Nineteen hundred and eleven.

(SEAL)

D.G. Martin

State Engineer

Recorded January 14, 1911.

Report of Engineer

RECEIVED

JAN 9 1911

OFFICE OF STATE ENGINEER

1. State name of applicant and number of permit: J. R. Beek - Permit 3416
2. State source of water supply: Unnamed Stream
3. Location of point of diversion: Bears N. 34° W. 1526 ft. from SE cor. Sec. 24, T. 4 N. & W.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: _____

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 2 feet
- (b) Width at water line: 3 feet
- (c) Depth of water: 1 1/2 "
- (d) Grade per mile: 4 feet

6. State whether or not water has been turned into works of diversion and if so, to what extent: to full extent.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: 30 acres in the SW 1/4 SW 1/4 Sec. 4, T4N, R4W, BM.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: System is well constructed and will carry more than amount necessary to irrigate claim.

H. Williams
Water Commissioner, Div. No. 3

STATE OF IDAHO,

County of _____

} ss.

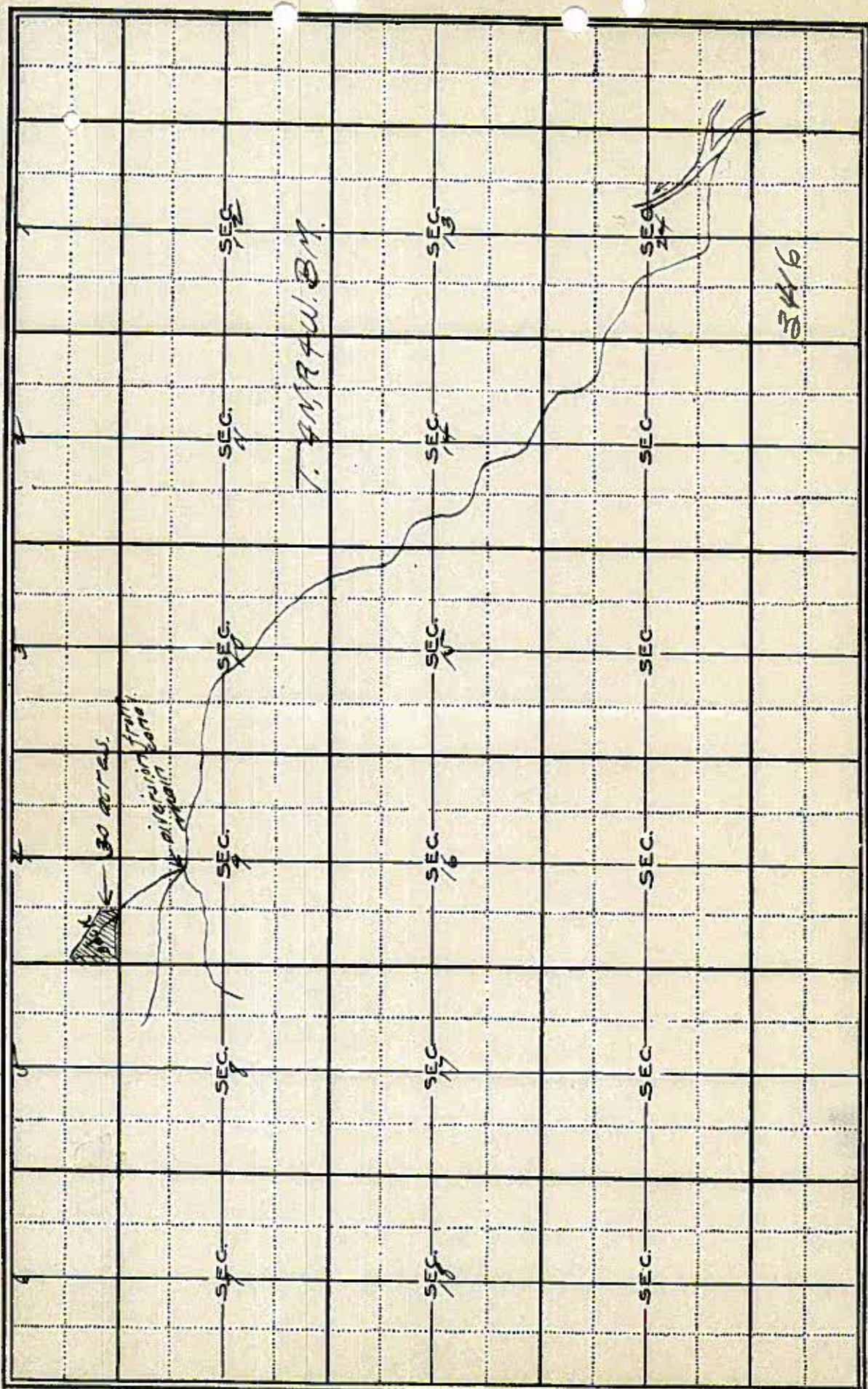
_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 190_____

My Commission Expires _____

Notary Public.

3416



No. 4667.

63-2070

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Wm A. Black and J. R. Beck.
 Postoffice address: Caldwell R. F. D. #2.
 County of Canyon State of Idaho.
2. The quantity of water claimed is 7.2 cubic feet per second.
3. Source of water supply: Unnamed Stream
 County of Canyon.
4. Location of point of diversion: From SE Cor. Sec. 24 T. 4 N. R. 4 W. B. M. : N34° W. 1328 ft.
5. To be used for:
 - I. Irrigation and domestic use:
 - (a) Amount of land to be irrigated: 360 acres.
 - (b) In the following legal subdivisions: N2 of Sec. 9 and the SW4 SW4 of Sec 4 all in Tp 4 N. R. 4 W. B. M.
6. Estimated cost of works: in One Thousand Dollars (\$1000.00)
7. Description of works for diversion:
 - I. Kind of works: Ditch.
 - II. Dimensions of works:
 - (a) Size of headgate: Width 4 feet, height 3 feet.
 - (d) Conduit Ditch, width at bottom 6 feet, width at water line 10 feet, depth of water 2 feet. Average grade per mile is 8 ft. Length of conduit is 3.07 miles, and it crosses the following quarter sections: SE $\frac{1}{4}$, NW $\frac{1}{4}$ Sec. 24, NE $\frac{1}{4}$ Sec. 23, SE $\frac{1}{4}$, NW $\frac{1}{4}$ Sec. 14, NE $\frac{1}{4}$ Sec. 15, SW $\frac{1}{4}$, NW $\frac{1}{4}$ Sec. 10, T. 4 N. R. 4 W. B. M. to land described in 5 I (b) above which is the point of intended use.
8. Time required for the completion of the construction of such work is Two years.
9. Time required for the complete application of the water to the proposed use is Two additional years.

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

Wm Black and J. R. Beck.

Applicant.

By.....Fred H. McConnel.....Agent.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3416.

Date of first receipt of application 4 p.m. December 16, 1907.

Returned to applicant for correction December 17, 1907.

Corrected application received February 11, 1908.

Recorded in Book 10 Page 3416 Approved February 15, 1908.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before April 15, 1908, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before February 15, 1909.

The whole of said work to be completed on or before February 15, 1910.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to February 15, 1912.

Witness my hand this fifteenth day of February 1908.

Jas. Stephenson, Jr.,

State Engineer.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

W.O.

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 20, 1994

RECEIVED

MAY 20 1994

WATER RESOURCES
WESTERN REGION

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

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

Dear Ms. Pepe:

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

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

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:regions

MICROFILMED

JUL 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. - JEL

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

Dear Mr. Young and Mr. Uhling:

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

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

Sincerely,


Diana R. Delaney
Chief Deputy Clerk

DRD

Enclosure

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

MICROFILMED
JUL 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
7 Boise, Idaho 83707
8 Telephone: (208) 389-7318
9 Fax: (208) 389-7515

10 Attorneys for J. R. Simplot Company

1994 APR - 21 PM 2:52
DISTRICT COURT - SRRA
TWIN FALLS CO., IDAHO
FILED

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

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

Civil Case No. 39576

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

Petitioner,

v.

NOTICE OF WITHDRAWAL
OF COUNSEL

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

Defendants.

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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CERTIFICATE OF SERVICE

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

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

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

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

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

Cliff S. Bentz
YTURRI, ROSE, BURNHAM,
BENTZ & HELFRICH
P.O. Box 450
Fruitland, Idaho 83619

Kent W. Foster
HOLDEN, KIDWELL, HAHN & CRAPO
330 Shoup Avenue
P.O. Box 50130
Idaho Falls, Idaho 83405

Randall C. Budge
RACINE, OLSON, NYE,
COOPER & BUDGE, CHARTERED
201 East Center, Suite 2A
P.O. Box 1391
Pocatello, Idaho 83204-1391

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

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

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

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

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

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

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

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

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

13 Cecil D. Hobdey
14 HOBDEY & HOBDEY
15 Attorneys at Law
16 125 Fifth Avenue West
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
20 HOLLAND & HART
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
P.O. Box 66
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 Forth Street, Box 33
4 Boise, Idaho 83724

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7 5500v
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MICROFILMED

JUL 25 1994

UAK - Please file
in claims indicated on map.

~~INTER-DEPARTMENT~~ MEMO — 1

FROM FORREST

DATE AUG 15, 1990

TO ADJ. SECT. - WESTERN

SUBJECT JR. & SIMPLOT LAND & CATTLE CLAIMS

Hi! VIC ORIGINALLY SUBMITTED THE CLAIMS ON ACCOMPANYING
LIST WITHOUT MAPS OR PHOTOS. THESE PHOTOS SHOULD BE FILED
WITH CORRESPONDING CLAIM FILES.

RG3-02070B.

A63-02239

A63-02240

A63-02241

A63-02343

A63-02617

A63-04688

RG3-08352

RECEIVED

AUG 16 1990

Department of Water Resources
Western Mail Office

Forrest

SIGNATURE

MICROFILMED

AUG 18 1992

RECEIVED
JAN 21 1992
Department of Water Resources

GRAY YOUNG
BRUCE BELZER
Attorneys at Law
J. R. Simplot Company Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707
(208) 389-7318
(208) 389-7515 Telefacsimile

Attorneys for J. R. Simplot Company

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CASSIA

In Re the General Adjudication
of Rights to the Use of Water
From the Snake River Drainage
Basin Water System.

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States;
The State of Idaho;
and All Claimants to the Use
of Water from the Snake River
Basin Water System,

Respondents.

ALICE FOSHA, HELEN FLINT, and
BEVERLY ADAMS, individuals,

Plaintiffs,

vs.

A. KENNETH DUNN, Director of the
Department of Water Resources
of the State of Idaho,

Twin Falls County
Civil Case No. 39576

and

Cassia County
Civil Case No. 13770-12-83

NOTICE OF APPEARANCE

*Don modified all thru
C.A.N. program.*

of 2-1-92

Defendants.)

IN THE MATTER OF THE GENERAL
DETERMINATION OF RIGHTS TO THE
USE OF GROUNDWATER DIVERTED
FROM SECTIONS 19, 20, 21, 28, 29,
30, 31, 32, AND 33, T. 11 S.,
R. 27 E., B.M.)

A. KENNETH DUNN, Director of the
Department of Water Resources
of the State of Idaho,)

Counterplaintiff,)

vs.)

ALICE FOSHA, HELEN FLINT, and
BEVERLY ADAMS, individuals,)

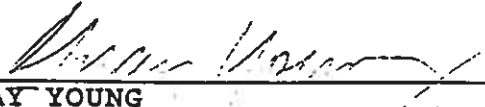
Counterdefendants.)

TO ALL PARTIES:

GRAY YOUNG, Assistant General Counsel, J. R. Simplot
Company, hereby enters his appearance as co-counsel on behalf
of J. R. Simplot Company in this action. All notices to
J. R. Simplot Company should be delivered to the following
address:

Gray Young
Bruce Belzer
J. R. Simplot Company
Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707

DATED this 20th day of January, 1992.

By 

GRAY YOUNG
Assistant General Counsel

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

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF APPEARANCE was mailed this 20th day of January, 1992, in an envelope with sufficient first-class postage prepaid thereon to the following:

Idahome Farms, Inc.
1925 Oakley Avenue
Burley, ID 83318

Dennis Jay Harper
Star Route
Declo, ID 83323

Roland Allen Land &
Livestock
Star Route
Malta, ID 83342

Mark J. Taylor
Strong & Hanni
5th Floor, Boston Building
Salt Lake City, UT 84111
Attorney for Fosha, et al.

Leo A. Jardine
Jardine, Linebaugh,
Brown & Dunn
Suite 400
370 East South Temple
Salt Lake City, UT 84111
Attorney for Raft River Ranches, Inc.

A. Lynne Krogh-Hampe
Deputy Attorney General
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706-2237


VICKI SPANGLER

Receipt Details for ID C016376

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/18/1990 2:40:06 PM	4/18/1990	State	\$815.00	Check
Payer		J. R. SIMPLOT COMPANY		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
063029			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$815.00	ADJUDICATION FEE	410162	9337	00		6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	222	J	\$530.00	Claim
63	2070	B	\$50.00	Claim
63	4688		\$25.00	Claim
63	8352		\$210.00	Claim

50 + 480 = 8K
 - 8K
 - 8K
 50 + 160 = 8K

Print Report