

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: A63-02386
Date Received: 5/7/90
Receipt No: 0016708
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JAN 17, 1924

3. Source: INDIAN CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	21		NW	NE		CANYON

5. Description of diverting works:
CONCRETE HEADGATE, PIONEER DIXIE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.560		

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

8. Total consumptive use is 301.0 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	03W	17	NE	SW		IRR	18.0
			NW	SW		IRR	20.0
			SW	SW		IRR	10.0
			SE	SW		IRR	38.0

A63-02386

Page 1

Date: 05/03/90

MICROFILMED

AUG 18 1992

10. Place of Use: Continued

Section Acres 86.0

Total Acres 86.0

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:

PIONEER DIXIE DITCH CO., SIMPLOT EFFLUENT APP. SYSTEM.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 15943

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.

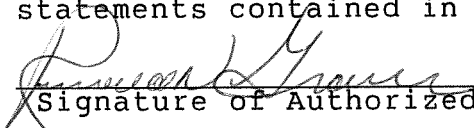
Number of attachments: One Map

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.


Signature of Authorized Agent

Secretary, Simplot Livestock Co.
Title and Organization

05-04-90
Date

State of Idaho)
) SS.
County of Ada)

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

Vicki R. Lower
Notary Public

Seal

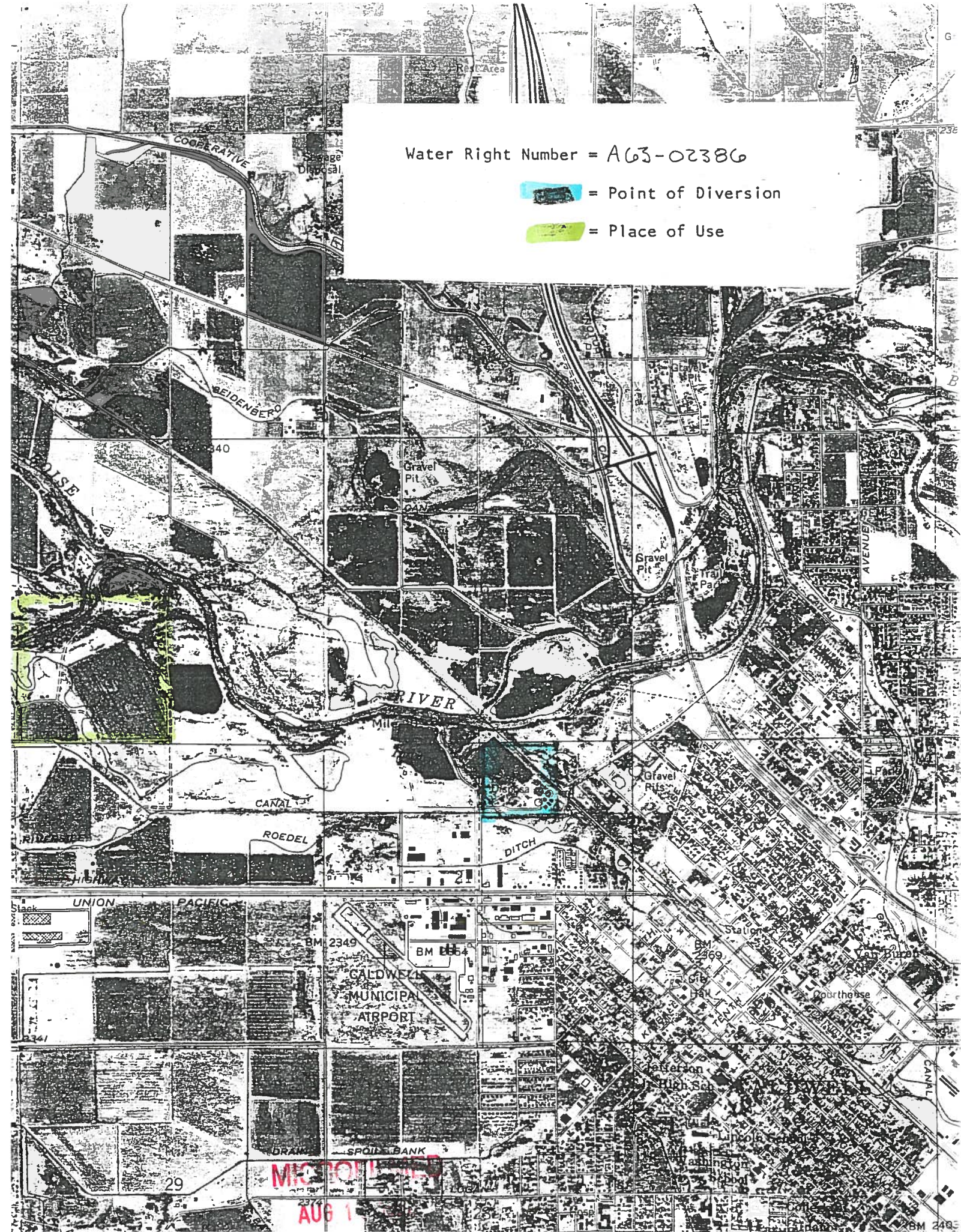
Residing at Meridian

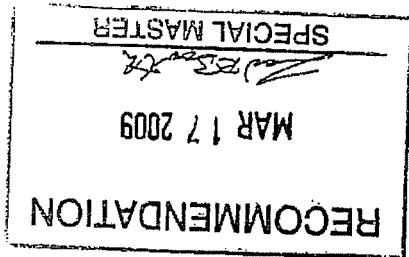
My Commission Expires 11-06-91

Water Right Number = A63-02386

 = Point of Diversion

 = Place of Use





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

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 63-02386
File Number: 02123

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.

RULE 54(b) CERTIFICATE

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).

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

PLACE OF USE: Irrigation
T04N R03W S17 LOT 7 (NMSW) 18.0 LOT 6 (NMSW) 20.0
Within Canyon County
SWSW 38.0
86.0 Acres Total

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 subordinate early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PURPOSE AND PERIOD OF USE: Irrigation
PERIOD OF USE 03-15 TO 11-15
QUANTITY 1.56 CFS

POINT OF DIVERGENCE: T04N R03W S21 LOT 1 (NMNE) Within Canyon County

PRIORITY DATE: 01/17/1924

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

QUANTITY: 1.56 CFS

SOURCE: INDIAN CREEK TRIBUTARY: BOISE RIVER

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

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
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR 17 2009

By _____
Clerk
Deputy Clerk

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) FOR
Water Right 63-02386

IN Re SRBA
Case No. 39576

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

RIGHT NUMBER: 63-2386

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

SOURCE: INDIAN CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 1.560 CFS

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

~~This right when combined with Right No. 63-5036, 63-5037, 63-5038, 63-5039, 63-10034, & 63-21734 shall provide no more than .02 cfs per acre.~~

PRIORITY DATE: 01/17/1924

POINT OF DIVERSION:

T04N R03W S21 NWNE Lot 1 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	1.560 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 S17 Lot 7 NESW	18.00	T04N R03W S17 Lot 6 NWSW	20.00
T04N R03W S17 SWSW	10.00	T04N R03W S17 SESW	38.00

86 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Use of this right is combined with water from Pioneer Dixie Ditch Co.

RECEIVED

MAY 06 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 05 PM 01:16
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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) ORDER SETTING SUBCASE(S)
Case No. 39576) FOR INITIAL HEARING
_____) SUBCASE NOS: SEE ATTACHED EXHIBIT A

The Initial Hearing for this subcase will be held before
Special Master THEODORE R. BOOTH

THURSDAY, JUNE 05, 2008 at 02:45 PM (MT)
NAMPA
120 - 9TH AVE S
NAMPA, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
JUNE 02, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

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

Page 1 5/04/08

(continued)

Dated: MAY 05, 2008

/s/ THEODORE R. BOOTH

Special Master

Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 05, 2008,
with sufficient first-class postage to the following:

J R SIMPLOT CO
C/O RON GRAVES
999 MAIN ST STE 1300
PO BOX 27
BOISE, ID 83707
Phone: 208-336-2110

J R SIMPLOT CO
SIMPLOT LIVESTOCK CO
PO BOX 27
BOISE, ID 83707

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

Exhibit A

Subcase Nos:

63-02239
63-02240
63-02386
63-02425
63-02657
63-02731
63-03107
63-04968
63-05036
63-05037
63-05038
63-05039
63-07244
63-07678
63-21537
63-21541
63-21557
63-21559
63-21561
63-21598
63-22210

06/05/2006

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

RIGHT NUMBER: 63-2386

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

SOURCE: INDIAN CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 1.560 CFS

This right when combined with Right No. 63-5036, 63-5037, 63-5038, 63-5039, 63-10034, & 63-21734 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 01/17/1924

POINT OF DIVERSION:

T04N R03W S21 NWNE Lot 1 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

1.560 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 S17 Lot 7 NESW 18.00

T04N R03W S17 Lot 6 NWSW 20.00

T04N R03W S17 SWSW 10.00

T04N R03W S17 SESW 38.00

86 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Use of this right is combined with water from Pioneer Dixie Ditch Co.

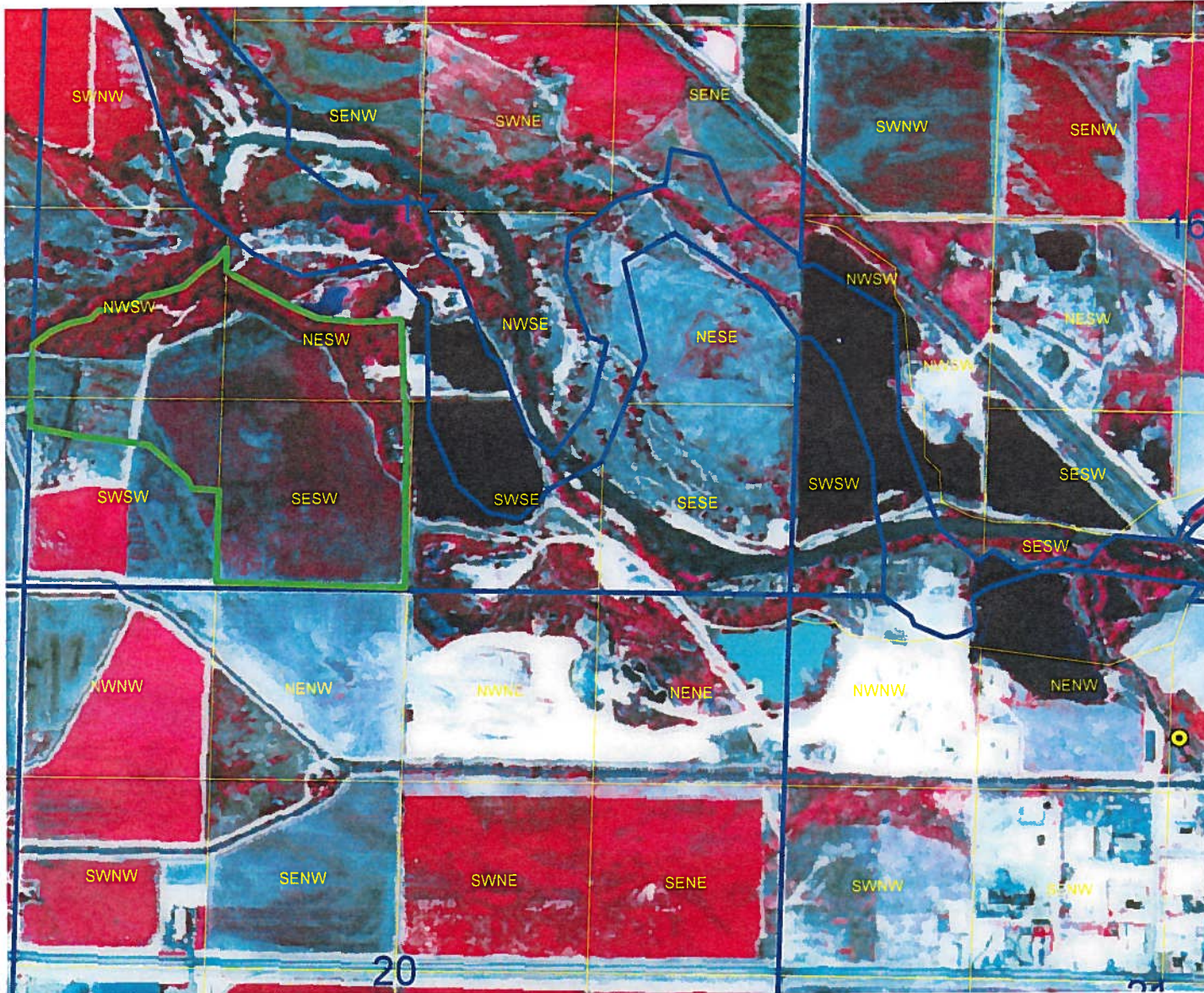
Idaho Department of Water Resources

**T04N, R03W,
SEC 17 & 21**

Claim No: 63-2386

Prepared By: Kimberly Brown

Date: June 5, 2006



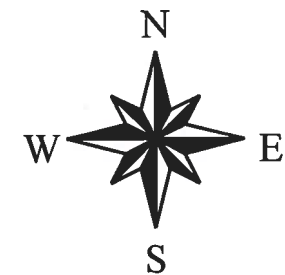
Place of Use

Section Lines

1/4 1/4

● Point of Diversion

Irrigated Acres = 86



1987 NAPP

0 0.1 Miles



Water license No. 15943

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2386

WATER RIGHT NUMBER: 63-2386 ✓

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SIMPLOT LIVESTOCK CO PO BOX 27 BOISE, ID 83701
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	CALDWELL COMMERCIAL BANK ✓
	CALDWELL, ID 83605
Original Owner	E L SHAW CALDWELL, ID 83605

Current Owner -
Rusby Company
P.O. Box 27
Boise 83701

Priority Date: 01/17/1924 ✓
Basis: License ✓
Status: Active

Source
INDIAN CREEK ✓

Tributary
BOISE RIVER ✓

Beneficial Use
IRRIGATION ✓

From To
3/15 to 11/15 ✓

Diversion Rate
1.560 CFS ✓

Annual Volume
N/A

~~DOMESTIC (not claimed)~~ Total Diversion: 1.560 CFS ✓

Location of Point(s) of Diversion

INDIAN CREEK
CANYON County ✓

NW1/4NE1/4 ✓

Sec. 21, Twp 04N, Rge 03W, B.M. ✓

ADD: Govt. lot 1

Place of Use
IRRIGATION

ADD C04 - P.O. Use Accomplished Transfer

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	03W	17									18.0	20.0	10.0	38.0					86.0

L7 L6

Total Acres: 86

ADD S39 - Season of use begins 3/1.

Conditions of Approval:Remarks:

ADD - Use combined with water from Pioneer Taxie Ditch Co.

ADD - overlay w/ 63-5036, 63-5037, 63-5038, 63-5039, 63-10034, #63-21734
(126.6 AC)
Parcel No. R. 3498200000

(in-office review)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$50⁰⁰ - assume Pioneer Dixie Ditch Co. Jd. variable fee.
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information Govt. lots 1, 6, 7
- ☒ Check POD & POU overlap, see below - include overlapping right for exam applicable
- ☐ Evidence of Priority - if none, talk with claimant N/A

CLAIMANT INFORMATION - verify contact information is completeClaim No(s) A63-2386Owner: Simplot Livestock Co. Phone No. _____Current Address: P.O. Box 27, Boise 83701

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Rulby Company
- ☐ No change Address
- ☒ NEW ADDRESS > same P.O. Box #, but 83707 zip code
- ☐ How long owned property? _____

Accompanied by: N/A**PRIORITY DATE**

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

Priority date, per claimant, is: 1/17/24

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

Source: Indian Creek Tributary to Boise River

- ☒ No Change - SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: ADD: Government lot 1
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

Concrete headgate,**OVERLAP REVIEW**Other water rights with the same point of diversion: None

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

WATER USESSeason of use is 3/1 to 11/15.
ADD S39 Condition☐ No change☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater onlyN/A☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**Domestic use was licensed, but not claimed.☐ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____Types _____ Additional comments: ADD CO4 Condition**PLACE OF USE:**☐ No Change☒ Changes shown below:Parcel No: a portion of R 34 98 200000.ADD: Government lots 6 & 7RE: TOTAL IRRIGATED ACRES – The licensed amount was 78 ac
but should be 86.0 acres total.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
											L7	L6							86.0

Overlap with other water rights: 63-5036, 63-5037, 63-5038, 63-5039, 63-10034, 63-21734 (+) Pioneer Dixie Ditch Co. water
 Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
 - claim supplemental to Pioneer Dixie Ditch Co. surface water
 - overlap w/ all six rights listed above.

Delivery System Narrative: _____

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

FLOW MEASUREMENTS: N/A
 Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

AFTER EXAM THE FILE SHOULD CONTAIN:

- DATE EXAM CONDUCTED: 6.5.06 (in-office review)
- FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2386

WATER RIGHT NUMBER: 63-2386

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CALDWELL COMMERCIAL BANK
	CALDWELL, ID 83605
Current Owner	E L SHAW
	CALDWELL, ID 83605

Priority Date: 01/17/1924

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
INDIAN CREEK	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/	to	/	
IRRIGATION	/	to	/	1.560 CFS
	<u>Total Diversion:</u>		1.560 CFS	

Location of Point(s) of Diversion

INDIAN CREEK	NW1/4NE1/4	Sec. 21, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

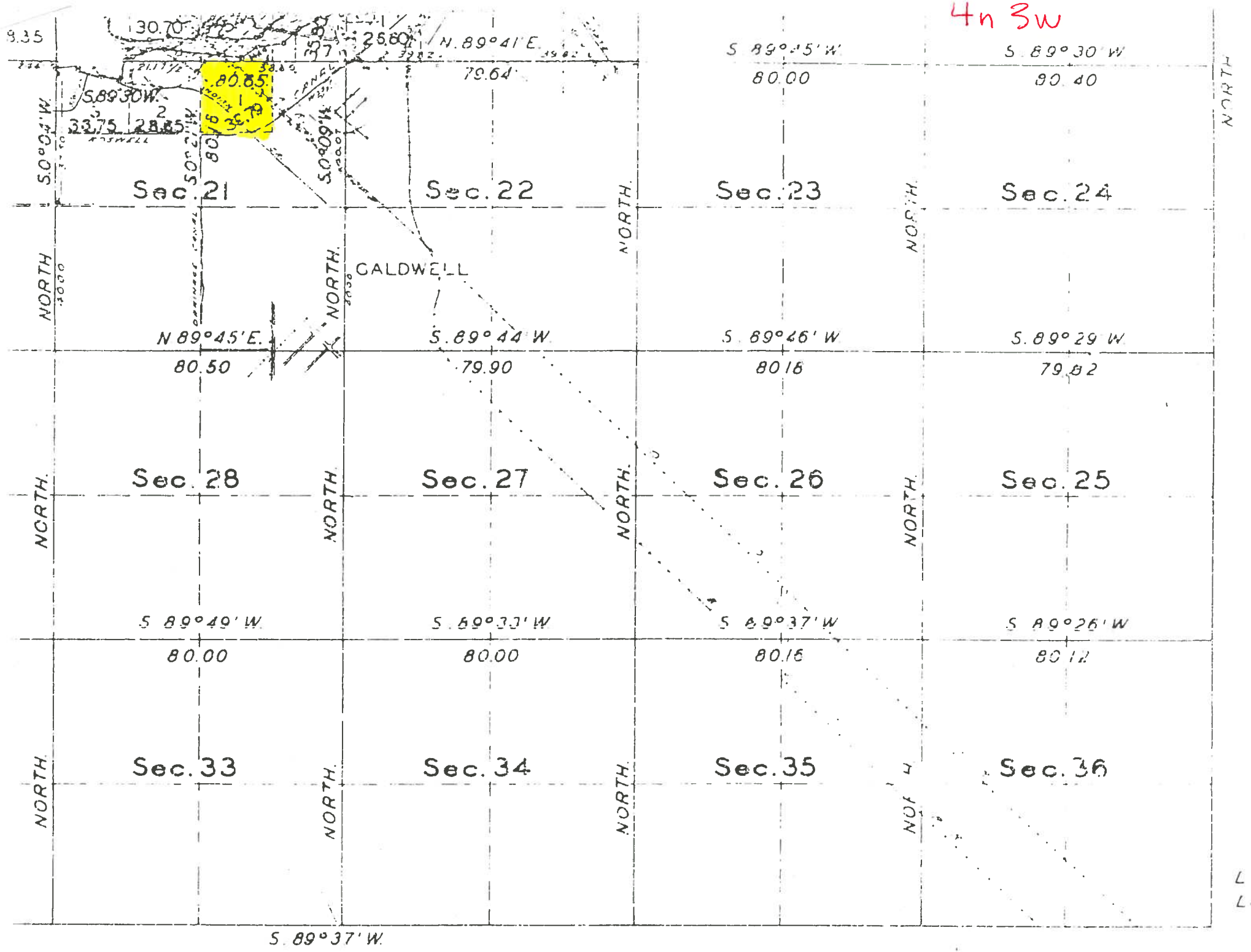
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	17													18.0	20.0	10.0	38.0	86.0

Total Acres: 86

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

4n 3w



S. 89° 37' W.

This is a detailed survey map of a 36-section grid (6x6). The grid is labeled with section numbers (1-36) and contains various annotations including bearings, distances, and a highlighted yellow area in the bottom-left quadrant.

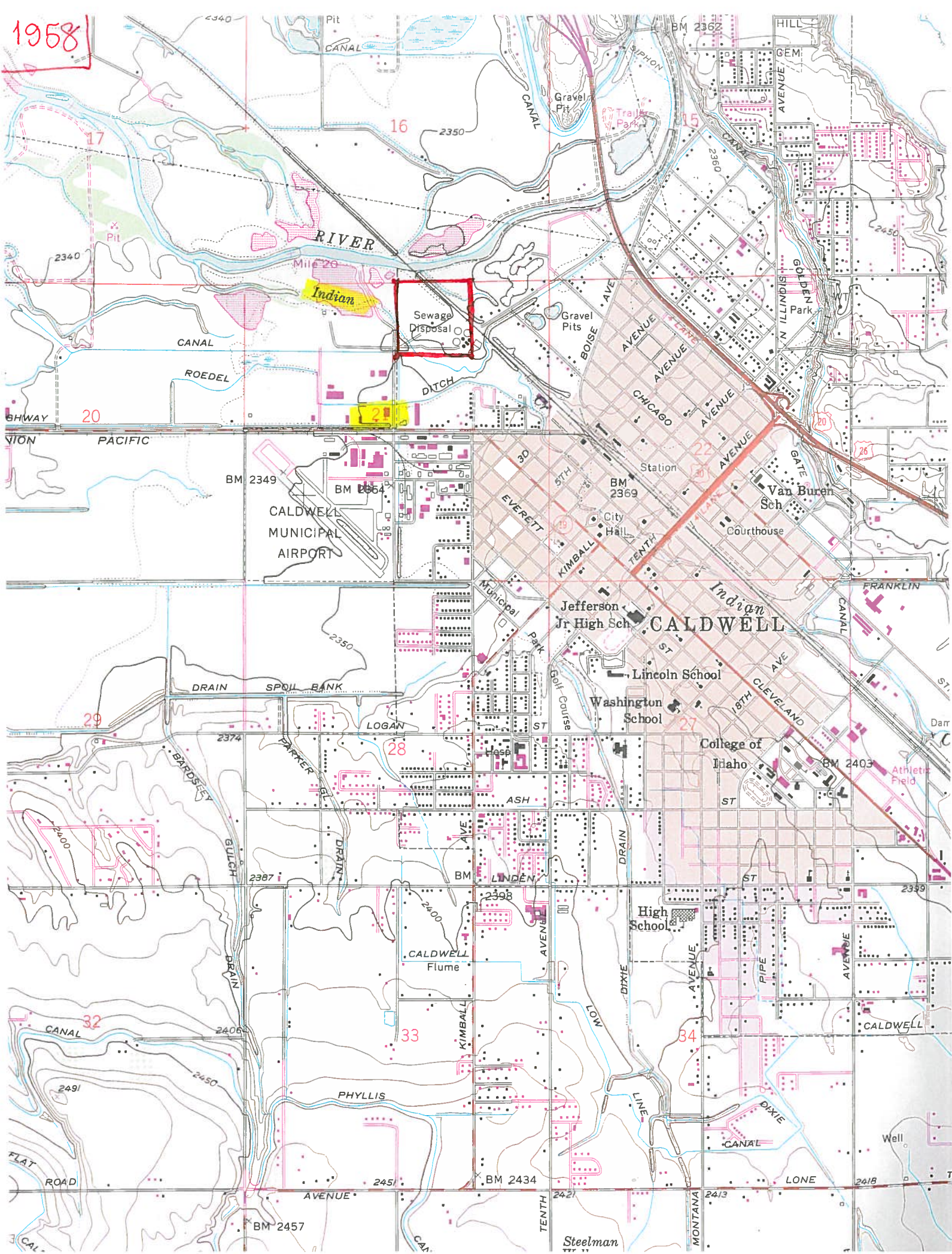
Grid Layout and Section Numbers:

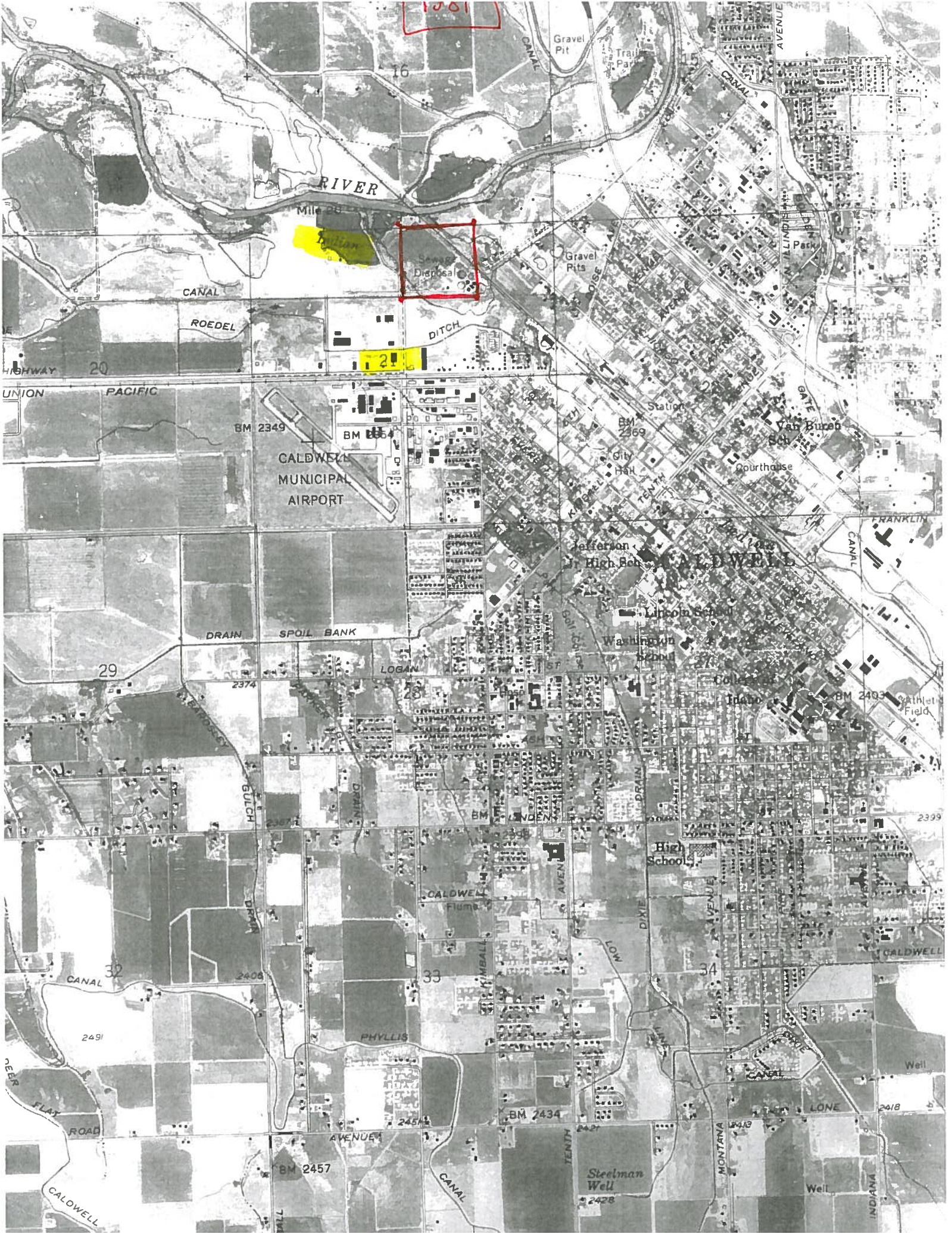
- Top Row (Sections 1-6):** 1, 2, 3, 4, 5, 6
- Second Row (Sections 7-12):** 7, 8, 9, 10, 11, 12
- Third Row (Sections 13-18):** 13, 14, 15, 16, 17, 18
- Fourth Row (Sections 19-24):** 19, 20, 21, 22, 23, 24
- Fifth Row (Sections 25-30):** 25, 26, 27, 28, 29, 30
- Bottom Row (Sections 31-36):** 31, 32, 33, 34, 35, 36

Key Annotations and Features:

- Bearings and Distances:** Numerous bearings (e.g., N. 89° 45' E, S. 89° 34' W) and distances (e.g., 40.00, 39.77, 80.00) are marked along the grid lines.
- Section Labels:** Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, and 18 are labeled with their respective numbers.
- Yellow Highlighted Area:** A rectangular area in the bottom-left quadrant, covering sections 17, 18, 23, and 24, is highlighted in yellow. The sections within this area are labeled with numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36.
- Other Features:** The map includes a north arrow, a scale bar, and various other markings such as "RIVER", "DITCH", "CANAL", and "SHORE LINE".

1958





overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-2657

WATER RIGHT NUMBER: 63-2657

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SIMPLOT LIVESTOCK CO PO BOX 27 BOISE, ID 83707
Original Owner	W G MARTIN 1011 LINDEN ST CALDWELL, ID 83605
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 -
POU south
of #63-2386 POU

Priority Date: 01/05/1961
Basis: License
Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH DRAIN	DIXIE SLOUGH

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	to 11/15	2.000 CFS	
	<u>Total Diversion:</u>		2.000 CFS	

Location of Point(s) of Diversion
SOUTH DRAIN NW1/4NW1/4 Sec. 20, Twp 04N, Rge 03W, B.M.
CANYON County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	17											20.0						20.0
04N	03W	20						40.0	40.0										80.0

Total Acres: 100

Conditions of Approval:

Remarks:

Adjudication Claim Report 63-4597

Owner Type

Attorney

Current Owner

Original Owner

Priority Date: 03/01/1959

Basis: Statutory Claim

Status: Active

Source

BOISE RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/01 to 11/15

Diversion Rate

3.400 CFS

Total Diversion: 3.400 CFS

Location of Point(s) of Diversion

BOISE RIVER

CANYON County

L5(SE1/4NW1/4)

Sec. 17, Twp 04N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	17						10.0	20.0			17.0							47.0
												L 5							
04N	03W	18	35.0												25.0				95.0
															L 2				

Total Acres: 142

Conditions of Approval:

1. ACRES IRRIGATED ARE ON WHAT IS LOCALLY KNOWN AS THE ISLAND.

Remarks:

Remarks from Claim -
 " Acres irrigated are on
 what is locally known as
 the Island."
 Δ North-half
 of NWSW;
 - the north-half of
 NWSW is separate
 POU - no
Annual Volume
 overlaps

overlap review -

06/05/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5036

WATER RIGHT NUMBER: 63-5036

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

Priority Date: 03/10/1943

Basis: Statutory Claim

Status: Active

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

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

Location of Point(s) of Diversion

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

IDAHO DEPARTMENT OF WATER RESOURCES

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

Place of Use

IRRIGATION

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

Total Acres: 999

INDUSTRIAL

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

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5036

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

Remarks:Comments:Dates and Other Information:

Claim Received Date: 3/22/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

overlay review -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5037

WATER RIGHT NUMBER: 63-5037

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

Priority Date: 06/14/1961

Basis: Statutory Claim

Status: Active

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

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

Location of Point(s) of Diversion

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5037

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

Place of Use

INDUSTRIAL

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

IRRIGATION

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

Total Acres: 999

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5037

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

Remarks:

Comments:

Water Supply Bank:

overlay review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5038

WATER RIGHT NUMBER: 63-5038

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

Priority Date: 07/20/1944

Basis: Statutory Claim

Status: Active

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

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

Location of Point(s) of Diversion

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5038

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

Place of Use

STOCKWATER

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	18									X	X	X	X	X	X	X	X	
04N	03W	19	X	X	X	X													
04N	04W	13											X	X	X	X	X	X	
04N	04W	24	X	X	X	X													

INDUSTRIAL

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

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	17						5.0	5.0		15.0	10.0	25.0	35.0					95.0
04N	03W	18	35.0	15.0	15.0	25.0	40.0	40.0	35.0	40.0	15.0						29.0		289.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5038

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

Total Acres: 999

Conditions of Approval:

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

Remarks:Comments:Water Supply Bank:

Overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5039

WATER RIGHT NUMBER: 63-5039

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

Priority Date: 09/15/1947

Basis: Statutory Claim

Status: Active

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

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

Location of Point(s) of Diversion

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5039

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

Place of Use

IRRIGATION

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

Total Acres: 999

INDUSTRIAL

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

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5039

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

Remarks:

Comments:

Water Supply Bank:

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-10034

WATER RIGHT NUMBER: 63-10034

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

Priority Date: 03/17/1983

Basis: Permit

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>
INDUSTRIAL	1/01 to 12/31	9.800 CFS	
IRRIGATION	3/15 to 11/15	9.800 CFS	
	<u>Total Diversion:</u>	9.800 CFS	

Location of Point(s) of Diversion

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-10034

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

Place of Use

INDUSTRIAL

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

IRRIGATION

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

Total Acres: 959

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-10034

Conditions of Approval:

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

Remarks:

Comments:

Water Supply Bank:

overlay review -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21734

WATER RIGHT NUMBER: 63-21734

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

Priority Date: 01/01/1986
Basis: Beneficial Use
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>
INDUSTRIAL	1/01 to 12/31	6.340 CFS	
IRRIGATION	3/15 to 11/15	6.340 CFS	
	<u>Total Diversion:</u>	6.340 CFS	

Location of Point(s) of Diversion

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

6/05/06 -
overlay is questionable - I'm
not sure where the
7 AC in NWSW, S17
are located
specifically - the
Simpplot project map
does not
specify
& I have not
received
evidence
for 63-
21734
yet.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21734

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

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	17							15.0				7.0						22.0
04N	03W	18				10.0									25.0				35.0
04N	03W	19					6.0												6.0
04N	04W	13	5.0		2.0	30.0			30.0	29.0	35.0	34.0	31.0	28.0		30.0			254.0

Total Acres: 317

INDUSTRIAL same as IRRIGATIONConditions of Approval:

- SEE ATTACHMENTS FOR MAP AND DESCRIPTIONS OF WELLS IN COMMON SYSTEM.
TWO POINTS OF DIVERSION IN NENW OF SEC. 19, T4N, R3W.
THIS CLAIM IS FOR THE APPLICATION OF FOOD PROCESSING EFFLUENT TO THE ACRES LISTED. THIS CLAIM IS EFFLUENT ONLY AND DOES NOT REPRESENT AN ADDITIONAL AMOUNT DIVERTED FROM THE GROUNDWATER SOURCE.
THIS CLAIM IS AN EXPANSION OF WATER RIGHT NO. 63-10034, 63-07244, 63-03107, 63-02731, AND 63-04968.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2386

03/16/2006

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
5036	Claim	04N	03W	17	NW	SW		IRRIGATION	10/999	J R SIMPLOT CO
5037	Claim	04N	03W	17	NW	SW		IRRIGATION	10/999	J R SIMPLOT CO
5038	Claim	04N	03W	17	NW	SW		IRRIGATION	10/999	J R SIMPLOT CO
5039	Claim	04N	03W	17	NW	SW		IRRIGATION	10/999	J R SIMPLOT CO
10034	Claim	04N	03W	17	NW	SW		IRRIGATION	10/959	J R SIMPLOT CO
21734	Claim	04N	03W	17	NW	SW		IRRIGATION	7/317	J R SIMPLOT CO
~~2386~~	~~Water Right~~	~~04N~~	~~03W~~	~~17~~	~~NW~~	~~SW~~		~~IRRIGATION~~	~~20/86~~	~~E L SHAW~~
5036	Water Right	04N	03W	17	NW	SW		IRRIGATION	10/999	J R SIMPLOT CO
5037	Water Right	04N	03W	17	NW	SW		IRRIGATION	10/999	J R SIMPLOT CO
5038	Water Right	04N	03W	17	NW	SW		IRRIGATION	10/999	SIMPLOT LIVESTOCK CO
5039	Water Right	04N	03W	17	NW	SW		IRRIGATION	10/999	J R SIMPLOT CO
4597	Claim	04N	03W	17	NW	SW	5	IRRIGATION	17/142	SIMPLOT LIVESTOCK CO
-274	Water Right	04N	03W	17	NW	SW	6	IRRIGATION		CHARLES JURRIES
-374	Water Right	04N	03W	17	NW	SW	6	IRRIGATION		PIONEER DIXIE DITCH CO
137A	Claim	04N	03W	17	SW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222C	Claim	04N	03W	17	SW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222M	Claim	04N	03W	17	SW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222N	Claim	04N	03W	17	SW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
233C	Claim	04N	03W	17	SW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
233L	Claim	04N	03W	17	SW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
-374	Claim	04N	03W	17	SW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
2386	Claim	04N	03W	17	SW	SW		IRRIGATION	10/86	SIMPLOT LIVESTOCK CO
2657	Claim	04N	03W	17	SW	SW		IRRIGATION	20/100	SIMPLOT LIVESTOCK CO
5036	Claim	04N	03W	17	SW	SW		IRRIGATION	25/999	J R SIMPLOT CO
5037	Claim	04N	03W	17	SW	SW		IRRIGATION	25/999	J R SIMPLOT CO
5038	Claim	04N	03W	17	SW	SW		IRRIGATION	25/999	J R SIMPLOT CO
5039	Claim	04N	03W	17	SW	SW		IRRIGATION	25/999	J R SIMPLOT CO
10034	Claim	04N	03W	17	SW	SW		IRRIGATION	25/959	J R SIMPLOT CO

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2386

03/16/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
137A	Claim	04N	03W	17	NE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222C	Claim	04N	03W	17	NE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222M	Claim	04N	03W	17	NE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222N	Claim	04N	03W	17	NE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
233C	Claim	04N	03W	17	NE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
233L	Claim	04N	03W	17	NE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
-374	Claim	04N	03W	17	NE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
2386	Claim	04N	03W	17	NE	SW		IRRIGATION	18/86	SIMPLOT LIVESTOCK CO
5036	Claim	04N	03W	17	NE	SW		IRRIGATION	15/999	J R SIMPLOT CO
5037	Claim	04N	03W	17	NE	SW		IRRIGATION	15/999	J R SIMPLOT CO
5038	Claim	04N	03W	17	NE	SW		IRRIGATION	15/999	J R SIMPLOT CO
5039	Claim	04N	03W	17	NE	SW		IRRIGATION	15/999	J R SIMPLOT CO
10034	Claim	04N	03W	17	NE	SW		IRRIGATION	15/959	J R SIMPLOT CO
~~2386~~	~~Water Right~~	~~04N~~	~~03W~~	~~17~~	~~NE~~	~~SW~~		~~IRRIGATION~~	~~18/86~~	~~E L SHAW~~
5036	Water Right	04N	03W	17	NE	SW		IRRIGATION	15/999	J R SIMPLOT CO
5037	Water Right	04N	03W	17	NE	SW		IRRIGATION	15/999	J R SIMPLOT CO
5038	Water Right	04N	03W	17	NE	SW		IRRIGATION	15/999	SIMPLOT LIVESTOCK CO
5039	Water Right	04N	03W	17	NE	SW		IRRIGATION	15/999	J R SIMPLOT CO
-274	Water Right	04N	03W	17	NE	SW	7	IRRIGATION		CHARLES JURRIES
-374	Water Right	04N	03W	17	NE	SW	7	IRRIGATION		PIONEER DIXIE DITCH CO
137A	Claim	04N	03W	17	NW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222C	Claim	04N	03W	17	NW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222M	Claim	04N	03W	17	NW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222N	Claim	04N	03W	17	NW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
233C	Claim	04N	03W	17	NW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
233L	Claim	04N	03W	17	NW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
-374	Claim	04N	03W	17	NW	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
~~2386~~	~~Claim~~	~~04N~~	~~03W~~	~~17~~	~~NW~~	~~SW~~		~~IRRIGATION~~	~~20/86~~	~~SIMPLOT LIVESTOCK CO~~

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2386

03/16/2006

3

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-274	Water Right	04N	03W	17	SW	SW		IRRIGATION		CHARLES JURRIES
-374	Water Right	04N	03W	17	SW	SW		IRRIGATION		PIONEER DIXIE DITCH CO
~~2386~~	~~Water Right~~	~~04N~~	~~03W~~	~~17~~	~~SW~~	~~SW~~		~~IRRIGATION~~	~~10/86~~	~~E L SHAW~~
2657	Water Right	04N	03W	17	SW	SW		IRRIGATION	20/100	W G MARTIN
5036	Water Right	04N	03W	17	SW	SW		IRRIGATION	25/999	J R SIMPLOT CO
5037	Water Right	04N	03W	17	SW	SW		IRRIGATION	25/999	J R SIMPLOT CO
5038	Water Right	04N	03W	17	SW	SW		IRRIGATION	25/999	SIMPLOT LIVESTOCK CO
5039	Water Right	04N	03W	17	SW	SW		IRRIGATION	25/999	J R SIMPLOT CO
1598	Claim	04N	03W	17	SW	SW		STOCKWATER		J R SIMPLOT CO
1597	Water Right	04N	03W	17	SW	SW		STOCKWATER		J R SIMPLOT CO
1597	Water Right	04N	03W	17	SW	SW		DOMESTIC		J R SIMPLOT CO
137A	Claim	04N	03W	17	SE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222C	Claim	04N	03W	17	SE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222M	Claim	04N	03W	17	SE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222N	Claim	04N	03W	17	SE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
233C	Claim	04N	03W	17	SE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
233L	Claim	04N	03W	17	SE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
-374	Claim	04N	03W	17	SE	SW		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
~~2386~~	~~Claim~~	~~04N~~	~~03W~~	~~17~~	~~SE~~	~~SW~~		~~IRRIGATION~~	~~38/86~~	~~SIMPLOT LIVESTOCK CO~~
5036	Claim	04N	03W	17	SE	SW		IRRIGATION	35/999	J R SIMPLOT CO
5037	Claim	04N	03W	17	SE	SW		IRRIGATION	35/999	J R SIMPLOT CO
5038	Claim	04N	03W	17	SE	SW		IRRIGATION	35/999	J R SIMPLOT CO
5039	Claim	04N	03W	17	SE	SW		IRRIGATION	35/999	J R SIMPLOT CO
10034	Claim	04N	03W	17	SE	SW		IRRIGATION	35/959	J R SIMPLOT CO
-274	Water Right	04N	03W	17	SE	SW		IRRIGATION		CHARLES JURRIES
-374	Water Right	04N	03W	17	SE	SW		IRRIGATION		PIONEER DIXIE DITCH CO
~~2386~~	~~Water Right~~	~~04N~~	~~03W~~	~~17~~	~~SE~~	~~SW~~		~~IRRIGATION~~	~~38/86~~	~~E L SHAW~~
5036	Water Right	04N	03W	17	SE	SW		IRRIGATION	35/999	J R SIMPLOT CO

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2386

03/16/2006

4

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
5037	Water Right	04N	03W	17	SE	SW		IRRIGATION	35/999	J R SIMPLOT CO
5038	Water Right	04N	03W	17	SE	SW		IRRIGATION	35/999	SIMPLOT LIVESTOCK CO
5039	Water Right	04N	03W	17	SE	SW		IRRIGATION	35/999	J R SIMPLOT CO

- claim supplemental to
Pioneer Dixie Ditch Co.
water.

- overlay with : 63-5036.
63-5037
63-5038
63-5039
63-10034 &
63-21734

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-02386

Date: 12-28-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	30	17									18	20	10	38					86
GIS												40	40	40	40					160
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1 (acc 21)

Total Claimed Acres: 86

Overlapping POU Claim #'s:

Total GIS Acres: 160

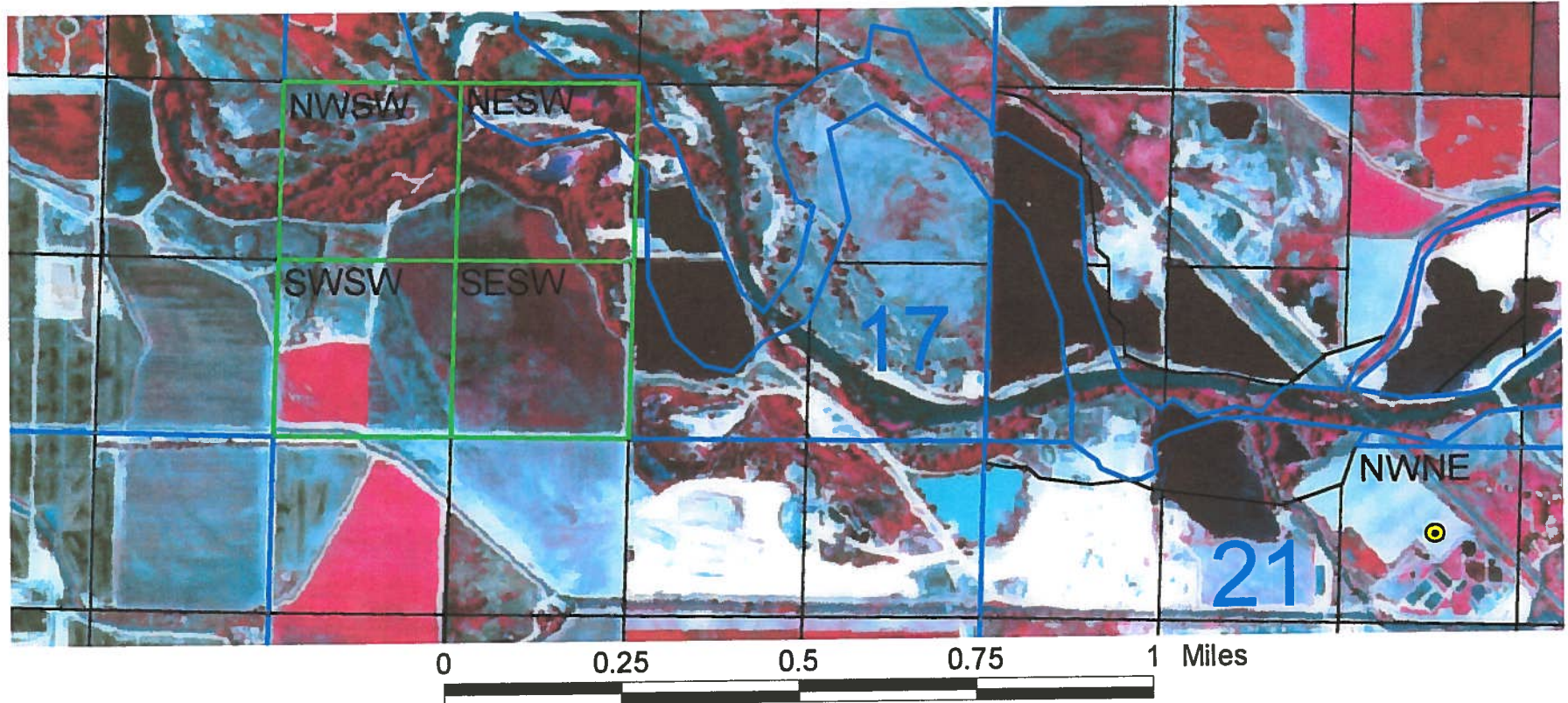
63-05036, 63-05037, 63-05038, 63-05039, 63-04597
63-000290

COMMENTS:

Estimated acreage & POD.

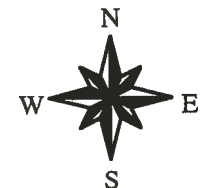
Idaho Department of Water Resources

1987 Napp Photo



Claim Number: 63-02386
Legal: T04N, R03W, S17
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



Memorandum

To: Lori Harris

From: Danni Smith

Date: July 23, 1997

RECEIVED

JUL 25 1997

WATER RESOURCES
WESTERN REGION

RE: attached Indian Ck Water Rts list

Per Dave Tuthill please file these in the claim files at your office. May want to run them by Jan so she is aware they are there. Keith Anderson, who is doing some work for City of Nampa, brought these into the office on Monday, thought we would like to have the discrepancy information.

So, I copied you can "file". Have a nice day.

Indian Ck. Water Rts

Indian Creek Water Rights

(Downstream from Nampa Waste Water Treatment Plant)

Number	Name	CFS	Priority	Point of Diversion	Use	Remarks	See Footnote
63-02114	Pioneer Irrig. Dist.	8.64	10/15/1909	NE SW 36-04N 03W	Irrigation	License	
63-02279	Riverside Irrig. Dist.	89.90	11/04/1915	NW NE 21-04N 03W	Irrigation	Beneficial Use	
63-02374	Riverside Irrig. Dist.	88.50	08/02/1922	NW NE 21-04N 03W	Irrigation	License	
63-02386	Simplot Livestock Co.	1.56	01/17/1924	NW NE 21-04N 03W	Irrigation	License	
63-04009	Riverside Irrig. Dist.	180.00	11/04/1915	NW NE 21-04N 03W	Irrigation	Statutory Claim	
63-05219	Pioneer Irrig. Dist.	18.00	05/01/1961	SW NE 22-03N 02W	Irrigation	Beneficial Use	(1)
63-05237	Pioneer Irrig. Dist.	16.00	04/01/1910	NE SW 26-04N 03W	Irrigation	Beneficial Use	(2)
63-05255	Pioneer Irrig. Dist.	2.17	05/01/1915	SE SW 22-04N 03W	Irrigation	Beneficial Use	(3)
63-05374	Ralph/Avona Russi	0.21	01/01/1937	SE NW SE 26-04N 03W	Irrig/Stock	Statutory Claim	(4)
63-21481	Ernest/Maryetta Wilson	0.06	04/10/1944	SW NW 36-04N 03W	Irrigation	Beneficial Use	
63-26434	John W. Goodyear	0.15	04/01/1885	NE SW 36-04N 03W	Irrig/Stock	Beneficial Use	(5)
63-26435	John W. Goodyear	0.43	04/01/1885	NE SW 36-04N 03W	Irrig/Stock	Beneficial Use	(6)
63-28917	Ralph Smeed	0.54	03/15/1915	NE SW NW 36-04N 03W	Irrigation	Beneficial Use	
63-28938	Woodgrain Millwork Inc.	5.01	12/31/1958	SE SE 08-03N 02W	Fire Protection	Beneficial Use	

Information from both IDWR Files: "Listing of Water Rights" and "Adjudication Listing of Water Rights"

Footnotes:

- (1) From Adjudication List--also shown as 04/1/61 priority; as 16.00 cfs; Pt.Diversion in NW SE sec. 22; and Statutory Claim
- (2) From Adjudication List--also shown as Statutory Claim
- (3) From Adjudication List--also shown as 2.50 cfs; 04/01/1910 priority; Pt.Diversion in NW SW sec. 22; and Statutory Claim
- (4) From Adjudication List--includes 0.03 cfs stockwater; also shown as 0.19 cfs total including 0.01 cfs stockwater
- (5) Includes 0.03 cfs stockwater
- (6) Includes 0.03 cfs stockwater



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. - Sel

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

Dear Mr. Young and Mr. Uhling:

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

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

Sincerely,

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

Diana R. Delaney
Chief Deputy Clerk

DRD

Enclosure

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

MICROFILMED

JUL 25 1994

1 GRAY YOUNG, Assistant General Counsel
2 TERRY T. UHLING, Assistant General Counsel
3 Environmental & Regulatory Affairs
4 J. R. SIMPLOT COMPANY
5 P.O. Box 27
6 999 Main Street, Suite 1300
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.)

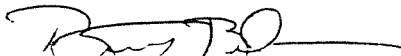
MICROFILMED

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 Bruce L. Belzer
10 Assistant General Counsel for
11 J. R. Simplot Company
12
13
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19
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MICROFILMED

JUL 25 1994

CERTIFICATE OF SERVICE

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

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

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

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

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

Cliff S. Bentz
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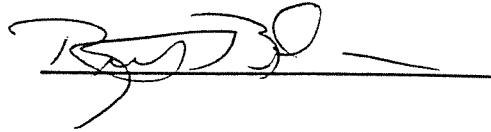
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JUL 25 1994

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

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MICROFILMED
JUL 25 1994

State of Idaho

License and Certificate of Water Right

Water License No. 15943

Amount 1.56 sec. ft.

Water District No. 12-A

Priority 1-17-1924

THIS IS TO CERTIFY that Caldwell Commercial Bank, of Caldwell, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 17, 1924; that Permit No. 15943 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.0 second feet, was issued thereunder on December 5, 1927, showing that said works were completed on the 23th day of January, 1926; and that on the 21st day of January, 1928,

E. L. Shaw, Receiver in foreclosure action,

of Caldwell, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Indian Creek, a tributary of Boise River, for the purpose of irrigation and domestic use, under Use Permit No. 15943 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3515, on the 10th day of July, 1928;

The right hereby confirmed dates from January 17, 1924;

The Point of Diversion is located in the NW ¼ NE ¼, Sec. 21, Tp. 4 N., R. 3 W., 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 1.56 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.	3 W.	17	NE ¼ SW ¼	35	18
			NW ¼ SW ¼	38	20
			SW ¼ SW ¼	40	10
			SE ¼ SW ¼	40	38
					Total 78

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 Commissioner of Reclamation, affixed at Boise, Idaho, this 10th day of July, 1928.

GEO. N. CARTER

Commissioner of Reclamation

(SEAL)

63-2330

State of Idaho

License and Certificate of Water Right

Water License No. 15943
Water District No. 12-A

Amount 1.56 sec. ft.
Priority 1-17-1924

THIS IS TO CERTIFY that Caldwell Commercial Bank,
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 17, 1924; that Permit No. 15943
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.0 second feet, was issued thereunder on December 5, 1927, showing that said works
were completed on the 28th day of January, 1926; and that on the 21st
day of January, 1928,

E. L. Shaw, Receiver in foreclosure action,

of Caldwell, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Indian Creek
, a tributary of Boise River, for the purpose of irrigation and
domestic use, under Use Permit No. 15943 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 6
of Licenses, at page 3515, on the 10th day of July, 1928;

The right hereby confirmed dates from January 17, 1924;

The Point of Diversion is located
in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, Tp. 4 N., R. 3 W., 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 1.56
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	3 W	17	NE $\frac{1}{4}$ SW $\frac{1}{4}$	35	18
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	38	20
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	10
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	38
Total					78-80

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 Commissioner of Reclamation, affixed at Boise, Idaho,
this 10th day of July, 1928.

GEO. N. CARTER

Commissioner of Reclamation

SEAL

63 2386

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.

Caldwell Commercial Bank Applicant.

By A. A. Binford, Vice President Agent.

Date of first receipt at Department of Reclamation. 9 A. M. January 17, 1924.

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 15943
 Recorded in Book 5657 Page 15943 Approved January 28, 1924.
 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 March 27, 1924, 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 28, 1925.
 The whole of said work to be completed on or before January 28, 1926.
 Beneficial use of water appropriated in accordance herewith, to be made on or before January 28, 1928.

Witness my hand this 28th day of January, 1924.

A. G. SWENDSEN.
 Commissioner of Reclamation.

Remarks:

14 Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	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 $\frac{1}{4}$	NE $\frac{1}{4}$	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 $\frac{1}{4}$	
4 N.	3 W.	17									35	38	40	40					153
Total Number of Acres to be Irrigated																			153

STATE OF IDAHO.

County of Canyon.

E. L. Shaw, Receiver, being first duly sworn, upon his oath deposes and says:
 That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 15943.
 That he intends to change the point of diversion, as described in said decree or permit, to the following point:

At or near the East line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 21 in Township 4 North, Range 3 West of the Boise Meridian.

That such change will be made for the following reasons, to-wit: It will lessen the cost of construction of ditch to carry water to lands to be irrigated.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

Subscribed and sworn to before this 30th day of July 1927.
 (SEAL)

E. L. SHAW, RECEIVER.

F. D. Mumford,
 Notary Public,
 Residing at Caldwell, Idaho.

My commission expires Feb. 16, 1928.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9.00 a.m. Nov. 2, 1927.
 Geo. N. Carter,
 Commissioner of Reclamation.

APPLICATION FOR PERMIT 63 - 2386

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 22641
Permit No. 15943
District No. 12-A

1. Name of Applicant: Caldwell Commercial Bank (A. A. Binford-Vice-President.)

Postoffice address: Caldwell, County: Canyon, State: Idaho.

- I. If applicant is a corporation, give:

- (a) Date and place of incorporation: 1908, Caldwell, Idaho.
(b) Amount of capital stock: \$100,000.00
(c) Amount paid in: \$1,000,000.00
(d) Names and addresses of directors: John C. Rice, J. H. Lowell, A. A. Binford,
E. H. Flownhead, A. Greenlund, J. M. Thompson, A. Ballantyne, Caldwell,
Robert Nikman, Boise, and F. O. Chaney, Middleton.

- II. The financial resources of the applicant are: (a) Cash on hand: Sufficient
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:

2. Quantity of water claimed: Three (3) cubic feet per second.

3. Source of water supply: Indian Creek which is a tributary of Boise River

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$
of Section 21 , T. 4 N. , R. 3 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: \$ 450.00

8. Kind of works: Ditch and flume.

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 four feet; height five feet

11. Ditch: Width at bottom three feet; width at water line four feet; depth of water one
feet; dimensions of flume: 42" Metal Flume
Diameter of pipe inches; length of conduit one and one-half miles.
Average grade per mile five feet

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

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

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 15943This proof is for Beneficial Use In Water District No. 12-A1. Name of applicant: E. L. Shaw, Receiver Caldwell Commercial Bank2. Source of water supply: Indian Creek3. Location of point of diversion: Is in the E line NE 1/4 NW 1/4 of Section 21T. 4 N R. 2 W County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: Cent is left bank of Indian Cr, Head gate 270ft down ditch 4ft long, 4' high and 3' wide. Siphon 50' long x 14" diam galv pipe under Pioneer-Lixie ditch (Kirkaid Slough) Ditch is 3ft wide x 2ft deep

5. Water is used for: Irrigation6. 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): NE 1/4 SW 1/4, NW 1/4 SW 1/4, SW 1/4 SW 1/4, SE 1/4 SW 1/4, Sec. 17, T 4 N., R. 2 W/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: When head gate is closed the ditch discharges into slough above Pioneer-Lixie heading

15943This examination was made on the 4th day of June 19 28(Signed) E. L. Shaw

Examiner.

D.I. Shaw, Receiver
Caldwell Commercial Bank

Permit No. 15943

Examination for BEN. USE WATER

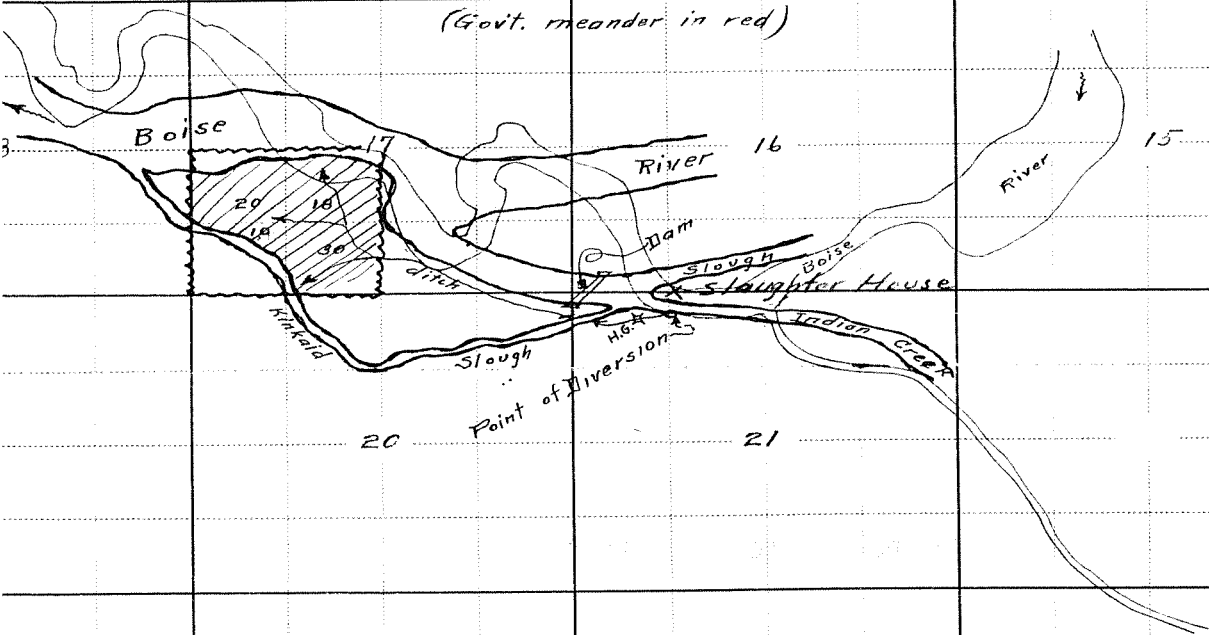
County CANYON

INSTRUCTIONS TO EXAMINERS

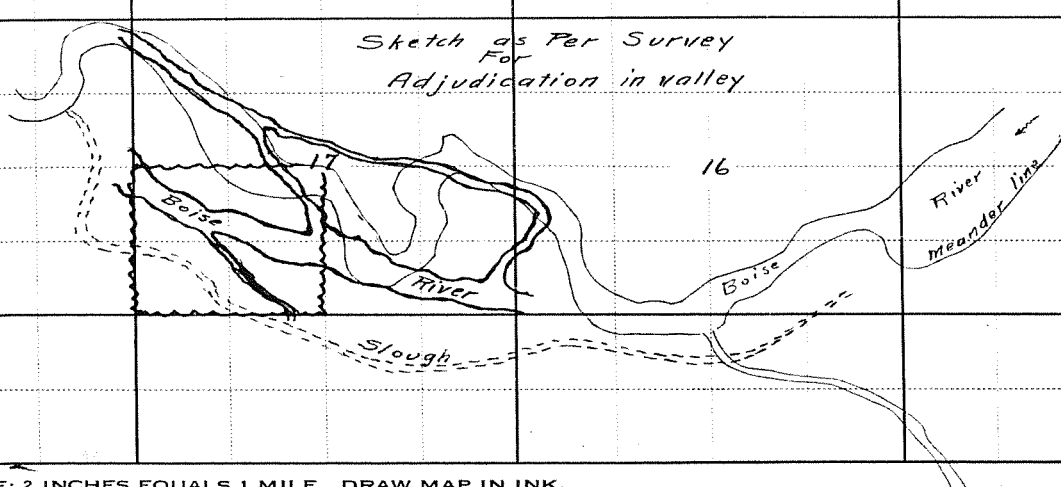
1. Always carefully note the location of the point of diversion, and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the 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.
-

Sketch as Per Survey
By
Fred M. Connell

(Govt. meander in red)



Sketch as Per Survey
For
Adjudication in valley



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____