

11/30/2005

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

RIGHT NUMBER: 77-13848

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

SOURCE: CACHE CREEK

TRIBUTARY: LOON CREEK

QUANTITY: 0.187 CFS

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 11/28/1910

POINT OF DIVERSION:

T17N R14E S22 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.080 CFS
IRRIGATION	04/01 10/31	0.087 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T17N R14E S15 SWSE 3.5

STOCKWATER Within LEMHI County

T17N R14E S15 SWSE

DOMESTIC Within LEMHI County

T17N R14E S15 SWSE

3.5 ACRES TOTAL

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

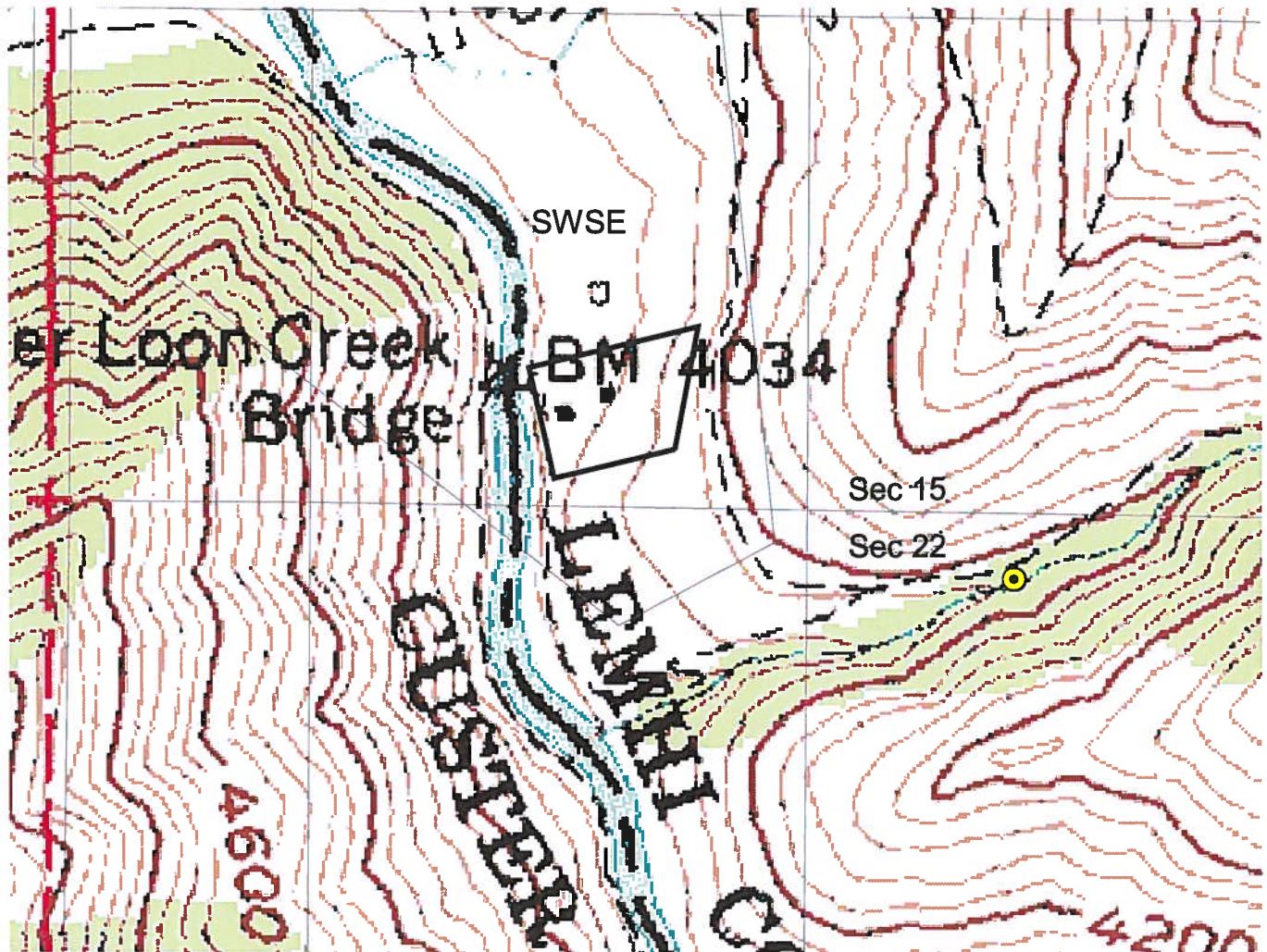
PROPERTY IS KNOWN AS A PORTION OF HOMESTEAD ENTRY SURVEY
NO. 90.

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

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 - Beneficial Use

77-13848



0 300 600 Feet

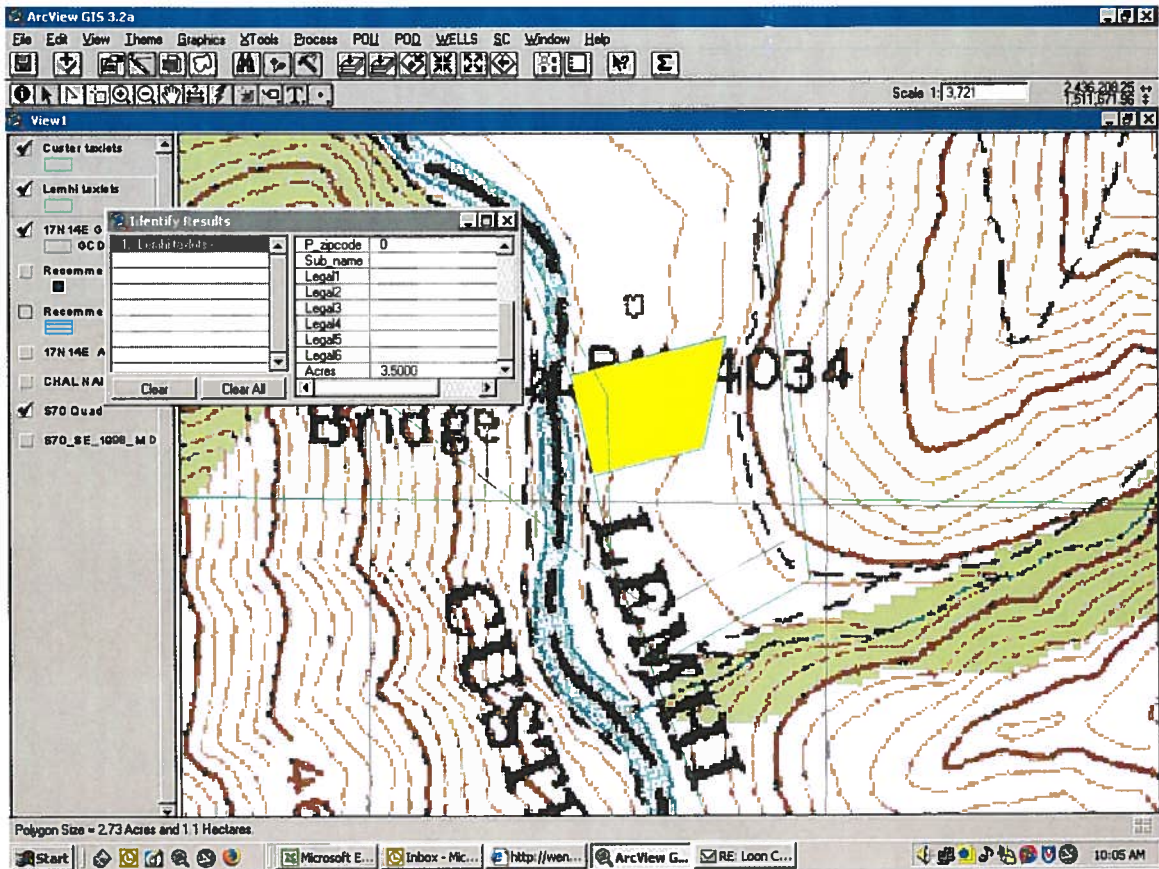
Sections 15 & 22
T17N R14E



● Point of Diversion

□ Place of Use

Map prepared on February 15, 2005
By Kenneth Knoblock
Idaho Department of Water Resources



Accession/Serial #: 540314 **BLM Serial #:** IDH 0009190**Names****Patentee:** ROBERT L RAMEY**Survey****State:** IDAHO**Acres:** 121.05**Metes/Bounds:** Yes**Title Transfer****Issue Date:** 7/28/1916**Land Office:** Hailey**Cancelled:** No**U.S. Reservations:** Yes**Mineral Reservations:** No**Authority:** May 20, 1862: Homestead EntryOriginal (12 Stat. 392)**Document Numbers****Document Nr.:** 09190**Misc. Doc. Nr.:** 0**Accession/Serial Nr.:** 540314**BLM Serial Nr.:** IDH 0009190

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
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13/	17-N	13-E	No	Boise	ID	Custer, Valley	90
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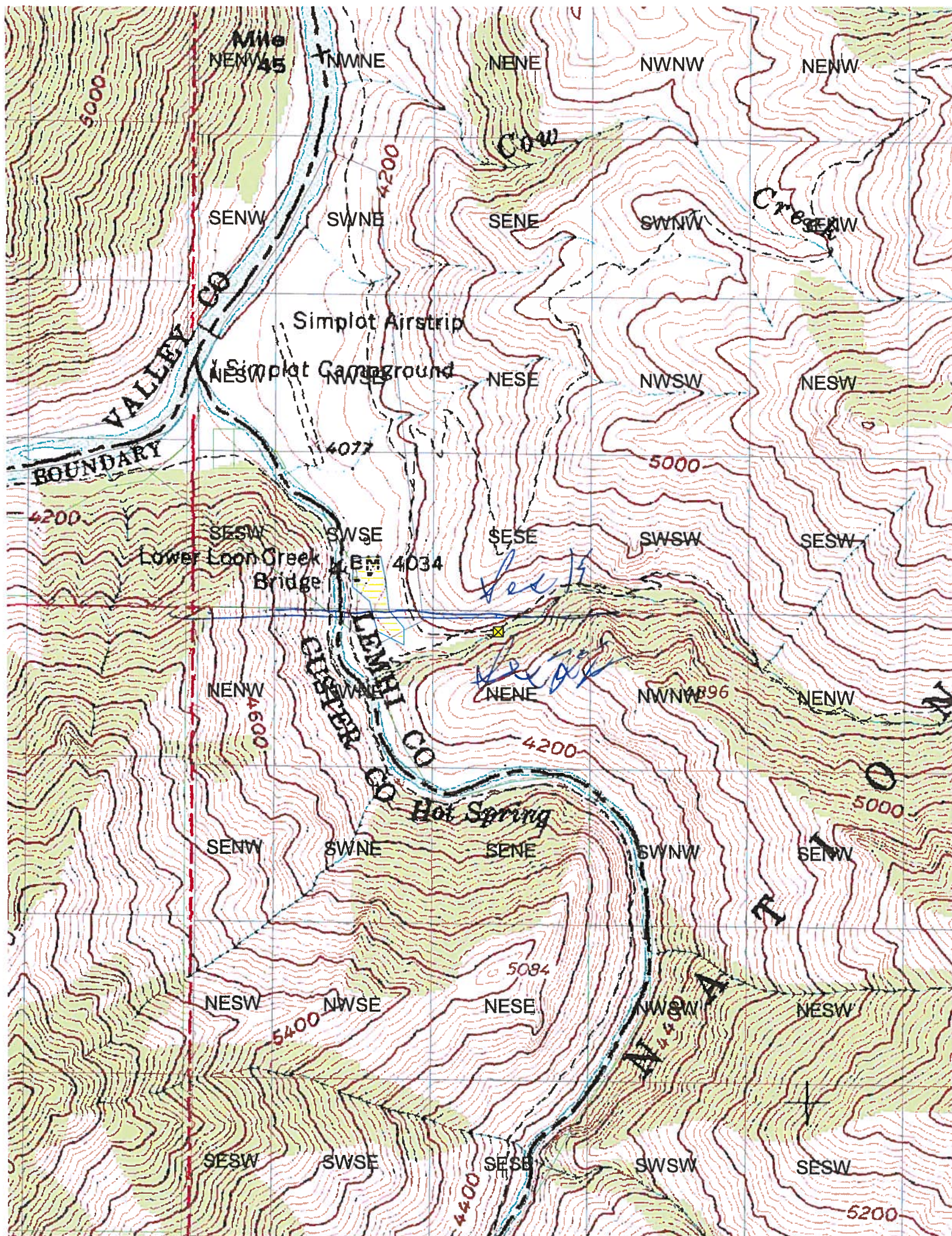
Remarks: HOMESTEAD SURVEY #90

15/	17-N	14-E	No	Boise	ID	Custer, Lemhi, Valley	90
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Remarks: HOMESTEAD SURVEY #90

22/	17-N	14-E	No	Boise	ID	Custer, Lemhi	90
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Remarks: HOMESTEAD SURVEY #90



Land Patent Image

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Acc./Ser. Nr.: 540314 Patentee: ROBERT L RAMEY

Issue Date: 7/28/1916

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Hailey 09190.

4-1000-R.

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Hailey, Idaho,**

has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862,

"To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of **Robert L. Ramey**

has been established and duly consummated, in conformity to law, for the **H. E. Survey No. 90, embracing a portion of the unsurveyed public domain, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1, from which U. S. Location Monument No. 90 bears north eighty-nine degrees, twenty minutes east two and twenty-four-hundredths chains distant; thence north sixty-one degrees, thirty-four minutes east seven and nine-hundredths chains to corner No. 2; thence north six degrees, thirteen minutes west fifty-six and seven-tenths chains to corner No. 3; thence north sixty-six degrees, fifty-seven minutes west six and fifty-eight-hundredths chains to corner No. 4; thence meandering Middle Fork of Salmon River, south twenty-six degrees, forty-five minutes west twelve and ninety-one-hundredths chains, south thirty-four degrees, thirty-six minutes west twelve and sixty-seven-hundredths chains, south twenty-five degrees, thirteen minutes west ten and six-tenths chains, south forty-seven degrees, fifty minutes west ten and thirty-two-hundredths chains to corner No. 5; thence south fifty-two degrees, eighteen minutes east thirty-nine and forty-two-hundredths chains to corner No. 1, the place of beginning, containing one hundred twenty-one and five-hundredths acres according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:**

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I,

Woodrow Wilson

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **TWENTY-EIGHTH**

(SEAL.)

day of **JULY** In the year of our Lord one thousand
nine hundred and **SIXTEEN** and of the Independence of the
United States the one hundred and **FORTY-FIRST.**

By the President-

Woodrow Wilson

RECORD OF PATENTS: Patent Number **540314**

By

M. P. Le Roy Secretary.
L. B. Lamar
Recorder of the General Land Office.

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Barth. Lemke
Cassidy's office sec
2 cabins
JNR
3.5
acres
17N/4E18
3601A
HES 190
18

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

RECEIVED

OCT 20 1995

WATER RESOURCES
WESTERN REGION

Ident. Number: A77-13848

Date Received: 10/13/1995

Receipt No: C033723

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

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

2. Date of Priority: NOV 28, 1910

3. Source: CACHE CREEK Trib. to: LOON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	14E	22	NW	NE			LEMHI

5. Description of diverting works:
DIVERSION DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.087		
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 7.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 2 HOUSEHOLDS, STOCKWATER - 20 HEAD OF HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	14E	22	NE	NW		IRR	3.5
			NE	NW		DOMEST	

MICROFILMED

OCT 22 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	14E	22	NE	NW		STOCK	
						Section Acres	3.5
						Total Acres	3.5

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE POINT OF DIVERSION AND PLACE OF USE ARE DESCRIBED AS ACCURATELY AS POSSIBLE. THE ORIGINAL PATENT PROCEDURE DESCRIBES DISCREPANCIES IN THE LEGAL DESCRIPTION. THE DESCRIBED PLACE OF USE IS A PORTION OF HOMESTEAD ENTRY SURVEY #90 LOCATED IN LEMHI COUNTY, STATE OF IDAHO. CLAIMANT IS PURSUING A CLARIFICATION OF THE LEGAL DESCRIPTION FROM THE NATIONAL ARCHIVES AND RECORD ADMINISTRATION.

15. Basis of Claim: BENEFICIAL USE

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

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Date Received

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Receipt Number

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RECEIVED

OCT 20 1995

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) J.R. SIMPLOT COMPANY Phone (208) 336-2110Mailing Address P.O. BOX 27 BOISE, IDAHO Zip 837072. Date of Priority (Only one (1) per claim) NOVEMBER 28, 19103. Source of water supply (a) CACHE CREEKwhich is tributary to (b) LOON CREEK4. a. Location of existing point of diversion is: Township 17N Range 14E Section 22,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of LEMHI

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of 1/4 of1/4, Govt. Lot B.M., County of5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. DIVERSION DAM AND DITCH

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6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For IRRIGATION purposes from 4/15 to 10/15 amount .087 or _____

For DOMESTIC purposes from 1/1 to 12/31 amount .08 or _____

For STOCK WATERING purposes from 1/1 to 12/31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .187 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 7 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC: 2-HOUSEHOLDS STOCKWATER: 20 HD HORSES

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
17N	14E	22					3.5												3.5
		22					D												
		22					S												

Total number of acres irrigated 3.5

11. In which county (ies) are lands listed above as place of use located? LEMHI

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

The point of diversion and place of use are described as accurately as possible. The original patent procedure describes discrepancies in the legal description. The described place of use is a portion of Homestead Entry Survey #90 located in Lemhi County, State of Idaho. Claimant is pursuing a clarification of the legal description from the National Archives and Record Administration.

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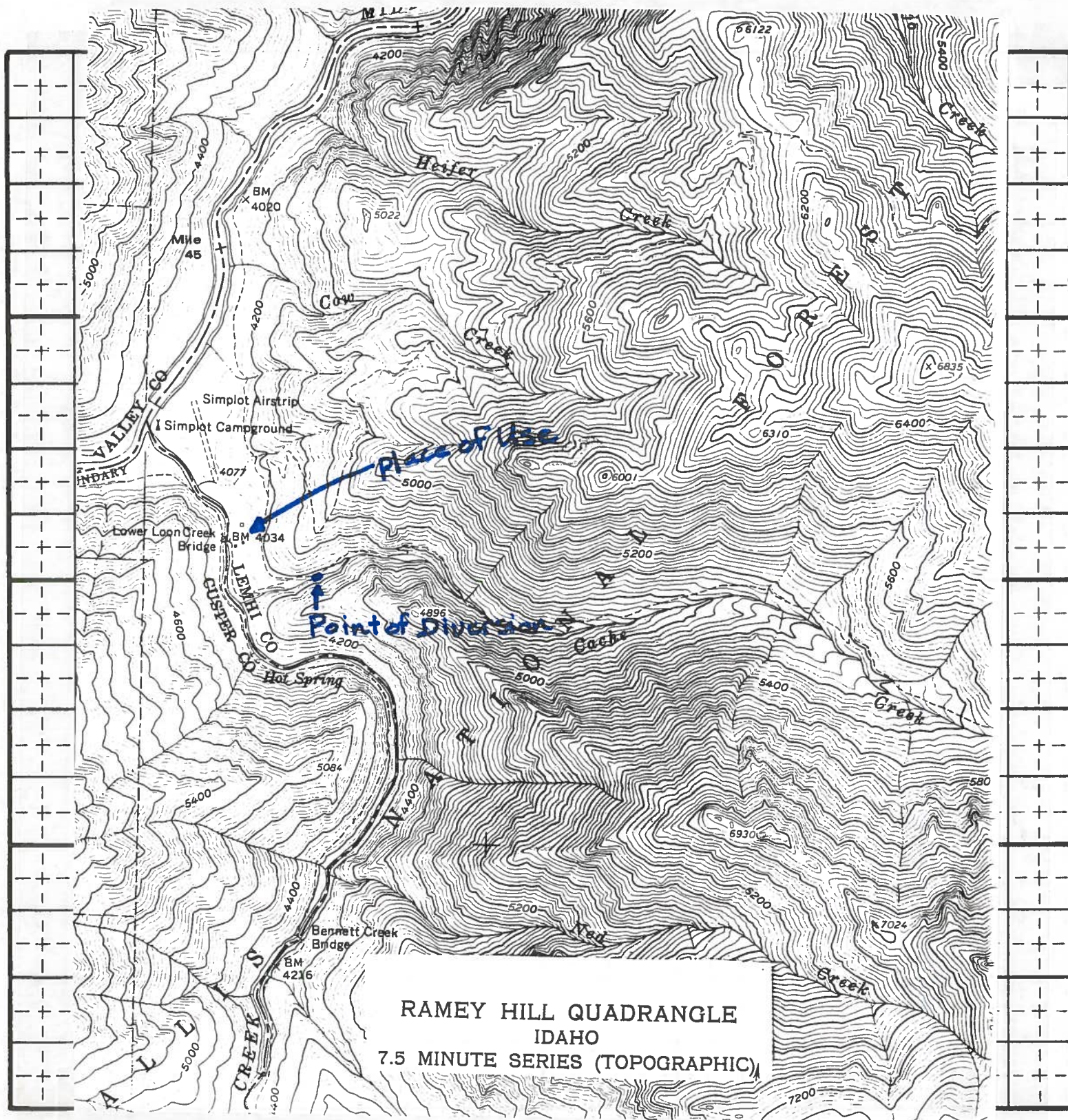
OCT 22 1996

Last Name J.R. SIMPLOT CO. Ident No. A77-13848

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



Last Name J.R. SIMPLOT CO.

Ident No. A77 -13848

Copies: White-State, Yellow-Claimant

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15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date OCTOBER 13, 1995

Date _____

For Organizations: I do solemnly swear or affirm that I am SECRETARY

Title

of J.R. SIMPLOT COMPANY, that I have signed the foregoing
Organization

document in the space below as SECRETARY of J.R. SIMPLOT COMPANY
Title Organization

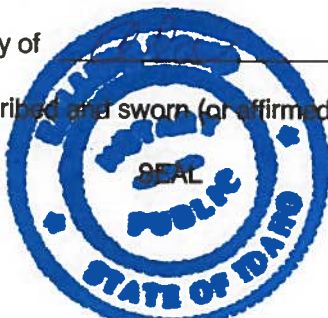
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Ronald N. Graves

Title and Organization SECRETARY Date OCTOBER 13, 1995

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 13th day of October 19 95



Notary Public Keltine Bond

Residing at Boise, Idaho

My Commission Expires 10-13-98

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Terry T. Uhling will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Terry T. Uhling

Address P.O. Box 27, Boise, ID 83707-0027

Date October 13, 1995

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OCT 22 1996

Last Name J.R. SIMPLOT CO. Ident. Number A77-13848

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