

JP

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: A63-02601
Date Received: 4/26/1990
Receipt No: C016525
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

83707

2. Date of Priority: FEB 18, 1943

3. Source: UNNAMED STREAM

Trib. to: DIXIE SLOUGH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	23	SW	NE			CANYON

5. Description of diverting works:
PUMP IN DITCH, DITCHES AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.740		

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

A.F.A.

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	23	SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			SE	NW		IRR	40.0

A63-02601

Page 1

Date: 05/17/90

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AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	120.0
					Total Acres	120.0

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:
A63-02617

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 19386

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.

Number of attachments: _____

For Organizations:

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

_____, that I have signed the foregoing
Organization

document in the space below as _____ of
Title

_____, and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of) SS.
_____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A63-02601Date Received 5/17/90 *JP*

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

(AMENDED)

(AMENDED)

Please type or print clearly

1. Name of Claimant (s) Simplot Livestock Co. Phone (208) 336-2110
Mailing Address P.O. Box 27 Boise, Idaho Zip 83707

2. Date of Priority (Only one (1) per claim) 02-18-1943

3. Source of water supply (a) Unnamed Stream
which is tributary to (b) Dixie Slough

4. a. Location of existing point of diversion is: Township 4N Range 4W Section 23,
1/4 of SW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Canyon

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Pump in ditch, ditches & laterals

MICROFILMED

AHC 1 0 1000

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 1.74 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.74 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 420.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater incidental to irrigation

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	4W	23			40		40			40									120

Total number of acres irrigated 120.0

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A 61-02617 or None ()

14. Remarks:

Last Name _____ Ident No. _____

MICROFILMED
Copies: White - State, Yellow - Claimant
AUG 18 1992

Scale: 2 inches equals 1 mile

A 16x16 grid of 256 squares. Each square contains a small crosshair pattern consisting of a vertical line, a horizontal line, and a diagonal line from the top-left to the bottom-right. The lines are thin and black, and the squares are arranged in a regular grid.

Ident No.

MICROFILMED

Copies: White-State, Yellow-Claimant

AUG 18 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 19386
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1 map

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Secretary
Title
of Simplot Livestock Co. , that I have signed the foregoing
Organization
document in the space below as Secretary of Simplot Livestock Co.
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *Russell Brown*
Title and Organization Secretary, Simplot Livestock Co. Date 05-04-90

State of Idaho/or Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 4th day of May 19 90

SEAL

Notary Public *Vicki A. Lowe*

Residing at Meridian

My Commission Expires 11-06-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

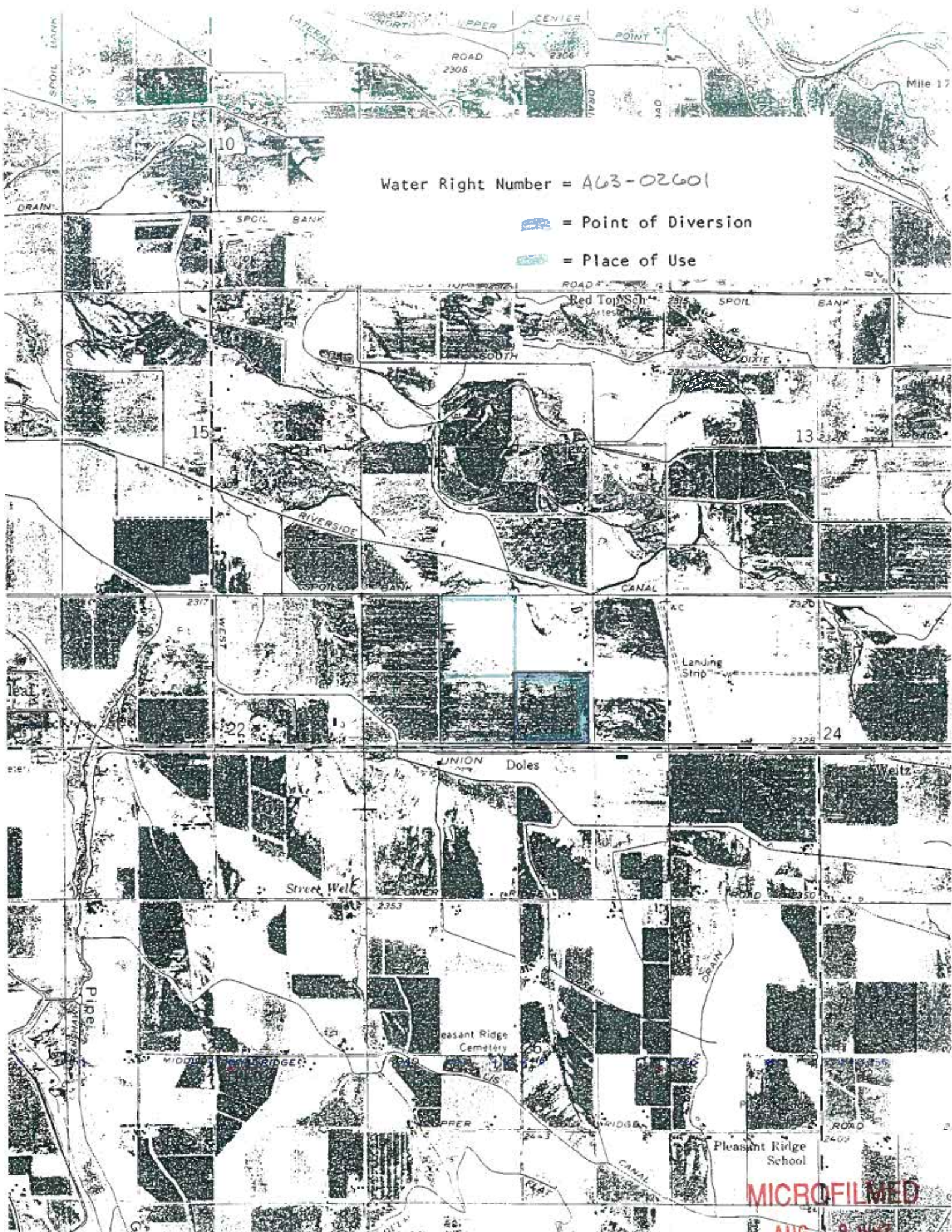
Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
AUG 18 1992



Water Right Number = A63-02601

 = Point of Diversion
 = Place of Use

MICROFILMED
AUG 1 1967

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: A63-02601
Date Received: 4/26/90
Receipt No: C.O. 16525
Received By: *[Signature]*

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: FEB 18, 1943
3. Source: UNNAMED STREAM Trib. to: DIXIE SLOUGH
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	23		NE	NE		CANYON

5. Description of diverting works:
HEADGATE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.740		

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

8. Total consumptive use is 420.0 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	23	SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			SE	NW		IRR	40.0

Section Acres 120.0

10. Place of Use: Continued

Total Acres 120.0

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:

NONE

14. Remarks:

THIS LICENSE IS ISSUED IN CONNECTION WITH LICENSE ISSUED UNDER
PERMIT NO. 19574. (61-02617)

15. Basis of Claim: LICENSE

Water Right Number: 19386

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.

Russell L. Grouse
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. Lower
Notary Public

Seal

Residing at Meridian

My Commission Expires 11-06-91

RECEIVED

OCT 24 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 OCT 23 PM 2 38

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

In Re SRBA) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 63-02601

I. FINDINGS OF FACT

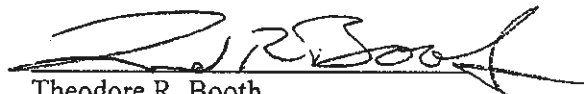
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On June 18, 2007, the Boise-Kuna Irrigation District, through its attorney Shelly Davis, filed an objection to the *Director's Report*. On August 18, 2007, The United States of America, Department of Interior, Bureau of Reclamation, filed a response to the objection. On August 28, 2007, the Boise-Kuna Irrigation District file a *Motion to Withdraw Objection*, which was granted by written order dated August 31, 2007. Accordingly, there are no outstanding objections to the *Director's Report* for this water right claim.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 63-02601 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated October 23, 2007



Theodore R. Booth
Special Master
Snake River Basin Adjudication

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2007 OCT 23 PM 2 38

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-02601

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

SOURCE: UNNAMED STREAM TRIBUTARY: DIXIE SLOUGH

QUANTITY: 1.74 CFS

This right when combined with Right No.63-2617 shall provide no
more than .02 cfs per acre.

PRIORITY DATE: 02/18/1943

POINT OF DIVERSION: T04N R04W S23 SWNE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.74 CFS

PLACE OF USE: Irrigation Within Canyon County
T04N R04W S23 SWNE 40.0 NENW 40.0
SENE 40.0
120.0 Acres Total

Right Nos. 63-2601 and 63-2617 are limited to the irrigation of
a combined total of 120 acres in a single irrigation season.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

OCT 23 2007

[Signature]
SPECIAL MASTER

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 OCT 23 PM 2 38

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

In Re SRBA)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

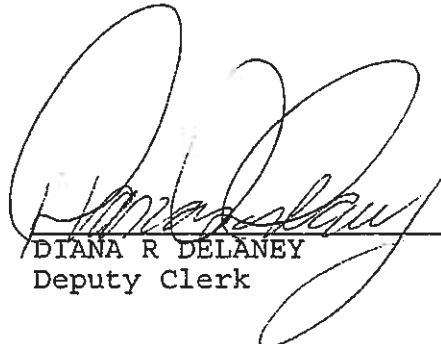
Water Right(s): 63-02601

On October 23, 2007, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED October 23, 2007.



DIANA R. DELANEY
Deputy Clerk

DISTRICT COURT - SDIA
TWIN FALLS CO., IDAHO
FILED _____

2007 OCT 23 PM 2 38

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

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 63-02601

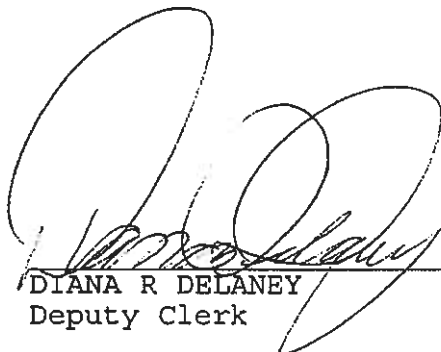
CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 23, 2007, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

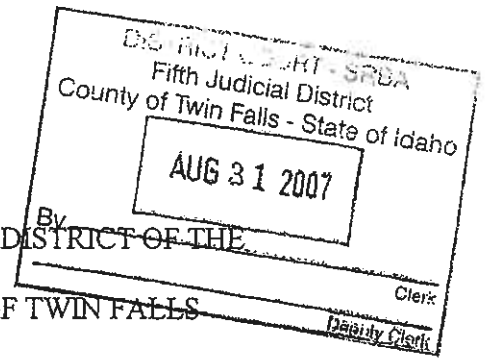
SIMPLOT LIVESTOCK CO
PO BOX 27
BOISE, ID 83707



DIANA R. DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
10/23/07



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

In Re SRBA

Subcase No. 63-2601

Case No. 39576

**ORDER GRANTING
MOTION TO WITHDRAW
OBJECTION**

This Court, having reviewed the Objector, Boise-Kuna Irrigation District's Motion to Withdraw Objection, hereby finds that good cause exists to grant the Motion. The Motion to Withdraw Objection is therefore, GRANTED.

Dated this 30 day of August, 2007.

Ted R. Booth
SRBA Special Master

CERTIFICATE OF MAILING

I certify that on this ____ day of _____, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Claimant

Name: Simplot Livestock Co. c/o Vic Conrad
Address: PO Box 27
Boise, ID 83707

Objector

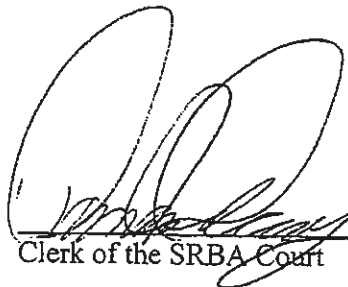
Name: Boise-Kuna Irr. District c/o Shelley M. Davis
Address: Barker Rosholt & Simpson, LLP
1010 W. Jefferson St., Ste. 102
Boise, ID 83702

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449


Clerk of the SRBA Court

Shelley M. Davis, ISB # 6788
BARKER ROSHOLT & SIMPSON LLP
1010 W. Jefferson St., Ste. 102
P.O. Box 2139
Boise, ID 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034
Attorneys for Boise-Kuna Irrigation District, Objector

RECEIVED

AUG 28 2007

**DEPARTMENT OF
WATER RESOURCES**

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

In Re SRBA	)	Subcase No. 63-2601
	)	
	)	
Case No. 39576	)	MOTION TO WITHDRAW
	)	OBJECTION
	)	
	)	
	)	

COMES NOW, the Objector, Boise-Kuna Irrigation District, by and through its counsel, Shelley M. Davis of the law firm, Barker Rosholt & Simpson, LLP, and hereby moves this Court for leave to withdraw the Objection filed by the Boise-Kuna Irrigation District in sub-case number 63-2601.

Upon a second review of the locations of Simplot Company's point of diversion and places of use for this claim, it is located far outside the boundaries of Boise-Kuna Irrigation District, and therefore Boise-Kuna Irrigation District has no objection to the recommendation for claim number 63-2601.

Dated this 27th day of August 2007.

BARKER ROSHOLT & SIMPSON LLP



Shelley M. Davis
Counsel for Boise-Kuna Irrigation District

CERTIFICATE OF MAILING

I certify that on August 27th, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

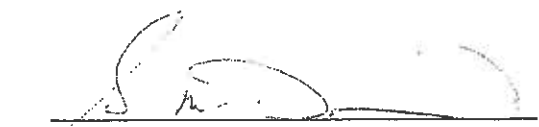
Name: Simplot Livestock Co. c/o Vic Conrad
Address: PO Box 27
Boise, ID 83707

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Shelley M. Davis
Attorney for Boise-Kuna Irrigation District

In Re SRBA) A. Subcase 63-2601
(Insert water right number)
Case No. 39576)
STANDARD FORM 1
OBJECTION

Name: Simplot Livestock Co.
Address: PO Box 27
Boise, ID 83707

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

1. ☐ **Name and Address**
Should be: _____
2. ☒ **Source**
Should be: The source should be described as waste waters, and waste waters belong to the Boise-Kuna Irrigation District.
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: Land Subject to Boise-Kuna Irrigation Water Right
10. ☐ **I object because:**
 - ☒ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Boise-Kuna Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Boise-Kuna Irrigation District. The place of use is covered by an existing Boise-Kuna Irrigation District water right, which is the primary water right for the place of use.

F. VERIFICATION (must be completed)

State of Idaho)
County of Ada)ss.

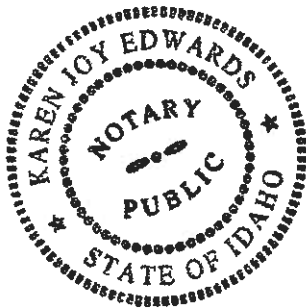
Shelly M. Davis, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 8/2/2012

Karen Joy Edwards

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 17, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

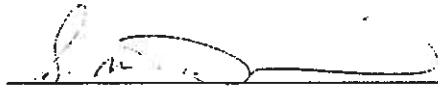
Name: Simplot Livestock Co.
Address: PO Box 27
Boise, ID 83707

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

04/07/2006

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

RIGHT NUMBER: 63-2601

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

SOURCE: UNNAMED STREAM

TRIBUTARY: DIXIE SLOUGH

QUANTITY: 1.740 CFS

This right when combined with Right No.63-2617 shall provide no more than
.02 cfs per acre.

PRIORITY DATE: 02/18/1943

POINT OF DIVERSION:

T04N R04W S23 SWNE 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	1.740 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S23	SWNE	40.00	T04N R04W S23	NENW	40.00
T04N R04W S23	SENE	40.00			

120 ACRES TOTAL

Right Nos. 63-2601 and 63-2617 are limited to the irrigation of a combined
total of 120 acres in a single irrigation season.

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



Idaho Department of Water Resources

Adjudication Claim:

63-2601

acres = 170

Legend

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



Canyon County
IDWR Basin 63



R04W



0 0.2 0.4 Miles

Prepared by K. Walker
On Monday, April 3, 2006
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 63-2601

1. ☒ No Change NAME IS SAME

NEW OWNER: _____

- ☒ No Change ADDRESS

NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: as licensed -
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change - SAME SOURCE

Source is different than that claimed:

Source found: _____

4. ☒ No Change - POINT OF DIVERSION

Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

Incomplete description, list below:

6. No Change - WATER USES
Different uses, (list uses found):

Use Irrig From 3/1 To 11/15 Amount 1.74 CFS AFA
Use From To Amount CFS AFA
Use From To Amount CFS AFA

7. No Change - TOTAL VOLUME N/A - surface water

Incomplete on claim, the total is, Amount CFS AFA

Changes found, the new total is, Amount CFS AFA

8. No Change - NON-IRRIGATION USES: N/A

Changes Exam found:

Domestic # of homes: Stock # List types:

Additional comments:

9. No Change - PLACE OF USE: (If changed, list below.)

Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4

Remarks: (Comments pertinent to field examination) See additional attachment

Rt. 63-2617 is used on same
120 acres - That license is for gw.

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 4-3-2006

FIELD EXAMINER: Kay Walker

Print Name

Kay Walker
Signature

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-2601

WATER RIGHT NUMBER: 63-2601 ✓

*all land
definitely
irrigated in 2004
irrigated in 1981
per 1981 DQQQ
X4*

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

Original Owner M G SONNER
 RT 2
 WILDER, ID 83676

Current Owner SIMPLOT LIVESTOCK CO ✓
 PO BOX 27 ✓
 BOISE, ID 83701 ✓

Priority Date: 02/18/1943 ✓

Basis: License ✓

Status: Active

Source Tributary
UNNAMED STREAM ✓ DIXIE SLOUGH ✓

Beneficial Use From To Diversion Rate Annual Volume
IRRIGATION ✓ 3/15 to 11/15 ✓ 1.740 CFS ✓
 3/1 Total Diversion: 1.740 CFS ✓

Location of Point(s) of Diversion
UNNAMED STREAM ✓ SW1/4NE1/4 ✓ Sec. 23, Twp 04N, Rge 04W, B.M.
CANYON County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	04W	23	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	120.0

Total Acres: 120 ✓

Conditions of Approval:
1. 016 ~~See~~ remarks for additional conditions of approval.

Remarks:

*no pld OL
p/u OL w/ 63-26017-
gw*



1987

X

Pleasant Ridge School

Pleasant Ridge Cemetery

Pipe

Greenleaf School

Union Dolas

Street Well

Gulch

Cemetery

CANAL

LOW

WEST

MIDDLE

PIPE

ROAD

Greenleaf School

PRX10

4010

16

15

14

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8

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2601

WATER RIGHT NUMBER: 63-2601

Owner Type Name and Address
 Current Owner M G SONNER
 RT 2
 WILDER, ID 83676

Priority Date: 02/18/1943 ✓

Basis: License ✓

Status: Active

Source ✓
 UNNAMED STREAM ✓

Tributary ✓
 DIXIE SLOUGH ✓

Beneficial Use ✓ From To Diversion Rate Annual Volume
 IRRIGATION ✓ / to / 1.740 CFS ✓

Total Diversion: 1.740 CFS ✓

Location of Point(s) of Diversion

UNNAMED STREAM
 CANYON County

SW1/4NE1/4 ✓

Sec. 23, ✓ Twp 04N, ✓ Rge 04W, ✓ B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	04W	23			40.0		40.0	25.0	40.0										145.0

Total Acres: 145

not
 claimed -

Conditions of Approval:

1. THIS LICENSE IS ISSUED IN CONNECTION WITH LICENSE ISSUED UNDER PERMIT NO. 19574.
2. ~~016~~ See remarks for additional conditions of approval.

Remarks:Comments:

63-2601
 gw - same
 lands

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2601**

01/30/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2601	Claim	04N	04W	23	SW	NE		IRRIGATION	40/120	SIMPLOT LIVESTOCK CO
2617	Claim	04N	04W	23	SW	NE		IRRIGATION	40/120	SIMPLOT LIVESTOCK CO
2601	Water Right	04N	04W	23	SW	NE		IRRIGATION	40/145	M G SONNER
2617	Water Right	04N	04W	23	SW	NE		IRRIGATION	40/145	M G SONNER
2601	Claim	04N	04W	23	NE	NW		IRRIGATION	40/120	SIMPLOT LIVESTOCK CO
2617	Claim	04N	04W	23	NE	NW		IRRIGATION	40/120	SIMPLOT LIVESTOCK CO
2601	Water Right	04N	04W	23	NE	NW		IRRIGATION	40/145	M G SONNER
2617	Water Right	04N	04W	23	NE	NW		IRRIGATION	40/145	M G SONNER
2601	Claim	04N	04W	23	SE	NW		IRRIGATION	40/120	SIMPLOT LIVESTOCK CO
2617	Claim	04N	04W	23	SE	NW		IRRIGATION	40/120	SIMPLOT LIVESTOCK CO
2601	Water Right	04N	04W	23	SE	NW		IRRIGATION	40/145	M G SONNER
2617	Water Right	04N	04W	23	SE	NW		IRRIGATION	40/145	M G SONNER

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	00		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

*2006 acres pd.
under 63-2617*

State of Idaho

License and Certificate of Water Right

Water License No. 19386

Amount 1.74 second feet

Water District No.

Priority February 18, 1943

THIS IS TO CERTIFY that M. G. SONNER

of Route 2, Wilder, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 18, 1943; that Permit No. 19386 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2 second feet, was issued thereunder on April 8, 1946, showing that said works were completed on the 4th day of April, 1946; and that on the 19th day of July, 1946,

M. G. SONNER

of Wilder, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed stream, a tributary of Roswell Canal, for the purpose of irrigation, under Use Permit No. 19386 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 7 of Licenses at page 4314, on the 14th day of January, 1947; The right hereby confirmed dates from February 18, 1943;

The Point of Diversion is located

in the SW 1/4 NE 1/4, Sec. 23, Tp. 4 N., R. 4 E., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.74 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	4 W.	23	SW ¹ / ₄ NE ¹ / ₄	40	40
			NE ¹ / ₄ NW ¹ / ₄	40	40
			NW ¹ / ₄ NW ¹ / ₄	40	25
			SE ¹ / ₄ NW ¹ / ₄	40	40
Number of acres actually irrigated					- 145
This license is issued in connection with license issued under Permit No. 19574					

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 14th day of January, 1947.

MARK R. KULP

State Reclamation Engineer

(SEAL)

63 2601

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19386

This proof is for beneficial use

In Water District No.

1. Name of applicant: M. G. Sonner, Route 2, Caldwell, Idaho
2. Source of water supply: Unnamed stream (drain ditch)
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23
T. 4 N. R. 4 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: Water is diverted from
Drainage Canal which runs alongside State Highway #19, by means of a Parma
Water Lifter, and ditches of three feet width, and one foot depth.
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23,
Township 4 North, Range 4 West, B.M.

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

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

Remarks:

This examination was made on the 25th day of October, 1946.

(Signed)

Redd A. Dehnan
Examiner.

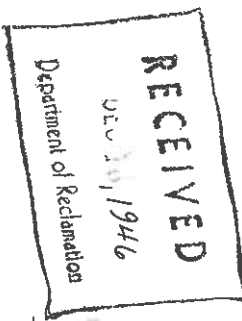
M. U. SOLLER
Route 2, Caldwell, Idaho
Permit No. 19386

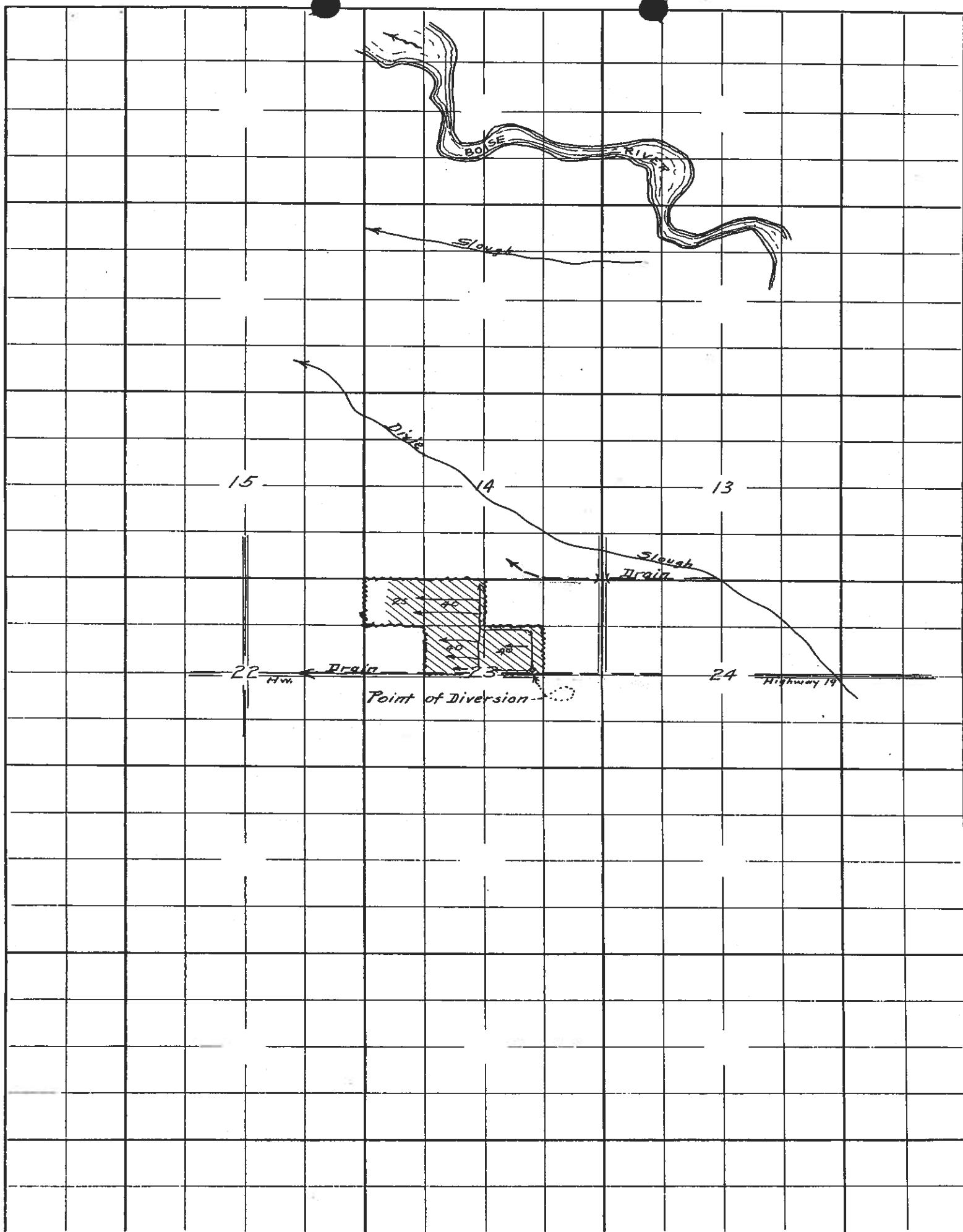
Examination for Beneficial use

County Canyon

INSTRUCTIONS TO EXAMINERS

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





STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19386

REPORT ON PROOF OF Beneficial Use

14/5 Review

3, 2

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

63-2601

Application No. 26331
Permit No. 19336
District No.

1. Name of Applicant: M. G. SONNER

Postoffice address R.R. 2, Wilder County: Canyon State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand: \$300.00
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources: Postal Savings

2. Quantity of water claimed: 3.2 cubic feet per second.

3. Source of water supply: Unnamed stream (drain ditch) which is a tributary of Roswell Canal

4. Location of point of diversion: 150 ft. west feet distant from the SE corner of SW $\frac{1}{4}$ NE $\frac{1}{4}$ corner of Section 25, T. 4 N., R. 4 E., B. M., and is in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25, T. 4 N., R. 4 E., B. M., County of Canyon

5. Water is to be used for: Irrigation purposes

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section T. , R. , B. M., in the of Section , T. , R. , B. M.
- (b) Amount of power generated: H. P., under feet head.
- (c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: Two 4-inch centrifugal pumps

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet; dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is five years.

13. The time required for the complete application of the water to the proposed use is additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

M. G. BONNER

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 12:10 P. M. February 18, 1943

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 19386
 Recorded in Book 70 Page 19386 Approved February 20, 1943
 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 approve the same, subject to the following limitations and conditions:
 Bond in the sum of \$ to be filed on or before
 Work to begin on or before April 21, 1943 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 August 20, 1945
 The whole of said work to be completed on or before February 20, 1948
 Beneficial use of water appropriated in accordance herewith, to be made on or before February 21, 1948

Witness my hand this 20th day of February, 1943

THOMAS SPOTTEAD

Commissioner of Reclamation

State Reclamation Engineer

Remarks: This pump is an existing site which has been installed previously. The other pump will be installed prior to irrigation season in 1944, if pump material is available.

14.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4 N.	4 W.	23			40		40	40		40									160

PERMIT NO. 19386

IN TESTIMONY WHEREOF, we, C. A. BOTTOLFSSEN, Governor of the State of Idaho, and GEO. H. CURTIS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 20th day of February, 1943.

Countersigned:
 By Geo. H. Curtis
 (Seal) Secretary of State

By
 C. A. Bottolfsen
 Governor

PERMIT NO. 19386

To All Whom it May Concern:

This is to certify that M. G. BONNER, of R. R. 2, Wilder. County of Canyon, and State of Idaho, the holder of Permit No. 19386, issued upon Application No. 28881, bearing date of priority of February 18, 1943, authorizing the diversion of 3.2 second feet of the waters of an unnamed stream (drain ditch), County of Canyon, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.2 second feet of the waters of said unnamed stream; that the point of diversion of said waters is 150 ft. West of the Southeast corner of the SW 1/4 NE 1/4 Section 23, Township 4 North, Range 4 West, B.M., and in the SW 1/4 NE 1/4 of said section; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW 1/4 NE 1/4, NE 1/4 NW 1/4, NW 1/4 NW 1/4 and SE 1/4 NW 1/4 Section 23, Township 4 North, Range 4 West, B.M.
 Witness my hand this 8th day of April, A. D. 1946.

Proof of completion of works made April 4, 1946
 Certificate of completion of works issued April 8, 1946.

MARK R. KULP
 State Reclamation Engineer

LICENCE NO. 1.74 SEC. F12

P. 43/4



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

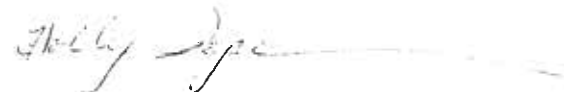
Dear Mr. Shaff:

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

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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 - 5 PM 2:52
DISTRICT COURT - SRB
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.)

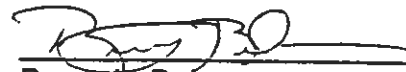
MICROFILMED

JUL 25 1994

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 4th 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
COSH, 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

1 Richard A. Cummings
2 MEULEMAN, MILLER, STROTHER &
3 CUMMINGS
4 960 Broadway, Suite 400
5 P.O. Box 955
6 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
10 P.O. Box 51718
11 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
13 P.O. Box 389
14 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
17 P.O. Box 176
18 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

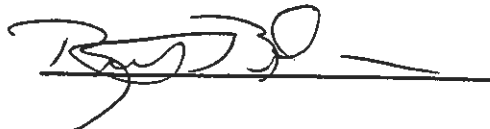
18 Dana L. Hofstetter
19 Murray D. Feldman
20 HOLLAND & HART
21 West One Plaza, Suite 1400
22 101 South Capitol Boulevard
23 P.O. Box 2527
24 Boise, Idaho 83701

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 Forth Street, Box 33
4 Boise, Idaho 83724

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