

RECEIVED

MAY 10 1999

WATER RESOURCES
WESTERN REGION

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: **A63-21591**
Date Received: 3/22/1990
Receipt No: C015832
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SIMPLOT LIVESTOCK CO
Address: PO BOX 27
BOISE ID

83707

2. Date of Priority: FEB 1, 1912

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	13		SW	NE		CANYON

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME, S/300 HEAD

10. Place of Use:

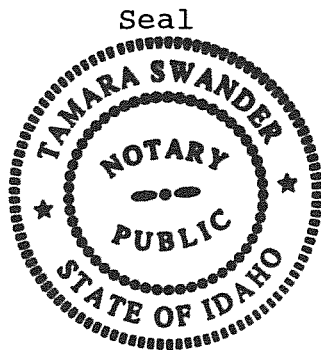
Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	13	SW	NE		DOMEST	
			SW	NE		STOCK	

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 6th day

of MAY 19 99

Tamara Swander
Notary Public



Residing at Emmett

My Commission Expires 4/4/00

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: A63-21591
Date Received: 3/22/90
Receipt No: CO15832
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: FEB 01, 1912

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	04W	13	SW	NE			CANYON

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WELL, PUMP, PIPELINE

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Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
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A.F.A.

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9. Non-irrigation uses:
D/1 HOME, S/300 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	04W	13	NW	NW		DOMEST	
			NW	NW		STOCK	

A63-21591

Page

6/90

*P/U needs
amended to
SWNE - per
map attached
to claim*

MICROFILMED

SEP 03 1992

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:
POINT OF DIVERSION LOCALLY KNOWN AS THE ARTESIAN WELL AT THE
GRIFFITH HOUSE.

15. Basis of Claim: BENEFICIAL USE

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.

Samuel D. Brown
Signature of Authorized Agent

Secretary, Simplot Livestock Co.

Title and Organization

03-21-90

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of March 19 90

Vicki A. Lower
Notary Public

Seal

Residing at Meridian

My Commission Expires 11-06-91

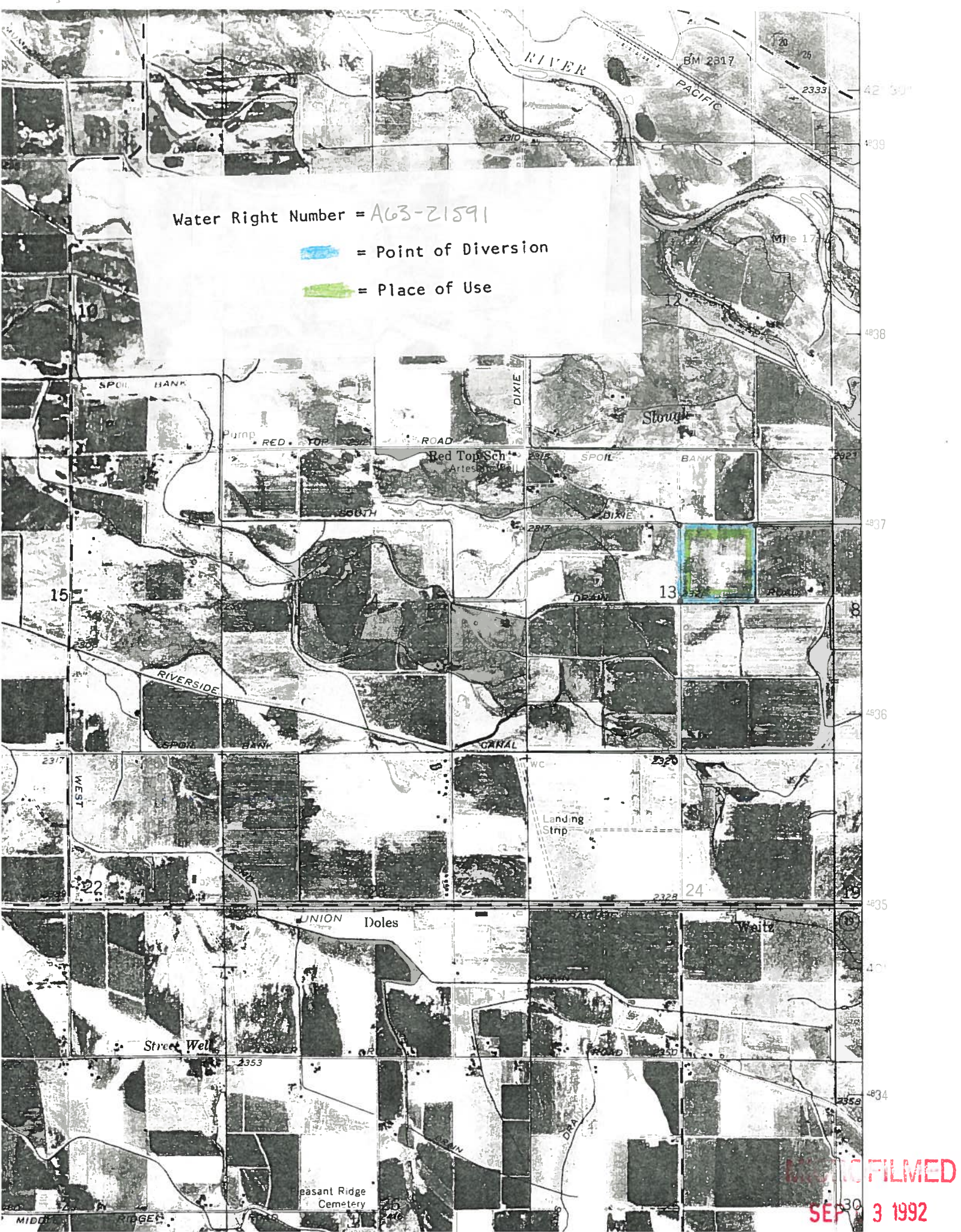
A63-21591

Page 2

Date: 03/16/90

MICROFILMED

SEP 03 1992



Place = Place of Use

SEP 30 3 1992

03/29/2006

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

RIGHT NUMBER: 63-21591

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 02/01/1912

POINT OF DIVERSION:

T04N R04W S13 SWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: STOCKWATER Within CANYON County

T04N R04W S13 SWNE

DOMESTIC Within CANYON County

T04N R04W S13 SWNE

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. 5R04N04W130100

Stockwater use is for 300 range cattle.

Point of diversion known locally as the artesian well at the Griffith House.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-21591

WATER RIGHT NUMBER: 63-21591

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

Current Owner SIMPLOT LIVESTOCK CO ✓
 PO BOX 27 ✓
 BOISE, ID ~~83701~~ 83707 ✓

Priority Date: 02/01/1912 ✓
Basis: Beneficial Use ✓
Status: Active

Source Tributary
GROUND WATER ✓

Beneficial Use From To Diversion Rate Annual Volume
STOCKWATER 1/01 to 12/31 ✓ 0.040 CFS ✓
DOMESTIC ✓ 1/01 to 12/31 ✓ 0.040 CFS ✓
 Total Diversion: 0.040 CFS ✓

Location of Point(s) of Diversion

GROUND WATER SW1/4NE1/4 ✓ Sec. 13, ✓ Twp 04N, ✓ Rge 04W, B.M.
CANYON County ✓

Place of Use

STOCKWATER ✓

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	04W	13	X				

DOMESTIC ✓

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	04W	13	X				

POU-X01 = 1 home
EXP-X02 = 300 hd range cattle
EXP-Parcel No = 5R04N04W130100

gw-meets 42-111 definitely
no evidence req'd
no exam necessary

83707
per claim

300 range cattle

1 home

N11, N13

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-21591

Conditions of Approval:

1. POINT OF DIVERSION LOCALLY KNOWN AS THE ARTESIAN WELL AT THE GRIFFITH HOUSE. ✓

Remarks:

Comments:

Water Supply Bank:

in-office verification
Ray Walker
3/29/2006

REAL PROPERTY INQUIRY

+++++

01 5R36064-010- -0 128-00 G SCH139+ 01 87,200 143.50

+++++ 19 16.50

GRIFFITHS, KENNETH L +

% SIMPLOT FEED LOTS INC +

+

+

+

+

PO BOX 27 +

BOISE +

ID 83707 +

+++++

13-4N-4W NE +

NE 1/4 +

+ TOTAL 87,200 160.00

+++++

+ SURVEY INST

+ DRAIN 6 DR VALUE 1,201.35 APPR MKB

+ CLASS REAP 04 MAN UNIT 0

+ PARCEL 5R04N04W130100 H/O N C/B N

+ PRIOR ACCOUNT 4R36064-010- -0

+ 02 MH on Property NO

DIXIE RIVER RD, CA

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R36064010 0 UNIT 001 TOTAL UNITS

SITE DIXIE RIVER RD CA SEC/TWN/RNG 13-4N-4W

ASSESSED VALUE 87,200 ACREAGE 160.00

SUB/PARK NAME YEAR/MAKE

CLASS NO BUILDING CLASS SPACE LOT BLOCK

+++++

YR BUILT 1965 AIR COND CENTRAL AIR CARPORT N

STORY 1 STORY HEATING OIL CARPORT SQ FT

FIRST SQ FT 1712 EXTERIOR BRICK DECK/PATIO? Y

SECOND SQ FT ROOF WOOD SHINGLES POOL? N

BEDS 3 BSMT SQ FT SPA? N

BATHS 1.50 % BSMT FIN LOT SIZE

FRPLC 0 GARAGE A2 NEIGHBORHOOD 0

GARAGE SQ FT 714

+++++

COMMENTS (1 OF 2) 2 UNITS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-21591

02/03/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-374	Claim	04N	04W	13	SW	NE		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
5036	Claim	04N	04W	13	SW	NE		IRRIGATION	30/999	J R SIMPLOT CO
5037	Claim	04N	04W	13	SW	NE		IRRIGATION	30/999	J R SIMPLOT CO
5038	Claim	04N	04W	13	SW	NE		IRRIGATION	30/999	J R SIMPLOT CO
5039	Claim	04N	04W	13	SW	NE		IRRIGATION	30/999	J R SIMPLOT CO
10034	Claim	04N	04W	13	SW	NE		IRRIGATION	30/959	J R SIMPLOT CO
21734	Claim	04N	04W	13	SW	NE		IRRIGATION	2/317	J R SIMPLOT CO
5036	Water Right	04N	04W	13	SW	NE		IRRIGATION	30/999	J R SIMPLOT CO
5037	Water Right	04N	04W	13	SW	NE		IRRIGATION	30/999	J R SIMPLOT CO
5038	Water Right	04N	04W	13	SW	NE		IRRIGATION	30/999	SIMPLOT LIVESTOCK CO
5039	Water Right	04N	04W	13	SW	NE		IRRIGATION	30/999	J R SIMPLOT CO
21591	Claim	04N	04W	13	SW	NE		STOCKWATER		SIMPLOT LIVESTOCK CO
21591	Claim	04N	04W	13	SW	NE		DOMESTIC		SIMPLOT LIVESTOCK CO

no OL

Receipt Details for ID C015832

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/22/1990 10:21:04 AM	3/22/1990	State	\$1,079.00	Check
Payer		SIMPLOT LIVESTOCK CO.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
18275			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$1,079.00	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	7678		\$90.00	Claim
63	21537		\$121.00	Claim
63	21538		\$65.00	Claim
63	21539		\$65.00	Claim
63	21540		\$65.00	Claim
63	21541		\$117.00	Claim
63	21554		\$25.00	Claim
63	21555		\$54.00	Claim
63	21558		\$25.00	Claim

63	21559	\$96.00	Claim
63	21560	\$25.00	Claim
63	21561	\$81.00	Claim
63	21583	\$25.00	Claim
63	21584	\$25.00	Claim
63	21585	\$25.00	Claim
63	21586	\$25.00	Claim
63	21587	\$25.00	Claim
63	21589	\$25.00	Claim
63	21590	\$25.00	Claim
63	21591	\$25.00	Claim
63	21595	\$25.00	Claim
63	21596	\$25.00	Claim
63	7678	\$90.00	Claim
63	21537	\$121.00	Claim
63	21538	\$65.00	Claim
63	21539	\$65.00	Claim
63	21540	\$65.00	Claim
63	21541	\$117.00	Claim
63	21554	\$25.00	Claim
63	21555	\$54.00	Claim
63	21558	\$25.00	Claim
63	21559	\$96.00	Claim
63	21560	\$25.00	Claim
63	21561	\$81.00	Claim
63	21583	\$25.00	Claim
63	21584	\$25.00	Claim
63	21585	\$25.00	Claim

ok

AJ0749NP
No. R63-21591

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/10/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SIMPLOT LIVESTOCK CO PO BOX 27 BOISE ID 83707	02/01/1912	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.04 CFS 0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER Tributary to: Stage: BENEFICIAL USE
Point(s) of Diversion: T04N R04W S13 SWNE CANYON County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
04N	04W	13	:			S		:					:					:					:

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
04N	04W	13	:			D		:					:					:					:

POU County: CANYON

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER, 300 RANGE CATTLE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R63-21591

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/10/99
PAGE: 2

=====
Comments: Date: 03/15/1994 User-ID: DUNN1 Subject: COPIED FROM REMARKS
POINT OF DIVERSION LOCALLY KNOWN AS THE ARTESIAN WELL AT THE
GRIFFITH HOUSE.

Date: 09/09/1997 User-ID: CORR1 Subject: COPIED FROM REMARKS
PARCEL NO. 4R36070-000
STOCKWATER, 300 HEAD

Audit: 05/10/99 LHARRIS



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

RECEIVED
MAY 10 1999
WATER RESOURCES
WESTERN REGION

May 7, 1999

Lori Harris
State of Idaho
Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Re: SRBA Claim Nos. 63-21591 and 63-21592.

Dear Lori:

Enclosed for filing are amendments for each of the above claims. Should you need any additional information to complete these amendments please contact me. My phone number is 389-7359.

Sincerely,

Vic Conrad
Simplot Land and Development

Enclosures

AJ5809NP
No. R63-21591

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/22/98
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SIMPLOT LIVESTOCK CO PO BOX 27 BOISE ID 83707	02/01/1912	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.04 CFS 0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T04N R04W S13

SWNE

CANYON County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
---	---	---		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
04N	04W	13	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
---	---	---		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
04N	04W	13	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	

POU County: CANYON

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. ~~4R36070-000~~
STOCKWATER, 300, HEAD

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/15/1994 User-ID: DUNN1 Subject: COPIED FROM REMARKS

Hold for more info. From Vic Conrad, see attached letter.

AJ5809NP
No. R63-21591

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/22/98
PAGE: 10

=====

Comments: Date: 03/15/1994 User-ID: DUNN1 Subject: COPIED FROM REMARKS
POINT OF DIVERSION LOCALLY KNOWN AS THE ARTESIAN WELL AT THE
GRIFFITH HOUSE.

Deleted Date: 09/09/1997 User-ID: CORR1 Subject: COPIED FROM REMARKS
PARCEL NO. 4R36070-000
STOCKWATER, 300 HEAD

Audit: 03/10/94 DUNN1 03/15/94 DUNN1 03/30/95 POST-STD 08/15/97 AJU3-DSH
09/03/97 CORR3 09/09/97 CORR1



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

November 15, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

J. R. Simplot Co.
Vic Conrad
Land & Development Department
P.O. Box 27
Boise, ID 83707

Dear Vic:

Enclosed are the two claims I spoke to you about that may need to be amended.

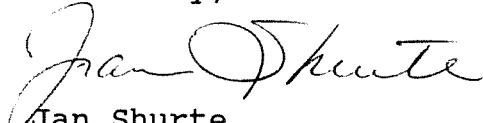
Claim No. A63-21591 definitely looks like the legal on the place of use was typed in incorrectly. The point of diversion shows the SWNE, Sec. 13 and the map shows the SWNE, Sec. 13 for both the point of diversion and place of use. I highlighted the map the same way as the original was submitted.

Claim No. A63-21592 does show the NWNW, Sec. 13 for both the point of diversion and place of use and the map also shows the NWNW, Sec. 13 highlighted. However, you checked all of Simplot's land in Sec. 13 and found none is owned in the N1/2 NW1/4. A copy of your fax to us is enclosed.

Please review these claims and if you feel these need to be amended, just mark out the incorrect quarter-quarter and show the correct quarter-quarter. You will need to sign and date any changes made and indicate that you have the authority as an authorized agent of the J.R. Simplot Co. to sign. This can be by putting your title after your signature. Then return the claims to this office and the changes will be made.

If you have any questions concerning this letter on these claims, please feel free to call.

Sincerely,


Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh

Enclosures

MICROFILMED
OCT 09 1996

11-8-94
MEMO

TO: DON SHAFF

FROM: JAN SHURTE

SUBJECT: ATTACHED MEMO FROM LORI HARRIS & VIC CONRAD

This one is very complicated. Please read Lori's memo and then Vic Conrad's memo concerning ownerships. Then read on in my memo here as to what I feel the problem may be.

We have found that Simplot does not own any land in the N1/2NW1/4 of Section 13. So, Claim No's A63-21591 & A63-21592 are incorrectly claimed.

A63-21591 - When we proofread the map that was submitted with the claim it shows that the point of diversion and place of use should be in the SWNE, Sec. 13. The place of use was in fact incorrectly typed on the claim form as being in the NWNW - the p.d. shows the SWNE. This could have been caught if the claim file had been proofread as a part of the claim verification. The change of ownership letter was sent to Walgamott who does own property in the NWNW and filed Claim No. A63-26694 for it. Vic Conrad has said he will amend Simplot's claim.

A63-21592 - This is the one that triggered the problems found. The change of ownership letter was sent to Winters who do own a piece of property in the NWNW, S. 13 and that they did claim under Claim No. A63-23972. They have since sold this property to McGoldricks and submitted a change of ownership to make that change. However, they submitted the change of ownership on A63-21592 not A63-23972 due to the letter sent out. My question is: How did the contractor determine that some land in the NWNW, S. 13 had been sold to Winters from Simplot. The Winters do own land in the NWNW but I can't imagine that the contractor just picks a name in that 1/41/4 as the new owner unless they can somehow trace it back to the owner on the claim. Since Simplot's claim is wrong and they don't own anything in the NWNW, S. 13 I am wondering how that was determined. The same thing happened on the claim listed above - Claim No. A63-21591. A Change of Ownership letter was sent to Walgamotts who do own land in the NWNW, S. 13. However, Walgamotts also called in to say they never have bought anything from Simplot's and then we find out the legal on Simplot's claim is wrong.

So, the problem is someone may have done the ownership change on this claim based on the legal description along with the contractor's letter. What I would like to have seen happen is that the contractor realized that the legal description may be wrong because Simplot was not listed previously as the owner of the property at the County and it was actually checked out before verification. The one mistake on the legal description on A63-21591 could have been caught through proofreading.

The other problem is with the parcel numbers. The contractor recommended the Simplots claims with the new owner's parcel numbers. These new owners are the ones he somehow verified at the county and

MICROFILMED
OCT 09 1996

that we sent the letter out to. Note: On A63-21591 the parcel number recommended was 4R36070-000 which is the same parcel number recommended on Wagamott's claim no. A63-26694 - 1R36070-000-0. The 4R and the 1R differences is the year differences. Spoke to the County Assessor and they say that 4R is 1994's owner and 1R is 1991's owner for the same parcel number. So, it looks like the contractor is putting the new owners parcel numbers on these claims before the ownership changes are done and in a lot of these we find out that the new owners are not owners at all(many call in on the hotline and note they have never purchased any property from the people listed on the claim).

Note: We will use the change of ownership form sent in for A63-21592 by Estelle Winters to change her actual Claim No. A63-23972 and proceed to have Vic Conrad amend A63-21591 and check out A63-21592 to see what the correct legal is. Then we will return to Ken Dunn to reverifiy A63-21591 & A63-21592.

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MEMO

OCTOBER 18, 1994

RE: OWNERSHIP CHANGE NOTICES

TO: JAN SHURTE & DON SHAFF

FROM: LORI HARRIS

ON 10/12/94 I RECEIVED THE NOTICE OF CHANGE OF OWNERSHIP FOR CLAIM NO. A63-21592 ESTELLA WINTERS TO JERRY & RHONDA MC GOLDRICK. WHEN I PULLED THE FILE TO REVIEW THE CHANGE, I FOUND THAT THIS CLAIM WAS IN THE NAME OF J.R. SIMPLOT CO. I QUERIED THE DATA BASE FOR THE NAME OF ESTELLA WINTERS AND FOUND THAT SHE HAS CLAIM NO. A63-23972 WHICH IS LOCATED IN THE SAME LEGAL DESCRIPTION AS A63-21592. SINCE IT IS UNUSUAL FOR SIMPLOT CO. TO SELL SMALL PARCELS, I LOOKED THROUGH THE OWNERSHIP CHANGE LETTERS SENT TO US BY THE S.O. WHICH HAVE NOTES WRITTEN ON THEM DUE TO PHONE CONVERSATIONS BETWEEN ONE OF THE CLAIMANTS ON THE LETTER AND THE S.O. I FOUND A COPY OF THE LETTER FOR A63-21592 NOTING THAT ESTELLA WINTERS SAID SHE DOES NOT KNOW CARL WINTERS (PARTY THE LETTER WAS SENT TO) NOR HAS SHE PURCHASED ANY PROPERTY FROM SIMPLOT CO. WHEN I FOUND THIS LETTER I ALSO FOUND ONE FOR CLAIM NO. A63-21591 TO RICHARD WALGAMOTT NOTING ALSO THAT THEY HAVE NOT PURCHASED ANYTHING FROM SIMPLOT CO.

I HAVE SPOKE WITH VIC CONRAD OF J.R. SIMPLOT CO. REGARDING THESE CLAIMS. HE IS GOING TO VERIFY THE PARCEL NUMBERS FOR US TO COMPARE TO THE PARCEL NUMBERS THAT KEN DUNN HAS ON THE PROOF REPORTS. THE PURPOSE FOR VERIFYING THE PARCEL NUMBERS IS TO MAKE SURE THAT KEN DUNN DID NOT LIST WINTER'S PARCEL NUMBER ON A CLAIM THAT SIMPLOT ACTUALLY STILL OWNS. SAME SITUATION WITH WALGAMOTT.

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J. R. SIMPLOT COMPANY**LAND AND DEVELOPMENT DEPARTMENT****P.O. BOX 27, BOISE, ID 83707 / 14th Floor, 999 Main St., Boise, ID 83702****FAX: (208)389-7333, 389-7290 OR 389-7515****TELECOPIER COVER LETTER**Transmittal Time: **08:33 AM**

To: Lori Harrls	FAX NO.: 334-2348	Direct Dial Number 334-2190
Company: IDWR - Western	Location: Airport Way	Date: 10/24/94
From: Vic Conrad	Direct Dial Number: (208) 389-7359	Total Pages including cover letter: 1

If you do not receive all of the pages, please call back as soon as possible.
 Ricoh 35 at 389-7333 / Ricoh 20 E at 389-7290 / Canon L770 at 389-7515

Message: As you requested, the following Canyon County parcel numbers are owned by the J. R. Simplot Company and/or Simplot Livestock Co. in Section 13 Twp. 4N Rng. 4W:

R36057
 R36064
 R36064010
 R36065
 R36066
 R36068

I show this to include all of Section 13 except for the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the south 104 feet of the Section (for the Riverside Canal)

Please let me know if you need anything else in connection with our ownership.

Vic

*SIMPLOT DOES NOT OWN
 ANYTHING IN THE
 N $\frac{1}{2}$ NW $\frac{1}{4}$ PER
 VIC CONRAD
 11-1-94*

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State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

RICHARD C WALGAMOTT
21880 DIXIE RIVER RD
CALDWELL ID 83604

*9/16 Ms. Walgamott cld. hasn't
purchased any property from
Simplot - been there 20+ years.
Call if need to take further
action. 459-6794 home
459-1243 work*

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MAILING DATE: SEPT. 14, 1994

RESPONSE DATE: SEPT. 30, 1994

RE: NOTICE OF CLAIM NO[S]: A63-21591

Dear Claimant(s):

RECEIVED

OCT 06 1994

WATER RESOURCES
WESTERN REGION

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim number(s) referenced above. IDWR records currently show the following name and address for the owner of the claim(s) listed:

J R SIMPLOT LIVESTOCK CO
PO BOX 27
BOISE ID 83707

If, however, the persons(s) at the top of this letter own(s) the property and the water rights on the property, please complete the enclosed Change in Ownership/Address form, as appropriate, to correct our records. A copy of this letter has been mailed without the form to the apparent former owner shown in the middle of this letter.

Your response must be received in this office by the **Response Date** indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown in the middle of this letter. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129 or the nearest IDWR Regional office.

Sincerely,

ADJUDICATION SECTION

dms:state:region
Enclosure: Change of Ownership/Address Form

7/94

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OCT 09 1996



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

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AUG 28 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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AUG 28 1994

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



RECEIVED
APR 14 1994
Department of Water Resources

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

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

April 6, 1994

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

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

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

Dear Mr. Young and Mr. Uhling:

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

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

Sincerely,

Diana R. Delaney
Chief Deputy Clerk

DRD

Enclosure

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

MICROFILMED
AUG 28 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 - 12 PM 12:52
DISTRICT COURT - SRPA
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,)

22 Petitioner,)

23 v.)

NOTICE OF WITHDRAWAL
OF COUNSEL

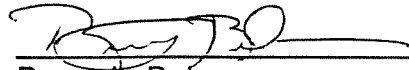
24 The United States; the State of)
25 Idaho; and all claimants to the)
26 use of water from the Snake)
27 River Basin Water System,)

28 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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AUG 28 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
YTURRI, ROSE, BURNHAM,
BENTZ & HELFRICH
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Fruitland, Idaho 83619

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Idaho Falls, Idaho 83405

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RACINE, OLSON, NYE,
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201 East Center, Suite 2A
P.O. Box 1391
Pocatello, Idaho 83204-1391

Randall C. Fredricks
COSHO, HUMPHREY, GREENER &
WELSH, P.A.
Carnegie Building
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Boise, Idaho 83702

Rebecca Craven
Deputy Counsel
Robert T. Anderson
Staff Attorney
Nez Perce Tribal Executive
Committee
Office of Legal Counsel
P.O. Box 305
Lapwai, Idaho 83540-0305

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Jeffrey C. Fereday
Michael C. Creamer
Christopher H. Meyer
Roy L. Eiguren
GIVENS, PURSLEY, & HUNTLEY
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Boise, Idaho 83701

1 Richard A. Cummings
2 MEULEMAN, MILLER, STROTHER &
3 CUMMINGS
4 960 Broadway, Suite 400
5 P.O. Box 955
6 Boise, Idaho 83701

5 John D. Hansen
6 HANSEN, BEARD, ST. CLAIR,
7 PETERSON & SULLIVAN,
8 CHARTERED
9 683 North Capital Avenue
10 P.O. Box 51718
11 Idaho Falls, Idaho 83402-1718

10 HEPWORTH, NUNGESTER &
11 LEZAMIZ, CHARTERED
12 133 Shoshone Street North
13 P.O. Box 389
14 Twin Falls, Idaho 83303-0389

13 Cecil D. Hobdey
14 HOBDEY & HOBDEY
15 Attorneys at Law
16 125 Fifth Avenue West
17 P.O. Box 176
18 Gooding, Idaho 83330

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

23 William R. Hollifield
24 HOLLIFIELD AND TOLMAN
25 249 Third Avenue East
26 P.O. Box 66
27 Twin Falls, Idaho 83303-0066

Blair J. Grover
Grover Law office, Chartered
102 North Clark
P.O. Box 36
Rigby, Idaho 83442-0036

Roger D. Ling
LING, NIELSEN & ROBINSON
615 H Street
P.O. Box 396
Rupert, Idaho 83350

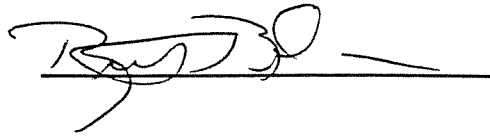
J. Dee May
MAY & MAY LAW OFFICES
516 Second Street East
P.O. Box 1846
Twin Falls, Idaho 83303

Don A. Olowinski
Albert P. Barker
Richard B. Burleigh
HAWLEY, TROXELL, ENNIS & HAWLEY
877 West Main Street
P.O. Box 1617
Boise, Idaho 83701

Bert L. Osborn
26 South Ninth Street
P.O. Box 158
Payette, Idaho 83661

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

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

5 
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7 5500v
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AUG 28 1994

WATER RIGHT NUMBER - A63-21591

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
SIMPLLOT LIVESTOCK CO.

1 - P.O. BOX 27
2 -
3 -
CITY- BOISE STATE- ID ZIP- 83707
PHONE - 208-000-0000

*** K - ALSO KNOWN AS ***
SIMPLLOT

1 -
2 -
3 -
CITY- BOISE STATE- ID ZIP- 83707
PHONE - 208-000-0000

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
02/01/1912 14 WESTERN J - BENEFICIAL USE

+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER

POINT OF DIVERSION							STREAM INDEX (BLANK IF NO INDEX CODE)
TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	
04N	04W	13	SW NE			(27) CANYON	

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
43 - DOMESTIC		01/01	12/31	0.040	
04 - STOCKWATER		01/01	12/31	0.040	

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040

PLACE OF USE							DESCRIPTION	COUNTY
TWN	RNG	SEC	TRACT	LOT	ACRES	CODE		
04N	04W	13	NW NW			04	STOCKWATER	(27) CANYON
04N	04W	13	NW NW			43	DOMESTIC	(27) CANYON

+ - - DIVERSION MEANS - WELL, PUMP, PIPELINE

+ - - NON-IRRIGATION USE - 0/1 HOME, S/300 HEAD

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +
POINT OF DIVERSION LOCALLY KNOWN AS THE ARTESIAN WELL AT THE GRIFFITH HOUSE.

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001 09 1991

WATER RIGHT NUMBER - A63-21591

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.
+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.
+ - - - - DECREE PLAINTIFF - - - - + - - - - DECREE DEFENDANT - - - - + - - - - DECREE DATE - +
00/00/0000
+ - - - - AUDIT FIELDS - 03/23/90 PEPPERSA
+ - - - - COMMENTS - - - - - +
NO COMMENTS FOUND
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 03/22/1990	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- C015832	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR		

4R36070-000

21880 DIXIE RIVER Rd Ca

CHANGE OF OWNERSHIP
LETTER SENT 9-14-94

WALGAMOTT - Richard C
21880 DIXIE RIVER Rd
Caldwell, 83604

DATA ENTRY

ENTERED 3-15-94/AS

CHECKED 5-20-94

"Verified By"
Topo Map/Ortho-PQ
Aerial Map
Watermaster Records
Aerial Photos
Field Notes
Court (see Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 09 1994

CERTIFIED
FEB 18 1994
WATER EXAMINER

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OCT 09 1996