

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: A63-10625
Date Received: 5/7/90
Receipt No: 6016709
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: MAY 09, 1988

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	21	SW	SW	SE		CANYON

5. Description of diverting works:
WELL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
I/WASH TRUCK AND TRUCK MAINTENANCE FACILITY.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	21	SW	SE		INDUST	

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: PERMIT

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 Financial Corporation, that I have signed the foregoing
Organization
document in the space below as Secretary of
Title

Simplot Financial Corporation and that the statements contained in the
Organization
foregoing document are true and correct.

Ramona L. House
Signature of Authorized Agent

Secretary, Simplot Financial Corporation
Title and Organization

05-04-90
Date

State of Idaho)
County of Ada) SS.

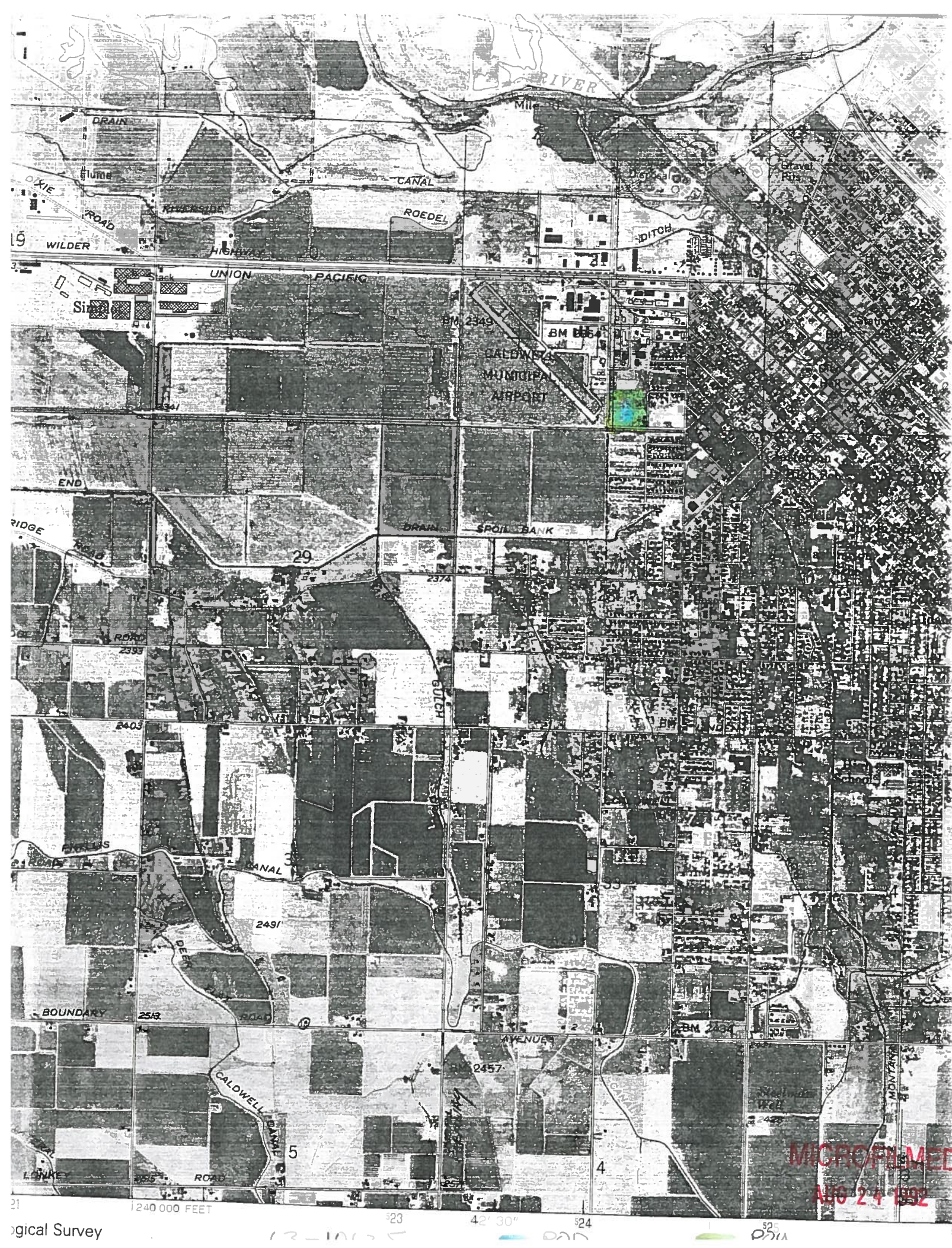
Subscribed and sworn (or affirmed) before me this 4th day
of May 19 90

Vicki D. Louwer
Notary Public

Seal

Residing at Meridian

My Commission Expires 11-06-91



05/19/2006

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

RIGHT NUMBER: 63-10625

NAME AND ADDRESS: SIMPLOT FINANCIAL CORP
PO BOX 27
BOISE ID 83707

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS
4.100 AFY

PRIORITY DATE: 05/09/1988

POINT OF DIVERSION:

T04N R03W S21 SWSWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

INDUSTRIAL

01/01 12/31

0.030 CFS

4.10 AFY

PLACE OF USE: INDUSTRIAL Within CANYON County

T04N R03W S21 SWSE

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

Industrial use is for a truck washing and maintenance facility.

Return flow discharged to a surface water system shall meet Idaho Water Quality Standards.

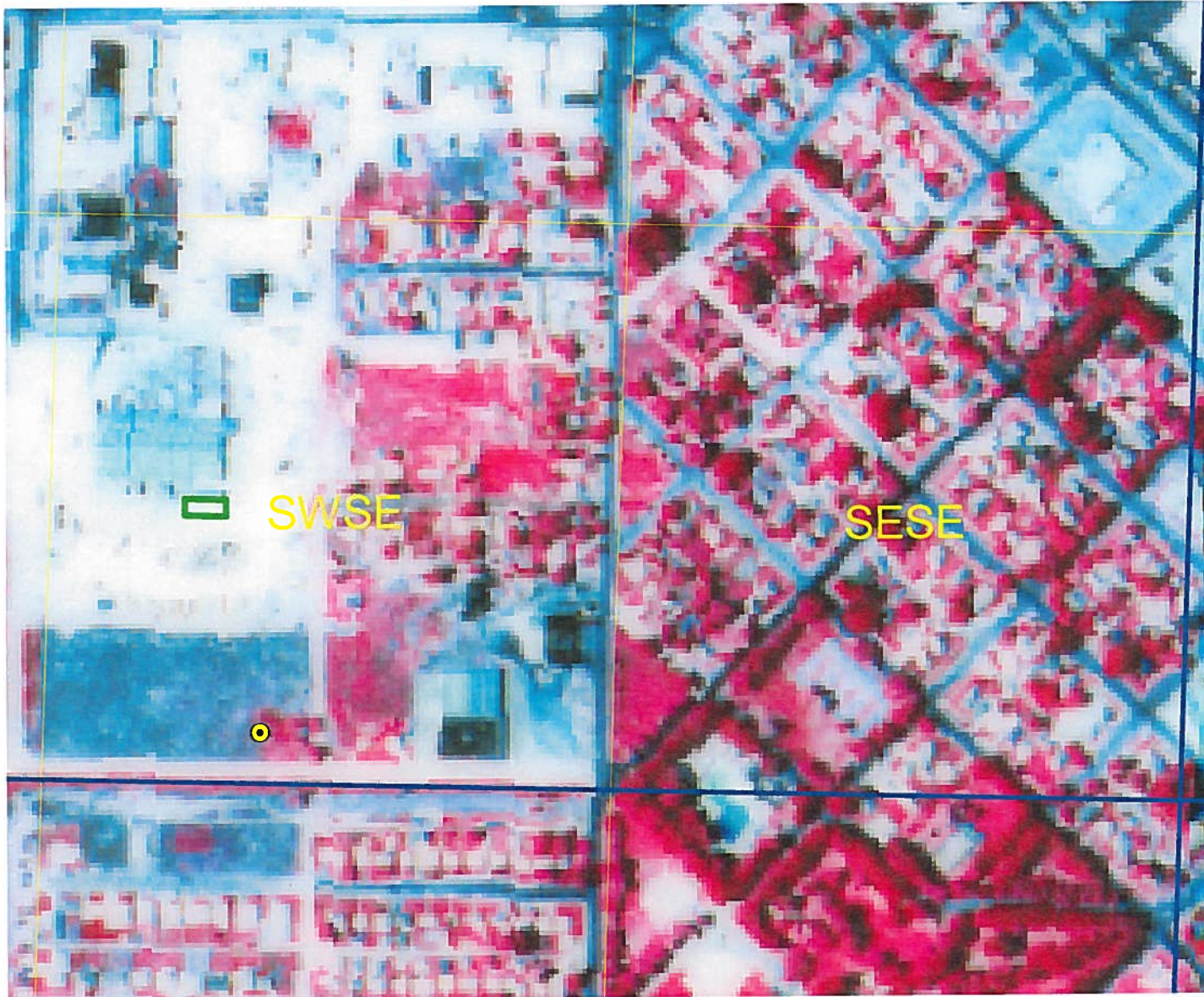
Idaho Department of Water Resources

**T04N, R03W,
SEC 21**

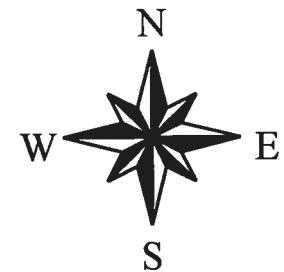
Claim No: 63-10625

Prepared By: Kimberly Brown

Date: May 19, 2006



-  Place of Use
-  Section Lines
-  1/4 1/4
-  Point of Diversion



0 0.03 Miles



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-10625

WATER RIGHT NUMBER: 63-10625 ✓

Owner Type Name and Address
 Current Owner SIMPLOT FINANCIAL CORP ✓
 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

Property Address:
 323 La Fond St.
 Caldwell

Priority Date: 05/09/1988 ✓

Basis: ~~Permit~~ License

Status: Active

Source Tributary
 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 ✓	0.030 CFS ✓	4.1 AF
<u>Total Diversion:</u>		0.030 CFS ✓	4.1 AF

Location of Point(s) of Diversion
 GROUND WATER
 CANYON County ✓

(SW 1/4 SW 1/4 SE 1/4) ✓ Sec. 21, Twp 04N, Rge 03W, B.M. ✓

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	21																X	

Conditions of Approval:

ADD R08 1. 09C ~~Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.~~

Remarks:

ADD - Industrial use is for a truck washing and maintenance facility.

Parcel No. is northern of R3505400000. (9.83-9.4Ac)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-10625

03/22/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
4566	Claim	04N	03W	21	SW	SE		IRRIGATION	1/1	JOHN P TEGGE
4576	Claim	04N	03W	21	SW	SE		IRRIGATION	1/1	JOHN P TEGGE
4566	Water Right	04N	03W	21	SW	SE		IRRIGATION	1/1	JOHN P TEGGE
4576	Water Right	04N	03W	21	SW	SE		IRRIGATION	1/1	LULA A COOKSON
~~10625~~	~~Claim~~	~~04N~~	~~03W~~	~~21~~	~~SW~~	~~SE~~		~~INDUSTRIAL~~		~~SIMPLOT FINANCIAL CORP~~
30146	Claim	04N	03W	21	SW	SE		INDUSTRIAL		MC CLUSKEY FOODSERVICE INC
~~10625~~	~~Water Right~~	~~04N~~	~~03W~~	~~21~~	~~SW~~	~~SE~~		~~INDUSTRIAL~~		~~SIMPLOT FINANCIAL CORP~~
4566	Claim	04N	03W	21	SW	SE		DOMESTIC	218 Everett St.	JOHN P TEGGE
4576	Claim	04N	03W	21	SW	SE		DOMESTIC	610 S. 3rd Ave.	JOHN P TEGGE larval
22211	Water Right	04N	03W	21	SW	SE		DOMESTIC		SIMPLOT FINANCIAL CORP
27459	Water Right	04N	03W	21	SW	SE		DOMESTIC	120 Anderson St. lot 4, Shavens Addition	GLADYS R BATES

- no overlap

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-30146

WATER RIGHT NUMBER: 63-30146

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MC CLUSKEY FOODSERVICE INC PO BOX 1390 CALDWELL, ID 83606 (208)459-1581

Priority Date: 04/01/1937
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	1.700 CFS	
	<u>Total Diversion:</u>	1.700 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4SE1/4	Sec. 21, 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	21																X	

Conditions of Approval:

1. OWNER OF 100% OF CORPORATE STOCK IS ANDREW H. MCLUSKEY.

Remarks:Comments:

no overlap -
claim disallowed
in SRBA.
(plus,
separate Pou)

Receipt Details for ID C016709

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/7/1990 4:12:12 PM	5/7/1990	State	\$103.00	Check
Payer		SIMPLOT FINANCIAL CORP.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
5716			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$103.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	10625		\$53.00	Claim
63	22216		\$25.00	Claim
63	22211		\$25.00	Claim

✓ Correct Amount

Print Report

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10625

Priority: May 9, 1988

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

4.1 AF

This is to certify, that SIMPLOT FINANCIAL CORP
PO BOX 27

BOISE ID 83707

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 9, 1988; and has submitted Proof of Beneficial Use on May 5, 1989. An examination indicates that the works have a diversion capacity of .040 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
INDUSTRIAL	01/01 to 12/31	0.03 CFS	4.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 21, Township 04N, Range 03W
CANYON County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

04N 03W 21

SWSE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
6. Industrial use is for a truck washing and maintenance facility.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 29TH
day of July, 1992.

RECORDED

AUG 20 1992

Acting for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-10625

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Simplot Financial Corporation Phone (208) 336-2110
Post office address P.O. Box 27, Boise, Idaho 83707
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 21 Township 4N Range 3W B.M. Canyon County; additional
points of diversion if any: N/A
4. Water will be used for the following purposes:
Amount .03CFS for Industrial purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .03CFS and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Existing well above ground pump
and 1 1/2h.p. motor
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 4" inches; proposed depth of well is 130' feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

SEP 30 1985

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Water will be used to wash trucks at our truck maintenance facility, as well as other industrial uses.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	3W	21															IND		

Total number of acres to be irrigated N/A

10. Describe any other water rights used for the same purposes as described above. _____

- Who owns the property at the point of diversion? Simplot Financial Corporation
- Who owns the land to be irrigated or place of use? Simplot Financial Corporation
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Corp. officers: Pres. -- Don Simplot
V. Pres. -- Gordon Smith
RECEIVED : Treas. -- Jim Crawford
Sec. -- Ron Graves

SEP 10 1988

R 3 W

742

— 100 —

SIMPLET FINANCIAL CORPORATION

James A. House Secretary
(Applicant)

Proposed Priority 5/9/88
Received by JP Date 5-9-88 Time 11:00 A.M. Preliminary check by _____
Fee \$ 30.00 Received by JP # W000155 Date 5/9/88
Publication prepared by GG Date 5-11-88 Published in Press-Tribune
5/18 & 5/25/88
Publication approved JP Date 5/16/88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-10625, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 89.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other: Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

Witness my hand this 28 day of June, 1988.

Director

SEP 9 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 63-10625
1. Owner: Simplist Financial Corp. Phone No. _____
Current Address: P.O. Box 27, Boise, Idaho 83707
2. Accompanied by: Mike Roberts EXAM. DATE: 4-19-91
Address: _____ Phone No. _____
Relationship to Permit Holder: employee
3. Source: groundwater tributary to none

B. OVERLAP REVIEW

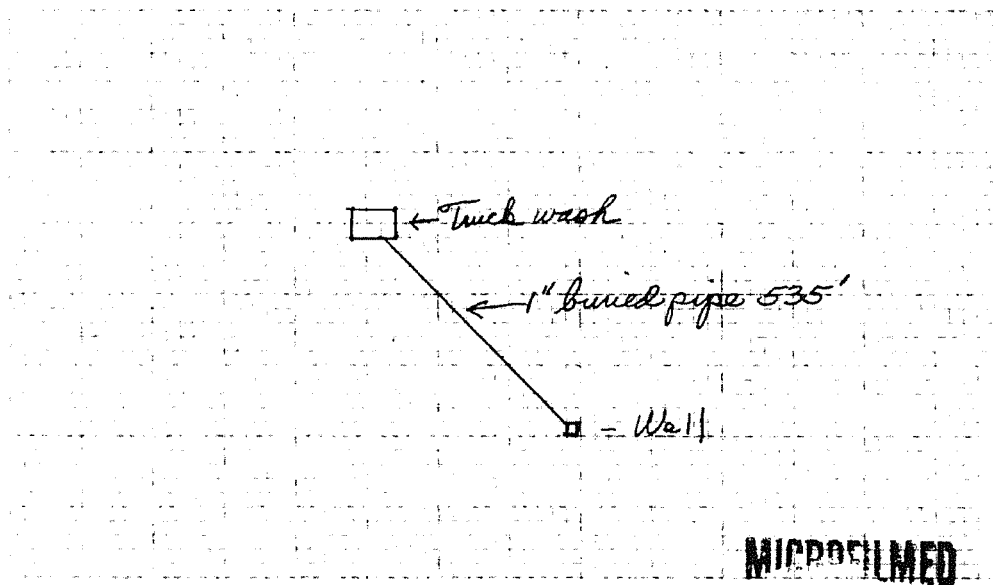
1. Other water rights with same place of use: 03-4566, 03-4576

☐ Copies Attached
2. Other water rights with same point of diversion: 03-4566, 03-4576

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

AUG 20 1992

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Consists of 6" casing with a 1 1/4" discharge line to a me. Hp above ground pump. From the pump a 1" line delivers water to a pressure tank and a 1" line then takes the water by a buried line approx. 535' to a truck washing facility. psi @ 60. Waste water drains to city sewer system.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	1	54C39RND089	Red Jacket	30588 - 1"

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SWSE		21	4N	3W	Canyon	Aerial photo ground at exam

6. **Place(s) of Use:**

Indicate Method of Determination *exam*

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	3W	21																C	

NOT FILLED

AUG 20 1992

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$Q = \frac{8.8 \times 1 \times .70}{60 + (2.31 \times .50)} = \frac{6.16}{175.5} = .035 \text{ cfs.}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

$$4.5 \text{ gpm} \times 45 \text{ min} = 202.5 \text{ gal. per week} \times 550 \text{ per acre} = 111,375 \text{ gp. acre} \times 12 \text{ weeks} = 1,336,500 \text{ gpy} \div 325,850 = 4.10 \text{ afa.}$$

$$.035 \times 260 \text{ days} \times 1.9835 = 18.0 \text{ afa.}$$

RECORDED

AUG 20 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Martin Walker, manager of the truck washing facility indicates they washed on the average 550 trucks per month. The volume used was 4.5 gpm for 45 minutes per truck. Dynamic level of well was assumed based on owner's "guesstimate" and other well logs for area around the permit. Truck wash is operated 5 days per week to wash owners trucks plus some under office. Caldwell city water can also be used in same system.

I. RECOMMENDATIONS

1. Recommended Amounts

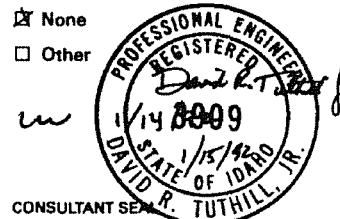
Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<i>Commercial</i>	<i>1-1 12-31</i>	<i>.03</i>	<i>4.1 afa</i>
		Totals: <i>.03 cfs</i>	<i>4.1 afa</i>

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

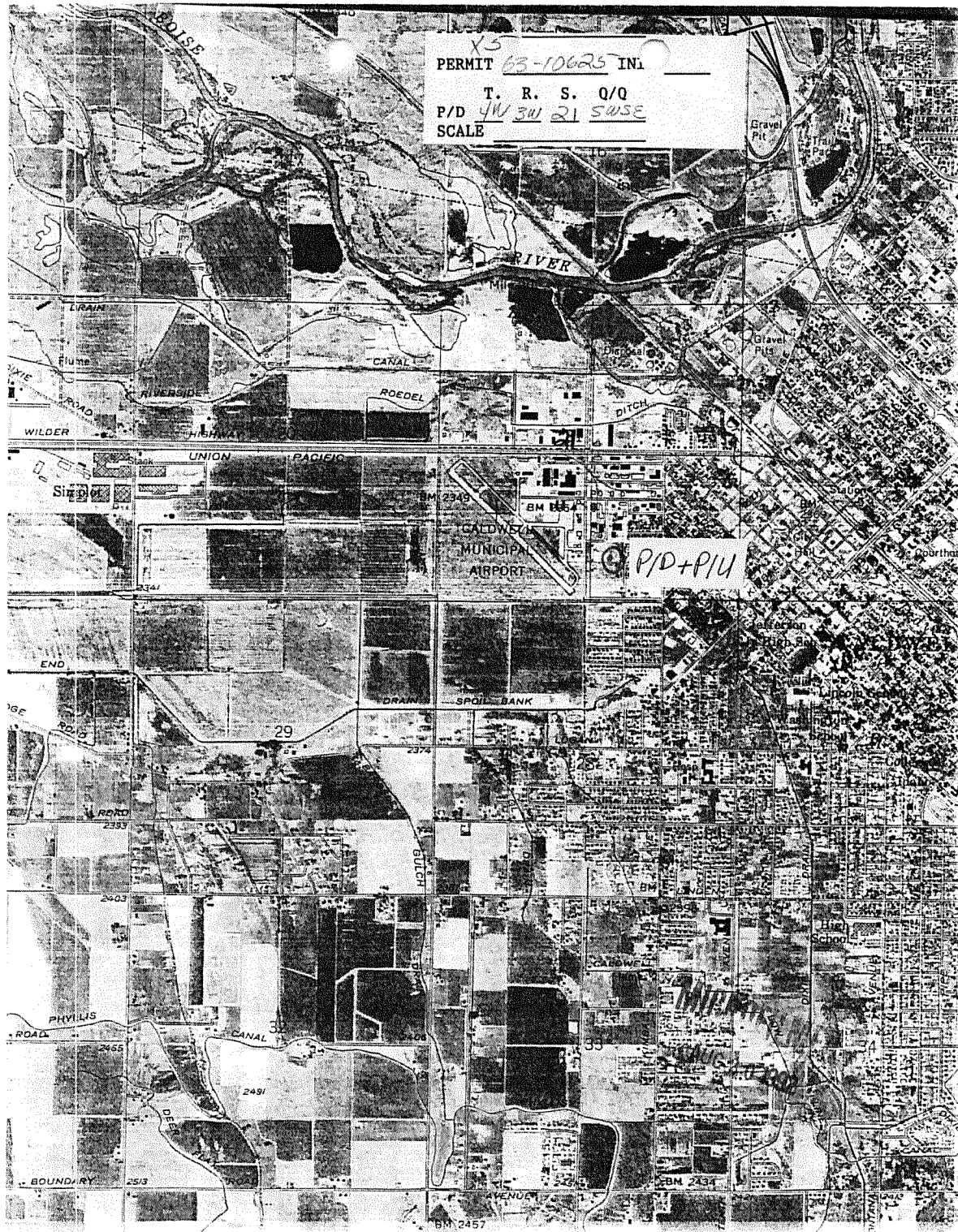
Field Examiner's Name *Melvin T. Schulte*
 Signature *Melvin T. Schulte*
 Certification Date _____
 Field Report Preparation Date *5-29-91*



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

AUG 20 1992



63-10625



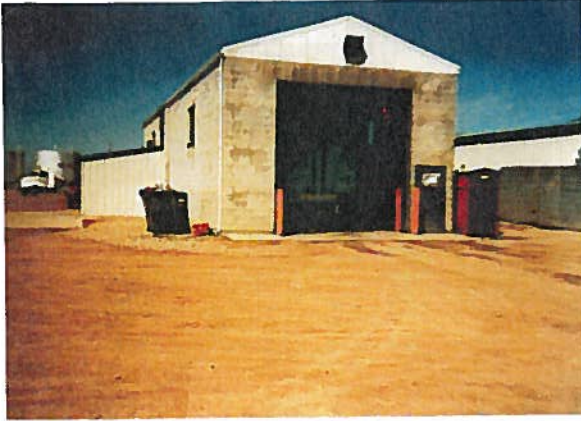
#1
Pump located inside
small well house.



#2
Pressure tank located inside
well house.

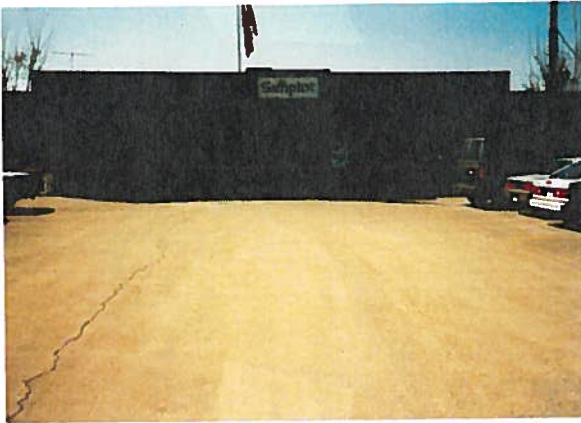
RECEIVED
AUG 20 1992

63-10625



#3.

Place of use. Truck
washing facility



#4.

Office building for
Simplex Transportation
located at 323 La 2nd,
Caldwell, Id.

MICROFILMED

AUG 20 1992

State of Idaho
Department of Water Resources

AUG 14 1992

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10625

Department of Water Resources
Western Regional Office

Priority: May 9, 1988

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

4.1 AF

This is to certify, that SIMPLOT FINANCIAL CORP
PO BOX 27

BOISE ID 83707

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 9, 1988; and
has submitted Proof of Beneficial Use on May 5, 1989. An examination indicates
that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
INDUSTRIAL	01/01 to 12/31	0.03 CFS	4.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 21, Township 04N, Range 03W
CANYON County

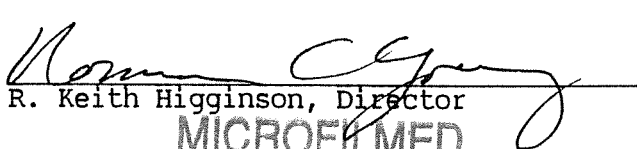
PLACE OF USE: INDUSTRIAL
TWN RGE SEC

04N 03W 21 SWSE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
6. Industrial use is for a truck washing and maintenance facility.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 29TH
day of July, 1992.

Acting for  R. Keith Higginson, Director

MICROFILMED

JUL 26 1994



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

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JUL 26 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

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JUL 26 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

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JUL 26 1994

GRAY YOUNG, Assistant General Counsel
TERRY T. UHLING, Assistant General Counsel
Environmental & Regulatory Affairs
J. R. SIMPLOT COMPANY
P.O. Box 27
999 Main Street, Suite 1300
Boise, Idaho 83707
Telephone: (208) 389-7318
Fax: (208) 389-7515

Attorneys for J. R. Simplot Company

1994 APR - 5 PM 2:52
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 the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System.

Civil Case No. 39576

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

Petitioner,

v.

NOTICE OF WITHDRAWAL
OF COUNSEL

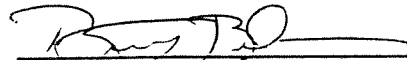
The United States; the State of
Idaho; and all claimants to the
use of water from the Snake
River Basin Water System,

Defendants.

1 **PLEASE TAKE NOTICE** that Bruce L. Belzer hereby withdraws as
2 counsel of record for J. R. Simplot Company in the above entitled matter
3 and the following listed subcases:
4

5 36-13320
6 57-02203A

7 DATED this 4~~th~~ day of April, 1994.
8

9 

10 Bruce L. Belzer
11 Assistant General Counsel for
12 J. R. Simplot Company
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CERTIFICATE OF SERVICE

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

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

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JUL 26 1994

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11 LEZAMIZ, CHARTERED
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101 South Capitol Boulevard
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26 South Ninth Street
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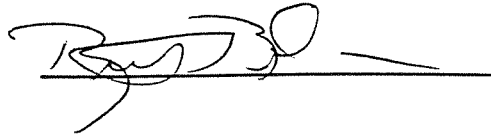
23 William R. Hollifield
24 HOLLIFIELD AND TOLMAN
25 249 Third Avenue East
P.O. Box 66
Twin Falls, Idaho 83303-0066

David B. Lincoln
Scott L. Campbell
ELAM & BURKE
Key Financial Center, 10th Floor
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P.O. Box 1539
Boise, Idaho 83701

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JUL 26 1994

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

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JUL 26 1994