

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: A63-02291

Date Received: 5/7/90

Receipt No: C016708

Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SIMPLOT LIVESTOCK CO. 208-336-2110
Address: P.O. BOX 27
BOISE, ID 83707

2. Date of Priority: JUN 10, 1916

3. Source: BARDSLEY GULCH Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	29		SE	SE		CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

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

8. Total consumptive use is 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	03W	29	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NW	SE		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	100.0
					Total Acres	100.0

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:
A63-22210

14. Remarks:
THIS RIGHT IS USED IN COMBINATION WITH RIGHT A63-22210 WHICH
REPRESENTS AN EXPANSION OF ACREAGE DEVELOPED IN 1940.

15. Basis of Claim: LICENSE

Water Right Number: 12291

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.

Ronald L. Gower
Signature of Authorized Agent
Secretary, Simplot Livestock Co.
Title and Organization

05-04-90

Date

State of Idaho)
County of Ada) SS.

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

Vicki A. Lower
Notary Public

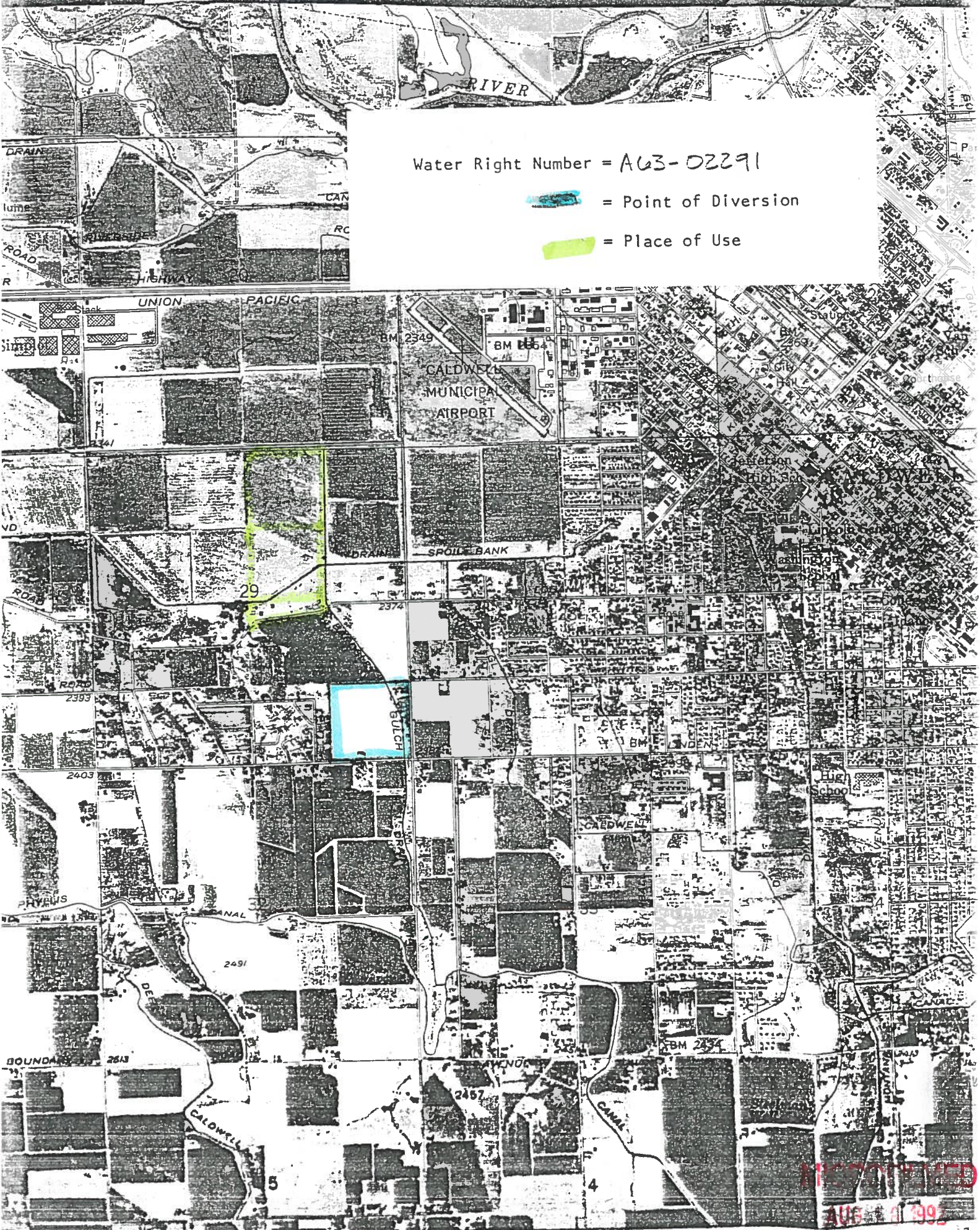
Seal

Residing at _____ Meridian
My Commission Expires 11-06-91

Water Right Number = A63-02291

 = Point of Diversion

 = Place of Use



NOTIFIED
AUG 11 1992

12/10/2006

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

RIGHT NUMBER: 63-2291
NAME AND ADDRESS: SIMPLOT LIVESTOCK CO
PO BOX 27
BOISE ID 83707

SOURCE: BARDSLEY GULCH DRAIN TRIBUTARY: SNAKE RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 06/10/1916

POINT OF
DIVERSION: T04N R03W S29 SESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.000 CFS

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in CANYON County

T04N R03W S29	NWNE	40.00	T04N R03W S29	SWNE	40.00
T04N R03W S29	NWSE	20.00			

100 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

Use of this right is combined with water from Pioneer Irrigation District.

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

06/02/2006

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

RIGHT NUMBER: 63-2291

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

SOURCE: BARDSLEY GULCH DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 06/10/1916

POINT OF DIVERSION:

T04N R03W S29 SESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

2.000 CFS

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T04N R03W S29 NWNE 40.00

T04N R03W S29 SWNE 40.00

T04N R03W S29 NWSE 20.00

100 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

Use of this right is combined with water from Pioneer Irrigation District.

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

Idaho Department of Water Resources

**T04N, R03W,
SEC 29**

Claim No: 63-2291

Prepared By: Kimberly Brown

Date: June 2, 2006



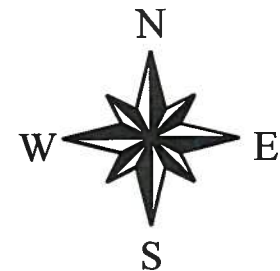
 **Place of Use**

 **Section Lines**

 **1/4 1/4**

 **Point of Diversion**

Irrigated Acres = 100



0 0.07 Miles



1987 NAPP

Water license No. 12291

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2291

WATER RIGHT NUMBER: 63-2291 ✓

Owner Type Name and Address
Current Owner SIMPLOT LIVESTOCK CO
 PO BOX 27
 BOISE, ID 83701
Original Owner CHARLES O PICARD
 CALDWELL, ID 83605 ✓
Original Owner M A ROBERTS
 BOISE, ID 83705
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: 06/10/1916 ✓
Basis: License ✓
Status: Active

Source (Bardsley) BARDSLEY GULCH (DRAIN) ✓

Tributary
SNAKE RIVER ✓

Beneficial Use
IRRIGATION ✓

From To
3/15 to 11/15 ✓

Diversion Rate
2.000 CFS ✓

Annual Volume
N/A

~~DOMESTIC (not claimed)~~ Total Diversion: 2.000 CFS ✓

Location of Point(s) of Diversion
BARDSLEY GULCH DRAIN
CANYON County ✓

SE1/4SE1/4 ✓

Sec. 29, Twp 04N, Rge 03W, 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	03W	29	✓	✓	40.0	40.0										20.0			100.0

Total Acres: 100 ✓

ADD W40 - Use is combined with water from Pioneer Irr. Dist (in NWSE).

Conditions of Approval:

1. THIS RIGHT IS USED IN COMBINATION WITH RIGHT A63-22210 WHICH REPRESENTS AN EXPANSION OF ACREAGE DEVELOPED IN 1940.

Water Supply Bank: ADD S39 - Season of use begins 3/1.

ADD C04 - Purpose of Use Accomplished Transfer (for domestic)

a portion of
Parcel Nos: R354670000, R354710000, R354680000

3 Current Owners:
② Simplot Industries Inc.
P.O. Box 27
Boise 83707
③

③ Crookham Company
P.O. Box 520
Caldwell 83606
(Property Address:
16510 Logan St.,
Caldwell)

① ID Farmway Inc
② P.O. Box 368
Caldwell 83606
③

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2291

WATER RIGHT NUMBER: 63-2291

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES O PICARD
	CALDWELL, ID 83605
Current Owner	M A ROBERTS
	BOISE, ID 83705

Priority Date: 06/10/1916

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
BARDSLY GULCH DRAIN	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

BARDSLY GULCH DRAIN	SE1/4SE1/4	Sec. 29, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	03W	29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			40.0	40.0											20.0				100.0

Total Acres: 100

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2291

03/16/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~2291~~	~~Claim~~	~~04N~~	~~03W~~	~~29~~	~~NW~~	~~NE~~		~~IRRIGATION~~	~~40/100~~	~~SIMPLOT LIVESTOCK CO.~~
~~2291~~	~~Water Right~~	~~04N~~	~~03W~~	~~29~~	~~NW~~	~~NE~~		~~IRRIGATION~~	~~40/100~~	~~CHARLES O PICARD~~
7656	Water Right	04N	03W	29	NW	NE		DOMESTIC		GENEVA CROWELL
7844	Water Right	04N	03W	29	NW	NE		DOMESTIC		CAROLYN DEVLIN
~~2291~~	~~Claim~~	~~04N~~	~~03W~~	~~29~~	~~SW~~	~~NE~~		~~IRRIGATION~~	~~40/100~~	~~SIMPLOT LIVESTOCK CO.~~
~~2291~~	~~Water Right~~	~~04N~~	~~03W~~	~~29~~	~~SW~~	~~NE~~		~~IRRIGATION~~	~~40/100~~	~~CHARLES O PICARD~~
~~2291~~	~~Claim~~	~~04N~~	~~03W~~	~~29~~	~~NW~~	~~SE~~		~~IRRIGATION~~	~~20/100~~	~~SIMPLOT LIVESTOCK CO.~~
~~2291~~	~~Water Right~~	~~04N~~	~~03W~~	~~29~~	~~NW~~	~~SE~~		~~IRRIGATION~~	~~20/100~~	~~CHARLES O PICARD~~
7263	Water Right	04N	03W	29	NW	SE		STOCKWATER		GAIL L HOSKOVEC
7735	Claim	04N	03W	29	NW	SE	GW	INDUSTRIAL		CROOKHAM CO
6893	Water Right	04N	03W	29	NW	SE		DOMESTIC		SYDNEY W WINT
7263	Water Right	04N	03W	29	NW	SE		DOMESTIC		GAIL L HOSKOVEC

- Pioneer Irr. Dist. water supplements
use in the NWSE, S29.

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-27735

WATER RIGHT NUMBER: 63-27735

Owner Type

Current Owner

Name and Address

CROOKHAM CO
PO BOX 520
CALDWELL, ID 83605
(208)459-7451

no overlap

Priority Date: 01/10/1936

Basis: Beneficial Use

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

INDUSTRIAL

From To

1/01 to 12/31

Diversion Rate

0.040 CFS

Annual VolumeTotal Diversion:

0.040 CFS

Location of Point(s) of Diversion

GROUND WATER

NW1/4SE1/4

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

CANYON County

Place of Use

INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	29														X			

Conditions of Approval:Remarks:Comments:

Overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-22210

WATER RIGHT NUMBER: 63-22210

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

- no overlap of POU

Priority Date: 01/01/1940
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
BARDSLY GULCH DRAIN	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	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

BARDSLY GULCH DRAIN	SE1/4SE1/4	Sec. 29, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	03W	29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	25.0

Total Acres: 25

Conditions of Approval:

- THIS CLAIM REFLECTS AN EXPANSION IN THE ACREAGE IRRIGATED SINCE THE LICENSING OF 63-02291.

Remarks:Comments:

68-10000-10000

REPORT OF ENGINEER

This proof is for beneficial use

In Water District No. 12 A

Permit: 12291

1. State name of applicant and number of permit: Charles C. Picard and M. A. Roberts
2. State source of water supply: Bardsley Gulch
3. Location of point of diversion: SE 1/4 Sec. 29, T. 4 N., R. 3 W. B. M.

4. Describe works as they exist, giving dimensions and capacities of same: Combined wooden dam, head-gate and ~~xxxxxx~~ flume, with waste-gate, 10 ft. wide, 4 ft. high. Ditch 2 ft. wide, 2 ft. deep. Capacity 4 sec. ft.

5. State whether or not water has been turned into works of diversion: Yes.

6. Give exact location 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): NW 1/4, SW 1/4, NW 1/4, Sec. 29, T. 4 N., R. 3 W. B. M.
~~288 acres SW 1/4 NE 1/4 and NE 1/4 NW 1/4 Sec. 29, T. 4 N., R. 3 W. B. M.~~

7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? Two.
9. Give names and amount of each right: Charles C. Picard and M. A. Roberts.
Each own half of the water.

10. What large stream would the water here appropriated finally reach? Snake River.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: Thru drains to Boise River to Snake River.

Remarks: Land cleared, party plowed.

This examination was made on the 8 day of Apr. 1920.

(Signed)

L. R. Annett
L. R. Annett.

Examiner.

NAME OF APPLICANT *Chas. C. Richard and M. H. T. Hart* per 12291.

SEC.

SEC.

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SEC.

SEC.

25
200

40

40

7411.83 W.

Barclay *Cut*

0.1

Application No. 17672
Permit No. 12291

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

District No 12-A.

1. Name of applicant: Charles O. Picard and M.A. Roberts,

Postoffice address: Caldwell

County: Canyon

State: Idaho

I. If applicant is a corporation, give

- (a) Date and place of incorporation:
(b) The amount of capital stock:
(c) The 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. The quantity of water claimed is Two cubic feet per second.

3. Source of water supply: Bardsley Gulch, which is a tributary of Boise River.

4. Location of point of diversion: 200 yards East distant from the NW corner of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 29, T. 4 N., R. 3 W.B.M. and is in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 29, T. 4 N., R. 3 W.B.M. County of Canyon.

5. To be used for: Irrigation and domestic purposes.

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: 160 acres.
(b) In the following legal subdivisions:

II. Mining, milling, power, manufacturing, transportation or other purposes:

a. At what point:

(b) Amount of power to be generated:

H. P. under ft. head

(c) Is water to be returned to any stream?
point of return:

(d) If so, name stream and locate

6. Estimated cost of works: \$250.00

7. Description of works for diversion:

I. Kind of works: Ditch

II. Dimensions of works:

(a) Height of dam feet, length of dam at top feet,
length of dam at bottom feet. Material used in construction:

(b) Capacity of reservoir acres feet. (c) Size of headgate, width two feet,
Height three feet. (d) ~~Conduit~~ Ditch: width at bottom two feet,
width at water line three feet, depth of water one feet; diameter of pipe
inches; average grade per mile is fifteen feet. Length of conduit is one miles,
and it crosses the following quarter sections:

8. The time required for the completion of the construction of such work is one 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.

C.O. Picard & M.A. Roberts,

Applicant.

By M.A. Roberts.

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. June 10, 1916.

Returned to applicant for correction June 14, 1916.

Corrected application received June 24, 1916.

APPROVAL OF STATE ENGINEER

The number of this permit is 12291

Recorded in Book 42 Page 12291 Approved July 15, 1916.

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 September 13, 1916. 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 January 15, 1917

The whole of said work to be completed on or before July 15, 1917

Beneficial use of water appropriated in accordance herewith, to be made on or before July 15, 1919.

Witness my hand this 15th day of July, 1916.

J.H. Smith.

State Engineer.

Remarks:

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

			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
Twp.	Range	Sec.	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Totals.

4	3 W.	29	40-40-	-20-	100
---	------	----	--------	------	-----

Total Number of Acres to be Irrigated - - 100

15(a) Is reservoir to be used? No.

Proof of Completion of Works made May 7th, 1917.

Certificate of Completion of Works issued May 24th, 1917.

Permit No. 12291.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Charles O. Picard and M. A. Roberts, of Caldwell, County of Canyon, and State of Idaho, the holders of Permit No. 12291, issued upon Application No. 17672, bearing date of priority of June 10, 1916, authorizing the diversion of two (2) second feet of the waters of Bardsley Gulch, County of Canyon, State of Idaho, for irrigation and domestic purposes, have 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 two (2) second feet of the waters of Bardsley Gulch; that the point of diversion of said waters is in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 29, T. 4 N., R. 3 W., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW $\frac{1}{4}$ of NE $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and 20 acres in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 29, T. 4 N., R. 3 W., B. M.

Witness my hand this 24th day of May, A. D. 1917.

J. H. Smith,

State Engineer of the State of Idaho.

License issued for 2.0 second feet

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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,

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

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. - 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

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
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9 Fax: (208) 389-7515

10 Attorneys for J. R. Simplot Company

1991 APR - 5 AM 12:52
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.)
17 _____)

Civil Case No. 39576

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

Petitioner,)

24 v.)

NOTICE OF WITHDRAWAL
OF COUNSEL

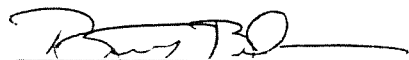
25 The United States; the State of)
26 Idaho; and all claimants to the)
27 use of water from the Snake)
28 River Basin Water System,)
_____)

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 4th day of April, 1994.

8 
9 Bruce L. Belzer
10 Assistant General Counsel for
11 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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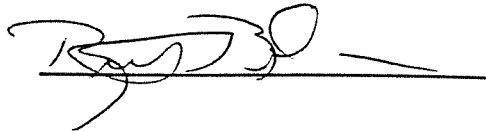
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JUL 25 1994

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

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JUL 25 1994