

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 63-8352
Date Received: 4/18/1990
Receipt No: C016376
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

W/T LAND AND CATTLE INC Phone: (208) 454-8239
PO BOX 209
NOTUS ID USA 83656

2. Date of Priority: 08/10/1976

3. Source: SOUTH DRAIN Trib. to: DIXIE SLOUGH

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
04N	04W	9	SW	SE	CANYON	

5. Description of diverting works:

2 PUMPS IN OPEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	2.4	720

7. Total Quantity Appropriated is:
2.4 C.F.S. and/or 720 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04W	9	SE	SE	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			SW	SE	IRRIGATION	40
Section Acres						160
Total Acres						160

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:

14. Remarks:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

15. Basis of Claim: License

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

RECEIVED

AUG 10 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPARTMENT OF
WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
63-4688 B					
63-2070 B					
63-222 J					
63-8352					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

JR Simplot Co.
P.O. Box 27 Boise, ID 83707

4. New Owner/Claimant(s)

W/T Land & Cattle Inc.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 209

City, State and ZIP Code

Nodus, ID 83656

New Telephone Number

(208) 454-8239

5. Date you acquired the property

8/29/03

See
attachment

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Carl Cherry President
W/T Land & Cattle Inc.

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee <u>0 - pending in SRBA</u>
Receipted by <u>N/A</u>	Date _____	Receipt No. _____
Processed by <u>EW</u>	AJ Date <u>8/17/06</u>	WR _____ Date _____

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: A63-08352
Date Received: 4/18/90
Receipt No: C016376
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. R. SIMPLOT COMPANY
Address: P.O. BOX 27
BOISE, ID

83707

2. Date of Priority: AUG 10, 1976

3. Source: SOUTH DRAIN

Trib. to: DIXIE SLOUGH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	9	SW	SE			CANYON

5. Description of diverting works:
2 PUMPS IN OPEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.400		720.00

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) 720.00 A.F.A.

8. Total consumptive use is 560.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	9	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	40.0

A63-08352

Page 1

Date: 04/09/90

MICROFILMED
AUG 24 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	9	SE	SE		IRR	40.0
Section Acres							160.0
Total Acres							160.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

A63-00222J, A63-02070B, POOR BOY DITCH COMPANY

14. Remarks:

15. Basis of Claim: LICENSE

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 ☒ 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

J. R. Simplot Company, that I have signed the foregoing
Organization
document in the space below as Secretary of
Title

J. R. Simplot Company and that the statements contained in the
Organization
foregoing document are true and correct.


Signature of Authorized Agent

Secretary, J. R. Simplot Company
Title and Organization

04-17-90

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17th day

of April 19 90

Vicki A. Lowe
Notary Public

Seal

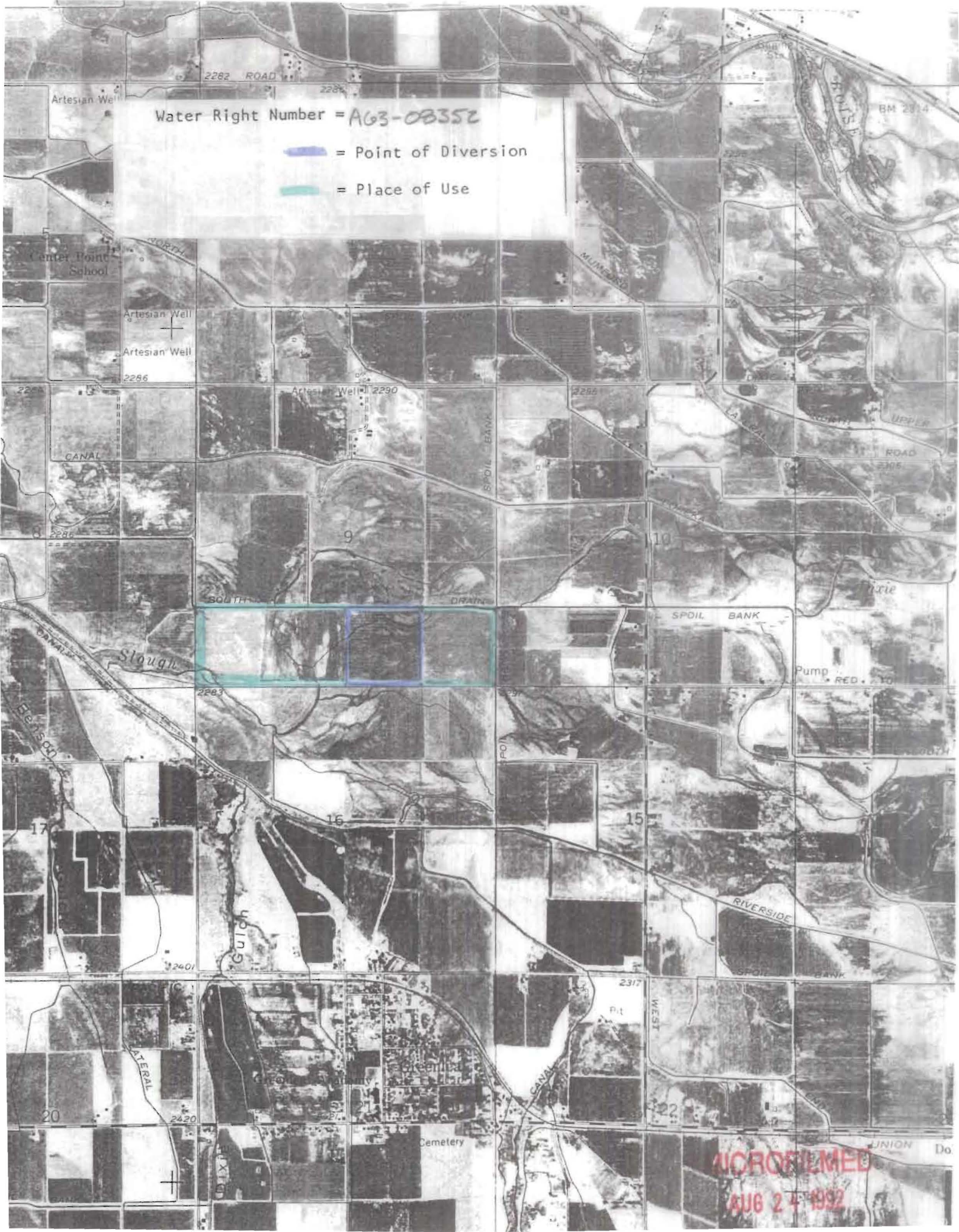
Residing at Meridian

My Commission Expires 11-06-91

Water Right Number = A63-08352

 = Point of Diversion

 = Place of Use



12/10/2006

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

RIGHT NUMBER: 63-8352

NAME AND ADDRESS: W/T LAND AND CATTLE INC
PO BOX 209
NOTUS ID 83656

SOURCE: SOUTH DRAIN

TRIBUTARY: DIXIE SLOUGH

QUANTITY: 2.400 CFS
720.00 AFY

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

PRIORITY DATE: 08/10/1976

POINT OF
DIVERSION: T04N R04W S9 SWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.400 CFS 720.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late 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 R04W S09	SWSW	40.00	T04N R04W S09	SESW	40.00
T04N R04W S09	SWSE	40.00	T04N R04W S09	SESE	40.00

160 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

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

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-8352

W/T LAND AND CATTLE INC

PO BOX 209

NOTUS ID 83656

Telephone Number: (208) 454-8239

RECEIVED

NOV 08 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity
Purpose & Period of use

2. Describe the changes you wish to make in the proposed recommendation:

Under Both should be 720.00 A.F.A
Not 720.00 AFY

3. Give a brief explanation as to why you disagree with these portions:

Per Civil case # 39576

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

10/31/06

SIGNATURE:

Todd Cheney President

Please print your name:

Todd Cheney

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

no changes
made
✓ KW

09/29/2006

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

RIGHT NUMBER: 63-8352

NAME AND ADDRESS: W/T LAND AND CATTLE INC
PO BOX 209
NOTUS ID 83656

SOURCE: SOUTH DRAIN

TRIBUTARY: DIXIE SLOUGH

QUANTITY: 2.400 CFS
720.00 AFY

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

PRIORITY DATE: 08/10/1976

POINT OF DIVERSION:
T04N R04W S9 SWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.400 CFS 720.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late 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 R04W S09	SWSW	40.00	T04N R04W S09	SESW	40.00
T04N R04W S09	SWSE	40.00	T04N R04W S09	SESE	40.00

160 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 point of diversion pursuant to Section 42-1425, Idaho Code.

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

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

08/17/2006

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

RIGHT NUMBER: 63-8352

NAME AND ADDRESS: W/T LAND AND CATTLE INC
PO BOX 209
NOTUS ID 83656

SOURCE: SOUTH DRAIN

TRIBUTARY: DIXIE SLOUGH

QUANTITY: 2.400 CFS
720.000 AFY

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

PRIORITY DATE: 08/10/1976

POINT OF DIVERSION:

T04N R04W S9 SWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.400 CFS 720.00 AFY
The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late 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 R04W S09	SWSW	40.00	T04N R04W S09	SESW	40.00
T04N R04W S09	SWSE	40.00	T04N R04W S09	SESE	40.00

160 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

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

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

*✓ sk - topo X4
KW
10/14/06*



Idaho Department of Water Resources

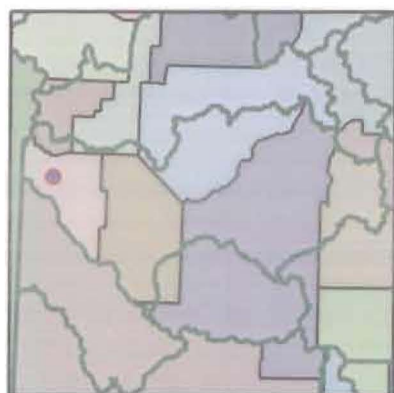
SRBA Recommendation:

63-8352

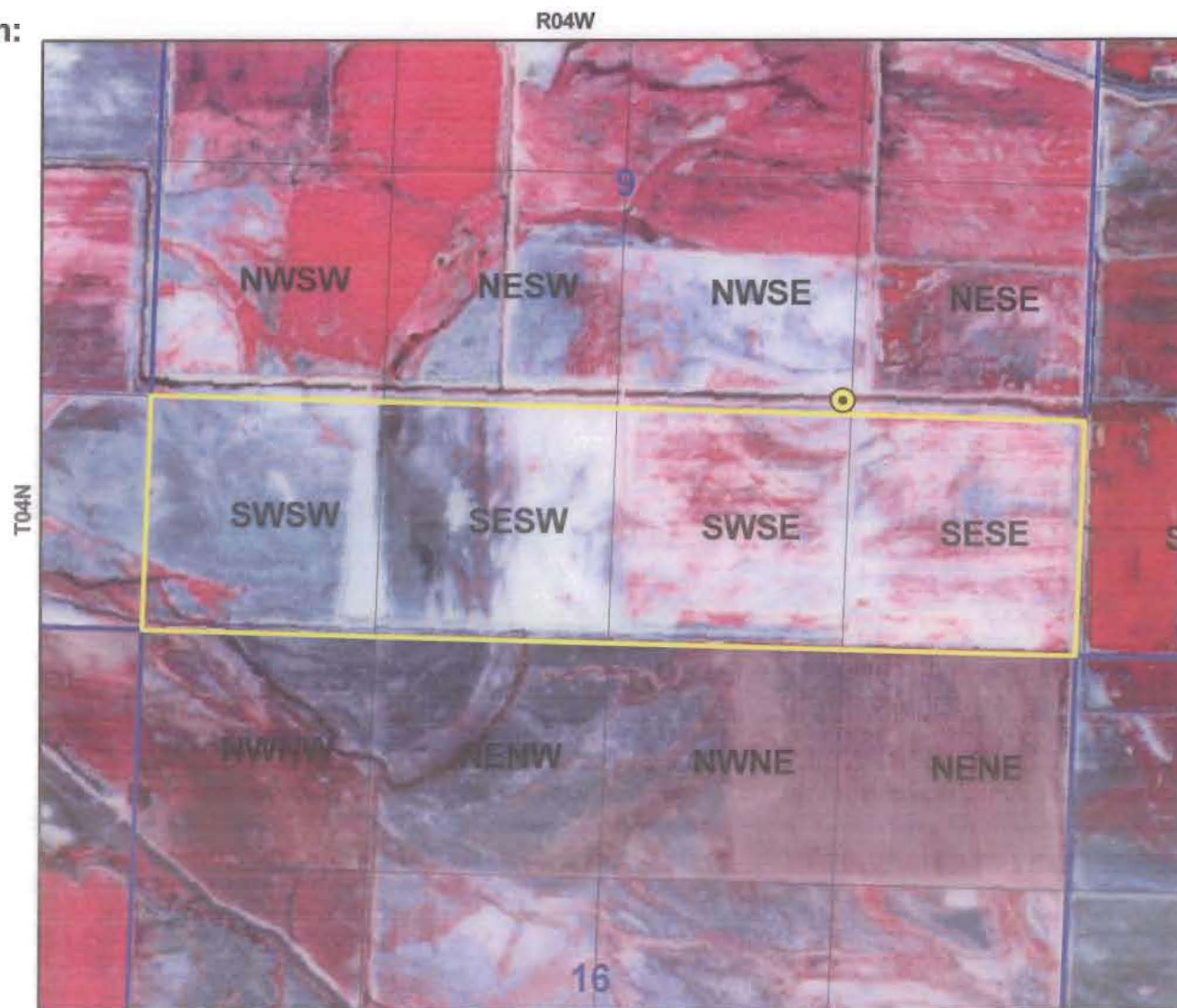
Acres = 160

Legend

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



Canyon County
IDWR Basin 63



0 0.4 0.8 Miles

Prepared by K. Walker
On Wednesday, May 10, 2006
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

August 18, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

W/T LAND AND CATTLE INC
PO BOX 209
NOTUS ID 83656

RE: Notice of Claims to Water Right Nos. 63-4688B, 63-2070B, 63-222J and
63-8352

Dear Claimants:

We have processed the change in ownership for the above referenced Notices of Claims. Enclosed are copies of the Claims for your files.

If your mailing address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your water rights. If you have any questions concerning this matter, please do not hesitate to contact me at (208) 287-4953.

Sincerely,


KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

July 26, 2006

~~March 23, 2006~~

resent kw

JAMES E. RISCH
Governor

KARL J. DREHER
Director

W / T LAND & CATTLE INC
ATTN: TODD CHENEY
PO BOX 209
NOTUS ID 83656

RE: Notice of Claims to Water Rights Nos. 63-4688B, 63-2070B, 63-222J and
63-8352

Gentlemen:

We are currently preparing the above referenced Notices of Claims for a Director's Report in the Snake River Basin Adjudication (SRBA). These claims were submitted by J. R. Simplot Company for use of water in Section 9, Twp. 4N, Rge. 4W, Canyon County. In a phone conversation with Vic Conrad, of Simplot, and in review of Canyon County tax lot information for this area, we found that you may be the current owner of the lands under these claims. I am enclosing claim reports of these records for your convenience. If you are the owner of this property, please complete the enclosed Change in Ownership form, as appropriate, to correct our records. Please submit a copy of a deed indicating your ownership as described in the instructions attached to the form. We are attempting to get the recommendations for Canyon County done by this summer and your assistance in the matter would be greatly appreciated.

Also enclosed is a layout of the NE1/4, Sec. 9, Twp. 4N, Rge. 4W that we need you to locate the domestic well and place of use location of the home that is claimed under 63-4688B. Please draw these features on the map and return it with the change in ownership form.

If no response is received from you within the next 3 weeks, all further legal notices concerning these claims will be sent to the Simplot Company as claimants of record. Should you have any questions, or feel that you need assistance, please contact me at (208) 287-4953.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

05/10/2006

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

RIGHT NUMBER: 63-8352

NAME AND ADDRESS: J R SIMPLOT CO
C/O RON GRAVES
999 MAIN ST STE 1300
PO BOX 27
BOISE ID 83707

SOURCE: SOUTH DRAIN

TRIBUTARY: DIXIE SLOUGH

QUANTITY: 2.400 CFS
720.000 AFY

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

PRIORITY DATE: 08/10/1976

POINT OF DIVERSION:

T04N R04W S9 SWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.400 CFS 720.00 AFY
The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late 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 R04W S09	SWSW	40.00	T04N R04W S09	SESW	40.00
T04N R04W S09	SWSE	40.00	T04N R04W S09	SESE	40.00

160 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 point of diversion pursuant to Section 42-1425, Idaho Code.

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

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8352

WATER RIGHT NUMBER: 63-8352

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARTHUR H VAN WYK VAN RANCH RT 2 CALDWELL, ID 83605
Current Owner	CORA VAN WYK VAN RANCH RT 2 CALDWELL, ID 83605

Priority Date: 08/10/1976

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.400 CFS	720.00 AF
	<u>Total Diversion:</u>	2.400 CFS	720.00 AF

Location of Point(s) of Diversion

SOUTH DRAIN	SW 1/4 SE 1/4	Sec. 9, Twp 04N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	04W	9									40.0	40.0	40.0			40.0		160.0	

Total Acres: 160

Conditions of Approval:

- 001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8352

02/02/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
8352	Claim	04N	04W	9	SW	SW		IRRIGATION	40/160	J R SIMPLOT CO
20676	Claim	04N	04W	9	SW	SW		IRRIGATION	40/522.5	POOR BOY DITCH ✓
222H	Water Right	04N	04W	9	SW	SW		IRRIGATION		W A BLACK
-345	Water Right	04N	04W	9	SW	SW		IRRIGATION		EVERETT B SPERRY
8352	Water Right	04N	04W	9	SW	SW		IRRIGATION	40/160	ARTHUR H VAN WYK
8352	Claim	04N	04W	9	SE	SW		IRRIGATION	40/160	J R SIMPLOT CO
20676	Claim	04N	04W	9	SE	SW		IRRIGATION	40/522.5	POOR BOY DITCH ✓
222H	Water Right	04N	04W	9	SE	SW		IRRIGATION		W A BLACK
-345	Water Right	04N	04W	9	SE	SW		IRRIGATION		EVERETT B SPERRY
8352	Water Right	04N	04W	9	SE	SW		IRRIGATION	40/160	ARTHUR H VAN WYK
8352	Claim	04N	04W	9	SW	SE		IRRIGATION	40/160	J R SIMPLOT CO
20676	Claim	04N	04W	9	SW	SE		IRRIGATION	40/522.5	POOR BOY DITCH ✓
222H	Water Right	04N	04W	9	SW	SE		IRRIGATION		W A BLACK
-345	Water Right	04N	04W	9	SW	SE		IRRIGATION		EVERETT B SPERRY
8352	Water Right	04N	04W	9	SW	SE		IRRIGATION	40/160	ARTHUR H VAN WYK
8352	Claim	04N	04W	9	SE	SE		IRRIGATION	40/160	J R SIMPLOT CO
20676	Claim	04N	04W	9	SE	SE		IRRIGATION	40/522.5	POOR BOY DITCH ✓
222H	Water Right	04N	04W	9	SE	SE		IRRIGATION		W A BLACK
-345	Water Right	04N	04W	9	SE	SE		IRRIGATION		EVERETT B SPERRY

source = Poor Boy Ditch
Not claimed in SRBA

OL w/63-20676 - Poor Boy Ditch

63-222H → claimed as 63-222J. No overlap



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

March 23, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

W / T LAND & CATTLE INC
PO BOX 209
NOTUS ID 83656

RE: Notice of Claims to Water Rights Nos. 63-4688B, 63-2070B, 63-222J and
63-8352

Gentlemen:

We are currently preparing the above referenced Notices of Claims for a Director's Report in the Snake River Basin Adjudication (SRBA). These claims were submitted by J. R. Simplot Company for use of water in Section 9, Twp. 4N, Rge. 4W, Canyon County. In a phone conversation with Vic Conrad, of Simplot, and in review of Canyon County tax lot information for this area, we found that you may be the current owner of the lands under these claims. I am enclosing claim reports of these records for your convenience. If you are the owner of this property, please complete the enclosed Change in Ownership form, as appropriate, to correct our records. Please submit a copy of a deed indicating your ownership as described in the instructions attached to the form. We are attempting to get the recommendations for Canyon County done by this summer and your assistance in the matter would be greatly appreciated.

Also enclosed is a layout of the NE1/4, Sec. 9, Twp. 4N, Rge. 4W that we need you to locate the domestic well and place of use location of the home that is claimed under 63-4688B. Please draw these features on the map and return it with the change in ownership form.

If no response is received from you within the next 3 weeks, all further legal notices concerning these claims will be sent to the Simplot Company as claimants of record. Should you have any questions, or feel that you need assistance, please contact me at (208) 287-4953.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

*no response to
this letter -
Recommended as
claimed.
KW
5/10/06*

Receipt Details for ID C016376

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/18/1990 2:40:06 PM	4/18/1990	State	\$815.00	Check
Payer		J. R. SIMPLOT COMPANY		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
063029			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$815.00	ADJUDICATION FEE	410162	9337	00		6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	222	J	\$530.00	Claim
63	2070	B	\$50.00	Claim
63	4688		\$25.00	Claim
63	8352		\$210.00	Claim

OK

Print Report

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. Priority August 10, 1976 Amount 2.40 cfs

THIS IS TO CERTIFY, that ARTHUR H. &/or CORA VAN WYK
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-8352 issued pursuant to Application for Permit dated August 10, 1976,
and has submitted proof to the Department of Water Resources on September 15, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.40 cfs of water from South Drain,
tributary to Dixie Slough, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>April 1</u> to <u>Oct. 31</u> at <u>2.40</u> cfs and			<u>720 acre feet or</u>
			<u>4.5 af per acre</u>
from to at cfs and			
from to at cfs and			

(both dates inclusive)

Subject, however, to the condition that no more than 2.40 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
720 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9,
Twp. 4 N, Rge. 4 W, B. M. in the County of Canyon

Description and location of place of use:

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	4 W	9									40	40	40				40		160

Total number of acres irrigated 160

A measuring device of a type approved by the Director shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15 day of
November, 19 76.


Director

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1. Name of permit holder Arthur H. &/or Cora Van Wyk
- Post office address Route 2 Caldwell, ID c/o Vans Ranch Phone 459-3838
- Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ South Drain trib. Dixie Slough
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 4.0 c.f.s. for Irrigation
 AF/Annum (nature of use)

Period of Use: from 4-1 to 10-31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 4.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 4N N/S, Range 4W E/W, B.M., Section 9, Subdivision SE $\frac{1}{4}$ SE $\frac{1}{4}$, Canyon
County

Township 4N N/S, Range 4W E/W, B.M., Section 9, Subdivision. SW 1/4 SE 1/4, _____
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions:

Description of diverting works: Two 10-hp pumps into open ditch

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

160
~~200~~

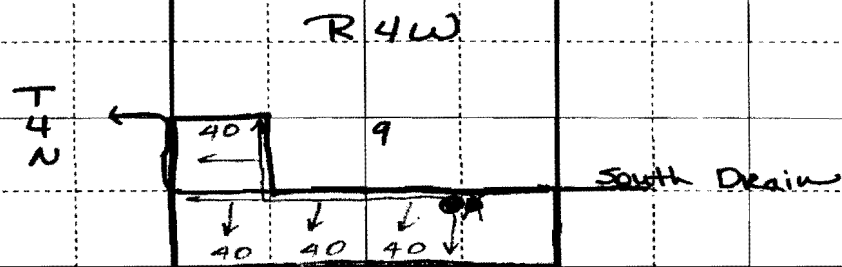


Diagram of System

DATE OF EXAM 10/6/76

ACREAGE
Found 160
Recommended 160

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 2.39 c.f.s. V = 720 AF/Ann. from 4/1 to 10/31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 2.39 cfs Method of measurement Rect. weir

Total Q recommended 2.39 cfs Meter No. _____ Type _____ Condition operational

Total V recommended 720

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None None

MEASUREMENT CALCULATION:
Rect. weir 18" flowing at .65 ft = 2.39 cfs

SYSTEM DESCRIPTION:
2 pumps in drain both pump out of 2 36" culverts buried in drain
① GE motor Model 5K 215AN219, 10 HP to belt driven pump
② GE motor Model 5K 215AN219, 10 HP to belt driven pump #
into 10" main to open ditch

REMARKS:

Examiner's Signature [Signature] Date 10/6/76
Checked by [Signature] Date 10-22-76
Approved by _____ Date _____

Identification No. _____

Application No. 63-8352

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR PERMIT

AUG 10 1976

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant ARTHUR H. &/or Cora Van Wyk Phone: 459-3838
post office address Route 2 Caldwell, ID C/O Vans Ranch
2. Source of water supply South Drain which is a tributary of Dixie Slough
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9 Township 4N
Range 4W B.M. Canyon County; additional points of diversion if any: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 9 T4N-R4W
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 4.0 for Irrigation purpose from 4-1 to 10-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 4.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 10-HP pumps into open ditch

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
b. Estimated construction cost is \$ 10,080.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	4W	9										40	40	40			40	40	200

Total number of acres to be irrigated 200

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

~~was~~ ^{has} water from Poor Boy Ditch

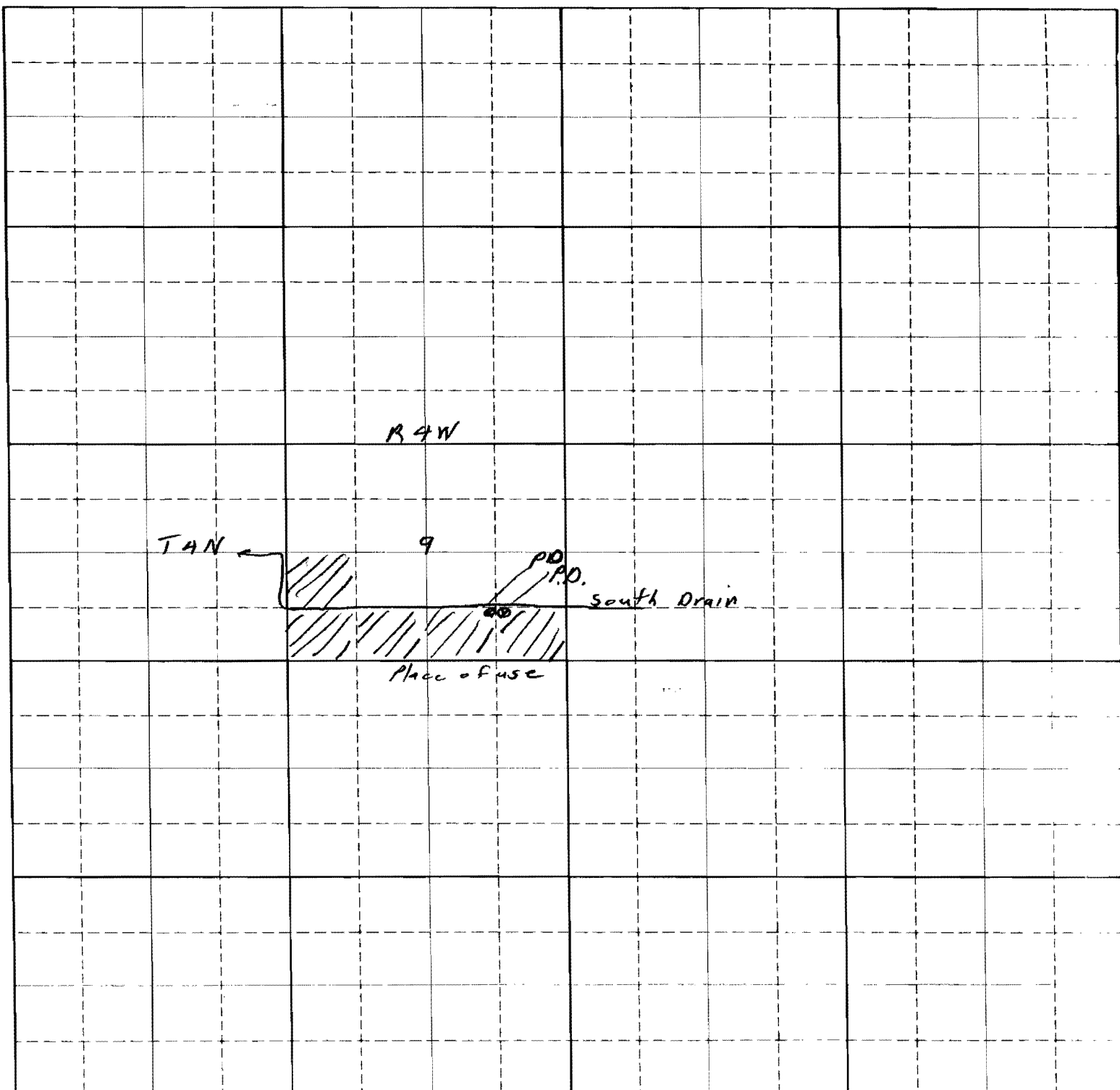
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks Gets insufficient from Poor Boy ditch. Has leveled and expanded acreage needs additional water.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Arthur H. Van Winkle
(Applicant)

Proposed Priority 8-10-76

Received by GLS Date 8/10/76 Time 3:40 PM

Preliminary check by GLS Fee \$ 55.00

Received by RF Date 8-10-76 Time 11:50 AM

Publication prepared by CS Date August 10, 1976

Published in Idaho State Journal, Pocatello

Publication dates August 10, 1976 August 11, 1976

Publication approved RF Date 9-3-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JHJ

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. 63-8352, 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 October 1, 19 77.

c. Other: 1. A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

2. Denial of said application is for the following reasons: _____

Witness my hand this 13 day of September, 19 76.

R. Karl Hiji
Director

6.0.



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

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.
-ja!*

RE: Snake River Basin Adjudication
Case No. 39576 and Subcase Nos. 36-13320 & 57-02203A

Dear Mr. Shaff:

In response to your letter of March 24, 1994, please modify your records to reflect that Terry T. Uhling and Gray Young are co-counsel of record in the above referenced matter. Mr. Uhling and Mr. Young are in-house counsel for J. R. Simplot Company, and, therefore, would be apprised of all matters relating to the claims of Simplot and its related company subsidiaries and affiliates as a matter of course. The attached Exhibit A does represent all water rights we are aware of at this time to which the Notice applies.

For your information, I have also enclosed a copy of a letter and attached Notice of Withdrawal from Diana Delaney, Chief Deputy Clerk of the Snake River Basin Adjudication Clerk's Office, which indicates that Bruce Belzer never was recorded as being counsel for J. R. Simplot Company.

If you have any questions, feel free to call me at 389-7201.

Sincerely,

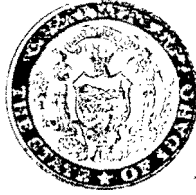
Holly Pepe
Legal Department

/hp
Enclosures
5517v

MICROFILMED

JUL 25 1994

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



RECEIVED
APR 14 1994
Department of Water Resources

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

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

April 6, 1994

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

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

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

Dear Mr. Young and Mr. Uhling:

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

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

Sincerely,

Diana R. Delaney
Chief Deputy Clerk

DRD

Enclosure

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

MICROFILMED
JUL 25 1994

1 GRAY YOUNG, Assistant General Counsel
2 TERRY T. UHLING, Assistant General Counsel
3 Environmental & Regulatory Affairs
4 J. R. SIMPLOT COMPANY
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

FILED
DISTRICT COURT - SRB
TWIN FALLS CO., IDAHO
JUL 25 1994

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

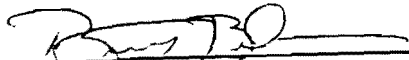
24 The United States; the State of)
25 Idaho; and all claimants to the)
26 use of water from the Snake)
27 River Basin Water System,)

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 36-13320
5 57-02203A

6 DATED this 4th day of April, 1994.

7
8 
9 Bruce L. Belzer
10 Assistant General Counsel for
11 J. R. Simplot Company
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CERTIFICATE OF SERVICE

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

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
P.O. Box 450
Fruitland, Idaho 83619

Kent W. Foster
HOLDEN, KIDWELL, HAHN & CRAPO
330 Shoup Avenue
P.O. Box 50130
Idaho Falls, Idaho 83405

Randall C. Budge
RACINE, OLSON, NYE,
COOPER & BUDGE, CHARTERED
201 East Center, Suite 2A
P.O. Box 1391
Pocatello, Idaho 83204-1391

Randall C. Fredricks
COSHON, HUMPHREY, GREENER &
WELSH, P.A.
Carnegie Building
815 West Washington Street
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

Raymond D. Givens
Jeffrey C. Fereday
Michael C. Creamer
Christopher H. Meyer
Roy L. Eiguren
GIVENS, PURSLEY, & HUNTLEY
277 North Sixth Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701

MICROFILMED

JUL 25 1994

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

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

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

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

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

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

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

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

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

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

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
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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UAK - Please file
in claims indicated on map.

~~INTER-DEPARTMENT~~ MEMO — 1

FROM FORREST

DATE Aug 15, 1990

TO ADJ. SECT. - WESTERN

SUBJECT JR. & SIMPLOT LAND & CATTLE CLAIMS

Hi! Vic ORIGINALLY SUBMITTED THE CLAIMS ON ACCOMPANYING
LIST WITHOUT MAPS OR PHOTOS. THESE PHOTOS SHOULD BE FILED
WITH CORRESPONDING CLAIM FILES.

R63-02070B.

A63-02239

A63-02240

A63-02241

A63-02343

A63-02617

A63-04688

R63-08352

RECEIVED *thanks,*

AUG 16 1990

Department of Water Resources
Western Regional Office

Forrest

SIGNATURE

MICROFILMED

AUG 24 1992

GRAY YOUNG
BRUCE BELZER
Attorneys at Law
J. R. Simplot Company Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707
(208) 389-7318
(208) 389-7515 Telefacsimile

Attorneys for J. R. Simplot Company

RECEIVED
JAN 21 1992
Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CASSIA

In Re the General Adjudication
of Rights to the Use of Water
From the Snake River Drainage
Basin Water System.

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

Petitioner,

vs.

The United States;
The State of Idaho;
and All Claimants to the Use
of Water from the Snake River
Basin Water System,

Respondents.

ALICE FOSHA, HELEN FLINT, and
BEVERLY ADAMS, individuals,

Plaintiffs,

vs.

A. KENNETH DUNN, Director of the
Department of Water Resources
of the State of Idaho,

Twin Falls County
Civil Case No. 39576

and

Cassia County
Civil Case No. 13770-12-83

NOTICE OF APPEARANCE

*Don modified all thru
C.A.N. program.*

of 4-1-92

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Defendants.)

IN THE MATTER OF THE GENERAL)
DETERMINATION OF RIGHTS TO THE)
USE OF GROUNDWATER DIVERTED)
FROM SECTIONS 19, 20, 21, 28, 29,)
30, 31, 32, AND 33, T. 11 S.,)
R. 27 E., B.M.)

A. KENNETH DUNN, Director of the)
Department of Water Resources)
of the State of Idaho,)

Counterplaintiff,)

vs.)

ALICE FOSHA, HELEN FLINT, and)
BEVERLY ADAMS, individuals,)

Counterdefendants.)

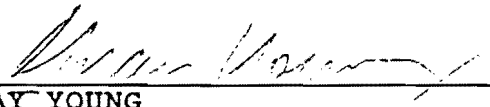
TO ALL PARTIES:

GRAY YOUNG, Assistant General Counsel, J. R. Simplot
Company, hereby enters his appearance as co-counsel on behalf
of J. R. Simplot Company in this action. All notices to
J. R. Simplot Company should be delivered to the following
address:

Gray Young
Bruce Belzer
J. R. Simplot Company
Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707

DATED this 20th day of January, 1992.

By


GRAY YOUNG

Assistant General Counsel

4507v/1-20-92/1:42

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF APPEARANCE was mailed this 20th day of January, 1992, in an envelope with sufficient first-class postage prepaid thereon to the following:

Idahome Farms, Inc.
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A. Lynne Krogh-Hampe
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VICKI SPANGLER

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