

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: A63-02617
Date Received: 4/26/90
Receipt No: 6016525
Received By: SP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83707

2. Date of Priority: DEC 05, 1944

3. Source: GROUNDWATER Trib. to:

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:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.160		
DOMESTIC	01/01	12/31	1.160		

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

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

9. Non-irrigation uses:
D/5 HOMES

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

A63-02617

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	23	SE	NW		IRR	40.0
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:
A63-02601

14. Remarks:
SONNER WELL

15. Basis of Claim: LICENSE
Water Right Number: 19574

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 A. Lawrence
Signature of Authorized Agent

Secretary, Simplot Livestock Co.
Title and Organization

04-17-90

Date

State of Idaho)
County of Ada) SS.

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

Vicki A. Lawrence
Notary Public

Seal

Residing at Meridian

My Commission Expires 11-06-91

Water Right Number = A63-02617

 = Point of Diversion

 = Place of Use

MICROFILMED

APR 10 1992

04/07/2006

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

RIGHT NUMBER: 63-2617

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.160 CFS
543.000 AFY

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

This right when combined with Right No. 63-2601 shall provide no more than
.02 cfs per acre.

PRIORITY DATE: 12/05/1944

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>
DOMESTIC	01/01 12/31	0.110 CFS 3.00 AFY
IRRIGATION	03/01 11/15	1.160 CFS 540.00 AFY

Domestic use is for 5 homes.

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			

DOMESTIC Within CANYON County

T04N R04W S23	SENE
---------------	------

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.

The quantity of water decreed for this water right for domestic use is not
a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
Source known locally as Sonner Well.



Idaho Department of Water Resources

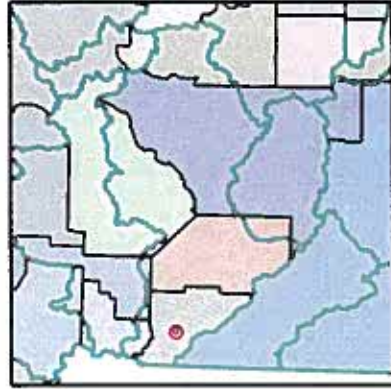
Adjudication Claim:

63-2617

acres = 120

Legend

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



Canyon County
IDWR Basin 63

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). 63-2617

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 1.16 CFS 540 AFA
Use Dom From 1/1 To 12/31 Amount 0.11 CFS 3.0 AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount 1.16 CFS 543.0 AFA

Changes found, the new total is, Amount _____ CFS _____ AFA

8. No Change - NON-IRRIGATION USES:

Changes Exam found: - Reduce rate amt. for domestic use from 1.16 - 0.11 cfs

Domestic # of homes: 5 Stock # _____ List types: _____

Additional comments: Admin. Memo #22 allows 0.11 cfs for 5 homes - $5 \times 0.6 = 3.0$ AF

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

Use: Dom Township 4N Range 4W Section 23 1/4 SE 1/4 NW - per topo X4
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

N10, N12, X01-5 homes,

When combined w/63-2601 limited to 120 acres -

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IE 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 63-2617

WATER RIGHT NUMBER: 63-2617

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	M G SONNER RT 2 WILDER, ID 83676
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	SIMPLOT LIVESTOCK CO PO BOX 27 BOISE, ID 83707

Priority Date: 12/05/1944

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

DOMESTIC

IRRIGATION

From To

1/01 to 12/31

3/15 to 11/15

Diversion Rate

1.160 CFS

1.160 CFS

Total Diversion:

1.160 CFS

Annual Volume

3.0 (5 x 0.6)
450.0
453.0

Location of Point(s) of Diversion

GROUND WATER

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	Totals
04N	04W	23			40.0		40.0		40.0						120.0

Total Acres: 120

DOMESTIC same as IRRIGATIONConditions of Approval:

1. SONNER WELL

Remarks:

$FHR = 4.5$
 $V = 120 \times 4.5 = 540.$

Rec. 0.11 cfs
 per admin
 memo #22.

5 homes
 per 3/15
 standard for area

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2617

WATER RIGHT NUMBER: 63-2617

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M G SONNER RT 2 WILDER, ID 83676

Priority Date: 12/05/1944

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.160 CFS	
DOMESTIC	/ to /		
		<u>Total Diversion:</u>	1.160 CFS

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 23, 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	23			40.0		40.0	25.0	40.0										145.0

Total Acres: 145

DOMESTIC same as IRRIGATION

Conditions of Approval:

Remarks:

Comments:

not claimed

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2617**

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	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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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

ok - acres
pd. for
under 63-2617
fw

F310

State of Idaho
License and Certificate of Water Right

Water License No. 19574

Amount 1.16

Water District No. _____

Priority December 5, 1944

THIS IS TO CERTIFY that M. G. SOMNER
of Route 2, Wilder, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 5, 1944; that Permit No. 19574
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.5 second feet, was issued thereunder on April 3, 1946, showing that said works
were completed on the 4th day of April, 1946; and that on the 10th
day of July, 1946.

M. G. SOMNER

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 artesian
well, a tributary of, for the purpose of irrigation and domestic
use, under Use Permit No. 19574 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 4315, on the 14th day of January, 1947;

The right hereby confirmed dates from December 5, 1944;

The Point of Diversion is located

in the 5th 14th 1/4 Sec. 23, Twp. 4 N., R. 4 E., B. M. Clayton Canyon

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 1.16 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 $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	25
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			Number of acres actually irrigated -		
This license is issued in connection with license issued under Permit No. 19386					

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 2617

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19574

This proof is for Beneficial use

In Water District No.

1. Name of applicant M. G. Sommer, Route 2, Caldwell, Idaho
2. Source of water supply: An artesian well
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: An Artesian Well 700 feet deep, with a 12 inch casing and an 8 inch discharge pipe operated under valve control; Pipe discharges into a concrete header box. Ditches are three feet wide and one foot deep
5. Water is used for: Irrigation and domestic purposes
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? None
- Remarks Estimated discharge of well 1.15 Sec.Ft.

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

(Signed)

Paul L. L. L.

Examiner.

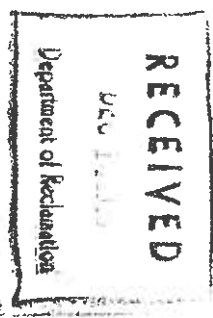
M. G. Sommer
Route 2, Caldwell, Idaho
Permit No. 19574

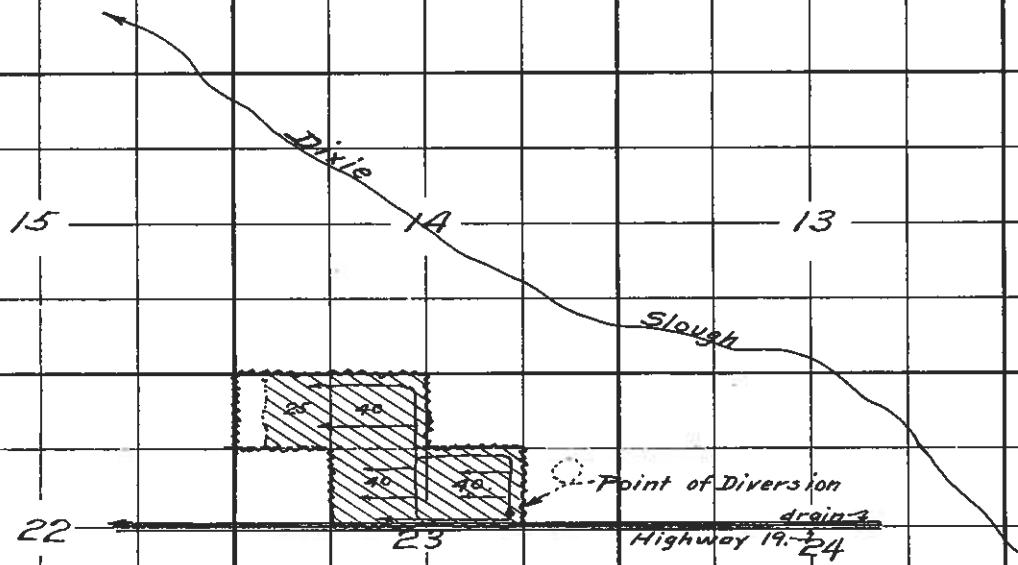
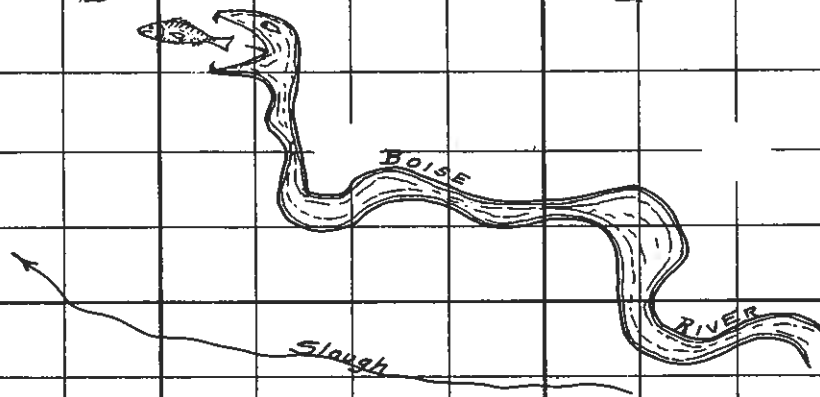
Examination for Beneficial use

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. 19574

REPORT ON PROOF OF Beneficial use

58"

1.5

1452022

APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

Application No. 27089
Permit No. 19574
District No.

1. Name of Applicant: M. G. SONNER
 Postoffice address: 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:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: 1.5 cubic feet per second.
3. Source of water supply: Artesian well which is a tributary of
4. Location of point of diversion: feet distant from the
 corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
 of Section 23 , T. 4 N. , R. 4 W. , B. M., County of Canyon
5. Water is to be used for Irrigation and domestic 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: \$ 3,800.00
8. Kind of works: Drilled well, 675' 12", 8" & 6" casing
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 2 feet; width at water line 3 feet; depth of water 1 feet;
 dimensions of flume:
 Diameter of pipe inches; length of conduit Approx. 2 miles.
 Average grade per mile feet.
12. The time required for the completion of such work is Two (2) years.
13. The time required for the complete application of the water to the proposed use is One (1) additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? ☐ No ☐ Yes If so, fill in (b) and (c) below.

(2) Name of Reservoir and number of Storage Permit:

(c) **Date of filing of Application for Storage Permit and Name of Applicant:**

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

14. G. SONNER

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 11:45 A. M. December 5, 1944

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19574

Recorded in Book 70 Page 19574 Approved December 9, 1944

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 February 9, 1945 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 December 9, 1945

The whole of said work to be completed on or before December 9, 1946

Beneficial use of water appropriated in accordance herewith, to be made on or before December 9, 1947

Witness my hand this 9th day of December, 1944

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. BOTTOLFSEN 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 9th

day of December 19 44

STATE OF IDAHO

Countersigned:

(SEAL)

By.....GEO. E. CURTIS.....
Secretary of State.

By C. A. BOTTOLFSSEN Governor

Remarks:

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								160
PERMIT NO. 19574																			
To all whom it may Concern:																			
This is to certify that M. G. SONNER, of R. R. 2, Wilder, County of Canyon, and State of Idaho, the holder of Permit No. 19574, issued upon Application No. 27089, bearing date of priority of December 5, 1944, authorizing the diversion of 1.5 second feet of the waters of an artesian well (subterranean), County of Canyon, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the completion of the works of diversion set out and described in said Permit: That said works are adequate for diverting to the place of intended use 1.5 second feet of the waters of said artesian well; that the point of diversion of said waters is in the SW ¹ / ₄ NE ¹ / ₄ Section 23, Township 4 North, Range 4 West, B.M.; 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																			
LICENSE ISSUED 1.16 SEC. FY. P. 4315																			



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

Holly Pepe
Legal Department

/hp
Enclosures
5517v

MICROFILMED

JUL 25 1994

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



RECEIVED
APR 14 1994
Department of Water Resources

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

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

April 6, 1994

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

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

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

Dear Mr. Young and Mr. Uhling:

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

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

Sincerely,

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
Boise, Idaho 83707
Telephone: (208) 389-7318
Fax: (208) 389-7515

7 Attorneys for J. R. Simplot Company

1994 APR - 5 PM 2:52
DISTRICT COURT - SRB
TWIN FALLS CO., IDAHO
FILED

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

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

Civil Case No. 39576

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

19 Petitioner,)

20 v.)

NOTICE OF WITHDRAWAL
OF COUNSEL

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

24 Defendants.)
25 _____)

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:

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Burley, Idaho 83318

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JUL 2 5 1994

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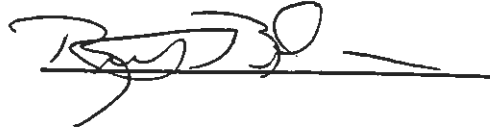
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Scott L. Campbell
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JUL 25 1994

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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JUL 25 1994